



1
2
3 **Minutes of the Board of Agriculture**
4 **August 27, 2024**

5
6 A video recording of this meeting can be found online by visiting this website:
7 <https://hdoa.hawaii.gov/meetings-reports/>
8

9 CALL TO ORDER – The meeting of the Board of Agriculture was called to order on
10 August 27, 2024, at 9:08 am by Board of Agriculture Chairperson, Sharon Hurd. The
11 meeting was conducted virtually via Zoom and in-person from:

12
13 *State of Hawaii, Department of Agriculture*
14 *Plant Quarantine Branch*
15 *1849 Auiki Street*
16
17

18 Members Present In-Person:

19 Sharon Hurd, Chairperson, Board of Agriculture
20 Wendy Gady, DBEDT Designee, Ex-Officio Member
21

22 Members Virtually Present: Roll call/alone

23 Ryan Kanaka'ole, Board of Land and Natural Resources, Ex Officio Member
24 (joined at 9:16 am)
25 Diane Ley, Hawaii Member
26 Nathaniel Oswald, Maui County Member
27 James Gomes, Member-at-Large
28 En Young, Member-at-Large
29

30 Excused:

31 Fred Cowell, Kauai Member
32 Randy Cabral, Member-at-Large
33

34 Deputy Attorney General Present In-Person: DAG Jennifer Waihee-Polk
35

36 Others Present In-Person:

37 Dexter Kishida, HDOA/Chair
38 Janelle Saneishi, HDOA/Chair
39 Marci Clingan, HDOA/Chair
40 Roy Hasegawa, HDOA/ARMD
41 Brandi Ah-Yo, HDOA/ARMD
42 Jonathan Ho, HDOA/PQ
43 Stephen Dalton, HDOA/IT

1 Jennifer Waihee-Polk, Attorney General's Office
2 Wayne Tanaka, Sierra Club

3

4 Others Virtually Present:¹

5 HDOA IT

6 nimz

7 Rae Gee

8 Scott

9 Greenspace Hawai'i

10 KoriK

11 Kelcie Nagata, Esq.

12 Delanie Prescott-Tate

13 ChunkB

14 Rep. Scott Saiki

15 FIN - Stacey Tagala

16 H&L Terada Farms

17 Marti ~ she/her

18 Janet

19 Beryl.TL.Manliguis

20 Linda

21 AGR - Murai, Linda

22 Mark Ladao

23 Wayne Takamine

24 Brandon Kim

25 Michelle

26 Stephanie

27 Yang

28 OISC

29

30

31 II. APPROVAL OF MINUTES FROM 6/25/24 MEETING

32

33 Motion to Approve: Gomes/Ley

34

35 Vote: Approved – 6; Recused - 1 (Gady)

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 RESOURCE MANAGEMENT DIVISION

- 2
3 1. Request for Approval to Award Leases to Various Awardees and Back-Up
4 Positions; TMK Nos. (1) 4-1-035:007, (1) 8-5-034:004, and (2) 5-2-
5 001:011, Islands of Oahu and Molokai
6

7 Roy Hasegawa, Agricultural Resource Management Division, presented testimony as
8 submitted.
9

10 Motion to Approve: Gady/Gomes

11 Discussion:

12 Member Gomes said we've had some Pahoia ag lot numbers listed on the agenda. Is
13 there any reason why there were no applications for these Pahoia lots?
14

15 Mr. Hasegawa responded that when we had put out the public notice, no one turned in
16 applications for any of the Pahoia parcels. In the past two years, we've put out public
17 notices and we've had interest, so we continued again. But this time around, there were
18 no applications submitted to us.
19

20 Member Gomes asked if the infrastructure (water and roads) is in these lots and what
21 sizes are the acreage of these lots.
22

23 Ms. Brandi Ah-Yo, Agricultural Resource Management Division, replied that yes, there
24 is infrastructure in these lots. She added that it ranges, and we have some five acre
25 parcels, but in this case, they're 20 acres and 15 acres.
26

27 Member Gomes asked how long these lots have been vacant.
28

29 Ms. Brandi Ah-Yo said quite a while. She added that she will be meeting with some of
30 the community members in September to see if we can get more movement in that area
31 and get some interested parties to fill out some applications when we go out for bid the
32 next time.
33

