

**State of Hawai'i
Department of Agriculture and Biosecurity
Agricultural Loan Division**

September 23, 2025

**Board of Agriculture
and Biosecurity
Honolulu, Hawai'i**

SUBJECT: Loan Presentation

APPLICANT: 'Aina Ho'okupu O Kilauea
P.O. Box 1023
Kilauea, HI 96754

**CLASSIFICATION
& ELIGIBILITY:** 'Aina Ho'okupu O Kilauea (AHK) was registered with the Hawai'i Department of Commerce and Consumer Affairs on October 29th, 2014. AHK is a nonprofit corporation that operates as a farm, value-added kitchen, and food hub on Kauai. The applicant meets the eligibility requirements of Chapter 155-10 of the Hawaii Revised Statutes (HRS) as a "Qualified Farmer." The board of directors of the nonprofit are Brad Seymour (Chair), David Steinmann (Vice-Chair), Arryl Kaneshiro (Treasurer), Yoshito L'Hote (President, CEO), and Michael Mitchell (Director.)

COMMODITY: Vegetables, Hog, Chicken, Cattle, Bananas, Papayas

CREDIT HISTORY: SEE EXHIBIT A (CONFIDENTIAL)

A1

A2

**LOAN REQUEST
& PURPOSE:**

<u>Amount</u>	<u>Class C - Direct Qualified Farmer Loan</u>
\$260,000	Total Request

The proposed loan will provide funds to complete livestock and greenhouse improvements along with working capital. Specifically diversifying protein supply through expanded poultry, lamb, and hog processing facilities and add controlled-environment production capacity.

The total project is multi-faceted with an expansion of the market to create value-added products from the increased volume of protein and produce production. The total project breakdown:

<u>Project Amount</u>	
\$295,000	Market Expansion
\$177,000	Livestock Processing & Greenhouse Improvements
<u>\$ 90,000</u>	Working Capital
\$562,000	Total Project Costs Covered

AHK has sought \$302,000 loan with a separate lender to expand the market and aid in livestock facilities project costs.

TERMS:

Class C – Direct Operating Loan

Amount:	\$260,000
Term:	Ten (10) Years
Interest Rate:	4% per annum, fixed
Repayment:	Monthly principal & interest payments of \$2,633 until maturity

SECURITY:

The loan will be secured by first position financing statement on equipment.

Loan to Value Ratio	$\frac{\$260,000 \text{ (Proposed Loan)}}{\$477,000 \text{ (Equip. Equity)}} = 54.5\%$
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The proposed loan will be fully secured by the existing farm equipment.

GUARANTORS:

None.

**FINANCIAL
CONDITION:**

SEE EXHIBIT A (CONFIDENTIAL)

**REPAYMENT
ABILITY:**

SEE EXHIBIT A (CONFIDENTIAL)

**BACKGROUND/
MANAGEMENT
ABILITY:**

AHK is managed by Yoshito L'Hote and Jeremy Burns on the north shore of Kauai. The nonprofit leases 75-acres from the Kauai county which expires in 2078. To further meet the demands of the store and the needs of the community they are looking to complete a small livestock processing center and greenhouse. Both secure direct produce and protein sources for the community. Further the livestock processing facilities will be available for custom hire.

The centerpiece of AHK's work is the 75-acre Kīlauea Community Agricultural Center (KCAC), stewarded on behalf of the community after decades of advocacy to preserve the land from development. The Center provides affordable land and infrastructure for small farmers, offers community garden plots, produces food for low-income families, and hosts a permanent farmers market and community gathering place. KCAC has become a vertically integrated operation including farming, food aggregation and distribution, retail sales, and a community kitchen.

Over the years they have steadily grown to where today, AHK and its partners produce and distribute approximately 2,000 pounds of food each week. Five independent farmers operate on-site, and AHK continues to expand production through internship programs, technical assistance, and philanthropic partnerships. Produce is sold directly to the community, aggregated into produce boxes for food insecure households, and distributed in partnership with the Hawai'i Food Bank and local nonprofits. AHK also rents pavilions for events, supports cultural activities, and serves as a disaster resilience center for the North Shore.

The livestock infrastructure improvements and processing upgrades will allow them to increase their total protein yield from about 27,000 pounds in 2025 to over 65,330 pounds by the second year of the project. The improvements to the greenhouse and hydroponic from 26,053 pounds to 49,620 pounds of produce. This increase in production will be fabricated in the expanded value-added kitchen and sold in the market that they have on site.

SUMMARY:

The proposed loan will enable the applicant to complete livestock processing facilities and greenhouse projects that increase the production capacity twofold. AHK will be able to process livestock creating a source for locally processed protein on Kauai.

AHK is an established, impact driven nonprofit that continues to provide high quality products and protein to Kauai's economy while also making resources available to help further empower other agriculturists. While this loan is part of a larger collaborative project to eliminate grants by scaling-up AHK's model, the proposed loan directly funds the increased farming and livestock operations that drive profitability.

RECOMMENDATIONS: Approval of this loan is recommended based on AHK's proven farming ability, adequacy of the collateral, community impact, historical and projected cash-flow.

Date

Recommended by:

9-11-2025

Richard A. Nichols (For)

Jillian C. Scheibe
Agricultural Loan Officer V

Date

Reviewed and concurred by:

9-11-2025

Richard A. Nichols

Richard A. Nichols
Agricultural Loan Administrator

Date

Approved for submission:

9-11-25

Sharon Hurd

Sharon Hurd
Chairperson, Board of Agriculture and Biosecurity

A5

**State of Hawai'i
Department of Agriculture and Biosecurity
Agricultural Loan Division**

September 23, 2025

**Board of Agriculture
and Biosecurity
Honolulu, Hawai'i**

SUBJECT: Loan Guaranty Presentation

APPLICANT: 'Aina Ho'okupu O Kilauea
P.O. Box 1023
Kilauea, HI 96754

**CLASSIFICATION
& ELIGIBILITY:** 'Aina Ho'okupu O Kilauea (AHK) was registered with the
Hawai'i Department of Commerce and Consumer Affairs
on October 29th, 2014. AHK is a nonprofit corporation that
operates as a farm, value-added kitchen, and food hub on
Kauai. The applicant meets the eligibility requirements of
Chapter 155-1 of the Hawaii Revised Statutes (HRS) as a
"Food Manufacturer." The board of directors of the
nonprofit are Brad Seymour (Chair), David Steinmann
(Vice-Chair), Arryl Kaneshiro (Treasurer), Yoshito L'Hote
(President, CEO), and Michael Mitchell (Director.)

The Participating Lender: Feed The Hunger Fund (FTHF)
meets the definition of a "Private lender" as outlined in
Chapter 155-1 (HRS).

COMMODITY: Vegetables, Hog, Chicken, Cattle, Bananas, Papayas

A9

CREDIT HISTORY:

SEE EXHIBIT A (CONFIDENTIAL)

A10

**LOAN REQUEST
& PURPOSE:**

Loan Guaranty Amount \$241,600

	<u>Loan Amount</u>	<u>Guaranty Amount</u>
FTHF	\$151,000	\$120,800
HIR	\$151,000	\$120,800
	\$302,000	\$241,600

The request is for 80% guaranty of the \$302,000 operating loan that covers a portion of the total project. Funds for the loan will be provided by Feed the Hunger (FTHF) and Aina Aloha Economy Fund through Hawaii Investment Ready (HIR) fund on a 50/50 basis, with FTHF being the lead lender. In addition to the loans provided by FTHF & HIR, there will be a credit enhancement of \$60,000 from Health Food Financing Initiative (HFFI).

Loan funds will be used to expand the market which includes design, permitting, materials, installation, and labor. These funds will enable AHK to strengthen its retail operations, diversify protein supply through expanded poultry and hog facilities, and add controlled-environment production capacity.

Project Break Down:

\$295,000	Market Expansion
\$177,000	Livestock & Greenhouse Improvements
<u>\$ 90,000</u>	Working Capital
\$562,000	Total Project Costs Covered

AHK is seeking a separate loan from Department of Agriculture and Biosecurity for \$260,000 to cover the remaining costs related to the farming activity.

TERMS:

The State will be charging a one-time 2% fee for the loan guaranty which will total \$4,832 for the proposed loan.

The loan terms provided by the lender:

Amount: \$302,000
 Term: Seven (7) Years
 Interest Rate: 5.5% blended fixed interest rate
 Repayment: Three months no payments followed by four months interest only and seventy-seven months of principal and interest remaining.

SECURITY:

The loan will be secured by first position financing statement financing on all new kitchen equipment and existing kitchen equipment. Current equipment includes coolers, ovens, and refrigerated vehicles.

Loan to Value
Ratio

$$\frac{\$241,600 \text{ (Proposed Loan Guaranty)}}{\$279,000 \text{ (Existing Equip.)} + \$46,700 \text{ (New Equip.)}} = 74.18\%$$

The proposed loan guaranty will be fully secured by the existing kitchen equipment and new equipment.

GUARANTORS:

None.

**FINANCIAL
CONDITION:**

SEE EXHIBIT A (CONFIDENTIAL)

**REPAYMENT
ABILITY:**

SEE EXHIBIT A (CONFIDENTIAL)

**BACKGROUND/
MANAGEMENT
ABILITY:**

AHK is managed by Yoshito L'Hote and Jeremy Burns on the north shore of Kauai. The nonprofit leases 75-acres from the Kauai County which expires in 2078. To further meet the demands of the store and the needs of the community they are expanding the value-added kitchen and market capacity.

The centerpiece of AHK's work is the 75-acre Kilauea Community Agricultural Center (KCAC), stewarded on behalf of the community after decades of advocacy to preserve the land from development. The Center provides affordable land and infrastructure for small farmers, offers community garden plots, produces food for low-income families, and hosts a permanent farmers market and community gathering place. KCAC has become a vertically integrated operation including farming, food aggregation and distribution, retail sales, and a community kitchen.

In 2024, management participated in the Hawaii Investment Ready Food System accelerator program designed to help develop long term business strategies as AHK looks to scale up their food hub and livestock production. The program improved the business strategy to expand their impact and move away from grant dependency.

Over the years they have steadily grown with today, AHK and its partners produce and distribute approximately 2,000 pounds of food each week. Five independent farmers operate on-site, and AHK continues to expand production through internship programs, technical assistance, and philanthropic partnerships. Produce is sold directly to the community, aggregated into produce boxes for households, and distributed in partnership with the Hawai'i Food Bank and local nonprofits.

SUMMARY:

The proposed loan is a collaboration between community development financial institutions that generally provide funding for smaller operations. The State's guaranty is required as the proposed loan is to offset the risk of loaning on the kitchen collateral available. The proposed loan comes with a credit enhancement through the Healthy Food Funding Initiative sourced by Feed the Hunger Fund.

The benefit of providing the guaranty to the State is that no state funds will need to be expended on the food hub. AHK will be able to complete the kitchen and market expansion in a timely manner further enabling their profitability and community impact. The expansion efforts are to move away from grants completely and create a more reliable income source for the nonprofit.

A12

A13

RECOMMENDATIONS: Approval of this loan guaranty is recommended based on AHK's proven food aggregation ability, adequacy of the collateral, community impact, historical and projected cash-flow.

Date

Recommended by:

9-11-2025

Richard A. Nichols (For)

Jillian C. Scheibe

Agricultural Loan Officer V

Date

Reviewed and concurred by:

9-11-2025

Richard A. Nichols

Richard A. Nichols

Agricultural Loan Administrator

Date

Approved for submission:

9-11-25

Sharon Hurd

Sharon Hurd

Chairperson, Board of Agriculture and Biosecurity

STATE OF HAWAI'I
DEPARTMENT OF AGRICULTURE AND BIOSECURITY
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAI'I

September 23, 2025

Board of Agriculture and Biosecurity
Honolulu, Hawai'i

Subject: REQUEST FOR APPROVAL TO ADDRESS DELINQUENT
IRRIGATION BILLS FOR THE MOLOKA'I IRRIGATION
SYSTEM.

I. **Background**

The 2025 Hawai'i Legislative Session prioritized the matter of outstanding delinquencies by farmers on the Moloka'i Irrigation System (MIS), which is managed and operated by the Department of Agriculture and Biosecurity (Department) under Hawaii Revised Statutes (HRS) 167, and Hawaii Administrative Rules (HAR) 4-157. To address this issue, the legislature appropriated funds to the Department for irrigation related expenses. At the start of FY2026, farmers on the MIS hold an outstanding balance of \$1,580,120.67. Pursuant to Section 167-6(a)(5), HRS, the board has the power to charge and collect water tolls, fees, and other charges.

The Department plans to proceed with steps to nullify balances of MIS irrigation accounts with delinquencies while also taking steps to avoid a recurrence of this scenario. The Department will begin the process by sending correspondence to MIS account holders to inform them of the opportunity to adjust their existing balances. In order to receive this one-time adjustment, each user must submit a signed agreement and indicate whether they reaffirm their commitment to the system or request removal from the system. Users that accept the adjustment offer and reaffirm their intent to use the system must also submit a new Irrigation Water Application. Users that accept the adjustment offer and request removal from the system will have their MIS account closed and their meter removed. If any user does not accept the offer for adjustment, the Department plans to turn off irrigation water, cancel the associated account to prevent delinquencies from accruing, remove the meter, and forward such cases to the Department of the Attorney General for processing.

In the event that future delinquencies occur, they will be addressed promptly. The Department plans to turn off irrigation water, remove irrigation meters, and cancel irrigation accounts if delinquencies occur in the future.

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This plan was introduced to the MIS Water Users Advisory Board at their meeting held on August 12, 2025. Comments and feedback from the board included questions about implementation and steps to prevent recurrence.

The Department is requesting the Board's approval to proceed and implement this plan.

II. **Recommendation**

That the Board of Agriculture and Biosecurity, pursuant to section HRS 167-6 and HAR 4-157-21(1), approve the Department's action to initiate and complete the plan to nullify balances of Moloka'i Irrigation System accounts that are delinquent as of October 31, 2025.

Respectfully submitted,



BRIAN KAU, P.E.
Administrator and Chief Engineer
Agricultural Resource Management Division

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture and Biosecurity

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE AND BIOSECURITY
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII

September 23, 2025

Board of Agriculture and Biosecurity
Honolulu, Hawaii

Subject: REQUEST APPROVAL FOR CONVERSION OF REVOCABLE PERMIT NOS. S-7259 AND S-7940 TO A NEW GENERAL LEASE FOR FRANK AND ABIGAIL SANTOS; TMK: (4) 1-9-007:005, 007, 028, 029, 030 AND 046, HANAPĒPĒ, ISLAND OF KAUA‘I, HAWAII

Authority: Sections 166E-4 and 11, Hawaii Revised Statutes (“HRS”), as amended, and Section 4-158-8, Hawaii Administrative Rules (“HAR”), as amended

Permittee: Frank and Abigail Santos

Land Area: Revocable Permit No. S-7259: Approximately 21.603 acres
Revocable Permit No. S-7940: Approximately 1.601 acres

Tax Map Key: 4th Div/1-9-007:005 (Exhibit “A”)
4th Div/1-9-007:007 (Exhibit “A”)
4th Div/1-9-007:028 (Exhibit “A”)
4th Div/1-9-007:029 (Exhibit “A”)
4th Div/1-9-007:030 (Exhibit “A”)
4th Div/1-9-007:046 (Exhibit “A”)

Land Status: Encumbered by Governor's Executive Order No. 4720, dated November 7, 2024, to the Department of Agriculture, now known as the Department of Agriculture and Biosecurity, for Agricultural Purposes

Annual Base Rent
Prior to Conversion: Revocable Permit S-7259: \$13,439.52/year
Revocable Permit S-7940: \$860.40/year

Character of Use: Revocable Permit S-7259: Diversified Agriculture
Revocable Permit S-7940: Diversified Agriculture

BACKGROUND:

The Board of Land and Natural Resources (“BLNR”) approved the issuance of Revocable Permit S-7259 (“RP7259”) to Frank and Abigail Santos, effective May 1, 2001, for a plant nursery, caretaker residence, landscaping and pasture purposes. RP7259 was transferred to the Department of Agriculture and Biosecurity (“DAB”) by Governor’s Executive Order No. 4720, dated November 7, 2024.

The BLNR approved the issuance of Revocable Permit S-7940 (“RP7940”) to Frank and Abigail Santos effective November 1, 2021, for agricultural purposes. RP7940 was transferred to the DAB by Governor’s Executive Order No. 4720, dated November 7, 2024.

