



**Minutes of the Board of Agriculture and Biosecurity
October 28, 2025**

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

CALL TO ORDER – The meeting of the Board of Agriculture and Biosecurity was called to order on October 28, 2025, at 9:03 am by Board of Agriculture and Biosecurity Chairperson, Sharon Hurd. The meeting was conducted virtually via Zoom and in-person from:

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

Members Present In-Person:

Sharon Hurd, Chairperson, Board of Agriculture and Biosecurity

Members Virtually Present: Roll call/alone

Ryan Kanaka'ole, DLNR, Ex-Officio Member

Dr. Parwinder Grewal, Dean CTAHR, Ex-Officio Member

Mark Takemoto, DBEDT, Ex-Officio Member

Diane Ley, Hawaii Member

En Young, Member-at-Large – Joined at 9:14 AM

James Gomes, Member-at-Large

Excused:

Nathaniel Oswald, Maui County Member

Deputy Attorney General Present In-Person:

DAG Jennifer Waihee-Polk

Others Present In-Person:

David Tomlinson, Eurus Energy

Brian Kau, HDOA/ARMD

Brandi Ah Yo, HDOA/ARMD

Kori Koike, HDOA/ARMD

Khari Lane, HDOA/ARMD

Kevin Moore, HDOA/ARMD

Jonathan Ho, HDOA/PQ

1 Jason Azus-Richardson, HDOA/IT
2 Marci Clingan, HDOA/Chairperson's Office
3

4 Others Virtually Present:¹

5 Jonathan Ho, DAB Plant Quarantine Branch
6 Toy Lim
7 Lesley Harvey
8 Kije
9 lindsey.ancog
10 Dexter Kishida
11 yeong.h.lau
12 Janet
13 KipapaLL
14 Kainani Merrill
15 Claire Orodio
16 Katy
17 Luke Sarvis - DLNR
18 fuye sun
19 Jill Scheibe
20 Roy Hasegawa
21 DAB HR
22 Imiloa Borland
23 Cornel Kea
24 Joy Gold
25 J Ferrer, HDOA
26 yamamoto earl
27 Francis Duran
28 BTM B.I.
29 Diandra Goodwin-Leung
30 Maria McCarthy
31 FIN - J.Kawamura
32 Stephanie
33 Rae Gee
34 Richard Kim - HDAB
35 Maura Brewer
36 Julia Kemp
37 HDOAPIO
38 Thomas Heaton
39 AaronEddington
40 iPhonelindaLinda

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43 II. APPROVAL OF MINUTES FROM 9/23/25 MEETING

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45 Motion to Approve: Ley/ Kanaka'ole

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

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Vote: Approved; unanimously

III. INTRODUCTIONS

IV. COMMUNICATIONS FROM DIVISIONS AND ADMINISTRATION

A. AGRICULTURAL LOAN DIVISION

1. Request for Approval of One (1) Class C Aquacultural Loan for co-borrowers Kohala Mountain Fish Company, LLC, Matthew Endreson, Robert Endreson, and the Revocable Trust of Margaret Kije Hazelwood.

Motion to Approve: Gomes/Grewal

Jillian Scheibe, Agricultural Loan Division, presented testimony as submitted.

Ms. Scheibe explained that there was an error on the agenda item and it should be “Request for Approval of One (1) Class C Aquacultural Loan for co-borrowers Kohala Mountain Fish Company, LLC, Matthew Endreson, and Margaret Kije Hazelwood”—the correction would be to remove Robert Endreson and the trust.

Public Testimony:

None

Board Discussion:

None

Vote: Approved; Unanimously

B. AGRICULTURAL RESOURCE MANAGEMENT DIVISION

1. Request for Approval for the Transfer of Public Lands from the Department of Land and Natural Resources to the Department of Agriculture and Biosecurity, Pursuant to Act 90, SLH 2003, Codified as Chapter 166E, Hawaii Revised Statutes, TMK Nos.: (3) 4-1-004:033 and (3) 4-2-007:002, Island of Hawai'i

Motion to Approve: Ley/Gomes

1 Brandy Ah Yo, Agricultural Resource Management Division, presented testimony as
2 submitted.

3

4 Public Testimony:

5 None

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7 Board Discussion:

