

**AGENDA**  
**BOARD OF AGRICULTURE MEETING**

**Date:** October 24, 2023  
**Time:** 9:00 a.m.  
**Place:** In person access - Department of Agriculture  
Plant Quarantine Branch  
1849 Auiki Street  
Honolulu, Hawaii 96819-3100

**and**

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Plant Quarantine Branch  
1849 Auiki Street  
Honolulu, Hawaii 96819-3100*

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- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM 9/26/22 MEETING
- III. INTRODUCTIONS
- IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION
  - A. AGRICULTURAL RESOURCE MANAGEMENT DIVISION
    - 1. Request for Approval for the Transfer of Public Lands from the Department of Land and Natural Resources to the Department of Agriculture, Pursuant to Act 90, SLH 2003, Codified as Chapter 166E, Hawaii Revised Statutes; TMK Nos.: (3) 9-6-002:055; (3) 2-4-006:012 and 013; (3) 2-4-007:037; (3) 9-5-006:001; (3) 9-5-013:001; (3) 3-5-001:001; (3) 2-2-056:18; (3) 1-3-002:012 and 099; (3) 6-9-001:015; (3) 2-9-002:047; (3) 9-4-003:014; (3) 9-3-003:035 and 036; (3) 2-3-030:001; (3) 2-3-032:001; (3) 9-5-019:002 and 017; (3) 4-1-004:031; (3) 9-5-012:018; (3) 5-6-001:001; (3) 5-7-001:015; (3) 6-2-001:005; (3) 9-6-002:005, 010 and 013; (3) 9-5-006:001; (3) 6-5-001:006; (3) 6-5-001:020; (3) 2-4-004:012, 013, 021 and 022; (3) 5-5-003:013 and 019; (3) 5-8-003:007; (3) 1-8-010:038, 043, 044 and 046; (3) 4-5-011:006; (3) 4-4-013:011; (3) 6-4-031:007, 009 and 010; (3) 5-8-002:003; (3) 5-8-002:005; (3) 5-8-002:006; (3) 6-2-001:011; (3) 5-6-001:035; (3) 5-7-001:009; (3) 9-5-019:001; (3) 1-2-008:001; (3) 4-4-010:013; (3) 4-4-003:003 and 047; (3) 9-6-002:013; (3) 9-5-012:002; (3) 9-6-012:004; (3) 6-6-001:002 and 077; (3) 5-8-001:002, 005 and 006; (3) 5-7-001:004; (3) 5-7-001:010; (2) 2-7-008:015; (2) 2-7-015:026; (2) 1-4-007:009 and 017; (2) 1-6-005:008; (2) 1-6-005:021, 022 and 023; (2) 1-7-003:032; (2) 2-9-008:018 and 024; (2) 1-1-003:070; (2) 1-1-003:059; (2) 2-9-001:008 and 011; (2) 2-9-006:021, 022, 023 and 024; (2) 1-6-005:002; (2) 1-6-008:008; (4) 1-9-007:005, 007, 028, 029, 030 and 046; (4) 1-2-002:040; (4) 1-9-001:002; (4) 1-9-002:002; (4) 4-6-005:010; (4) 2-3-007:013; Islands of Hawaii, Maui, and Kauai
    - 2. Request for Consent to Assignment of General Lease No. S-4456; Jules J. Gervais, Jr., and Soontaree Gervais, Lessee/Assignor, to Jungle Mist Orchids, LLC., Assignee; TMK: (3) 2-4-049:012, Lot 28, Panaewa Farm Lots, Waiakea, South Hilo, Island of Hawaii, Hawaii

3. Request for Consent to Assignment of General Lease No. S-4640; Mya S. Paw`u and Sunny O Stewart, Lessee/Assignor to Elijah Scanlan, Assignee; TMK: (3) 2-4-049:023, Lot 9, Panaewa Farm Lots, Waiakea, South Hilo, Island of Hawaii, Hawaii
4. Request for Acceptance of Annual Lease Rents as Determined by Independent Appraisal for Rent Reopenings and Vacant land for Various Lots Located on Oahu and Hawaii Islands; TMK Nos.: (1) 4-1-010:031; (1) 4-1-027:011; (1) 4-1-027:018; (3) 2-4-049:011; (3) 5-5-003:012
5. Request for Acceptance for Annual Renewal of Revocable Permits for TMK Nos.: (1) 9-4-002:080; (1) 4-1-008:071 & 072; (2) 1-1-003:028; (2) 5-2-001:017; (3) 3-1-004:001; (3) 4-6-002:001; (3) 4-7-004:009; (3) 4-9-011:002; (3) 5-5-007:011; (4) 1-9-002:019; (4) 1-9-003:006; (4) 1-9-003:010; (4) 1-9-012:011; (4) 4-1-001:007; (4) 4-1-001:012; and (4) 4-1-009:005 & 006; Statewide
6. Request for Consent to Assignment of General Lease No. S-6001; Siaoisi Lautaha, Lessee/Assignor, to Romulo Aguinaldo and Rusty Arneson, Assignee; TMK: (1) 5-6-006:029, Kahuku Agricultural Park, Lot 1, Koolauloa, Kahuku, Island of Oahu, Hawaii
7. Request to Approve Rental Offset, General Lease No. S-3143; Jerrie J. Louis, Lessee; TMK (4) 1-9-002:013, Hanapepe, Island of Kauai, Hawaii