Since obtaining the revocable permits, Mr. and Mrs. Santos have utilized the subject parcels to cultivate ornamental palms and plumeria trees. They are lessees in good standing.

Mr. and Mrs. Santos are requesting approval to convert the two month-to-month revocable permits into one new 35-year Non-Agricultural Park Lands lease pursuant to Sections 166E-4 and 11, HRS, and 4-158-8, HAR. The conversion from a month-to-month permit to a 35-year term lease will provide Mr. and Mrs. Santos with the stability needed to continue and expand on their current farming operation.

In issuing the new converted lease, the requirements of Section 4-158-8(b), HAR, states that the DAB shall:

- Require an appraisal of the parcel in accordance with Section 4-158-21, HAR;
- Impose other lease terms, provisions, restrictions, and conditions as provided in these chapters as may be required to protect the State’s interest;
- Require the payment of annual lease rent by appraisal and a premium computed at twenty-five percent of the annual base rent for each year of lease equal to the number of years that person occupied the land, but not to exceed seven (7) years; and
- Require those qualifying under subsection (a) to meet the bona fide farmer criteria as defined in Section 4-158-1.

An appraisal has been conducted pursuant to Section 4-158-21, HAR, for the purpose of determining the fair market rental for the subject parcel. Upon the commencement of the lease, the annual base rental will be \$18,140.00 for the initial lease term. Additionally, commensurate with the administrative rules, the lessee will pay a premium equal to twenty-five percent of the annual base rental for the new lease for a period not to exceed seven (7) years from the commencement of the converted lease term. Further, the Board and Permittee mutually agree to cancel the existing RP7259 and RP7940 subject to the execution of the converted general lease documenting the effective date.

RECOMMENDATION:

That the Board of Agriculture and Biosecurity:

- 1) Find that by allowing the conversion of Revocable Permit Nos. S-7259 and S-7940 into one new long-term lease, the State would realize greater returns and reduce disruptions to current ongoing farming operations and is, therefore, in the public's interest.
- 2) Approve the Permittee's request to convert Revocable Permit Nos. S-7259 and S-7940 into one new Non-Agricultural Park Lands lease of not more than thirty-five (35) years for its initial lease term, subject to the conversion provisions of Chapter 4-158-8, HAR, with rent re-openings at the expiration of the 15th and 25th years.
- 3) Accept the fair market base rental rate of \$18,140.00 per year and assess a premium computed at twenty-five percent of the annual base rent for each year of lease equal to the number of years that Permittee occupied the land, but not to exceed seven (7) years.
- 4) Approve the Mutual Cancellation of Revocable Permit Nos. S-7259 and S-7940, subject to the execution of the effective date of the new general lease.

All related documents are subject to the review and approval as to form by the Department of the Attorney General, and such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully submitted,



for BRIAN KAU
Administrator and Chief Engineer
Agricultural Resource Management Division

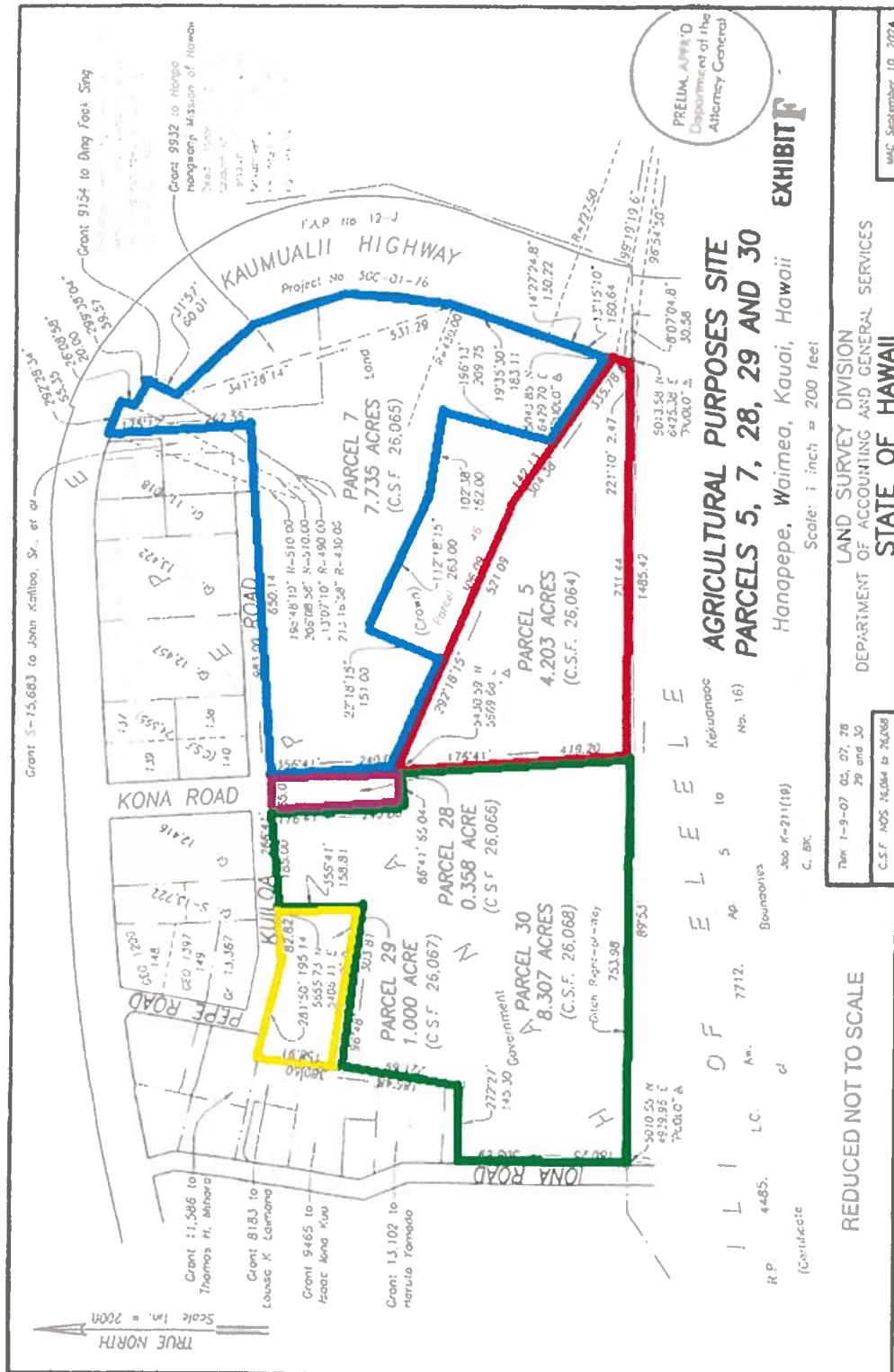
Attachments - Exhibit "A"

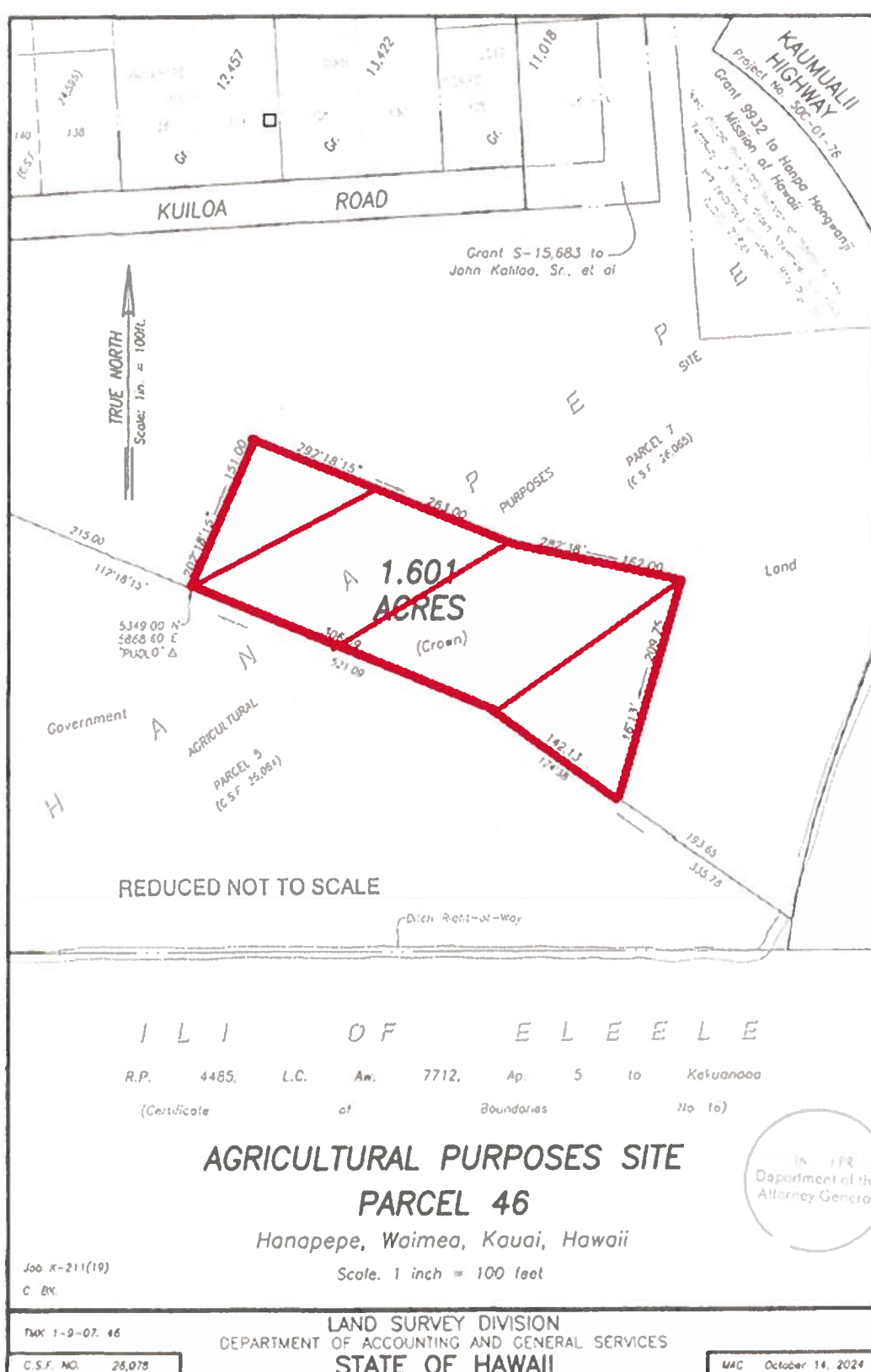
APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture and Biosecurity

EXHIBIT F





State of Hawai'i
Department of Agriculture and Biosecurity
Plant Industry Division
Plant Quarantine Branch
Honolulu, Hawai'i

September 23, 2025

Board of Agriculture and Biosecurity
Honolulu, Hawai'i

Subject: Request for Review and Adoption of an Interim Rule Pursuant to Hawaii Revised Statutes §150A-9.5, to Restrict the Transportation of Plants, Soil, Gravel, and Other Coconut Rhinoceros Beetle (CRB) Host Material Including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to the Island of Molokai From Any Other Area in the State to Prevent the Spread of CRB.

I. **Introduction**

Since its detection in late 2013, CRB has been found on Kauai, West Hawaii Island, Maui and Lanai, with an ongoing eradication program occurring in West Hawaii Island. Multiple interim rules regarding CRB have been implemented, with permanent restrictions in Chapter 4-72, Hawaii Administrative Rules (HAR) on the movement of CRB host materials from Oahu to other areas in the State unless subjected to treatments that eliminate all life stages of CRB.

On July 29th, the Office of the Chairperson received a petition from Kunani and Ipo Nihipali, requesting that the Board of Agriculture and Biosecurity (Board) adopt an interim rule pursuant to Chapter 150A-9.5, Hawaii Revised Statutes (HRS), to prohibit the transportation of plants, soil, gravel, and other CRB host material including decomposing plant material such as compost, wood or tree chips, and mulch, plant propagation media and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, to the island of Molokai from any other area in the State to prevent the spread of CRB. The Petition is included as APPENDIX A and included a proposed interim rule on pages 5 and 6.

The Petition was reviewed by the Board at its August 26, 2025, meeting. During discussion, PQB staff did not dispute the Petition's substance regarding the need for an interim rule to further protect Molokai, recognized that more could be done regulatorily relating to CRB to prevent introduction to Molokai, and noted the precedent setting

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Nihipali Petition – Molokai CRB Interim Rule
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nature of the proposed interim rule. There was considerable in-person, virtual, and written testimony in support of the Petition. After discussion with the petitioners and PQB staff, the Board directed PQB staff to present the Petition to the Advisory Committee on Plants and Animals (Committee) to meet the requirements of HRS 150A-9.5 and to have proposed an interim rule for the Board to consider for adoption specifically for the island of Molokai for its next meeting, tentatively scheduled for September 23, 2025.

The Petition was subsequently presented to the Committee on September 17, 2025, seeking a finding that existing regulations were insufficient to prevent the spread of CRB to Molokai, from any other area in the State, which constituted an emergency, and that the adoption of an interim rule is necessary to prevent the spread of CRB to the Island of Molokai from any other area of the State. Details of the meeting are found below in Section IV of the submittal, beginning on page 3.

II. Procedural Background

This Petition for rule amendment was brought under the Board's Rules of Practice and Procedure, Chapter 4-1, HAR, which authorizes the initiation of rulemaking by petition of an interested person or agency upon Board approval. (§4-1-23, HAR, et seq.) Section 4-1-23(c), HAR, requires that within 30 days after filing such a petition, the Board must either deny the petition or initiate rulemaking proceedings. Denial of a petition does not prevent the Board from acting on the petition's subject matter on the Board's own motion at a later time. (§4-1-24, HAR). A procedural denial was issued on August 20, 2025, and is included as APPENDIX B.

Pursuant to section 150A-9.5, HRS, HDAB may establish an interim rule governing the transport of flora and fauna into and within the State. Pursuant to §150A-9.5(b), HRS, an interim rule may be adopted in the event that the importation or movement of any flora or fauna, in the absence of effective rules, creates a situation dangerous to public health and safety or to the ecological health of flora or fauna present in the State which is so immediate in nature as to constitute an emergency. No interim rule can be adopted without a prerequisite finding by the Committee that the foregoing criteria stated in §150A-9.5(b), HRS, is met. No interim rule shall not be effective for more than one year.

Once adopted by HDOA, any interim rule must be published within twelve days of issuance at least once in any newspaper of general circulation in the State.

III. Summary of Proposed Interim Rule

The proposed interim rule included in the Petition prohibits the interisland movement of any potted or bare rooted plants; soil; gravel; CRB host materials including decaying plant materials such as mulch or compost; plant propagation media in live plants; plant propagation media; or landscaping materials such as erosion control socks comprised of decaying plant material, that have been staged or stored in any area of the State, from any island in the State to the island of Molokai.

The proposed interim rule exempts plant products intended for consumption such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices; plant products preserved from decay by treatment or intended use, such as lumber, woven hats, wooden posts, wood carvings, and firewood; seeds for planting; cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements; and rock, coral, and sand, not mixed with any organic material.

IV. Advisory Committee Review

This request was submitted to the Committee at its meeting on September 17, 2025, via a Zoom virtual meeting. PQB Manager Jonathan Ho provided a synopsis of the request. During the presentation, Mr. Ho noted some potential unintended consequences and the precedent-setting nature of seeking a prohibition vs. normal quarantine measures that have been historically used. He emphasized that pursuant to the interim rulemaking provisions in HRS 150A-9.5, the most important thing is the Committee needs to make a finding that a lack of existing regulations creates a dangerous situation that constitutes an emergency and that providing proposed language for the Board to consider for the interim rule would be helpful. As part of the Committee packet, PQB drafted a proposed interim rule that attempted to address the concerns raised. This is included as APPENDIX C. PQB also took the interim rule included in the Petition and drafted an interim rule that contained all essential regulatory aspects contained in the Petition and adjusted the language for formatting and clarity. This is included as APPENDIX D. APPENDIX C differs from APPENDIX D in that it includes treatment options for regulated commodities, defines specific areas of the State as infested, and requires permitting prior to the movement of regulated goods.