8 Member Gomes commended both departments for making the long-awaited transfer
9 happen.

10

11 Member Ley asked if this was the former Big Island Dairy lands.

12

13 Ms. Ah Yo clarified that it is near those lands but not part of that same lease.

14

15 Chairperson Hurd noted that Board Member Young joined at 9:14 am.

16

17 Vote: Approved; Unanimously

18

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20 2. Request for Approval to: (1) Cancel General Lease S-4805; Wade M.
21 Okamoto, Lessee; (2) Issue the Cancellation Document; and (3) Dispose
22 of the Parcel to the Public by Negotiation; TMK: (3) 1-5-116:041, Lot 14,
23 Pāhoa Agricultural Park, Phase II, Keonepoko Iki, Puna, Island of
24 Hawai'i, Hawai'i

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26 Motion to Approve: Ley/Gomes

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

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31 Public Testimony:

32 None

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34 Board Discussion:

35 Member Ley asked about the state's liability for the real property tax and if it would be
36 passed to a new lessee.

37

38 Ms. Ah Yo explained the tax debt stays with the property, but there is a process for a
39 new lessee to potentially have it waived by the real property tax office. She clarified the
40 \$4,400 is owed to the Department, not the total for property taxes.

41

1 Member Ley expressed concern that requiring a new lessee to pay back taxes would be
2 a challenge, given the difficulty in finding lessees for those lava rock lots. She asked if
3 the Department could absorb the cost.

4
5 AG Waihee-Polk advised that this policy question was not on the agenda and
6 Agricultural Resource Management Division could discuss the question with its counsel
7 later. She noted that if there is a mechanism to have the taxes waived, the Board may
8 not want to pay it..

9
10 Chairperson Hurd asked Ms. Ah Yo to follow up with the board on the amount of the tax
11 debt and the process for waiving it.

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13 Vote: Approved; Unanimously

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16 3. Request to Approve Rental Offset, General Lease No. S-4754A; Fu Ye
17 Sun, Lessee; TMK: (3) 2-2-056:033, Pana'ewa Agricultural Park, Island of
18 Hawai'i, Hawai'i

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20 Motion to Approve: Gomes/Ley

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22 Brandy Ah Yo, Agricultural Resource Management Division, presented testimony as
23 submitted.

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25 Public Testimony:
26 None

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28 Board Discussion:
29 None

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31 Vote: Approved; Unanimously

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34 4. Request for:

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36 1) Approval for Department of Land and Natural Resources/Eurus
37 Energy America LLC to Subdivide TMK: (1) 9-1-031:001, Including
38 General Lease S-3138, Hawaii Land & Livestock, LLC, Lessee, Into
39 Two Parcels Consisting of 9.385 and 100.721 Acres

40
41 2) Approval of Modification of General Lease S-3138; Hawaii Land &
42 Livestock, LLC, Lessee, Contingent Upon Subdivision of TMK: (1) 9-
43 1-031:001, Reflecting: A Reduction in Rent from \$18,300.00 Per Year

1 to \$1,600.00 Per Year; and the Correction of the Lease Expiration
2 Date from December 31, 2055 to December 31, 2054;

3
4 3) Delegation to the Chairperson to Negotiate and Execute Lease
5 Modification Documents to be Recorded at the Bureau of
6 Conveyances Contingent Upon Completion of All the Above; and

7
8 4) Concurrence with Partial Withdrawal from Governor's Executive Order
9 4584 (Dated May 15, 2019) of Approximately 100.721 Acres, More of
10 Less, for Reversion to the Department of Land and Natural Resources
11 Contingent Upon Completion of (i) the Subdivision of TMK: (1) 9-1-
12 031:001, and (ii) the Modification of General Lease S-3138; Hawaii
13 Land & Livestock, LLC, Lessee, Hono'uli'uli, 'Ewa, O'ahu, Hawai'i
14

15 Motion to Approve: Gomes/Kanaka'ole

16
17 Kevin Moore, Agricultural Resource Management Division, presented testimony as
18 submitted.

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20 Public Testimony:

21 Aaron Eddington spoke on behalf of Hawaii Land and Livestock. He expressed support
22 for the proposed actions and thanked the chairs and staff of the Board of Agriculture
23 and Biosecurity, the Board of Land and Natural Resources (DLNR) and Eurus Energy
24 for their help in reaching a negotiated solution. He stated the compromise will work well
25 for their operations and their goal of providing sustainable beef in Hawaii.

