



Minutes of the Board of Agriculture
February 25, 2025

A video recording of this meeting can be found online by visiting this website:
<https://hdoa.hawaii.gov/meetings-reports/>

CALL TO ORDER – The meeting of the Board of Agriculture was called to order on February 25, 2025, at 9:04 am by Board Member, Randolph Cabral. Chairperson Sharon Hurd designated Board Member Randolph Cabral to chair this meeting during her absence. The meeting was conducted virtually via Zoom and in-person from:

*State of Hawaii, Department of Agriculture
Plant Quarantine Branch
1849 Auiki Street*

Members Present In-Person:

Randy Cabral, Member-at-Large
James Gomes, Member-at-Large

Members Virtually Present: Roll call/alone

Ryan Kanaka'ole, DLNR, Ex-Officio Member
Mark Takemoto, DBEDT, Ex-Officio Member
Diane Ley, Hawaii Member
Nathaniel Oswald, Maui County Member

Excused:

Sharon Hurd, Chairperson, Board of Agriculture
Dr. Parwinder Grewal, Dean CTAHR, Ex-Officio Member
Fred Cowell, Kauai Member
En Young, Member-at-Large

Deputy Attorney General Present In-Person:

DAG Jennifer Waihe'e-Polk

Others Present In-Person:

Yong Pak, HDOA/Ag Loan
Brandi Ah Yo, HDOA/ARM
Glenn Okamoto, HDOA/ARM
Jerome Yasuhara, HDOA/ARM
Rae Gee, HDOA/Office of the Chair
Jason Azus-Richardson, HDOA/IT

1 Jim Duffy, New Town & Country Stables
2 Bud Gibson, New Town & Country Stables
3 Kelcie Nagata, DAG
4

5 Others Virtually Present:¹

6 Jonathan Ho, HDOA/PQ
7 Jovanna T.
8 Kainani Merrill
9 Chris Brilhante
10 Mark Ladao
11 Roy Hasegawa, HDOA/ARM
12 Kahealani
13 lindsey.ancog, HDOA/ARM
14 J Ferrer, HDOA/Office of the Chairperson
15 BTM B.I.
16 HDOAPIO, HDOA/Office of the Chairperson
17 Charles
18 Cedric Gates, HDOA/Office of the Chairperson
19 Ted Yamamura
20 Toy Lim, HDOA/ARM
21 John Boyes, HDOA/Ag Loan
22 Diandra Goodwin-Leung
23 janet
24 Jill Scheibe, HDOA/Ag Loan
25
26

27 II. APPROVAL OF MINUTES FROM 1/28/25 MEETING
28

29 Motion to Approve: Gomes/Ley
30

31 Member Ley said page 3, line 32 should be corrected to “decrease” and not “increase”.
32 She also wanted to correct Bronson’s name on page 11, line 16 and said it should be
33 spelled “Yadao”.
34

35 Vote: Approved as amended; unanimously
36

37 III. INTRODUCTIONS
38

39 IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
40

¹ The identification of the public members is based on their sign-in name but are not verified.

1 A. AGRICULTURAL LOAN DIVISION

- 2
3 1. Request that One (1) loan to Island Manaia, LLC be referred to the Attorney
4 General's Office for disposition and collection.

5
6 Yong Pak, Agricultural Loan Division, presented testimony as submitted.

7
8 Motion to Approve: Gomes/Ley

9
10 Discussion:

11 Member Oswald asked if the last contact was July of 2024?

12
13 Mr. Pak said it was June of 2023.

14
15 Member Oswald asked if there was any conversation about their plans?

16
17 Mr. Pak said he wanted to meet and talk to them, but they did not want to cooperate.
18 Mr. Pak was trying to find an address to send correspondence, and they provided a
19 P.O. Box, but he is unsure if this is correct.

20
21 Member Oswald asked if they are aware of the outstanding balance and that this needs
22 to be collected.

23
24 Mr. Pak said yes, they are.

25
26 Member Ley said a situation like this is rough and she would like to ask for
27 consideration on that.

28
29 Member Gomes asked how the correspondence is sent.

30
31 Mr. Pak said he scans the correspondence and sends it via email along with a mailed
32 copy. Mr. Pak said he gets a response via email.

33
34 Member Gomes asked Mr. Pak if he's ever seen the property.

35
36 Mr. Pak said yes, he had and that when he went out to the property, there were workers
37 who were cleaning out the place. There is a dwelling there.

38
39 Member Gomes asked if the board could get some pictures so he could see the
40 situation and how bad it is. He asked if the property would come up again for lease once
41 the AG has it.