Mr. Ho recommended to the Committee that they find the existing regulations are insufficient to prevent the spread of CRB to the island of Molokai which constitutes an emergency; and that the adoption of an interim rule is necessary to prevent the spread of CRB to the island of Molokai. He clarified that the two versions of the interim rule drafted by PQB were to facilitate discussion on the specific language that would be presented to the Board for approval and that it was the Committee's decision what language would be moved forward to the Board, noting that the original language contained in the Petition was also for consideration.

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Nihipali Petition – Molokai CRB Interim Rule
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Committee Chairperson Dr. Richard Kim asked for public testimony.

Wayne Tanaka, Sierra Club of Hawaii, testified in person. He strongly urged the Committee to approve the motion and specifically Appendix D. He said that on Oahu it is a disaster because the communities did not receive sufficient support from the government from a regulatory and educational standpoint and that we cannot allow that to happen on Molokai. He said Appendix D is clean because it doesn't allow host material from anywhere else in the State. He said that PQB version has loopholes because PQB cannot monitor everything from an infested area and that items from Kona could be moved to Hilo and then shipped to Molokai, noting a large financial impact to do so with very wealthy individuals paying to landscape their properties on Molokai. He said the permitting system had issues noting detections on other islands under the permitting program. He noted orders of magnitudes of difference in possible movement of CRB under the language contained in Appendix C versus Appendix D, and strongly urged adoption of Appendix D.

Tara Rojas, private citizen, testified virtually. She said that using pesticides for CRB treatment needed to stop and there were techniques that did not use pesticides. Tara Rojas, private citizen, testified virtually. She said this petition is for Molokai and that just because there is not a huge number of testifiers, does not mean the community does not feel strongly about the issue. She felt that the system was overcomplicated and that having 13 years to deal with the issue, all there was is failure. She said that we should not worry about unintended consequences and just move forward with the Nihipali's petition. She said that CRB should not have gotten to the other islands and to use common sense and just prohibit movement. She said that the rule should last more than one year and to keep the Nihipali's version of the interim rule.

Walter Ritte, private citizen, testified virtually. He thanked the Department for adding Biosecurity to their kuleana. He believed that how the Department handled this situation will define how responsible the Department is for this issue. He strongly emphasized the seriousness of the issue for Molokai, noting the island has two economies, cash and subsistence. He noted that transportation of goods to the island is very expensive, and the community is very dependent on what nature provides including things like deer or fish. He said the community is proud of the ability to utilize the natural resources to survive and that it is critical for them. He said coconuts are an important part of the subsistence economy. He said there is coconut grove on Molokai that is over 100 years old planted by the king and that there is a lot of cultural significance for the community. He was in strong support of what the Nihipali's have done and encouraged the Department to ensure that biosecurity is taken seriously because it is necessary for Molokai's survival.

Pauline Sato, private citizen, testified virtually. She said she is a resident of Oahu but is a part-time resident of Molokai. She said she has recently become involved with the

grassroots movement Niu Now, which is now statewide, that said it is important for coconuts to be preserved. She said a workshop was recently conducted and over 60 individuals attended, noting most were young students. She said there was a petition that had over 1,300 signatures in support of the petitions, the majority of which were Molokai residents. She said she was in support of the Nihipali's petition, Appendix D in particular. She said the PQB version was not sufficient and that we needed to be more serious about this situation, noting prevention is more inexpensive then when it has become an issue, like on Oahu. She felt the fines should be raised because the amounts were too low for a big company and should include jail time. She thanked the Committee for convening noting they are all volunteers and looked forward to seeing this before the Board next week.

Kunani Nihipali, petitioner, testified virtually. He noted he and Ipo were the petitioners and with the help of the community submitted the petition. He emphasized the support from the community and Board at its prior meeting. He said that he submitted written testimony identifying specific issues that he had with the PQB draft of the interim rule. He said Niu (coconut) is the tree of life and that it needed to be protected and perpetuated as part of their lifestyle. He said that 2 minutes was not enough time to explain their lifestyle and that the loss of niu is an erasure of royal legacy. He said niu are part of food security and that the ulu nius (coconut groves) needed to be protected, noting there were two sacred ones, one in Mapulehu and another in Kapuaiwa. He asked for support in this matter and understood it was precedent setting but felt it could be done with the right resources.

Vicky Holt Takamine, private citizen, testified virtually. She said she is the Kumu Hula of Pua Ali'i Ilima and executive director of the Pa'i Foundation. She expressed support for Kunani's petition and urged the Committee, if they wanted the community to come out, to take this issue to Molokai and speak to people face to face. She believed that is where the discussions should happen and that Zoom does not show the passion that they have for the issue. She said that the ban needs to occur because every island except Molokai has CRB. She supported the previous testifiers and urged this issue to be taken to Molokai. She said the grove in Kapuaiwa should be visited to understand the history and legacy as it was planted by Kamehameha V. She reiterated that this conversation be taken to Molokai.

Indrajit Gunasekara, Co-Founder, Niu Now, testified virtually. He said that over the past decade, his work has been focused on coconut in Hawaii to recognize old varieties of Niu. He said there is a great injustice to Niu in Hawaii because it is treated as an ornamental and not a food source. He said coconut is grown throughout the tropics and in other areas of the pacific the varieties, including indigenous ones are already categorized and that this work has not been accomplished in Hawaii. He said Molokai has ancient groves, such as Kapuaiwa, which has ancient varieties. He said he has surveyed groves across the State and the Kapuaiwa varieties are ones mentioned in

mo'olelo and the Bishop Museum, noting some specimens are still alive today. He supported Appendix D and requested that commercially bagged propagative plant material be included because it can carry CRB eggs.

Keani Rawlins-Fernandez, Maui County Councilmember, testified virtually. She was in strong support of the petition from Kunani and Ipo Nihipali. She said that the PQB proposed rule should not be supported. She said Molokai should be protected, including other food sources. She felt it was absurd that PQB had opposition because of hypothetical issues such as the need for erosion control socks due to the Lahaina wildfires. She said that if a similar disaster occurred on Molokai the Governor would make an emergency proclamation (EP) and suspend the interim rule. She said the County provides free mulch that could easily fill the hypothetical erosion control socks and that the County has been heavily investing in scaling up compost distribution on island. She said there were other mechanisms to address unforeseen situations, such as an EP or amendment of the interim rule, noting it only lasted one year. She said it could be less than a year if stronger protections were put in place. She asked the Committee to recommend Appendix D to support the Molokai community.

Mahina Poepoe, Hawaii State Representative, testified virtually. She said she represented District 13, which included Molokai. She said she is also a cultural practitioner and was privileged to be able to help steward an ulu niu that is home to a rare variety of niu hiwa. She thanked the Committee for prioritizing the issue and getting things together to get it to the Board later this month. She thanked Mr. Ho for working on it. She said there was overwhelming support at the prior Board meeting and that it was clear that the community was willing to support this temporary pause. She said people understood the proposed rules were not 100% effective at prevention and that there will be some level of risk but felt that shouldn't stop us from trying to do our best. She said on Molokai, there is still the opportunity to do everything within our power to prevent CRB or a host of other pests such as coqui, LFA, ROD, two-lined spittlebug, all of which are not on Molokai. She said biosecurity 101 is prevention is the most effective and cost-efficient strategy. She said CRB is only getting worse around the State and that CRB could be in plants smaller than 10 gallon pots. She felt the Department is doing the best it can but noted the inspections can fail to detect pests and that some have been detected after passing inspections, such as the CRB find on Lanai. She emphasized there is no inspection or enforcement on Molokai, nor is there capacity for treatments or quarantining of high-risk material, and that those systems should be created during the time the interim rule is in effect. She said Molokai can serve as a repository for biological diversity. She urged the Committee to make the necessary findings to constitute an emergency and to move forward with the rules as proposed in the Nihipali petition. She felt non-substantive amendments for clarity or consistency were ok, but those could be worked out at the Board meeting.

Lori Buchanan, private citizen, testified virtually. She thanked the Committee for convening. She said she was contacted by Niu Now after the last Board meeting and took the interim rule to those she knew would be affected by the rules, such as stores who had high risk materials coming in or small plant nurseries. She said she showed them the rule in its entirety and said no one was in opposition and they felt it was an opportunity for economic development. She noted the Department of Transportation had inquired about the ability to obtain erosion control socks and other landscaping materials if the rule went through, but she was able to go into the community and found eight businesses that were capable and willing to provide them, as well as wood chips and mulch. She said people were excited at the opportunity to fill a gap. She said she was surprised but happy, because there were people able to provide the necessary goods. She said she supported the Nihipali's petition. She thanked the Committee and the Department, noting they have a difficult job. She said she appreciated the collaboration given to Molokai over the years, noting she is the coordinator for the Molokai-Maui Invasive Species Committee, and has been doing this work for 25 years, but is mostly a community advocate that loves her community.

Stephanie Easley, Coordinating Group on Alien Pest Species (CGAPS), testified virtually. She thanked the Committee and PQB for the work to get the agenda items ready. She felt that grouping the three agenda items together was confusing. She said her understanding is the finding that the Committee needs to make is the absence of effective rules creates a situation so dangerous as to constitute an emergency and without that finding by the Committee, no interim rule with any language can go forward. She did not believe that the finding in Agenda Item 3 is required. She said the concern that going forward with the Petition would incentivize others to try to ban broad swaths of commodities in non-emergency circumstances was unwarranted because there is a check on it, requiring the Committee to make a finding that an emergency exists, that needs to be addressed by effective rules. She felt that if someone was trying to use the petition process for a non-emergency reason, they would have a very hard time fooling the Committee. She said the CGAPS written testimony listed the rules that are currently in effect while CRB has been detected on Big Island and on Lanai in the potted plants. She said she had some specific suggestions for the language in Appendix D, so that it matches the Nihipali petition and to protect it from a challenge, but noted she was out of time.

There were 43 written testimonies received all in support of the petition. The Testimonies are included as ATTACHMENT 1.

Committee Member Eisen noted the motion stated the finding that the existing rules were insufficient and asked what was specifically different between PQBs proposed interim rule and the existing rules. Mr. Ho said the existing rules only designate Oahu as infested, while the interim rule designates Kauai and a specific geographic area in West Hawaii as infested; the existing rules do not restrict plants beside CRB host palm

species, whereas the interim rule would require treatment of potted plant in large pots; and there is a height requirement of four feet for host palms in the interim rule and the permanent rule did not have any restriction. He said the interim rule clarifies that the mixing of gravel or similar things with decomposing plant material is also covered in the interim rule, but not in the permanent rule.

Committee Member Chelsea Arnott said that as many of the testifiers stated that this is a prohibition with no treatment options is because despite the treatments and inspections, they are not 100% effective. Mr. Ho said he agreed with the notion about inspections because they are completely reliant on people finding the pest, whereas with the treatments, PQB has not seen any movement of CRB, noting large quantities that currently go to Maui that have been inspected after arrival with no finds to date. The PQB recognizes that nothing is guaranteed, but the treatments are extremely effective.

Committee Member Joshua Fisher asked for clarification on Appendix D, that it did not allow for permit to be issued for treatments because it was a prohibition. Mr. Ho said that was correct and that the PQB version had enabled administrative flexibility through the permitting process. He noted that PQB had already done some things administratively, such as requiring large potted plants to be de-potted to enable inspections within the pots and if refused, those plants would not be certified. He noted that in this instance, because a permit is required, everyone would need to comply with the permit. He noted that if a prohibition were enacted, PQB would not be certifying anything.

Mr. Fisher asked if commercially bagged mulch included in the prohibition. Mr. Ho said the prohibition lists plant propagation media, and it wouldn't matter if it were bagged or bulk, commercial or not, its understood to be included.

Mr. Eisen asked if there was going to be any effort to deal with the existing rules beyond Molokai. Mr. Ho said that at the prior Board meeting there was a suggestion to try to do an interim rule for the rest of state (Maui, Lanai, East Hawaii Island) since they did not have CRB and deserved the added protection. He noted the uniqueness of Molokai and the Communities ability to be more self-sufficient then other parts of the State. He said that the existing rules would likely need to be amended but noted he would need to figure out how to implement island-specific regulations as it was not something he had to do before. He noted that PQB would try and find a way to do so to buy more time for the research being done with potential bio-control agents for landscape level control.

Ms. Arnott said that this is an emergency as the testifiers have stated today. She noted there are numerous Loulu palms, which are endemic to Hawaii, with 10 of the 24 species being endangered. She noted that *Pritchardia munroi* is only found on Maui

and Molokai, with 30-35 individual trees remaining, with only 2 on Molokai, emphasizing it was an emergency.

Mr. Fisher appreciated the Molokai Community's approach to the situation and commended them for it. He said he's been to Molokai once or twice in the 25 years living in Hawaii and he's seen how resourceful the people on Molokai are and believed they could step up to the challenge.

Mr. Fisher asked Deputy Attorney General Moon a question about HRS150A-9.5, noting it refers to regulating flora and fauna and the petition seeks to restrict gravel. He asked if that would set the rule up for a challenge and should there be a severability clause added into the rule. Mr. Moon said he was pulling up the Statute.

Mr. Ho suggested asking Mr. Nihipali if gravel itself was intended to be included in the interim rule or if the intent was to be gravel mixed with organic material. If he could clarify the intent of that, including the staging of materials, that would be helpful in providing language to the Board. Mr. Ho felt that prohibition was where the Committee was going, so clarifying if Mr. Nihipali as the petitioner was agreeable to Appendix D, or if he wanted to keep the draft originally included in his petition.

Mr. Ho asked Mr. Nihipali if he had a chance to read Appendix D that was provided. Mr. Nihipali asked it was the one Mr. Ho previously sent to him. Mr. Ho said yes and Mr. Nihipali confirmed he read it. Mr. Ho asked if Mr. Nihipali if he felt Appendix D was sufficient to enact what he was seeking to do with the petition. Mr. Nihipali said he felt he was at a disadvantage and that was a reason people have called for a face-to-face meeting. He said he would like to be in the company of those that he relied on for a lot of information and said that we had all the answers needed in his written testimony that was submitted. He said all the materials are on the island and they don't need to be brought in. He said that help was needed from the people with the resources to help businesses on Molokai. He said Molokai is an economically depressed zone so the rule will tremendously help through the economic development aspects. He said he didn't see how this would break the bank on commercial efforts. He noted monetary savings through prevention efforts and reiterated all the materials could be obtained on Molokai. He said if we are asking him to figure out the rules, then he is at a disadvantage and deferred to someone like Stephanie [Easley] who was more adept in that field. Mr. Ho said he was not asking Mr. Nihipali to figure out the rules, but if he intended for gravel itself to be prohibited from other islands to prevent CRB movement. Mr. Nihipali said CRB eggs are the size of a grain of rice and have been found in gravel on other islands and reiterated that Molokai had the resources on island.

Mr. Fisher again asked Mr. Moon about the gravel question. Mr. Moon deferred to Mr. Ho. Mr. Ho said from a literal standpoint, gravel would not be considered flora or fauna. However, if it known to spread a pest, such as soil or compost, which generally wouldn't be considered flora or fauna, they should be regulated. Mr. Ho said that the statute may

be something that needs to change later because he felt the original intent was to manage plants and animals themselves, but not necessarily these other goods. To the extent of achieving intent, it does not make sense to include it. Mr. Ho said that including a severability clause could be done because there is nothing that prohibits it in the interim rulemaking process and that one could be added.

Committee Member Samuel Gon asked if Mr. Moon would be the AG for the Board to assist with the adjustments to the interim rule language. Mr. Moon said it is a different AG that advises the Board. Mr. Gon said it would be good to pass on this discussion to the AG that will be at the Board. Mr. Moon said he would do that.

Mr. Gon said he wanted to ensure that the Committee is aligned that there is a state of emergency instead of focusing on the language that is contained in the rule, noting the risks to food self-sufficiency, and to coconut varieties and loulu palms found only on Molokai. He also noted that CRB infestations are undetected for some time before being discovered and reiterated that he felt the next step was agreement that there is an emergency and to move forward with the Nihipali proposed language. Mr. Gon then made a motion to find that the existing rules were insufficient, constituting an emergency and to move forward to the Board the interim rule as drafted by the Nihipali's for the Board's discussion and amendment. Advisory Committee Member Pam Mizuno seconded the motion. Ms. Arnott asked that a severability clause be included and to have an in-person location in Molokai for Molokai residents to attend, to try to bridge the gap of having an on-island meeting as was brought up previously. She understood it was a tight timeline but felt it was a reasonable compromise. Dr. Kim said he would look into it, but the Board's next meeting was next Tuesday.