26
27 Dave Tomlinson spoke on behalf of Eurus Energy and expressed appreciation for the
28 Department of Agriculture and Biosecurity and DLNR's efforts on the project.

29
30 Board Discussion:

31 Member Gomes asked Aaron Eddington about the intended use for the remaining 9
32 acres.

33
34 Mr. Eddington replied that the 9 acres will be used primarily for expanding cattle holding
35 pens. This provides space for cattle during bad weather, for loading/unloading shipping
36 containers, and for cattle arriving from other islands.

37
38 Member Young asked for clarification on why the process was structured this way,
39 noting that DLNR seems to have final jurisdiction over the larger parcel. He also
40 expressed concern about removing the precondition of the city's subdivision approval
41 and asked if the city had been consulted. He asked for confirmation that the Department
42 of Agriculture and Biosecurity (DAB) has no other plans for the property and requested
43 a statement on the public purpose of the action.

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2 Mr. Moore responded that returning the land to DLNR requires following a specific
3 statutory process for removing land from an executive order. He stated they had not
4 spoken with the city about the subdivision approval, noting the state often supersedes
5 county jurisdiction and the ultimate goal is to complete the approval anyway. He
6 confirmed that DAB has no plans for the 100 acres and that managing a smaller parcel
7 would be better for them. He stated the public purpose of the withdrawal is to facilitate a
8 renewable energy project to help meet the state's clean energy goals.

9
10 Member Takemoto asked what would happen if the county does not approve the
11 subdivision.

12
13 Mr. Moore replied that DLNR represented that they would see the subdivision through
14 even if EURUS were no longer involved. He could not think of a reason the city would
15 ultimately deny the application if it is pursued correctly.

16
17 Chairperson restated the motion, including the two amendments to remove the
18 contingency of subdivision completion from recommendations 2 and 4. She confirmed
19 with Board Member Gomes and Member Kanaka'ole that they agreed to the revised
20 motion.

21
22 Vote: Approved; 6-1 (Young - Objection)

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25 5. Request for: (1) Submission of Hearing Officer's Report and
26 Recommendation on Chapter 4-159, HAR; (2) Request for Acceptance of
27 Minutes of Public Hearing; (3) Request for Adoption of Proposed Rule,
28 Chapter 4-159 "Agricultural Enterprise Program Rules, Chapter 4-159,
29 HAR"

30
31 Motion to Approve: Gomes/Ley

32
33 Brian Kau, Agricultural Resource Management Division, presented testimony as
34 submitted.

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36 Public Testimony:
37 None

38
39 Board Discussion:
40 Member Takemoto asked if this program applies to all current tenants.

41
42 Mr. Kau replied no, it's a separate, third land program for the division. The first is the Ag
43 Park Program, the second is the Non-Ag Park Program, and this third program allows

1 for everything an agricultural business would want to do, minus the recommendation to
2 produce on the land.

3

4 Mr. Takemoto said he is hoping that some of the current tenants might be able to take
5 advantage of it and that it could be applied to everyone.

6

7 Mr. Kau clarified that DAB is actively reviewing the current tenant roles for both the
8 Agricultural Park and Non-Agricultural Park Programs for lessees that may benefit from
9 transitioning into this program. There is no exclusion of current lessees.

10

11 Vote: Approved; Unanimously

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14 V. OLD BUSINESS

15 None

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18 VI. NEW BUSINESS

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20 1. Proposed Requirements for the Submission of "Biosecurity and Pest
21 Management Plans" pursuant to Act 236, Session Laws of Hawai'i (SLH) 2025,
22 Relating to Biosecurity.

23

24 Jonathan Ho, Plant Quarantine Branch, presented testimony as submitted.

25

26 Public Testimony:

27 None

28

29 Board Discussion:

30 Mr. Ho introduced the proposed requirements and procedures for biosecurity and pest
31 management plans under Act 236, SLH 2025, explaining that the act allows anyone to
32 submit plans with general information for board review. He noted the challenge of broad
33 submission requirements, which would lead to the board reviewing plans without prior
34 staff vetting, and proposed creating rules to enable the branch to vet these
35 requirements, similar to import permit conditions, to ensure sufficient information for
36 board consideration prior to making these ruling. He clarified that the "public hearing"
37 mentioned in the act would likely be a board meeting, not a formal public hearing, due to
38 differing requirements. Regarding budgeting, he explained that Act 236 mentions
39 funding sources, and while a specific funding pot hasn't been discussed, the broad
40 nature of plans might allow the board to adopt only parts that fit existing work. He further
41 explained the department's two uses of "pest" and how staff vetting would prevent the
42 board from spending time on proposals for common issues or already widespread
43 species.