## B. PLANT INDUSTRY DIVISION

### Plant Quarantine Branch

1. Subject: (1) Request for Review of the Petition from Tiffany Leilani Nerveza-Clark to Initiate Administrative Rule Making and Rule Amendment to Chapter 4-71, Hawaii Administrative Rules (HAR), to Change the List Placement of the hybrid Savannah cat, crosses of the Serval, *Felis (Leptailurus) serval* with the domestic cat, *Felis catus*, From the List of Prohibited Animals to the List of Conditionally Approved Animals to enable individual possession.
2. Request to: (1) Allow the Importation and Possession of up to Three (3) Plains Zebras, *Equus burchelli (Equus quagga burchellii)*, Animals on the List of Restricted Animals (Part B), by Permit, for Non-Commercial Use in an Animal Sanctuary, by Three Ring Ranch, Inc.; and (2) Update Permit Conditions for the Importation and Possession of up to Three (3) Plains Zebras, *Equus burchelli (Equus quagga burchellii)*, Animals on the List of Restricted Animals (Part B), by Permit, for Non-Commercial Use in an Animal Sanctuary, by Three Ring Ranch, Inc.

V. OLD BUSINESS

1. Update on Bell vs. Tomioka Case Regarding Shell Egg Business Operation

VI. NEW BUSINESS

None

VII. DIRECTOR'S REPORTS

1. January 31, 2023 Meeting

IV.B.1 - Request to Approve Rental Offset, General Lease No. S-3144; Forrest Callahan and Tiffany Parker, Lessee; TMK (4) 1-9-002:045, Hanapepe, Island of Kauai, Hawaii

- A. Response to Board Member James Gomes' request for color photos of agenda
- B. Response to Board Member Randy Cabral's request for a list of ARMD's vacant parcels

2. February 28, 2023 Meeting

IV.B.2. - Request for Approval To Issue Revocable Permit (RP) To Molokai Livestock Homestead Association (MLHS); TMK: (2) 5-2-001:017, Molokai Agricultural Park, Hoolehua, Island of Molokai, Hawaii

- A. Response to Board Member James Gomes' request for information on the Molokai Homestead Livestock Association (MHLA) officers and point of contact of agenda item

3. May 23, 2023 Meeting

VI.B. - Advise BOA on Plans of Submitting a Bill to Cap the Interest Rate on Loans

- A. Response to Board Member Diane Ley's request for information on aquaculture loans in proposed legislation

#### 4. June 27, 2023 Meeting

IV.A.2. - Request for Approval to Award Leases to Various Awardees and Back-up Positions; TMK Nos.: (1) 4-1-035:014, (3) 1-5-116:003, 007, 062, and (3) 2-2-056:033, Islands of Oahu and Hawaii

- A. Response to Board Member Mary Alice Evans' inquiry on the water source in the Pahoia Agricultural Park agenda item

IV.A.3. - Request for Conversion of General Lease Nos. S-5658 and S-5168; Akamai Landscape & Maintenance Service, Inc., Lessee; TMK Nos.: (1) 4-1-027:011 and (1) 4-1-027:018, Lots 34 and 32, Waimanalo Farm Lots, Koolaupoko, Waimanalo, Island of Oahu, Hawaii

- B. Response to Board Member Mary Alice Evans' inquiry on the adoption of Chapter 4-158, Hawaii Administrative Rules agenda item

#### 5. August 22, 2023 Meeting

IV.A.1. - Request for Approval to Activate and Set Parameters for DOA's Emergency Loan Program to Provide Relief Relating to Wildfires in the Counties of Maui and Hawai'i

- A. Update on number of applications / calls to express interest for emergency loans due to the Maui wildfires
- B. Statute governing emergency loan interest
- C. Legislation for 2024 session regarding emergency loans and interest percentage
- D. Motion to remove the credit denial requirement for an emergency loan application was approved. Action to remove requirement.

IV.A.2 - Request that One (1) Loan to Hikari Nursery & Landscaping, Inc. be Referred to the Attorney General for Disposition and/or Collection

- E. Response to Board Member Randy Cabral's inquiry on the default rates for the last five years and collection rate resulting from AG's efforts to collect
- F. Update to confirm that there are 18 accounts with AG

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***\*The Board may go into Executive Session pursuant to exceptions provided under Section 92-5, Hawaii Revised Statutes (HRS), including to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, pursuant to Section 92-5(4), HRS.***

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