42

1 Mr. Pak said this is a private lease and not state land. He added that the truck wasn't
2 there which was probably the most valuable so he assumes they disposed of it.

3
4 Vote: Approved; Unanimously
5

6
7 2. Request for Approval of One (1) Loan Guaranty to Mokuwai Piko Poi, Inc
8

9 Jillian Scheibe, Ag Loan Division, presented testimony as submitted.
10

11 Motion to Approve: Ley/Gomes
12

13 Discussion:

14 Member Gomes said this operation has been very successful and they are very good
15 stewards of the 'aina. Do we know if there are any succession or children that would
16 take over?
17

18 Ms. Scheibe said the individual is a parent, but she doesn't know what their thoughts
19 are.
20

21
22 Member Oswald asked if there is any available market research with this expansion and
23 if the market can absorb it and remain profitable? He said he's assuming they're selling
24 everything they make. He also asked if there are any projections that they might
25 overproduce and soften the market?
26

27 Ms. Scheibe said they were able to attend the Hawaii Impact Ready cohort, where they
28 did a lot of business strategy over 2024, and part of what that was seeing how that ramp
29 up strategy would play out. Their markets are currently asking for about a quarter more
30 than they're providing. They could scale back purchasing from other farmers if they
31 saturate the market.
32

33 Vote: Approved; Unanimously
34
35

36 3. Request for Approval of One (1) Class C Loan for Mint Mushrooms and
37 Produce, LLC, Sumitra V. Barton, co-borrower.
38

39 Yong Pak, Agricultural Loan Division, presented testimony as submitted.
40

41 Motion to Approve: Gomes/Ley
42

43 Discussion:

1 None

2

3 Vote: Approved; Unanimously

4

5

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B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

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1. Request that the Board of Agriculture Delegate Authority to the Chairperson to Further Negotiate and Enter into a Memorandum of Agreement with the Agribusiness Development Corporation Regarding the Purchase of the Wahiaiwā Dam Spillway; TMK: (1) 7-1-012:014, Island of O‘ahu, Hawai‘i

14

15

16

Glenn Okamoto, Agricultural Resource Management Division, presented testimony as submitted.

17

18

Motion to Approve: Gomes/Ley

19

Discussion:

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22

Member Ley said she doesn’t see the role that DLNR plays in this and if this is an oversight or whether they don’t need to be included.

23

24

25

26

27

Member Kanaka‘ole said there are three entities that are doing the acquisition – DOA, ADC, and DLNR. He said the MOA and board action will allow DOA and ADC to move forward on doing the acquisitions and closing on their portions of the bigger project. DLNR is still undergoing the due diligence process.

28

29

Vote: Approved; Unanimously

30

31

32

33

2. Request to Approve Rental Offset, General Lease Nos. S-3151 and S-3152; Diamond B Ranch, LLC, Lessee; TMK: (2) 2-2-004:029 and 066, Kēōkea, Kula, Makawao, Island of Maui, Hawai‘i

34

35

36

Brandi Ah Yo, Agricultural Resource Management Division, presented testimony as submitted.

37

38

Motion to Approve: Gomes/Oswald

39

Discussion:

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41

42

Member Gomes asked if there is a timeframe that he needs to complete the fence? Are there any stipulations?

1 Ms. Ah Yo said the loan side may have but we don't. Within the 1st year of having the
2 lease, he needed to provide the receipts to get the offset which he did, and it far
3 exceeds.

4
5 Ms. Ah Yo said to her knowledge, the lease is general, and it doesn't have a specific
6 height for the fencing, and she'll need to double check. If the loan requires it, it would be
7 stipulated.

8
9 Member Gomes asked if they need to provide some pictures or updates of what they've
10 been doing?

11
12 Ms. Ah Yo said yes for the rental offset. She added that they do at least 1-2 inspections
13 throughout the year so they would see their progress. In their plan of utilization, they'll
14 need to meet certain benchmarks, and she said each benchmark is different.

15
16 Member Gomes said he'd like to know the benchmarks and that if you don't keep the
17 deer out, there aren't going to be any groceries.

18
19 Vote: Approved; Unanimously

20

21

- 22 3. Request for Consent to Assignment of General Lease No. S-4760;
23 Mountain Meadows, Inc., Lessee/Assignor; Pana'ewa Plant Company,
24 LLC., Assignee; TMK: (3) 2-2-056:039, Lot 13, Pana'ewa Agricultural
25 Park, Waiākea, South Hilo, Island of Hawai'i, Hawai'i

26

27 Brandi Ah Yo, Agricultural Resource Management Division, presented testimony as
28 submitted.

29

30 Motion to Approve: Ley/Gomes

31

32 Discussion:

33 Member Ley said she is glad there is interest in family taking over. She asked if the
34 family was made aware of the opportunity to extend the term of lease.