Before voting, Mr. Ho asked to Committee to confirm that the motion was to make a finding that there was a lack of effective rules, which constituted an emergency, and to recommend to the Board the interim rule language as included in the Nihipali's petition with a severability clause. The Committee members agreed. Mr. Moon asked if Appendix D was moving forward. Mr. Ho said the verbiage contained on pages 5 and 6 of the Nihipali's petition is the language that was to be used. Mr. Ho said he would format that verbiage into the existing format and that Board would need to figure out the specific language and clarifications that would be needed.

Vote: a finding that there was a lack of effective rules, which constituted an emergency, and recommending the Board consider the Petition interim rule language with the inclusion of a severability clause (6/0 - Kim, Mizuno, Fisher, Arnott, Eisen, Gon)

IV. Analysis of Petitioner's Proposed Interim Rule

As a result of the Committee's finding at its September 17, 2025, meeting recommending the Board consider any necessary changes to the language contained in the Petition, in addition to strong public support, PQB has taken the language contained on pages 5 and 6 of the Petition and formatted it to conform with previous interim rules. It is included as APPENDIX E. Line numbers were added to the interim rule for ease of review and if approved they will be removed before obtaining the Chairperson's authorization.

PQB believes that there are specific sections of the interim rule that need to be addressed for clarity and consistency. Also included is the proposed severability clause requested by the Committee.

- Page 1, Inconsistency between the specific prohibited commodities listed in the interim rule title vs. the specified items beginning on page 2, lines 38 – 43.
 - The title, including the items listed in paragraph one, use consistent terminology on the items that are being prohibited as “plants, soil, gravel, and other coconut rhinoceros beetle (CRB) host material, including decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks. Whereas the items listed on page 2, lines 38-43 are “potted or bare root plants and other CRB host material, which: Includes decaying plant material, mulch, trimmings, fruit and vegetative scraps, wood, stumps, compost, plant propagation media in live planting, commercially bagged plant propagation media or landscaping materials that have been staged or stored in any area of the State, soil, and gravel”
 - PQB suggests the terms used in the title should replace those on page 2, lines 38-43 for consistency and clarity, particularly as it relates to plant propagation media and landscaping materials.
- Page 1, Line 6: Inclusion of “gravel” as a prohibited commodity.
 - On page 3, line 53, subsection (v) states “Rock, coral, and sand, not mixed with any organic material” are exempt from the interim rule.
 - PQB does not see any discernable difference between the exempted items and gravel, nor does it have any verified reports of gravel itself housing or sustaining any life stages of CRB. Therefore, PQB believes that gravel should be included in subsection (v). This would result in the removal of the references to “gravel” on page 1, line 15, and page 2, line 43. While it was made clear through testimony at the Committee meeting that this type of material is available on Molokai and that there may be businesses on Molokai that can provide it, the regulations are designed to prevent the movement of pests through known pathways despite potential economic losses or benefits.

- Page 1, Line 15: “quarantine” should be replaced with “prohibition”.
 - Quarantines generally have periods/requirements after satisfaction are which are allowed to move.
 - PQB believes in this instance it should be made clear to all that there are no exceptions to the interim rule.
- Page 2, lines 41-43: “. . . commercially bagged plant propagation media or landscaping materials that have been staged or stored in any area of the State”
 - This statement needs to be clarified as it could be interpreted to prohibit the movement of these commodities that have been imported into the State from areas that do not have CRB infestations and remain in sealed shipping containers until arrival in Molokai. Again, while it was made clear through testimony at the Committee meeting that this type of material is available on Molokai and that there may be businesses that can provide it on Molokai, the regulations are designed to prevent the movement of pests through known pathways despite potential economic losses or benefits.
 - Additionally, if this section is not changed to be consistent with items listed in the title, the specific landscaping materials to be included in the prohibition should be specified.
 - PQB believes that if this is changed to be consistent with the title, these concerns can be disregarded because these shipments would originate from outside the State, not from another area in the State and other movement is already prohibited to Molokai.
- Page 3, Line 51, subsection (iv): Inclusion of plant cuttings to this section.
 - As “cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements” are exempted, propagative plant cuttings should be included as they pose the same risks. Additionally, they require inspection prior to interisland movement.
- Page 3, Line 55: Inconsistency in who is covered under the penalties
 - Page 3, line 55 lists “any person”, whereas page 3, line 58 lists “person(s), companies, or organization(s)”.
 - PQB suggests page 3, line 55, “person” be replaced with “person(s), companies, or organization(s)” for consistency.
- Page 3, Lines 63-66: Inclusion of a severability clause.
 - The Committee recommending the inclusion of a severability clause into the interim rule. PQB took the existing severability clause found in 4-72, HAR, and adapted it to conform to this interim rule.

PQB notes that CRB’s introduction to Hawaii was likely as a hitchhiker on an aircraft from an infested area and the PQB has no authority to regulate this pathway. PQB further notes that quarantine restrictions are designed to be preventative but are not

absolute but recognizes the unique situation on Molokai and the community's ability to be self-reliant.

PQB reiterates that the proposed interim rule contains measures that are precedent setting, with some examples being:

- The items specified in the interim rule cannot move to Molokai and there is no ability to have them subjected to a treatment for disinfestation prior to movement, even for commodities where verified treatments exist and are currently used, such as heat treatments for commercially bagged plant propagation media or fumigation of bulk shipments of compost that is shipped in CRB-proof containers; and
- Prohibiting the movement of the listed commodities from areas in the State that are not known to be infested with CRB.

As the Petition covers a broad set of commodities and if approved, those items would be prevented from being brought to Molokai for the duration of the interim rule. The PQB, testifiers at the Committee meeting, and some Committee Members suggested additional outreach to the Molokai community or that this request be brought before the broader Molokai community. However, based on numerous testifiers, the Community appears to have already done this noting some testifiers comments about potential economic benefits and a separate petition in support with over 1,000 signatures, many of which residents of Molokai.

V. Staff Recommendation

Based on the finding of an emergency and unanimous recommendation of the Nihipali's proposed interim rule by the Advisory Committee on Plants and Animals; strong support by the general public, elected officials, and Molokai community at both the prior Board and Committee meetings; and testimony from the Molokai community indicating that a prohibition would not negatively them, the PQB recommends the Board approve the proposed interim rule included as APPENDIX E with the proposed changes included in section IV of the submittal.

Respectfully Submitted,



Jonathan Ho
Manager, Plant Quarantine Branch

Board of Agriculture and Biosecurity
September 23, 2025
Nihipali Petition – Molokai CRB Interim Rule
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Concurred:



Richard Kim, Ph.D.
Administrator, Plant Industry Division

APPROVED FOR SUBMISSION:



Sharon Hurd
Chairperson, Board of Agriculture and Biosecurity

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HAWAII DEPT OF AGR
2025 JUL 29 AM 11:39

July 29, 2025

Chairperson Sharon Hurd
Board of Agriculture and Biosecurity
1428 South King Street
Honolulu, Hawaii 96814

Petition for Interim Rulemaking to Prohibit the Transportation of Material That May Introduce the Coconut Rhinoceros Beetle to the Island of Molokai

Dear Chairperson Hurd and Members of the Board of Agriculture and Biosecurity,

This petition is made pursuant to section 4-1-23 Hawaii Administrative Rules (HAR) to request the Board of Agriculture and Biosecurity (BAB) and/or the Department of Agriculture and Biosecurity (DAB) adopt an interim rule under section 150A-9.5 Hawaii Revised Statutes (HRS) to prohibit the transportation of material that may introduce coconut rhinoceros beetle (*Oryctes rhinoceros*) (CRB) to the Island of Molokai.

CRB was first detected in Hawaii on the Island of Oahu in 2013.¹ Since that time, the Hawaii Department of Agriculture (referred to as DAB in this petition) and its partners worked to prevent the spread of CRB. Ultimately, those efforts were not successful, and CRB is now established and widespread on Oahu.² For the first 10 years, DAB was able to prevent the movement of CRB to other islands of the State. However, in 2023, CRB was detected on the Island of Kauai, where it is now widespread.³

In an attempt to contain CRB, DAB adopted interim rules under section 150A-9.5 HRS in June 2022, October 2023, and October 2024.⁴ These interim rules require a DAB permit for the movement of CRB host material, including palm plants in the genera *Cocos*, *Livistona*, *Phoenix*,

¹ <https://dab.hawaii.gov/pi/files/2013/01/npa-CRB-5-1-14.pdf>

² <https://www.civilbeat.org/2025/02/ravenous-beetles-go-urban-preying-on-honolulus-iconic-coconut-palms/>

³ <https://dab.hawaii.gov/blog/main/nr23-11crbonkauai/>

⁴ §4-23.1-1 HAR; <https://dab.hawaii.gov/wp-content/uploads/2018/05/CRB-Interim-Rule-10-11-2024.pdf>

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Pritchardia, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks from Oahu to other areas of the State. Unfortunately, during the period that these interim rules have been in effect, CRB has become widespread on the Island of Kauai and has been detected in two areas on the Island of Hawaii and in potted plants that are not covered by the interim rules on the Island of Lanai. Further, DAB's current CRB interim rule is set to expire on October 10, 2025.

In light of this dire situation, we believe the threat and likelihood of the spread of CRB to Molokai creates a situation dangerous to the public health and safety or to the ecological health of flora or fauna present in the State, on the Island of Molokai, which is so immediate in nature as to constitute an emergency. This petition respectfully requests BAB and/or DAB: convene a meeting of the Advisory Committee on Plants and Animals to consider an interim rule as proposed in Attachment A to protect Molokai from the spread of CRB; and if the Advisory Committee determines the proposed interim rule is necessary to address an emergency situation that the Chairperson of BAB be authorized to sign the proposed interim rule so that it may take effect at the earliest possible date.

Alternatively, if the BAB and/or DAB determines that this petition may not initiate an interim rule than we request BAB interpret this petition to request BAB and/or DAB initiate emergency rulemaking under sections 91-3(b) HRS and 4-1-30 HAR, and find that an imminent peril to the public health, safety, or morals, to livestock and poultry health, or to natural resources requires adoption of the emergency rule that includes the substance of the restrictions set out in Attachment A, upon less than thirty days' notice of hearing, and state in writing the reasons for such finding.

Statement of petitioner's interest in the subject matter of the proposed interim rule

We are residents of Hoolehua, Molokai. We farm sustenance and sustainable foods, including coconut on Molokai. Our agricultural interests include a uluniu (coconut grove). In addition to producing agricultural products, we work to restore the culture of ike niu on Molokai. If CRB were to be detected on Molokai, crown and injection pesticide treatments would cause substantial losses to the uluniu and severely impact our efforts to restore traditional practices and uses of coconut trees. If CRB were to become established on Molokai, we would lose the production of the uluniu and, as we are now seeing on Oahu, the trees themselves.

In addition to our direct interests in protecting the uluniu we created on Molokai, we have helped organize, and participated in, many community events, are active community members and strong supporters of Native Hawaiian rights and culture, and work to establish food and water security for Molokai and reestablish a loving relationship with niu, the tree of life.

For these reasons, we have substantial interest, including economic and cultural interests, in seeking the adoption of this interim rule to prevent the spread of CRB to Molokai.

Statement of reasons in support of the proposed interim rule

In Hawaii, counties and other units of local government are preempted from banning or regulating the movement of material to prevent the introduction of a pest or invasive species.⁵ That authority rests solely with DAB. This leaves Maui County and the Island of Molokai unable to require the quarantine or treatment of plants, soil, and other CRB host material moved to Molokai or to otherwise prevent CRB from reaching Molokai.

Further, at this time, there is no acceptable CRB treatment for potted plants and some other CRB host material. For much of the material that can move CRB, this leaves visual inspection at the island of export as the only prevention tool. Molokai does not have a DAB employee on-island to assist with visual inspections of arriving materials. Even if a DAB employee was assigned to Molokai, it would not be sufficient to prevent CRB from reaching the Island. Visual inspections and other requirements failed to prevent CRB from becoming established on the Island of Kauai or from reaching and spreading on the Island of Hawaii. The recent detection of CRB on the Island of Lanai in potted plants that are not typically considered hosts of CRB and that are not covered by the October 2024 CRB Interim Rule is of extreme concern. As DAB is aware, other pests such as cocoi frog, geckos, invasive plants such as miconia and fireweed, and other invasive species (including a gopher snake!) have been detected on Molokai moving in shipments of potted plants, large trees, and bags of soil, some of which had DAB inspection stickers.

Our coconut trees are used for subsistence and sustainable agriculture, including as part of our traditional Hawaiian cultural practices. These trees are not just for landscaping or aesthetic purposes. Molokai is a small island, approximately 260 square miles in size. If CRB is detected anywhere on Molokai, it could spread rapidly across the island, impacting agricultural interests. CRB establishment on Molokai would impact native and endemic palm species, including the rare loulu palm (*Pritchardia hillebrandii*), and other plants and crops of agricultural, ecological, and cultural value. Further, the people of Molokai, including ourselves, utilize coconut trees as an integral part of our economic and cultural life. Preventing CRB from reaching Molokai is an emergency situation, with CRB being established on Oahu, widespread on Kauai, spreading on Hawaii Island, and detected on Lanai. If CRB is detected on Molokai, the treatment of coconut trees will significantly impact the usability of our coconut trees and that of other coconut trees on Molokai, imperil native and endemic palms, and potentially interfere with important traditional and cultural practices.

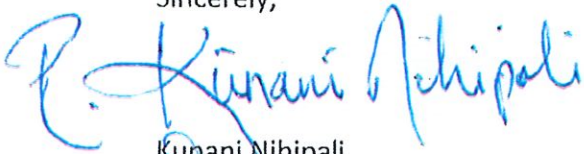
⁵ See *Atay v. Cty. of Maui*, 842 F.3d 688, 709 (9th Cir. 2016); *Syngenta Seeds, Inc. v. Cty. of Kauai*, 664 F. App'x 669, 673 (9th Cir. 2016); and *Hawaii Floriculture & Nursery Ass'n v. Cty. of Hawaii*, No. CIV. 14-00267 BMK, 2014 WL 6685817, (D. Haw. Nov. 26, 2014), *aff'd sub nom. Hawaii'i Papaya Indus. Ass'n v. Cty. of Hawaii*, 666 F. App'x 631 (9th Cir. 2016)

)

We respectfully request that BAB consider this petition at its August 2025 meeting and that BAB inform the petitioners of its decision on this petition within 30 days, as required by section 4-1-23(c) HAR. Further, we respectfully request that DAB utilize any authorities available to protect Molokai from CRB and other high-priority pests as quickly as possible and, if necessary, waive any filing or timing requirements not met by this petition, with good cause being shown as required by section 4-1-11 HAR, as the need to prevent CRB from reaching Molokai constitutes an emergency.

Thank you for your consideration of this petition and for all your efforts to protect Hawaii and the Island of Molokai from high priority pests, particularly CRB. Please contact us if we may provide any further information regarding this petition.

Sincerely,



Kunani Nihipali



Ipo Nihipali

Attachment A - Draft Proposed Interim Rule

Attachment A

Draft Proposed Interim Rule

To Prohibit the Transportation of Plants, Soil, Gravel, and other CRB Host Material including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media; and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to Prevent the Movement of **Coconut Rhinoceros Beetle**, *Oryctes rhinoceros*, to the Island of Molokai from Other Areas of the State

Under authorization granted in Section 150A-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture and Biosecurity (Department) hereby establishes this interim rule to impose a quarantine on the movement of plants, soil, gravel, and other **coconut rhinoceros beetle** (CRB) host material, including decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, to prevent the spread of the CRB, *Oryctes rhinoceros*, to the Island of Molokai, an island where CRB has not been detected.

The interim rule is needed to prevent the further spread of CRB to the Island of Molokai from other areas of the State. The residents of Molokai utilize the coconut tree (*Cocos nucifera*) and other palm species for subsistence, local food production, and cultural practices and the need to protect these natural resources on Molokai from the imminent peril of CRB constitutes an emergency. Further, CRB establishment on Molokai would impact native and endemic palm species, including the rare loulu palm (*Pritchardia hillebrandii*). CRB has been detected moving between islands of the State on potted plants that are not typically considered hosts of adult CRB and has been detected moving interisland despite the CRB interim rules issued by the Department that took effect on October 4, 2023 and October 11, 2024, that restrict the movement of CRB host material and palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from the Island of Oahu to other areas of the State.

