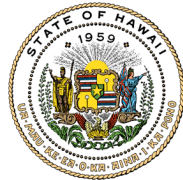


JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
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SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

**MINUTES OF THE ORAL PUBLIC HEARING
On Proposed Amendments to Chapter 4-66
Hawai'i Administrative Rules, Pesticides Rules
April 27, 2026**

PRESENT¹

Mrs. Esther Riechert, Pesticides Branch Manager, Department of Agriculture and Biosecurity, in-person
Mr. Maxwell Bendes, Pesticides Branch, Department of Agriculture and Biosecurity, online
Mr. Scott Nishimoto, Pesticides Branch, Department of Agriculture and Biosecurity, online
Unnamed, Member of the Public, In-person
Ms. Nitta, Member of the Public, online
Ms. Karen, Member of the Public, online
Mr. Anthony Caliano, Member of the Public, online
Ms. Debbie Dickinson, Member of the Public, online
Ms. Janet, Member of the Public, online
Ms. Brooke Olenski, Member of the Public, online
Ms. Krystale DiCristofalo, Member of the Public, online
Ms. Harley Broyles, Assistant Attorney with Earth Justice, online
Ms. Tara Rojas, Member of the Public, online

CALL TO ORDER

The hearing was opened to the public at 1:00 p.m. on April 27, 2026, by Mrs. Esther Riechert, Pesticide Branch Manager, in the Department of Agriculture and Biosecurity Conference Room, located at 1428 South King Street, Honolulu, Hawaii 96814, and virtually on Zoom to accept oral public testimonies on the proposed rule amendments. Written testimonies will be submitted to dab.pesticides@hawaii.gov, faxed to 808-973-9418, or mailed to the 1428 S. King Street office.

INTRODUCTIONS

Mrs. Riechert introduced herself and announced that this was a public hearing to receive testimony on the proposed amendments to Hawaii Administrative Rules, Title 4 Subtitle 6, Chapter 66 "Pesticide Rules", to conform to changes in the State's Certification Plan that the United States Environmental Protection Agency approved in

¹ Identification of online attendees is based off the sign-in name displayed.

November 2022. Changes in the certification plan included requirements that mirror the Federal Regulations and require replacing instances of “shall” with “must” to clarify what is required, not recommended. The State’s Certification Plan allows the Department to certify and recertify applicators to purchase and use restricted-use pesticides. Additionally, Hawaii Revised Statutes Chapter 4-66 is being updated to increase the maximum civil and criminal penalties to comply with Act 220, Session Laws of Hawaii 2023. The public hearing notice on the proposed amendments to the administrative rules were advertised in a Notice of Public Hearing in:

- The Honolulu Star Advertiser on March 15, March 29, and April 12, 2026
- Hawaii Tribune-Herald on March 15, March 29, and April 12, 2026
- West Hawaii Today on March 16, March 30, and April 13, 2026
- The Garden Isle on March 16, March 30, and April 13, 2026
- Maui New on March 5, March 19, and April 2, 2026

The same notice was posted on the Department of Agriculture and Biosecurity’s public hearing webpage on February 12, 2026. A recording was provided informing attendees on how to testify virtually.

PUBLIC TESTIMONY – IN PERSON AND VIRTUAL

1. Brooke Olenski

Supports the proposed changes. Would like greater clarity regarding the use of pesticides and the respective applicators. An example would be that consumers at farmers markets are not informed if food products that are grown on farms that use pesticides such as Round-Up. Would like the state to provide greater clarity, transparency, and more restrictions for the use of pesticides in protected watersheds.

2. Krystale DiCristofalo

Would like greater transparency on pesticide uses due to the health concerns pesticides pose.

3. Harley Broyles, Assistant Attorney with Earth Justice

Earth Justice stands on its written testimony in support of the amendments, as they increase protections for the public and penalties, including enforcement provisions. They appreciate the Department’s willingness to adopt these updates.

4. Tara Rojas

Against the proposed changes, since they do not specifically define what a pesticide is and does not incorporate natural solutions.

No other persons were present in person or online who were interested in providing testimony on the proposed rules. To allow the public to testify, the public hearing was kept open for the entire two hours scheduled. At 3:00 PM, the public hearing was called to a close by Esther Riechert.