34 Member Young said that the public notice process may be using antiquated marketing
35 techniques.
36

37 Chairperson Hurd said Brandy did mention that there will be a public meeting held in
38 that area and is sponsored by the Representative of that area so hopefully he's
39 committed to getting some people on that property.
40
41

1 Member Gomes added that because it's been vacant for such a long time and some of
2 the parcels are 20 acres, could that be resolved in putting animals rather than farming?
3 Could they use that for animals to lease?
4

5 Ms. Brandi Ah-Yo responded that right now, the character of use is diversified
6 agriculture, so it's limited to just producing plants and not animals.
7

8 Vote: Approved; Unanimously
9

10
11 2. Request to Approve Rental Offset, General Lease No. S-4935; OCR Inc.,
12 Lessee; TMK: (1) 4-1-035:014, Waimanalo Agricultural Park, Lot 14,
13 Waimanalo, Koolaupoko, Island of Oahu, Hawaii
14

15 Roy Hasegawa, Agricultural Resource Management Division, presented testimony as
16 submitted.
17

18 Motion to Approve: Gomes/Wendy
19

20 Discussion:

21 Member Gomes asked Mr. Hasegawa what this parcel was used for prior to October
22 2023, since we had it in the system since 1990.
23

24 Mr. Hasegawa replied that it was a nursery production.
25

26 Member Gomes asked if he used all the four acres in nursery production prior to this
27 leasing?
28

29 Mr. Hasegawa said not the entire amount.
30

31 Member Gomes asked what kind of work he's doing on these four acres that would take
32 two years of rental.
33

34 Mr. Hasegawa responded that there's two easements that were not maintained by the
35 previous lessee so he cleared those areas. He needed to do extensive clearing, and he
36 put in a better perimeter fence than what was existing.
37

38 Member Gomes said he wants to see before and after pictures.
39

40 Mr. Hasegawa said he will send pictures of how it was before the clearing.
41

42 Chairperson acknowledged Board Member Ryan Kanaka'ole joining the meeting.
43

1 Member Young said that it'd make it easier for the board members to vote if they saw a
2 couple of categories to show that the expenses did exceed the base rental. He added
3 that business receipts are not needed.

4
5 Mr. Hasegawa said they submitted it to us, but majority of it was land clearing and then
6 the materials for the fence and then the gate.

7
8 Chairperson Hurd asked if he can give the board more information to make a decision
9 on whether to approve the request. She added that if he needs to redact information,
10 make sure to mark it as confidential.

11
12 Vote: Approved; Unanimously

13
14
15 3. Request for Approval to Award Leases for TMK Nos. (3) 2-4-049:004, (3)
16 2-4-049:006, and (3) 2-4-049:024; Green Point Nurseries, Inc., Awardee;
17 Island of Hawaii, Hawaii

18
19 Brandi Ah-Yo, Agricultural Resource Management Division, presented testimony as
20 submitted. Ms. Ah-Yo wanted to note a correction to a word in Exhibit A. The word
21 should be Keokea and not Kokea.

22
23 Motion to Approve: Gomes/Ley

24
25 Discussion:

26 Member Gomes asked when will these three come out again for public auction?

27
28 Ms. Ah-Yo said she believes they're looking at the first quarter of next year and that
29 they were going to go out for a public notice again.

30
31 Vote: Approved; Unanimously

32
33
34 4. Request for Consent to Assignment of General Lease No. S-4775; Henry
35 M. Terada and Loraine Y. Terada, Lessee/Assignor; Jianguo Wang,
36 Assignee; TMK: (3) 2-2-056:054, Lot 28, Panaewa Agricultural Park,
37 Waiakea, South Hilo, Island of Hawaii, Hawaii

38
39 Brandi Ah-Yo, Agricultural Resource Management Division, presented testimony as
40 submitted.

41
42 Motion to Approve: Gomes/Ley

43

1 Discussion:

2 Member Gomes asked if the Big Island has a first and second division also and what
3 does third division mean?

4

5 Ms. Ah-Yo replied that the number three represents the island and that the third division
6 is the island of Hawaii.

7

8 Member Gady asked if it is Ms. Ah-Yo's understanding that he will continue to farm the
9 diversified food crop in addition to the anthuriums?