This interim rule prohibits the movement of potted or bare root plants and other CRB host material, which:

- (A) Includes decaying plant material, mulch, trimmings, fruit and vegetative scraps, wood, stumps, compost, plant propagation media in live planting, commercially bagged plant propagation media or landscaping materials that have been staged or stored in any area of the State, soil, and gravel; and
- (B) Does not include:

- (i) Plant products intended for consumption, such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices;
- (ii) Plant products preserved from decay by treatment or use, such as lumber, woven hats, dried and painted coconuts, wooden posts, wood carvings, and firewood;
- (iii) Seeds for planting,
- (iv) Cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements; and
- (v) Rock, coral, and sand, not mixed with any organic material.

Any person who violates this rule shall be guilty of a misdemeanor and fined not less than \$100. The provisions of HRS Section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second offense committed within five years of a prior conviction, the person(s), companies, or organization(s) shall be responsible for clean-up and decontamination fees to remove contaminated material and to fully eradicate any CRB that may have been caused by their violation of not following this Interim Rule. Also, they shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on _____, 2025, and shall be effective for not more than one year from the effective date.

SHARON HURD

Chairperson, Board of Agriculture and Biosecurity

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'ŌI HANA MAHI'AI A KIA'I MEAOLA
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

APPENDIX B

SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

August 19, 2025

Kunani and Ipo Nihipali
Lot B4 Maunaloa Highway
Hoolehua, HI 96729

Subject: Procedural Denial of Petition to the Board of Agriculture and Biosecurity to Initiate Interim Rulemaking to Prohibit the Transportation of Materials That May Introduce the Coconut Rhinoceros Beetle (CRB), *Oryctes rhinoceros*, to the Island of Molokai.

Dear Kunani and Ipo Nihipali,

Thank you for your petition requesting the Board of Agriculture and Biosecurity (Board) to initiate interim rulemaking pursuant to Hawaii Revised Statutes (HRS) Chapter 150A-9.5 to prohibit plants, soil, gravel, CRB host material including decomposing plant material, and other items comprised of decomposing plant materials such as landscaping materials or erosion control socks, to prevent the movement of CRB to Molokai, from any other area in the State.

Pursuant to §4-1-23(c), Hawaii Administrative Rules (HAR), the Board is required to either deny a petition or initiate rulemaking proceedings within 30 days after filing of a petition for rulemaking. In order to implement an interim rule, the Advisory Committee on Plants and Animals (Committee) must first make a finding that the movement of any flora or fauna, in the absence of effective rules, creates a situation dangerous to the public health and safety or to the ecological health of flora or fauna present in the State which is so immediate in nature as to constitute an emergency. Due to the time constraints, a Committee meeting was unable to be held. However, please note §4-1-24, HAR does not prevent the Board from acting on its own motion upon any matter disclosed in a denied petition and the Board will be considering your petition at its next meeting set for August 26, 2025.

Should you have questions regarding this matter, please contact Mr. Jonathan Ho, Plant Quarantine Branch Manager at 808-832-0566 or jonathan.k.ho@hawaii.gov.

Sincerely,

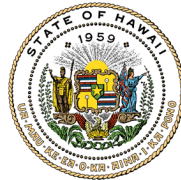
A handwritten signature in black ink that reads "Sharon Hurd".

Sharon Hurd, Chairperson
Board of Agriculture and Biosecurity



JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
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APPENDIX C
SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

PLANT QUARANTINE BRANCH PROPOSED INTERIM RULE

HAWAII DEPARTMENT OF AGRICULTURE AND BIOSECURITY

PLANT QUARANTINE INTERIM RULE 25-1

Prohibits the Movement of Palm Plants in the Genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; Plants in Containers at Least 10 Gallons in Volume or Larger; Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch; Plant Propagation Media; Rock, Soil, Sand, or Gravel Mixed With Decomposing Plant Material or Plant Propagation Media; and Any Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, From the Islands of Kauai and Oahu, and a designated area in West Hawaii Island, to the Island of Molokai to Prevent the Movement of Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, Except by Permit Issued by the Hawaii Department of Agriculture and Biosecurity.

Under authorization granted in Section 150A-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture and Biosecurity (Department) hereby establishes this interim rule to impose a quarantine on the movement of coconut rhinoceros beetle (CRB) host material including: palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; plants potted in containers at least 10 gallons in volume or larger; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; rock, soil, sand, or gravel mixed with decomposing plant material or plant propagation media; and any other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, except by permit issued by the Department, to prevent the spread of the CRB,



Oryctes rhinoceros, from an area designated to be infested with CRB to non-infested areas in the State. The entire islands of Oahu and Kauai, and the specified area in West Hawaii Island in the Kailua-Kona area within the following geographic borders: the shoreline from Waikoloa Road to Kailua Pier; Kailua Pier to Palani Road through Mamalahoa Highway; Mamalahoa Highway to Waikoloa Road; and Waikoloa Road to the shoreline, are designated as a CRB infested areas. All other areas in the State are considered to be non-infested areas.

The interim rule is needed to prevent the further spread of CRB to the island of Molokai, which is the only island in the State where CRB has not been detected.

The movement or transportation of CRB host material, including palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; plants potted in containers at least 10 gallons in volume or larger; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; rock, soil, sand, or gravel mixed with decomposing plant material or plant propagation media; and any other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from an area designated to be infested with CRB to other non-infested areas in the State is prohibited, except by permit issued by the Department. Only palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia* that have trunks not greater than 48 inches in height, measured from the soil-line to the lowest frond, are eligible for permits issued by the Department.

All movement or transportation of palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia* that have trunks not greater than 48 inches in height, measured from the soil-line to the lowest frond; plants potted in containers at least 10 gallons in volume or larger; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; rock, soil, sand, or gravel mixed with decomposing plant material or plant propagation media; and any other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from an area designated to be infested with CRB to other non-infested areas in the State is subject to inspection and approved mitigation, decontamination, and/or treatment measures prior to movement; as designated by a permit issued by the Department.

This interim rule does not impose additional restrictions on the movement of the following: approved nursery stock material from a department approved certified nursery, provided it is shipped directly from an infested area to a destination outside of the State and does not pass-through any part of the State; unsprouted seeds of palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; plant products intended for consumption, such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices; plant products preserved from decay by treatment or intended use, such as lumber, woven hats, wooden posts, wood carvings, and firewood; and cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements.

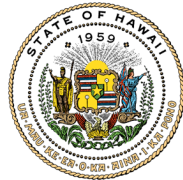
Any person(s), companies, or organization(s) who violate this rule shall be fined not less than \$100. The provisions of HRS Section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second violation committed within five years of a prior violation, the person(s), companies, or organization(s) shall be responsible for clean-up and decontamination fees to remove contaminated material and to fully eradicate any CRB that may have been caused by their violation of not complying with this Interim Rule. Additionally, they shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on (*insert date*), and shall be effective for not more than one year from the effective date.

Sharon Hurd, Chairperson
Board of Agriculture and Biosecurity

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



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APPENDIX D
SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

NIHIPALI PETITION PROPOSED INTERIM RULE

HAWAII DEPARTMENT OF AGRICULTURE AND BIOSECURITY

PLANT QUARANTINE INTERIM RULE 25-1

Prohibits the Transportation of Plants, Soil, Gravel, and other Coconut Rhinoceros Beetle (CRB) Host Material Including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media; and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to Prevent the Movement of Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, to the Island of Molokai From any Other Island of the State.

Under authorization granted in Section 150A-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture and Biosecurity (Department) hereby establishes this interim rule to impose a prohibition on the interisland movement of plants, soil, gravel, and other coconut rhinoceros beetle (CRB) host material, including decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, to prevent the spread of the CRB, *Oryctes rhinoceros*, to the Island of Molokai from any other island in the State.

The interim rule is needed to prevent the further spread of CRB to the island of Molokai, which is the only island in the State where CRB has not been detected and where the residents of Molokai utilize the coconut tree, *Cocos nucifera*, and other palm species



for subsistence, local food production, and cultural practices, including the need to protect these natural resources on the island of Molokai.

This interim rule prohibits the interisland movement of potted or bare root plants; soil; gravel; and other CRB host material which includes: decaying plant material such as mulch, trimmings, fruit and vegetative scraps, wood or tree chips, stumps, or compost; plant propagation media; and landscaping materials comprised of decaying organic plant material, that have been staged or stored in any area of the State, to the Island of Molokai from any other island in the State.

This interim rule does not impose additional restrictions on the following items:

- (i) Plant products intended for consumption, such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices;
- (ii) Plant products preserved from decay by treatment or use, such as lumber, woven hats, dried and painted coconuts, wooden posts, wood carvings, and firewood;
- (iii) Seeds for planting;
- (iv) Cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements; and
- (v) Rock, coral, and sand, not mixed with any organic material.

Any person(s), companies, or organization(s) who violate this rule shall be fined not less than \$100. The provisions of HRS Section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second violation committed within five years of a prior violation, the person(s), companies, or organization(s) shall be responsible for clean-up and

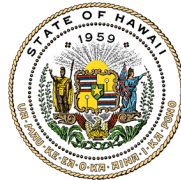
decontamination fees to remove contaminated material and to fully eradicate any CRB that may have been caused by their violation of not complying with this Interim Rule. Additionally, they shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on (*insert date*), and shall be effective for not more than one year from the effective date.

Sharon Hurd, Chairperson
Board of Agriculture and Biosecurity

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
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APPENDIX E

SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

HAWAII DEPARTMENT OF AGRICULTURE AND BIOSECURITY

PLANT QUARANTINE INTERIM RULE 25-1

To Prohibit the Transportation of Plants, Soil, Gravel, and other CRB Host Material Including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch; Plant Propagation Media; and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to Prevent the Movement of Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, to the Island of Molokai From Other Areas of the State.

Under authorization granted in Section 150A-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture and Biosecurity (Department) hereby establishes this interim rule to impose a quarantine on the movement of plants, soil, gravel, and other coconut rhinoceros beetle (CRB) host material, including decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, to prevent the spread of the CRB, *Oryctes rhinoceros*, to the Island of Molokai, an island where CRB has not been detected.

The interim rule is needed to prevent the further spread of CRB to the Island of Molokai from other areas of the State. The residents of Molokai utilize the coconut tree, *Cocos nucifera*, and other palm species for subsistence, local food production, and cultural practices and the need to protect these natural resources on Molokai from the imminent peril of CRB constitutes an emergency. Further, CRB establishment on Molokai would



impact native and endemic palm species, including the rare loulu palm, *Pritchardia hillebrandii*. CRB has been detected moving between Islands of the State on potted plants that are not typically considered hosts of adult CRB and has been detected moving interisland despite the CRB interim rules issued by the Department that took effect on October 4, 2023, and October 11, 2024, that restrict the movement of CRB host material and palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from the Island of Oahu to other areas of the State.

This interim rule prohibits the movement of potted or bare root plants and other CRB host material, which:

(A) Includes decaying plant material, mulch, trimmings, fruit and vegetative scraps, wood, stumps, compost, plant propagation media in live planting, commercially bagged plant propagation media or landscaping materials that have been staged or stored in any area of the State, soil, and gravel; and

(B) Does not include:

(i) Plant products intended for consumption, such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices;

(ii) Plant products preserved from decay by treatment or use, such as lumber, woven hats, dried and painted coconuts, wooden posts, wood carvings, and firewood;

(iii) Seeds for planting;

(iv) Cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements; and

(v) Rock, coral, and sand, not mixed with any organic material.

Any person who violates this rule shall be guilty of a misdemeanor and fined not less than \$100. The provisions of HRS Section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second offense committed within five years of a prior conviction, the person(s), companies, or organization(s) shall be responsible for clean-up and decontamination fees to remove contaminated material and to fully eradicate any CRB that may have been caused by their violation of not following this Interim Rule. Also, they shall be fined not less than \$500 and not more than \$25,000.

If any provision of this interim rule is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality and validity of the remainder of this interim rule and applicability thereof to other persons and circumstances shall not be affected.

This interim rule shall become effective on (*insert date*), and shall be effective for not more than one year from the effective date.

Sharon Hurd, Chairperson
Board of Agriculture and Biosecurity

Ho, Jonathan K

From: Anne Lorenzo <trjanne@yahoo.com>
Sent: Monday, September 15, 2025 2:36 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Anne M. Lorenzo and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the**

island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Anne M. Lorenzo

"Mankind must put an end to war or war will put an end to mankind."

~John F. Kennedy, Speech to UN General Assembly, 25 September 1961

Ho, Jonathan K

From: John Shockley <shockleyjr@gmail.com>
Sent: Monday, September 15, 2025 2:52 PM
To: DAB.PQ.TESTIMONY
Cc: Rita Shockley
Subject: [EXTERNAL] LIVE NOTE: We must stop the Coconut Rhino Beetle spread to Molokai.

Aloha!

Perhaps the CRB (Coconut Rhinoceros Beetle) has so flooded O'ahu it will take decades to destroy the infestation. If we can just be proactive and stop the CRB from hitching a ride on uninspected cargo to Molokai, we might turn the tide on this invasive insect.

We are John & Rita Shockley, Coordinators at the Free Access Coalition, and we are testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

At Makakilo on West O'ahu, the CRB has devastated far too many coconut and palm trees.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful**

of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

John & Rita Shockley Coordinators at the Free Access Coalition

www.freeaccesscoalition.weebly.com

Ho, Jonathan K

From: Sydney Chung <schung27@punahou.edu>
Sent: Monday, September 15, 2025 3:05 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is **Sydney Chung** and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Sydney Chung

Ho, Jonathan K

From: Eileen Herring <herring.eileen@gmail.com>
Sent: Monday, September 15, 2025 3:28 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is **Eileen Herring** and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture Aloha Advisory Committee Members,

My name is **[your name]** and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

[Feel free to insert your own story or experiences with CRB here]

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason - other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Eileen Herring



Testimony Before The
Hawai'i Department of Agriculture and Biosecurity
Plant Quarantine Branch

IN SUPPORT OF Agenda Item IV.A

Interim Rule to Prohibit the Transportation of Material that May Introduce CRB to Molokai

September 17, 2025, 9:00 a.m., Plant Quarantine Branch, Honolulu

I am Olan Leimomi Fisher, Kua'āina Advocate, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." **Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'ĀINA MOMOMA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

KUA strongly supports Agenda Item IV.A as a necessary, proactive defense against CRB as called for by Molokai community leaders, and an essential safeguard to ensure 'āina momona on Molokai for present and future generations.

We also urge you to not water down the rule as proposed by the Plant Quarantine Branch staff, which will only leave room for more harm to Molokai people, plants, and animals by CRB introductions. Communities we work with are intimately familiar with the impacts that invasive species can have on every aspect of life in Hawai'i — jeopardizing native ecosystems, food security, cultural practices, public health, fire safety, climate resiliency, economy, and overall quality of life. Devastation caused by the Coconut Rhinoceros Beetle (CRB) on five of the main Hawaiian Islands is hard to ignore, and the impacts may also be irreversible once CRB are established. **Loss of a significant cultural and food resources like niu (coconut), ulu (breadfruit), mai'a (banana), kalo (taro), hala (pandanus), and others would erode cultural practices and resources that Native Hawaiian and local communities cherish, perpetuate, and regenerate in furtherance of cultural integrity, food self-sufficiency, and connections to 'āina and each other.**

We all know that Molokai is especially vulnerable with little on-island resources to detect and eradicate CRB. **Continued inaction upholding the status-quo without *any* protections, or even *temporary* protections, seems irresponsible when considering the continued, rapid spread and devastation across our islands.**

Organizations and initiatives in our networks have long dedicated considerable energy and resources to educate the public to act in defense of our islands from invasive species. Several leading Molokai voices among them. **We implore you to listen to the people of Molokai and take *real action* to support our biosecurity systems by supporting this interim rule *before it is too late*.** 'Āina Momona is not achievable without prioritizing the urgent protection from these invasive pests to protect our precious biocultural resources and those that intimately love and care for them.

Please **SUPPORT** the interim rule in its original form as put forward by Kunani and Ipo Nihipali, and supported by numerous other concerned community members both on Molokai and across the islands. Mahalo nui loa for considering our testimony in strong support.

Aloha 'Āina Momona no nā kau ā kau.

Aloha Advisory Committee Members,

My name is Thayne Taylor and I am testifying in STRONG SUPPORT of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

I live on Kaua'i and work at Kauai Sea Farm. We are very sensitive and aware of the harm invasive species can do to Hawaii's environment and food production and are constantly trying to eradicate all invasive species (plant and animal) at our Nomilu property including Nomilu fishpond. We never had or have ever seen the coconut rhinoceros beetle anywhere on our property. Last month we encountered our first sighting in our material we use for our composting toilets. The material is a potting soil mixture we buy from ACE hardware. Not sure how the CRB got there, but it is curious that we never found the CRB anywhere else.