35

36 Ms. Ah Yo said yes, they are aware.

37

38 Member Ley asked if they made a request to extend at this point in time.

39

40 Ms. Ah Yo said no, not at this time but she is sure that this request will come next.

41

42 Vote: Approved; Unanimously

43

- 1 4. Request for Approval for Conversion of General Lease Nos. S-5488 and
2 S-5489 to a New General Lease for New Town & Country Stables, Inc.;;
3 TMK Nos. (1) 4-1-008:054 and 059, Waimānalo, Ko‘olaupoko, Island of
4 O‘ahu, Hawai‘i
5

6 Brandi Ah Yo, Agricultural Resource Management Division, presented testimony as
7 submitted.
8

9 Motion to Approve: Gomes/Kanaka‘ole
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11 Discussion:

12 Member Oswald said he feels that this is moving in the right direction of doing what is
13 right.
14

15 Member Ley asked if the character of use being proposed as pasture excludes any
16 renting of the stables and rodeo activities?
17

18 Ms. Ah Yo said correct, no rodeo activities. She said if the stables are utilized to house
19 the cattle, she believes that would be ok, but she will need to double check on that.
20

21 Member Ley asked if it would be the Gibson’s cattle and not external parties.
22

23 Ms. Ah Yo said that is correct.
24

25 Member Ley said that on the second page of this submittal it refers to the board having
26 the power to waive rental payments due to natural catastrophes or other external factors
27 beyond the lessee’s control. She said she assumes this is a situation where it’s beyond
28 the lessee’s control. She asked what the situation is that drove this backlog of rent.
29

30 Ms. Ah Yo said that would be a question for the lessee and that she does not have any
31 more information.
32

33 Member Ley said as board members, we want to relieve them of the financial strain that
34 the lease may be putting them under, but we also have fiduciary responsibility with state
35 assets. She said this is why she is looking for a statement about what is driving this
36 waiver of the back rent.
37

38 Member Cabral said the transfer was done in 2017 and if we follow logic, it should have
39 been handled in 2017. Based on Act 90 and the transfer, it was transferred by EO but it
40 was never agreed upon by DOA. There’s some stuff that was in limbo and if this was
41 done in 2017, we wouldn’t be in this situation today. It would have been at a reduced
42 rent. This is an old quarry site that has been there since the 1960s. He added that the
43 work that he put into that place is amazing. He said Mr. Gibson provides a strategic

1 opportunity for the community by holding rodeos and other stuff. He adds that he thinks
2 it's very reasonable to forgive the lease rent.

3

4 Member Cabral said to his understanding, EPA never said that it is a large capacity
5 cesspool and that it just could be considered a large capacity cesspool.

6

7 Ms. Ah Yo said it is her understanding that it's implied that it is a large capacity
8 cesspool. She said she believes there was further correspondence that confirmed it.

9

10 Mr. Buddy Gibson said it was never confirmed but because they were a business
11 agriculture, that is what caused them to be referred to as large because of their size.

12

13 Member Cabral said we need to keep in mind that the interpretation recently changed
14 because before then it wasn't an issue. He added that given the way EPA is going
15 under the new administration, it may change everything again. He said the interpretation
16 was changed with no public input at all, so it is questionable if it's legal or not.

17

18 Member Ley said it's no reflection on the applicant but it's just for the record.

19

20 Member Oswald asked if the cesspool was installed prior to the lease?

21

22 Member Cabral said it was done in the 1950s by a prior lessee.

23

24 Mr. Gibson said it was built in 1949.

25

26 Member Oswald added for consideration that if we build these leases and we're making
27 them available for agriculture, partnership into improvements is important.

28

29 Member Gomes said he's known Mr. Gibson for a very long time. Mr. Gibson has taken
30 a dump and made it into the best he can. He added that it is true that he supplies
31 240,000 pounds of beef but that may be only the processing, but he has other beef on
32 his property. He said there's a lot of us in the cattle industry that relies on Mr. Gibson.

33

34 Member Gomes said that if the ship breaks down or Matson changes the date for
35 shipping the cattle, Mr. Gibson houses the cattle and horses, feeds and waters them,
36 and coordinates and reloads them back to get shipped where they need to be. Member
37 Gomes said Mr. Gibson also deals with sheep, goats, llamas and a variety of livestock
38 that comes through his facility. Member Gomes said he sees things that need to be
39 changed but he'd like to see some consideration of the assets that he supplies to our
40 industry throughout the 50th state. Mr. Gibson is an icon in the industry, and he's helped
41 us tremendously in Hawaii. He added that Mr. Gibson has never asked to be
42 compensated and it's always for the industry.