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2 Member Ley said she appreciates the concept of staff review prior to board
3 presentation, noting it helps the department and protects the state. She questioned how
4 budgeting for these plans would be addressed, asking if there would be a separate line
5 item or if requests would be vetted through annual/biannual calls for proposals,
6 expressing concern that not addressing budgeting formally could cause future issues.

7
8 Chairperson Hurd asked Mr. Ho to explain the process for community members
9 identifying new pests and seeking board determination. She emphasized the need for
10 public submittals to include data-driven science and a budget, as required by the 10
11 steps, to ensure the board votes on reasonable, measurable, and realistic proposals.

12
13 AG Waihee-Polk confirmed that the rules could clarify what is needed from the public for
14 submissions. The rules would then come back to board and the board could approve
15 them, or add or remove things from the rules.

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18 2. NON-ACTION ITEM: Invasive species action plan updates

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20 Jonathan Ho, Plant Quarantine Branch, presented testimony. He provided a few
21 updates on ants treatments, opossum captures and DAB recruitment.

22

23 Ant Treatment: A fourth treatment for the ant species *Trichomrymex nr. mayri*
24 was conducted at Pier 1. This ant is not known to occur in the state. Surveys show that
25 infestation levels are decreasing.

26

27 Opossum Captures: Two opossums were captured at the Honolulu harbor on the 21st.
28 Another was caught in Hilo in September. Since July 2024, four other opossums have
29 been caught in Kona (January), near the office (December), Kalihi (August), and
30 downtown (July). The captured animals were sent for rabies testing.

31

32 Recruitment: Plant Quarantine filled two positions on Oahu, hired three 89-day
33 employees, and added an inspector for Maui. A GIS specialist will start on December
34 3rd. The Pest Control Branch hired Cameron Fujimoto as the Chemical Mechanical
35 Section Chief. Interviews have been conducted for the Pesticide Branch Manager and
36 the Plant Quarantine Branch's Nursery Specialist. Upcoming interviews are scheduled
37 for a Plant Specialist, Vertebrate Specialist, Insect Specialist, and two Port Supervisors
38 on Oahu.

39

40 Coconut Rhinoceros Beetle in Kona: A new breeding site was found in a gated
41 community in Makale. Staff are canvassing door-to-door to identify more sites. The

1 department has issued an Invitation for Bids for \$100,000 per county for fumigation
2 treatments and has sent letters to the Homeowners Association.

3
4 COSDA Meeting: Jonathan Ho, Kent Dumlao, Chris Kishimoto, and Esther Reichert
5 attended the Communication Officers of State Department of Agriculture's (COSDA)
6 meeting. The meeting was an opportunity to network with counterparts from other states
7 and learn about effective communication strategies.

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9 Public Testimony:
10 None

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13 3. Discussion and decision-making on imposing a time limit for public testimony
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16 AG Waihee-Polk explained that the Office of Information Practices (OIP) requires a
17 written policy, which can be established in the meeting minutes, to enforce a time limit
18 on public testimony. The board needed to decide whether to set a limit and for how
19 long.

20
21 Chairperson Hurd opened the floor for board and public comment on the matter.

22
23 Public Testimony:
24 None

25
26 Board Discussion:

27 Member Ley expressed support for a time limit, suggesting a minimum of two minutes
28 and a maximum of three if the board wanted to extend the time. She noted that the
29 board could still ask follow-up questions to a testifier if more detail is needed.

30
31 AG Waihee-Polk confirmed that board questions would not count against a testifier's
32 allotted time.

33
34 Motion to approve a 2-minute limit on public testimony: Ley/Grewal

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36 Vote: Approved; Unanimously

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39 Motion to adjourn: Kanaka'ole/Ley

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41 The meeting was adjourned at 10:24 am

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3 Respectfully submitted,

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7 Marci Clingan

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