We know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

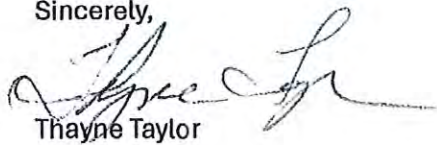
The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the rule put forward by Kunani and Ipo Nihipali.

Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued,

unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thayne Taylor', with a stylized flourish at the end.

Thayne Taylor

September 15, 2025

Ho, Jonathan K

From: George Hudes <whodisguy@gmail.com>
Sent: Monday, September 15, 2025 3:42 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is George Hudes and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

George Hudes

Ho, Jonathan K

From: Jonee Peters <jp@conservehi.org>
Sent: Monday, September 15, 2025 4:00 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

Aloha kakahiaka. My name is Jonnetta Lei Kaina Peters, Executive Director for Conservation Council for Hawai'i (CCH) with approximately 4,000 members, CCH is also the Hawai'i affiliate of the National Wildlife Federation with 52 affiliates nationwide, and approximately 6 million members. I am testifying in **STRONG SUPPORT** of the interim rule to **PROHIBIT** the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. **I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.**

The impacts that the coconut rhinoceros beetle (CRB) may have on our polynesian iconic food source, the niu (coconut), but on other plants and crops as well. Food crops include maia, kalo, papaya, kō, and others.

Also devastating would be to lose the niu at Kapuāiwa. This is one of the last remaining royal coconut groves in Hawai'i and is considered a sacred and historic landmark. The grove was planted in the 1860s by King Kamehameha V, whose given name was Lot Kapuāiwa, to commemorate the 1,000 warriors in his army.

Other important plants are loulu (native Hawaiian fan palm) and hala (pandanus). There are endangered loulu found primarily on Molokai's northern islets called loulu lelo. Also found on the northeastern side of Molokai are home to one of two of Hawaii's last remaining coastal hala forests. Both of these areas are vulnerable and need protection.

We know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **NOT** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu

exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Jonnetta "Jonee" Leina'ala Peters
Executive Director



Ho, Jonathan K

From: Andria Coutoumanos <andieonmaui@yahoo.com>
Sent: Monday, September 15, 2025 4:03 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Protect Against Invasive Beetles!

Aloha Advisory Committee Members

My name is Andria Coutoumanos and I'm a resident of Maui County. I am deeply concerned about the dangerous CRB, especially in Molokai. I strongly urge you to continue support of the interim rule prohibiting transportation of any possible host material of these insects from other islands into Molokai. Mahalo for making this a priority.

Sincerely,
Andria

Ho, Jonathan K

From: Uilani Naipo <uilani.naipo@me.com>
Sent: Monday, September 15, 2025 5:25 PM
To: DAB.PQ.TESTIMONY
Cc: U'ilani Naipo
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

I am U'ilani Naipo and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali.

Please do **not** adopt the watered-down version of rules suggested by Plant Quarantine Branch staff. Doing so will leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, hala, mai'a, kalo, papaya, and others. We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

I am a lauhala weaver, a DHHL lessee agriculture farmer, and an estate trustee for my 'ohana property of which has 79 niu trees planted by my kūpuna. CRB is a threat to the resources of my traditional and customary practices and the Department of Agriculture continues to fall short on protecting Hawai'i's most treasured resources.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible.

Please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**. It is supported by thousands, as testifiers and petition signers from Moloka'i and across the pae 'āina.

Mahalo nui for your consideration of this matter.

Sincerely,
U'ilani Naipo

Ho, Jonathan K

From: Winston Welch <winston@outdoorcircle.org>
Sent: Monday, September 15, 2025 6:03 PM
To: DAB.PQ.TESTIMONY
Cc: Winston Welch
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i--The Outdoor Circle strongly supports

Aloha Advisory Committee Members,

The Outdoor Circle would like to testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. We strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that most likely would result with subsequent effects like those seen in other places in our state.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

The Outdoor Circle hosts workshops on how to control the spread of CRB, but not transporting materials where they live is the best prevention.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, we strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Winston Welch
Executive Director

The Outdoor Circle
1314 South King Street, Suite #306
Honolulu, HI 96814
808-593-0300 office
808-285-5442 cell
winston@outdoorcircle.org
www.outdoorcircle.org
facebook.com/TheOutdoorCircle

*Keeping Hawaii Clean, Green
and Beautiful since 1912*



Ho, Jonathan K

From: Wayne Tanaka <wayne.tanaka@sierraclub.org>
Sent: Monday, September 15, 2025 5:55 PM
To: DAB.PQ.TESTIMONY
Cc: Kunani Nihipali
Subject: [EXTERNAL] Testimony of Kunani & Ipo Nihipali, Agenda Item IV.A.
Attachments: Qs4DABCRBTestimony08262025 copy.pages

Aloha,

Please find attached the testimony of Kunani and Ipo Nihipali for item IV.A. on Wednesday's Advisory Committee on Plants and Animals meeting agenda.

The Sierra Club of Hawai'i's testimony is also forthcoming.

Mahalo nui,

Wayne

on behalf of Kunani & Ipo Nihipali

09172025

Statement & Questions for the DAB Plant & Animal Advisory Committee
Petitioners Kunani & Ipo Nihipali Mana'o

The Petition we submitted on August 26, 2025 was clear with **unanimous support** by your DAB BOD, 92 oral testimonies and almost 1200 support letters for its adoption as written. On your DAB letterhead there is a Hawaiian Phrase: *Ka 'Oihana Mahi'ai a Kia'i Meaola*, "The Department of Agriculture and Protector of Living Things". Interpreted, it is a holistic relationship with the environment, combining farming, *mahi'ai* with the role of protector, *kia'i* for all living things, *mea* a concept central to the traditional Hawaiian worldview connecting the well-being of the land, plants, animals, including its people. We have an 'olelo no'eau: "*I ka 'olelo no ke ola, I ka 'olelo no ka make...*" in words is the power of life, in words is the power of death." *E 'olu'olu*, continue the unanimous support given verbally to support our Petition.

Chairperson Hurd, we are planting the seeds for **all** generations. Our Hawaiian culture has always welcomed *malihini*, newcomers to our Hawaiian Islands, feeding them as they came, showing hospitality not hostility. Along with the *malihini* came an exposure to many invasive species onto our Islands flora and fauna. Today, it is the CRB devastation to our ka pae 'aina o Hawai'i of our niu, uluniu, coconut & coconut groves that are at stake.

In my previous testimony, niu as our **'Tree of Life** is worth our **protection, preservation & perpetuation**. In recorded history, our lives depended on niu from childbirth to adulthood, supporting and connecting us with our ancestral lands. It is a symbol of abundance, unity, and fertility that ensures our well-being with its nutritional, traditional and medicinal properties. Niu is a sacred plant of our *nohona*, lifestyle, island diet, sustenance, shelter, material and ceremonial needs, but most our food security. Thus, niu's subsistence and sustainability is more than just landscaping, aesthetic or commercial purposes, but was reduced to a **liability** that we can *make*, die from in modern Hawai'i.

For Molokai, the CRB would not only be cause of **botanical ecological grief**, but a form of introduced **ethnocide**, an **erasure of centuries of our royal legacy of Hawaiian 'ike niu**, ancestral knowledge of coconut! Niu is all our sacred kuleana, *malama na uluniu*. For us Kanaka Maoli Hawai'i, niu is of the highest 'calling', as we are literally rooted, generationally in our heritage-based knowledge society. We've seen and felt the *'eha*, the *kaumaha*, the pain and **grief** of our Ohana on all the infected Islands by this CRB. *Aloha'Aina Malama'Aina*, **love** the land, it'll take care of you, so we **must at all costs**, continue to protect, maintain, preserve, perpetuate and rejuvenate our **Niu Now and Forever**. Do what is *pono*, approve our Petition.

Continued Statements to P&A Branch Manager Jonathan Ho 'proposed' amendments:

-This interim ruling affects commerce positively as every \$1 spent on preventing invasive species entering our Hawaii Islands, saves \$8000 in environment costs for restoration & cleanup;

-The imaginary affect on commerce again becomes more important than the preservation, prevention and perpetuation as our cultural rights are at risk, should you decide against this Petition;

-The protective measures proposed and approved unanimously in our interim ruling petition, supported with the proper resources, tools, monies, etc., **can prevent** the CRB from reaching Molokai;

-The State of Hawai'i for 12 years with its resources **failed to fulfill its kuleana** to its Beneficiaries, the people of Hawaii, to its Public and Native Trusts, **to prevent this botanical ecological devastation, CRB**, we, of Molokai deserves that opportunity too, now;

-Niu, our '*Tree of Life*' has a legacy of rituals and ceremonies that Native Hawaiians have legal **protections** by the 12th Amendment of Hawai'i State Constitution's Traditional and Customary Rights. Those includes our **spiritual rights**, as per the DAB letterhead that reads: "*Ka 'Oihana Mahi'ai a Kia'i Meaola, The Department of Agriculture and Protector of Living Things*";

-The DAB's BOD has recognized its kuleana and has acted in a manner that will result in an opportunity to end this harm to Hawai'i by supporting our petition. Any failure to act when there is a duty to act, resulting in harm, is nonfeasance.

The P&A Advisory Committee should be aware of changes 'proposed' by Jonathan Ho are in italics & our responses are bolded:

... "plants potted in containers at least 10 gallons in volume or larger"...

Should read: all plants & any volume as it won't take that much mulch to carry CRB eggs;

... "from an area designated to be infested with CRB to non-infested areas in the State."...

This must include any newly found CRB infested areas ASAP into this geographic borders without going through any such procedural process;

... "including palm plants in the genera Cocos, Livistona, Phoenix, Pritchardia, Roystonea, and Washingtonia; plants potted in containers at least 10 gallons in volume or larger"...

This should be any potted plants; take the plants off the pots; examine the roots and send them without any additional soil;

... "This interim rule does not impose additional restrictions on the movement of the following: approved nursery stock material from a department approved certified nursery"...

Please clarify: What is "department approved certified nursery?" What is the protocol on such approval ? What guarantees that this process is CRB free?

... "not more than one year from the effective date."...

If effective, this process must extend beyond 08/23/2026.

...to "limiting quarantine on palm plants (Cocos, Livistona, Phoenix, Pritchardia, Roystonea, Washingtonia)."...

Quarantine should be for movement of coconut rhinoceros beetle (CRB) host material including ALL plants in soil or other planting media regardless of size of container or height of plant.

... to "except by permit issued by the Department"

There shall be no permits issued by the Department in this emergency interim rule.

...to "from an area designated to be infested with CRB to non-infested areas in the State. The entire islands of Oahu and Kauai, and the specified area in West Hawaii Island in the Kailua-Kona area within the following geographic borders: the shoreline from Waikoloa Road to Kailua Pier; Kailua Pier to Palani Road through Mamalahoa Highway; Mamalahoa Highway to Waikoloa Road; and Waikoloa Road to the shoreline, are designated as a CRB infested areas. All other areas in the State are considered to be non-infested areas."

Quarantine should be from any area from or passing through the State of Hawai'i.

...to "allowing movement from approved nursery stock material from a department approved certified nursery"

Quarantine should extend to all nurseries.

...to "fines not less than \$100 as written"

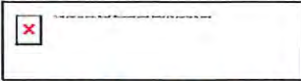
Fines should be of not less than \$100 per item (e.g. plant, seeds, gallon of compost, wood, or tree chips and mulch, plant propagation media, and any other items comprised of decomposing organic plant material such as landscaping material or erosion control socks.)

...to "fines for second violation as written"

For a second violation committed within five years of a prior violation the person(s), companies, or organization(s) shall be responsible for clean-up and decontamination fees to remove contaminated material and to fully eradicate any CRB that may have been caused by their violation of not complying with this Interim Rule. Additionally, they shall be fined not less than \$500 and not more than \$25,000. They are also punishable by fines of up to \$25,000, or both imprisonment and fines.

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Wayne Chung Tanaka, Director (he/him/'oia)



sierraclubhawaii.org | 808-538-6616

The Sierra Club of Hawai'i only exists because of the support of people like you! Make a [donation today](#) and 100% of your contributions will go to the Hawai'i Chapter. Mahalo nui!

Ho, Jonathan K

From: Glenn Choy <choyhawaii@gmail.com>
Sent: Monday, September 15, 2025 6:30 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda item IV.A

I strongly support the interim rule to block host material for coconut rhinoceros beetles from entering Molokai.
Sent from my iPhone



Testimony to
Advisory Committee on Plants and Animals

September 17, 2025

9:00 AM

PQB Conference Room

Agenda Item IV.A

In SUPPORT of Kunani and Ipo Nihipali's Request for an "Interim Rule to Prohibit the Transportation of Material that May Introduce the Coconut Rhinoceros Beetle to the Island of Moloka'i" and in OPPOSITION to the Plant Quarantine Branch Alternative Rule Proposal

Aloha mai e Advisory Committee Members,

The Sierra Club of Hawai'i strongly urges you to **SUPPORT** the interim rule proposal, as submitted by Kunani and Ipo Nihipali, to temporarily protect Moloka'i from the **devastating agricultural and environmental impacts and cultural erasure** that would result from the introduction and establishment of coconut rhinoceros beetles (CRB) on the island. We also urge you **not to adopt** the alternative rule proposed by Plant Quarantine Branch (PQB) staff, which will only render Moloka'i needlessly vulnerable to the CRB as the community and Department of Agriculture and Biosecurity develop a longer-term biosecurity strategy.

The rule proposal submitted by 'Anakala Kunani and 'Anakē Ipo Nihipali asks for a common-sense, temporary prohibition on the import of high-risk vectors for the interisland spread of CRB to Moloka'i, namely potted plants, mulch, and similar organic material, with exemptions for non- or low-risk items such as edible fruits and flowers.

Such added protections are urgently needed as CRB continues to spread largely unchecked across O'ahu – **including within agricultural districts that host landscaping and nursery businesses known to off-ship their products** – and as infestations in Kaua'i and west Hawai'i Island continue to spread.

As you know, the introduction and subsequent spread of CRB on Moloka'i from plants and other host material imported from other islands may have particularly devastating impacts not just to its niu, but also on local agriculture (e.g. maia, kalo, papaya, etc.) and native and in some cases highly endangered species (e.g. hala, loulou, etc.). This in turn would cause deep and potentially irreversible harm to Moloka'i's food security, economy, and ecological and cultural integrity. Notably, Moloka'i does not have the capacity and resources that other islands may have in detecting and eradicating new

CRB infestations, making preventative measures such as the proposed interim rules that much more critical.

Accordingly, a total but temporary prohibition on the import of CRB host material for a period of one year, while longer-term solutions are explored, is critical to minimizing CRB introductions that could lead to the establishment of the pest on Moloka'i, and the generations-long impacts that would result.

The Sierra Club does have significant concerns regarding the alternative proposal from PQB staff, which would allow CRB host material to be imported to Moloka'i from certain infested areas, subject to a permit, and allow such material to be imported to Moloka'i from all other areas throughout the islands, with no permit requirement whatsoever.

First, the PQB proposed permitting requirement is effectively unenforceable, as there are no tracking mechanisms to prevent CRB host material to be moved from an infested area to a non-infested area, and then shipped to Moloka'i from this third location.

Second, PQB's permitting program is demonstrably inadequate. Since October 2023, a permit has already been required to ship CRB host material from O'ahu to the neighbor islands. Since then, CRB has been found on Maui, Hawai'i Island, and most recently, Lāna'i, and has continued to spread across Kaua'i. To allow permitted imports of host material to Moloka'i from areas now dealing with heavy infestations, including portions of west Hawai'i island and Kaua'i, would keep the window open for CRB introductions from shipments that may still contain CRB eggs, larvae, or even adult beetles that are not detected or detectable under the PQB permitting program.

Third, CRB may easily spread to areas not covered by the proposed permitting requirement, where they could then be shipped to Moloka'i with no regulatory oversight or protection. CRB can spread rapidly, as evidenced by the continued spread of the pest on Kaua'i and west Hawai'i island. Meanwhile, PQB and the Department of Agriculture and Biosecurity have done little to recognize, much less contain, newly infested areas in a timely manner. Under the PQB proposed rule, CRB could easily spread from a declared infested area to a non-infested area within the next year, where the pest may then be shipped to Moloka'i without any permitting requirement or oversight whatsoever.