43

1 Member Gomes said that he remembers back in 2017 he was with the BLNR and made
2 the motion to take it over from DLNR and give it to DOA, so he is aware of the situation.
3 He added that the cesspool deal goes back to 1949, and it's been 75 years. He said he
4 thinks they just dug a hole, and they don't think they knew it was high capacity.

5
6 Member Gomes said we need to really take into consideration and if it can't be done,
7 we should change the statute, law, or requirements to accommodate that this is an
8 agricultural entity. This is a ranching stakeholder. He added that we need to help this
9 gentleman.

10
11 Member Cabral said it says no stabling of horses, so he is wondering if this is by statute
12 or another policy.

13
14 Ms. Ah Yo said the character of use is pasture. If it was different than pasture, it might
15 allow for other things.

16
17 Member Cabral said when he inquired about this previously, he was told that because
18 the appraisal was done only on pasture, it came out differently. When the lease gets
19 negotiated between DOA and Mr. Gibson, is this something that can be worked out or is
20 it out of the picture?

21
22 Ms. Ah Yo said that it would be a legal question and if it would require a change in
23 character of use, there may be additional steps that would come to the table. She said
24 her understanding is that whenever there is a change of character of use, it would
25 require the cancellation of a lease which would then prevent the department from doing
26 a direct lease. She said it would have to go out for public notice and then bid it out to the
27 public. The character use now with DLNR is special equestrian and since that is not
28 agriculture activity, rodeos would not be allowed because it's not producing agriculture.
29 She said she believes this is why they are moving forward with pasture which allows
30 some wiggle room.

31
32 Deputy Attorney General Waihee-Polk reminded everyone that the item on the agenda
33 was regarding conversion and if the lessee wants to work out other issues with the
34 department, this should not be done in an open meeting.

35
36 Vote: Approved; Unanimously

37
38 V. OLD BUSINESS
39 None

40
41
42 VI. NEW BUSINESS
43 NON-ACTION ITEM: Invasive Species Action Plan Updates

1
2 Jonathan Ho, Plant Quarantine Branch, presented new business item.

3
4 Discussion:

5 Mr. Ho said the Two Lined Spittle Bug RFP had closed and is for \$240,000. This would
6 be for management of TLSB on the Big Island. They received 3 proposals, and they are
7 working on the contract.

8
9 They just got the finalized contract for LFA control work for Rentakil Terminex. They're
10 working with Hawaii Ant Lab to have them trained on Kauai and Maui. They're also
11 working with Mayor Alameda from Hawaii Island and trying to figure out a way to use
12 those treatments for the ones who would benefit more from the treatment subsidy for
13 residential services, especially how widespread LFA is.

14
15 The Pesticide Diagnostics RFP closed last month and they're working on the contract.
16 He also said they're still working on the \$800K Green Waste and working out some
17 quirks.

18
19 Mr. Ho said there are a bunch of bills that affect biosecurity and the renaming of the
20 department. HB427 enables biosecurity emergencies with approval from the Governor.
21 HB1100 adds transitional facilities so basically everything needs to be inspected and
22 there's going to be private inspectors. They're creating rapid response units. Both will
23 make the Act 231 positions permanent. SB 253 enables the department to inspect every
24 commodity and allows for inspections of the same goods interisland and changes the
25 penalties from criminal to civil. SB251 creates a placard program and would require
26 everyone to have a placard which would be similar to the DOH food establishment
27 program. SB562 creates a registry program for nurseries. The legislature initially had it
28 only for plants, but clarification was needed so they included any agricultural production.
29 Fruits, vegetables, cut flowers, and foliage are all now included in this registration
30 program. There is no inspection built in so it's unusual enforcement structure. HB175
31 requires any owner or lessee to maintain property to prevent the proliferation of invasive
32 species. It doesn't define invasive species, and it talks about managing plants that are
33 deemed invasive. He said DOA submitted testimony before it went to FIN and that they
34 are going to be working with the introducer to clarify what they're seeking to intend to
35 do.

36
37 Mr. Ho said there's a lot of other ones but they're not as broad reaching as these are to
38 ag in general.

39
40
41
42
43 Motion to adjourn: Gomes/Ley

1
2 The meeting was adjourned at 10:23 am
3
4 Respectfully submitted,
5
6
7
8 Marci Clingan
9