10

11 Ms. Ah-Yo said no, he's going to keep the diversified food crop at his Hamakua Ag Co-
12 op property that he's leasing and he will then do the anthurium farming on that property.

13

14 Member Gady asked if there are staff positions that will be retained by him taking over
15 the nursery.

16

17 Ms. Ah-Yo said it's a family operation, so it'll be him with his family that's going to be
18 utilizing the property.

19

20 Vote: Approved; Unanimously

21

22

23 5. Request to Terminate General Lease No. S-4761, Byrne K. Kubo and
24 Bryce R. Kubo, Lessee; Issue Cancellation Document and Disposition of
25 Lot; TMK: (3) 2-2-056:040, Lot 14, Panaewa Agricultural Park, Waiakea,
26 South Hilo, Island of Hawaii, Hawaii

27

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

30

31 Motion to Approve: Gomes/Gady

32

33 Discussion:

34 Member Ley asked if Mr. Kubo lives in the house.

35

36 Ms. Ah-Yo said no, he doesn't.

37

38 Member Ley asked if there is a tenant in it.

39

40 Ms. Ah-Yo said not right now and that it looks vacant right now. He used to have a farm
41 worker there but hasn't been doing any farming so it's vacant right now.

42

1 Member Grewal asked what will happen to this property after it's declared delinquent?
2 Would it come back on the market, or how would we deal with it?

3

4 Ms. Ah-Yo said that part of the request is for us to be given the approval to prepare it to
5 go out to the public and to get it leased up again.

6

7

8 Vote: Approved; Unanimously

9

10 6. Request to Approve Right-of-Entry to General Lease S-6024, for Isemoto
11 Contracting Co., Ltd., to Construct a New Water Storage Tank, Pump and
12 Piping for the Existing Upolu Well; Lessee: Boteilho Hawaii Enterprises,
13 Inc., TMK: (3) 5-5-006:002 and 003 (POR), Opihipau and Hukiaa, North
14 Kohala, Island of Hawaii, Hawaii

15

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

18

19 Motion to Approve: Gady/Gomes

20

21 Discussion:

22 Member Gomes asked how many farmers will benefit from this well besides Boteilho
23 Enterprises.

24

25 Ms. Ah-Yo said the intent of what they plan to do and upon the completion of the
26 construction is to turn it over to the current lessee, Boteilho Hawaii. Then at that point,
27 they will determine who wants to potentially hook up to this water source and then they
28 would have to coordinate with the lessee to get that done.

29

30 Member Gomes asked if Boteilho would take in charge of the water to give it out to the
31 other lessees? Who would the water bill be charged to and who would be collecting the
32 income?

33

34 Ms. Ah-Yo said it would be written in the lease. The lease would have to be amended to
35 allow for other interested parties to hook up to this water source. The interested party
36 would coordinate with Boteilho Hawaii, and they would pay for the construction and they
37 would have to go through whatever applications and process they would have to go
38 through to get it approved.

39

40 Member Gomes asked if Boteilho is paying for this well.

41

42 Ms. Ah-Yo said no. She asked Brandon Kim from DLNR to come forward and answer
43 the question.

44

1 Brandon Kim from DLNR Engineering Division said that it was funded through a CIP
2 fund.

3
4 Member Gomes asked why Boteilho would be involved in distributing the water.

5
6 Ms. Ah-Yo said that right now, that pump is on the property that is currently leased by
7 Boteilho Hawaii. The intent was to give him the ownership of that water source and then
8 from there he would have to allow interested people to tap on, if they wanted to.

9
10 Member Gomes said he thought water rights belong to the State.

11
12 Ms. Ah-Yo said he doesn't own the water so that's why the language in the lease would
13 be changed to allow people access to that water. They would just have to pay for it
14 themselves if they wanted to hook up to it. So, it would be available to interested
15 farmers, but it would be at their expense.

16
17 Chairperson Hurd said from her understanding, the water is not his, but the distribution
18 system that the water uses is on his property. Since the structure of the well is on his
19 property, it's his management, but the actual water is not what he manages.

20
21 Member Ley asked if DLNR's board acted on this? Are they going to charge fees for the
22 water?