Accordingly, the Sierra Club of Hawai'i urges the Committee to **adopt the full, temporary protections** found in Kunani and Ipo Nihipali's proposed rule, and to **reject the PQB's unenforceable and recklessly watered-down alternative** that only leaves Moloka'i vulnerable to an increased and needless risk of CRB introductions as long-term solutions remain pending.

As a final note, the Sierra Club urges the Committee to take to heart provisions in the Hawai'i State Constitution that would also heavily favor its support of Kunani and Ipo Nihipali's interim rule:

- The public trust doctrine under Art. XI Sec. 1, which imposes upon all agencies fiduciary obligations to “conserve and protect Hawai‘i’s natural beauty and all natural resources . . . [and] to promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State”; notably, the public trust also requires the application of the “precautionary principle,” which requires greater, and not less, protective measures in the face of uncertainty;
- Art. XI Sec. 3, which requires the state to “promote diversified agriculture [and] increase agricultural self-sufficiency”; and
- Art. XII Sec. 7, which requires the state to “protect all rights, customarily and traditionally exercised for subsistence, cultural, and religious purposes and possessed by ahupua‘a tenants who are descendants of the Hawaiian Islands prior to 1778, subject to the right of the State to regulate the same” (i.e. Native Hawaiian traditional and customary rights).

The failure to adopt the proposed interim protections as submitted by Kunani and Ipo Nihipali, and allow the natural resources, diversified agriculture, agricultural self-sufficiency, and Native Hawaiian traditional and customary rights of Moloka‘i to remain under needless threat of harm, would fly in the face of these constitutional provisions - provisions that the Committee members have taken an oath to uphold.

In closing, the Sierra Club expresses its deep appreciation to the community members who have brought this petition forward, and who have endeavored to ensure that Moloka‘i residents, farmers, and businesses understand the importance of this initiative. **The Sierra Club urges the Committee to take advantage of the opportunity that this petition now provides you, to fulfill your constitutional, statutory, and generational kuleana, and to SUPPORT the adoption of the proposed interim rules as submitted by ‘Anakala Kunani and ‘Anakē Ipo Nihipali.**

Mahalo nui for the opportunity to testify.

Ho, Jonathan K

From: Miwa Tamanaha <miwa.tamanaha@gmail.com>
Sent: Monday, September 15, 2025 7:26 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Miwa Tamanaha and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
 Miwa Tamanaha
 Waipi'o, O'ahu - 96797

Ho, Jonathan K

From: davidsher@juno.com
Sent: Monday, September 15, 2025 7:31 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Sherry Pollack and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only put Moloka'i at much higher risk of CRB introductions and the devastating impacts that could result.

The spread of invasive species throughout our islands should never have been allowed to happen and is the result of criminal negligence. It's time to stop allowing devastation and actually start protecting our precious islands. The interim rule as proposed by petitioners Kunani and Ipo Nihipali would begin to do just that.

Moloka'i is the last main Hawaiian island not yet plagued with CRB. I urge you to recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali** and reject the adoption of the Plant Quarantine Branch's watered-down version of the proposed rule.

Thank you for the opportunity to submit testimony,
Sherry Pollack

Ho, Jonathan K

From: Stephen Canham <swc1837@gmail.com>
Sent: Monday, September 15, 2025 7:57 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

My name is Stephen Canham, I live in Kaneohe Oahu, and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

I volunteer at Hoomaluhia Botanical Garden in Kaneohe. Last month, they had to destroy a stand of eighteen (18) beautiful palms that were CRB infested. They even know the probable source for the beetles--a "farm" on the outskirts of the Garden, known to have CRB infestation. So sad, so preventable.

So we know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands.

Sincerely,

Stephen Canham, PhD

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Stephen Canham

Ho, Jonathan K

From: Cory <333cory@gmail.com>
Sent: Monday, September 15, 2025 8:31 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] : Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee,

Save Moloka'i from CRB! Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed CRB rule. Please support the interim rule proposal as put forward by Kunani and Ipo Nihipali.

Mahalo!

Cory Harden, Hilo

Ho, Jonathan K

From: Malia Marquez <maliamarquez71@gmail.com>
Sent: Monday, September 15, 2025 9:47 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Kākou,

My name is Malia Marquez and I am testifying in STRONG SUPPORT of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the rule put forward by Kunani and Ipo Nihipali.

Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason - other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Me ka ha'aha'a,
 Malia Lum-Kawaihoa Marquez

Mahalo nui for taking action on this critical issue!

Ho, Jonathan K

From: Pete Wilson <perhansahi@gmail.com>
Sent: Monday, September 15, 2025 9:49 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Peter Wilson and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason - other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT** the interim rule proposal as put forward by Kunani and Ipo Nihipali and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
 Peter Wilson

--

Pete Wilson
 13-927 Kahukai Street
 Pahoa HI 96778
 808-557-8108

Ho, Jonathan K

From: Elijah Warren <ecwarren@hawaii.edu>
Sent: Monday, September 15, 2025 9:57 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Eli Warren and I am testifying in STRONG SUPPORT of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

[Feel free to insert your own story or experiences with CRB here]

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the rule put forward by Kunani and Ipo Nihipali.

Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason - other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Eli Warren



Advisory Committee on Plants and Animals

September 17, 2025

9:00 a.m. Plant Quarantine Branch Conference Room and Videoconference

1849 Auiki Street

Honolulu, Hawaii 96819

Testimony in Support of the Interim Rule to Prohibit the Transportation of CRB Host Material to the Island of Molokai from any Other Area in the State to Prevent the Spread of CRB

Aloha Advisory Committee Chair and Members,

The Coordinating Group on Alien Pest Species (CGAPS) **supports the petition for an interim rule To Prohibit the Transportation of Plants, Soil, Gravel, and other CRB Host Material including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media; and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to Prevent the Movement of Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, to the Island of Molokai from Other Areas of the State. (Referred to as the “proposed interim rule”)**

Section 150A-9.5, Hawaii Revised Statutes (HRS), authorizes the Hawaii Department of Agriculture and Biosecurity (DAB) to adopt an interim rule for a period of up to one year if this Committee makes a finding that “the importation or movement of any flora or fauna, in the absence of effective rules, creates a situation dangerous to the public health and safety or to the ecological health of flora or fauna present in the State which is so immediate in nature as to constitute an emergency.” (§150A-9.5(b) HRS)

We note that section 150A-9.5(b) HRS requires a different finding than the one requested by agenda item IV.A.(3), which requests a finding that the proposed interim rule is “required” to prevent the spread of CRB to the Island of Molokai. We understand section 150A-9.5 HRS to require this Committee to determine that a lack of effective rules creates an emergency situation and that the Committee’s decision on an interim rule to address that emergency situation is reasonable. (§150A-9.5(b), (d))

We believe that the situation regarding CRB across the State is an emergency, and effective rules are needed immediately to address this emergency situation. The proposed interim rule

is a reasonable, effective rule to prevent the introduction of CRB on Molokai for the next 12 months while new CRB prevention methods are developed.

DAB adopted interim rules to prevent the spread of CRB on October 4, 2023, and October 11, 2024 (the 2023 and 2024 CRB interim rules) to attempt to prevent the spread of CRB across the State. The 2023 and 2024 CRB interim rules required a DAB permit to move certain known CRB host palms, decomposing plant material such as compost, wood or tree chips, and mulch, plant propagative media, and other items comprised of decomposing organic plant material, such as landscaping material or erosion control socks from Oahu to other parts of the State.

Unfortunately, the 2023 and 2024 CRB interim rules (and the associated permit conditions) were not fully effective in preventing the spread of CRB, and it is now widespread across Kauai, has been detected in two locations on Hawaii Island, where it is spreading, and has been found in potted plants moved to Lanai. Furthermore, the current interim rule is set to expire on October 10, 2025, so the limited protection it offers will end within a month.

The Petitioners have taken a new approach to address the CRB emergency for Molokai. Their proposed interim rule seeks to quarantine the movement of the CRB host material covered by the 2023 and 2024 CRB interim rules, the material included as CRB host material in section 4-72-23 Hawaii Administrative Rules (HAR), and also includes all potted or bare-root plants and gravel, with no option to move these materials pursuant to a DAB permit.

The items included in the proposed interim rule's quarantine are reasonable, as all are: (1) included in the 2023 and 2024 CRB interim rules; (2) included in the definition of CRB host material in section 4-72-23 HAR; or (3) items that have been demonstrated to move CRB or pose a high risk of moving CRB and for which there is no treatment available other than visual inspection.

Currently, there is no approved treatment for potted plants, and visual inspections on the island of export are not sufficient to detect CRB hiding in the potting material. DAB does not have an inspector or other staff with a duty station on Molokai to address arriving material. The recent detection of CRB in potted plants on Lanai is evidence that CRB can move in inspected potted plants. It is unknown, but it is reasonable to believe that CRB could also move in bare-root plants, particularly if the plants are packed closely together and not individually visually inspected.

Another support for the reasonableness of the proposed interim rule is that CRB is a serious nuisance that will affect property and resources, and the way of life, on Molokai if it is detected there. On Oahu, coconut and palm growers and owners are incurring expenses and loss of their

trees and associated agricultural products due to CRB damage.¹ Adoption of the proposed interim rule will help DAB protect property owners, agricultural producers, and subsistence growers on Molokai from incurring the costs associated with treating and/or removing CRB-damaged trees and the resulting loss of production from those trees. County or other local governments cannot enact rules to protect Molokai from the introduction of CRB; that is solely DAB's responsibility. Adoption of the proposed interim rule will protect Molokai residents from this serious nuisance pest.

Finally, adopting the proposed interim rule for a 1-year period will allow time for DAB, along with its partners, to develop or identify effective treatments for potted plants and other CRB host material moving to Molokai. Molokai is a small island and if CRB is detected there, it could spread very quickly. Allowing additional time to develop treatments to address the demonstrated gaps in the current CRB prevention requirements is a reasonable, non-permanent approach to protect Molokai from the CRB emergency.

With respect to item IV.A.(2) on the Committee's agenda, requesting "A Finding that the Existing Regulations in 4-72, Hawaii Administrative Rules, Related to the Interisland Movement of Plants, Soil, Gravel, and Other CRB Host Material Including Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks is Insufficient to Prevent the Spread of CRB to the Island of Molokai From Any Other Area in the State and Constitutes an Emergency Justifying an Interim Rule," we offer the list of regulations in Attachment A. The list sets out the current regulations to prevent the unintentional, interisland movement of CRB that have been in effect during the period when CRB was detected on Hawaii Island and when plants containing CRB were transported to the Island of Lanai.

We believe CRB is a statewide emergency and hope this Committee will urge the Board of Agriculture and Biosecurity (BAB) and DAB to work with the Office of the Governor to seek an emergency proclamation relating to CRB across the State under chapter 127A HRS. There are actions that could be taken on each island to prevent the introduction of CRB, work to eradicate CRB, or control CRB population numbers. This emergency is affecting agriculture, natural resources, cultural resources, and quality of life. An emergency declaration would authorize county and State agencies to provide emergency relief and engage in emergency management functions to enable planning and implementation of CRB management strategies across the State.

However, a motion related to a statewide CRB emergency declaration is not before this Committee today. The proposed interim rule to protect Molokai is. We hope this Committee

¹ Civil Beat, "Dying Palms to Be Replaced with this New Tree – For Now" (10/8/24) <https://www.civilbeat.org/2024/10/honolulu-dying-palms-to-be-replaced-with-this-new-tree-for-now/>; Civil Beat, "Ravenous Beetles Go Urban, Preying On Honolulu's Iconic Coconut Palms (2/18/25) <https://www.civilbeat.org/2025/02/ravenous-beetles-go-urban-preying-on-honolulu-iconic-coconut-palms/>

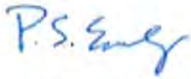
will be able to make the finding required by section 150A-9.5(b) HRS to allow BAB to approve the proposed interim rule as an effective and reasonable emergency measure to protect Molokai from the introduction of CRB.

Thank you for the opportunity to submit testimony on the proposed interim rule and for considering our comments.

Aloha,



Christy Martin
CGAPS Program Manager



Stephanie Easley
CGAPS Legal Fellow

Attachment A

ATTACHMENT A

DAB Regulations to Prevent the Unintentional Movement of CRB Between Islands of the State**§4-72-3(a) HAR**

Requires DAB inspection of all plants, propagative plant parts, and soil prior to interisland movement.

§4-72-3(b) HAR

Authorizes (but does not require) DAB inspection either at the island of departure or the island of entry of cut flowers, foliage, fruits, vegetables, and other non-propagative plant parts.

§4-72-4 HAR

Prohibits material that is infested with a pest from being transported between the islands of the State unless it has been subjected to an appropriate treatment approved by DAB.

§4-72-5 HAR

Authorizes DAB to prevent the movement of material infested with a pest and for sale, or otherwise available to the public, without a DAB permit or approved treatment, or other exemption.

§4-72-23 HAR

Prohibits, unless authorized by a DAB permit or compliance agreement: (1) transporting CRB host material, including decaying plant material, mulch, trimmings, fruit and vegetative scraps, wood, stumps, compost, and CRB host palms from a CRB infested area (Oahu) to other areas of the State; and (2) within Oahu, transporting, receiving (accept delivery of CRB host material for any purpose), processing (meaning the conversion of solid waste into a useful product or preparing for its disposal), selling, bartering, or donating or otherwise give away CRB host material.

Plant Quarantine Interim Rule 24-2 (expires Oct. 10, 2025)

Imposes a quarantine on the movement from Oahu to other parts of the State of CRB host material, including palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, except by DAB permit. Succeeded similar Interim Rule 4-23.1-1, which was in effect from October 4, 2023, through October 3, 2024.

Ho, Jonathan K

From: Nanea Lo <naneaclo@gmail.com>
Sent: Monday, September 15, 2025 11:16 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Hello Advisory Committee Members,

My name is Nanea Lo and I am testifying in STRONG SUPPORT of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the rule put forward by Kunani and Ipo Nihipali.

Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason - other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali and supported by thousands of testifiers and petition signers from Moloka'i and across the islands.

me ke aloha 'āina,
 Nanea Lo

Ho, Jonathan K

From: Chelsie Counsell <chelsiew12@gmail.com>
Sent: Tuesday, September 16, 2025 7:43 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Chelsie Counsell and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others. We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Chelsie Counsell

><> ><> ><>

Chelsie Counsell, Ph.D.

Quantitative Marine Ecologist

Honolulu, HI, USA 96813

Ho, Jonathan K

From: Barbara Bezdicek <malikolani23@gmail.com>
Sent: Tuesday, September 16, 2025 8:14 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A

My name is Barbara Bezdicek and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we

do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Barbara Bezdicek

Sent from my iPhone



The Nature Conservancy, Hawai'i and Palmyra
923 Nu'uuanu Avenue
Honolulu, HI 96817

Tel (808) 537-4508
Fax (808) 545-2019
nature.org/HawaiiPalmyra

Testimony of The Nature Conservancy

Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Advisory Committee on Plants and Animals

September 16, 2025 at 9:00 am

1849 Auiki Street Honolulu, Hawai'i 96819-3100

Aloha Members of the Advisory Committee:

Mahalo for the opportunity to testify today. The Nature Conservancy Hawai'i and Palmyra (TNC) supports Agenda Item IV.A(1) as a necessary, proactive defense against Coconut Rhinoceros Beetle (CRB) as called for by Moloka'i community leaders. We need additional safeguards to ensure that this dangerous invasive does not spread to the island of Moloka'i. We urge the Committee to recommend the strongest possible interim rules to minimize the risk of CRB being transported from infected areas.

TNC has worked to protect ecosystems across Moloka'i since the 1980s including at our preserves at Mo'omomi, Pelekunu and Kamakou as well as through the leadership of the East Molokai Watershed Partnership. As long-time stewards of these special places, we understand the grave threat that CRB poses. We are all too familiar with the impacts that invasive species can have on every aspect of life in Hawai'i — jeopardizing native ecosystems, food security, cultural practices, public health, fire safety, climate resiliency, economy, and overall quality of life.