23
24 Chairperson said DLNR is responsible to upgrade the well and the management lays
25 with the lessee and he's welcome to charge for the distribution of the water which is on
26 his property.

27
28 Mr. Kim said DLNR received the funding to do the improvements. From there, it'll get
29 transferred to DOA. Then DOA will lease the maintenance and running the system.

30
31 Member Gady asked if the well has been operational in the past.

32
33 Ms. Ah-Yo said it has not and it will be non-potable.

34
35 Member Gady asked if the distribution system is completely new and was put in by the
36 lessee.

37
38 Ms. Ah-Yo said it's completely new and it was put in by DLNR using state funds.

39
40 Member Gady asked what power source it uses to operate the well.

41
42 Mr. Kim said they are hooking up to the existing power along the Upolu Airport Road
43 and he believes that's to the Hawaii Electric Company.

1
2 Member Gady asked if there is any precedent in how this is handled in terms of a policy
3 or procedure in place through the DOA in the past?
4

5 Ms. Ah-Yo said she is not aware of any.
6

7 Chairperson Hurd asked if Mr. Kim knows of any policy that governs the way this Upolo
8 well will be maintained?
9

10 Mr. Kim said he is unsure. The intent was DLNR was going to develop the well and then
11 transfer to DOA because it's on their land.
12

13 Chairperson Hurd said she believes the reason it was done is because the Kohala Ditch
14 and it was set up as an alternate source of water for the farmers. She added that we'll
15 investigate this more and work with DLNR on it.
16

17 Member Young said let's get the well fixed and then we can talk about how much draw
18 and capacity the well has. The guys need the relief up there for sure. He added that
19 from his perspective, we all do have a lot of questions and can do a follow-up with staff.
20

21 Vote: Approved; Unanimously
22
23

24 V. OLD BUSINESS
25 None
26
27

28 VI. NEW BUSINESS
29

30 1. NON-ACTION ITEM: Invasive Species Action Plan Updates
31

32 Deputy to the Chairperson Dexter Kishida provided the Invasive Species Action Plan
33 Update. Deputy Kishida is also overseeing the Plant Industry Division.
34

35 Deputy Kishida said the invasive species plans are underway. The little fire ant plan has
36 been approved by Chairperson Hurd. He added that they are still doing an internal
37 review on a coconut rhinoceros beetle invasive species plan to the department and are
38 working on creating the Coqui Frog plan. Deputy Kishida said they then will be moving
39 on to things like two-lined spittle bug and other priority pests that have popped up.
40 They're also working with the gap-filling entities to do statewide invasive species plans.
41 They started with little fire ants, which are well on its way in articulating both the
42 statewide view, but also an island view of how the agencies work together to combat
43 invasive species, specifically Little Fire Ants, Coconut Rhinoceros Beetle, and then

1 Coqui Frogs. They have a pretty strict timeline that HISC is helping to manage with their
2 project management team to ensure that the MOU that was signed earlier this year
3 between agencies, can be followed and executed. Through all this, the daily changes of
4 things like Act 231 and others that influence all of this must be taken into account and
5 figured out as they go along.

6
7 Mr. Wayne Tanaka, Sierra Club Hawaii, shared his testimony to the board. Mr. Tanaka
8 said he's glad that this item was agendaized and that there are a lot of information that
9 the public is interested in especially with the coordination of the groups that are doing
10 the front line work in combatting the LFA and CRB. He said he is also interested in
11 seeing what the plans are for the expenditure of the \$10 million that were appropriated
12 for biosecurity efforts and receive updates on the invasive species rule package.

13
14
15 2. Election of Temporary Chairperson of the Board of Agriculture for its Meeting
16 on September 24, 2024
17

18 Chairperson Hurd said she wants to nominate Board Member Diane Ley to serve as the
19 temporary chairperson at the next board meeting on September 24, 2024. She said she
20 has a NASDA meeting during this time and will not be able to attend.

21
22 Motion to approve: Gady/Gomes

23
24 Approved – 7; Recused - 1 (Ley)

25
26
27 Motion to adjourn: Gady/Gomes

28
29 The meeting was adjourned at 9:57 am

30
31 Respectfully submitted,

32
33
34
35 Marci Clingan
36