CRB has already had significant impacts on five of the main Hawaiian Islands. The last main Hawaiian island not yet touched by CRB, Moloka'i unfortunately has few on-island resources to detect and eradicate new populations of this pest. The state needs to put in place measures to reduce the potential risk and frequency of CRB introductions to Moloka'i. Accordingly, we ask that the Advisory Committee recommend that the Board of Agriculture and Biosecurity adopt the strongest protections to eliminate the risk of CRB host material being imported to the island.

Mahalo for the opportunity to testify.

Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 84,000 acres in 13 nature preserves and 18 managed areas and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.

BOARD OF TRUSTEES

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Ihupani Advisory Council: Christopher J. Benjamin Kenton T. Eldridge Eiichiro Kuwana Duncan MacNaughton
Jean E. Rolles Crystal K. Rose Nathan E. Smith

Founders: Samuel A. Cooke Herbert C. Cornuelle

Ho, Jonathan K

From: Michael Plowman <koleapalms@gmail.com>
Sent: Tuesday, September 16, 2025 8:28 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali

Aloha Advisory Committee Members,

My name is Michael Plowman and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We have 5 coconut palm trees on our O'ahu family property, all of which are suffering significant CRB damage. Any measure we can implement to prevent the spread to neighboring islands must be taken.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Michael Plowman

'Ewa Beach



The Senate
Ka 'Aha Kenekoa

STATE CAPITOL
HONOLULU, HAWAII 96813

September 15, 2025

Advisory Committee on Plants and Animals
Plant Quarantine Branch
Department of Agriculture and Biosecurity
1849 Auiki Street
Honolulu, HI 96819

Aloha Advisory Committee Members:

I am writing in strong support of the interim rule proposed by Kunani and Ipo Nihipali, which would prohibit the transportation of coconut rhinoceros beetle (CRB) host material to Moloka'i from any other island.

I had the opportunity to attend a recent screening of *Niu Now*, where Mr. Nihipali shared his work in cultural and agricultural restoration on Moloka'i. His petition presents urgent and well-documented concerns about the continued spread of CRB across Hawai'i. As Moloka'i remains one of the last main Hawaiian islands not yet affected by this invasive pest, we must act now to protect its future.

Moloka'i's agriculture, cultural practices, and ecological systems are uniquely vulnerable to CRB. The beetle threatens not just our iconic and culturally vital niu, but also loulu, maia, kalo, papaya, and other essential plants. The spread of CRB to Hawai'i Island, Maui, and most recently Lāna'i even under current permitting systems shows clearly that those systems are not sufficient to contain the pest.

Any effort to weaken the proposed rule, such as allowing permitted imports from infested areas or unregulated imports from others, would needlessly expose Moloka'i to significant and possibly irreversible risk.

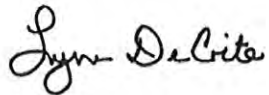
The Nihipali petition outlines both the scientific rationale and the legal authority under HRS §150A-9.5 and HAR §4-1-23 to take immediate action. It also reflects the strong voice of the Moloka'i community, which has united behind this proposal with overwhelming support.

September 16, 2025
Page 2 of 2

I respectfully urge you to recommend full adoption of the interim rule as originally submitted, and to reject any amendments that would weaken its intent or effectiveness.

Mahalo for your continued attention to this issue, and for your commitment to safeguarding the biosecurity and ecological health of our islands.

Respectfully with Aloha,



Lynn DeCoite
Hawaii State Senate
7th District

Senator Lynn DeCoite
Assistant Majority Floor Leader

District 7: Makawao (Sprecklesville, Pukalani, Makawao, Olinda, Pulehu, Kula, Waiohuli, Keokea, Ulupalakua, portion of Keoneoio, Paia, Lower Paia, Haiku, Pauwela, Ulumalu, Huelo, Kailua), Wailuku (portion of Kahului), Hana (Keanae, Wailua, Nahiku, Hana, Hokuula, Hamoa, Puuki, Haou, Muolea, Kipahulu, Kaupo); Islands of Kaho'olawe, Molokini, Lana'i, Moloka'i

State Capitol, Room 230, Honolulu, HI 96813
Phone: (808) 587-7225 Fax: (808) 587-7230
Email Address: sendecoite@capitol.hawaii.gov

Ho, Jonathan K

From: Joseph Wat <joew@keyproject.org>
Sent: Tuesday, September 16, 2025 8:52 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Joe Wat and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

I live in Kahalu'u and the CRB has been running amok among our cherished fruit and niu groves. At this point, I feel like there's nothing I can do in my neighborhood... until we have a stronger mitigation plan we **MUST** put all of our effort into stopping the spread of CRB to new places. Moloka'i right now could be the last island without CRB... we need this kīpuka to protect all of the cultural knowledge and significance of our kumu niu.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

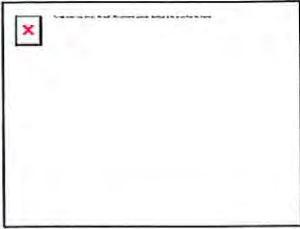
The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Aloha nō,

- Joe

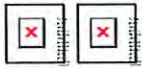


Joe Wat

Community Development Coordinator
KEY Project

 808 239 5777

 keyproject.org



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Ho, Jonathan K

From: Lisa Grandinetti <lisanakagrand@gmail.com>
Sent: Tuesday, September 16, 2025 9:09 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is [your name] and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no**

discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Lisa Grandinetti

Ho, Jonathan K

From: Bianca Isaki <bianca@kahea.org>
Sent: Tuesday, September 16, 2025 9:52 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Bianca Isaki, Kane'ohe

Ho, Jonathan K

From: Megan Lamson <meg.HWF@gmail.com>
Sent: Tuesday, September 16, 2025 11:19 AM
To: DAB.PQ.TESTIMONY
Cc: Hawai'i Wildlife Fund
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Megan Lamson and I am testifying on behalf of Hawai'i Wildlife Fund in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

Hawai'i Wildlife Fund has been working to save and outplant coastal loulu on Hawai'i Island and recognizes the urgency in this rulemaking decision to protect the palms and other plants of Moloka'i!

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Megan

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<""))<< <*)"))<< <""))<< >>(((*> <""))<<

Megan R. Lamson Leatherman, M. Sc.

HAWAI'I WILDLIFE FUND

Hawai'i Program Director

PO Box 1801, Kealahou HI 96750

meg.HWF@gmail.com / megan@wildhawaii.org

<http://www.wildhawaii.org/>

debris hotline 808/769-7629

meg cell 808/217-5777



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Stranded, sick or injured marine animals or false killer whale sightings? Call the statewide marine wildlife hotline: (888) 256-9840

Marine debris? [Report Marine Debris to DLNR](#) or call the statewide MD hotline: (833) 4DA-NETS (833-432-6387)

Hawksbill sea turtle sightings? Visit the HIhawksbills.org

Oceanic manta sightings? Visit [Manta Pacific's Manta ID Project](#)

Coral reef health issue? Report observations to [Eyes of the Reef Network](#)

Coconut rhinoceros beetle or grub? Report at the Pest Hotline: (808) 643-PEST (7378)

Ho, Jonathan K

From: keri zacher <zacherk@hotmail.com>
Sent: Tuesday, September 16, 2025 11:29 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Keri Zacher and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the**

island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Keri Zacher

Ho, Jonathan K

From: Rain G <calypsomaide@gmail.com>
Sent: Tuesday, September 16, 2025 1:40 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A Interim Rule to prohibit the transportation of material that may introduce CRB to tge island of Moloka'i

Aloha Advisory committee members,

My name is Lorraine Garnier, and I am testifying in strong support of the interim rule to "prohibit the transportation of coconut rhinoceros beetle (CRB,) host materials to the island of Moloka'i" from any other island as proposed by petitioner's Kunani and Ipo Nihipali.

I also strongly urge you to not water down this rule as suggested by the plant quarantine Branch staff which will only leave the island of Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating fallout from such.

As a resident of a O'ahu, we are already seeing the devastating effects here.

So please, let's protect Mokoka'i!

sincerely,

Lorraine Garnier

Ho, Jonathan K

From: La'a Poepoe <poepoelaa@gmail.com>
Sent: Tuesday, September 16, 2025 2:05 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] testimony

La'a Poepoe, Molokai resident small farm owner with patches of over 200 coconut trees testifying in opposition to the department's amendments which would allow loopholes for shipping from specific ports. Again, I offer full support for the actions proposed for review by the board in the original version of the petition where all transport of designated material from all local ports ceases.

Thank you,
La'a Poepoe

Ho, Jonathan K

From: Bobbie Foster <hawaiiibobbie@gmail.com>
Sent: Tuesday, September 16, 2025 4:39 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Bobbie (Roberta) Foster and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

I am currently volunteering to help control another invasive species - Little Fire Ants - on Oahu. Once it arrived on Oahu, it has been and continues to be a battle to control and hopefully eradicate.

The key is prevention .. and for now, the temporary restrictions are needed until a better plan can be developed.

Please recommend that the Board of Agriculture and Biosecurity adopt the full protections afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Bobbie Foster

Stay Calm, Safe, Healthy and Sane

Bobbie Foster
hawaiiibobbie@gmail.com



SIERRA CLUB

O'AHU GROUP

September 16, 2025

State of Hawaii Department of Agriculture and Biosecurity

Advisory Committee Members on Plants and Animals

Meeting Wednesday, September 17, 2025 9:00 A.M.

Re: Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

The Sierra Club Oahu Group is in **UNANIMOUS SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. This rule must be passed intact and not watered down as suggested by Plant Quarantine Branch staff. We have an extremely tight window here to potentially prevent the spread of CRB to Moloka'i

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, hala, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy -



SIERRA CLUB

O'AHU GROUP

and to our islands' cultural heritage as a whole. Please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Angela Huntemer
Treasurer
Sierra Club O'ahu Group Executive Committee

Ho, Jonathan K

From: Annabelle Le Jeune <alejeune@hawaii.edu>
Sent: Tuesday, September 16, 2025 5:55 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Annabelle Le Jeune and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

The biggest threat to coconut, is not just a beetle—it's people. The decisions we make today about CRB can be either detrimental or lifesaving for the future health of not just coconuts, but an entire community.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new

populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Annabelle Le Jeune

Mahalo nui for taking action on this critical issue!

Ho, Jonathan K

From: Madison Owens <msowens@hawaii.edu>
Sent: Tuesday, September 16, 2025 6:03 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Madison Owens and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
 Madison Owens

Ho, Jonathan K

From: Keala Fung <kealadancer@gmail.com>
Sent: Tuesday, September 16, 2025 8:46 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Keala Fung and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulu, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no**

discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island. This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Keala Fung

Ho, Jonathan K

From: Sharde Freitas <skmfreitas@gmail.com>
Sent: Tuesday, September 16, 2025 9:20 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Sharde Freitas and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you to **not** water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We know the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

On Hawai'i Island, we have firsthand experience with invasive pests like little fire ants, coqui frogs, and queensland longhorn beetle. Similar to these pests, the impacts of the CRB are devastating on multiple fronts -- crops and food production, our water sources, and sustainability. Without immediate action, these pests will continue to spread, and it is much easier to take action now instead of waiting until it is too late.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet impacted by CRB, and with little on-island resources to detect and eradicate new populations of this pest, it is imperative that we do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB from areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,

Sharde Freitas

Ho, Jonathan K

From: Morgan Dobbins <morganndobbins@gmail.com>
Sent: Tuesday, September 16, 2025 10:24 PM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is Morgan Dobbins and I want to deeply encourage the Board to Prohibit the Transportation of Material from any other island, as proposed by petitioners Kunani and Ipo Nihipali that May Introduce the Coconut Rhinoceros Beetle (CRB) to the Island of Moloka'i. I also strongly urge you to not water down this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

I have been working with Niu Ola Kaiāulu Action Initiative on Kaua'i for the past few months as we address the tremendous threat that CRB poses to all our food plants. I have worked hours sifting through mulch and felt the devastation of uncovering hundreds of larvae in Po'ipū, Wailua and Līhu'e. I've seen the decaying coconut trees along our coconut coast. There is evidence CRB target not only coconut trees but also banana and papaya trees, as well as kalo. As an island community largely reliant on food shipments, the threat of a super invasive and resilient beetle that could eradicate all our attempts at any food sovereignty has driven me to do all I can to help in the fight to eradicate these beetles here on Kaua'i.

The fact that these pests have not yet reached Moloka'i is not only a miracle but a hope for the continued life and cultivation of coconut trees in Hawai'i and other Pacific islands decimated by this beetle. There may be a future where we need to replace trees across Hawai'i and possibly the Pacific with those that are safely grown on Moloka'i. Please act swiftly to protect your island. Please act now with the thought of your sister islands and what a future with no coconut trees could mean. Protect these ancestral and cultural plants that are slowly dying painful, horrific deaths and are crying out for our help. **Your** help.

Coconut trees provide drinkable water in the event that any of the fresh water gets contaminated and they are a staple food source for many residents of and visitors to Hawai'i. To lose this deeply spiritual and cultural resource is a heartbreaking reality observed on other pacific islands like Guam. It doesn't have to become a reality for Moloka'i.

I respectfully but strongly recommend that the Board of Agriculture and Biosecurity adopt and SUPPORT the full protections afforded in the rule put forward by Kunani and Ipo Nihipali. By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.

Please do not adopt the Plant Quarantine Branch's watered-down version of the proposed rule. Please consider the future of this plant and the future of all our islands as you make your decision today.

Mahalo nui for your consideration of this matter.

With all the Aloha 'Āina,
Morgan

Ho, Jonathan K

From: Queen Maile <alohahaloa@gmail.com>
Sent: Wednesday, September 17, 2025 8:05 AM
To: DAB.PQ.TESTIMONY
Subject: [EXTERNAL] Agenda IV.A - Interim Rule to Prohibit the Transportation of Material that May Introduce the CRB to the Island of Moloka'i

Aloha Advisory Committee Members,

My name is **Tanya Mailelani Naehu**, and I am testifying in **STRONG SUPPORT** of the interim rule to prohibit the transportation of coconut rhinoceros beetle (CRB) host material to the Island of Moloka'i from any other island, as proposed by petitioners Kunani and Ipo Nihipali. I also strongly urge you **not to water down** this rule as suggested by Plant Quarantine Branch staff, which will only leave Moloka'i needlessly vulnerable to a much higher risk of CRB introductions and the devastating impacts that could result.

We understand the impacts that the coconut rhinoceros beetle (CRB) may have on not just our iconic and culturally vital niu, but on other plants and crops of great cultural, ecological, and economic importance, including loulou, maia, kalo, papaya, and others.

We also know how easily this pest can spread through the movement of infested plants, mulch, and other host material, including between and across the islands, as illustrated by repeated new detections on Hawai'i Island, Maui, and most recently, Lāna'i - even under the Plant Quarantine Branch's permitting system for exports from O'ahu.

The establishment of CRB on Moloka'i would be particularly devastating to the island's agriculture and food security, cultural practices, ecological integrity, and local economy - and to our islands' cultural heritage as a whole. As the last main Hawaiian island not yet touched by CRB, and with little on-island resources to detect and eradicate new populations of this pest, we must do everything we can to reduce the potential risk and frequency of CRB introductions to Moloka'i, as much as possible. Accordingly, please recommend that the Board of Agriculture and Biosecurity adopt the **full protections** afforded in the **rule put forward by Kunani and Ipo Nihipali**.

Please do **not** adopt the Plant Quarantine Branch's watered-down version of the proposed rule. This version turns a blind eye to the repeated failures of the Department's permitting system for O'ahu exports, as well as its demonstrated inability to contain CRB to certain areas it recognizes as "infested." **By allowing imports of CRB host material from infested areas under a clearly imperfect permitting system, and allowing the continued, unregulated import of material from other areas where CRB could easily spread to over the next year, this watered-down recommendation needlessly risks the future of Moloka'i for no discernable reason – other than to cater to a small handful of businesses that might seek to export mulch and other host material to the island.** This is unacceptable.

Accordingly, I respectfully but strongly urge you to **SUPPORT the interim rule proposal as put forward by Kunani and Ipo Nihipali** and supported by thousands of testifiers and petition signers from Moloka'i and across the islands. Mahalo nui for your consideration of this matter.

Sincerely,
Tanya Marie Mailelani Naehu
 Kumu/Educator, Performer, Consultant, Hawaiian Cultural Arts
 Owner/Co-founder of Ka Hale Hoaka | School of Hawaiian Knowledge
 Program Director for Hui o Kuapā 501 (c) (3)
 Kūmimi, Moloka'i, Hawai'i

<https://www.kahalehoaka.com>

<http://www.huiokuapa.org/>