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# SENATE CONCURRENT RESOLUTION

REQUESTING THE BOARD OF AGRICULTURE TO REVIEW AND UPDATE THE  
IMPORT PERMIT PROCESS FOR ALL AGRICULTURAL COMMODITIES AND  
SUBMIT A REPORT TO THE LEGISLATURE RECOMMENDING ANY  
REQUIRED LEGISLATIVE CHANGES TO THE IMPORT PERMIT PROCESS.

1           WHEREAS, the Plant Quarantine Branch of the Department of  
2 Agriculture is tasked with preventing the introduction and  
3 spread of harmful pests and diseases into the State by  
4 regulating domestic import, performing border inspections, and  
5 facilitating postborder detection and control of agricultural  
6 pests; and  
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8           WHEREAS, the Plant Quarantine Branch administers the import  
9 permit program to control the importation of plants, insects,  
10 microorganisms, and non-domestic animals including aquatic  
11 livestock; and  
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13           WHEREAS, an effective import permit process increases  
14 support for local agriculture while protecting the environment  
15 and safeguarding the health and lifestyle of Hawaii's people  
16 from the impacts of invasive species; and  
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18           WHEREAS, the plant quarantine program was established in  
19 1888 and has strived to expand its areas of expertise and  
20 influence to keep pace with agricultural growth and changes in  
21 the State; and  
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23           WHEREAS, the existing Plant Quarantine Branch's  
24 administrative rules are not a reflection of the current  
25 agricultural status in Hawaii and do not incorporate modern  
26 scientific research; and  
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28           WHEREAS, an example of outdated provisions is the ongoing  
29 protection of the non-viable pineapple industry found in such  
30 sections of the Hawaii Administrative Rules as:



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- (1) Section 4-70-12, Hawaii Administrative Rules: "Notice of quarantine. The board has determined that there exists serious danger to the pineapple industry of Hawaii from the introduction of thrips (Frankliniella moultoni Hood, Frankliniella shultzei trybom), pineapple borers (Anomocaulus fulvovestitus furn., Metamasius spp. And Thecla basiliodes), and other insects, and diseases of pineapple bromeliaceous plants, that are not now established in Hawaii."; and
- (2) Section 4-70-13(a), Hawaii Administrative Rules: "The introduction into Hawaii of any pineapple plant (any species of the genus Ananas), seed, or other plant parts, is prohibited except by approved permit in accordance with §4-70-14."; and

WHEREAS, there are reports of several incidents in which those seeking to import aquaculture into the State have not received permits from the Department of Agriculture within the maximum time periods or within a reasonable amount of time after the expiration of the maximum time periods established in section 4-71-4.1, Hawaii Administrative Rules; and

WHEREAS, section 4-71-4.1(c), Hawaii Administrative Rules, states that, with certain exceptions, "an application request for the issuance of a permit shall be given automatic approval if action is not taken by the department [of agriculture] within the established maximum period of time", and that "[a]fter the expiration of the maximum time period is brought to the attention of the department, the department shall have a reasonable amount of time to issue the permit."; and

WHEREAS, a Department of Agriculture project focusing on developing a new framework to improve the current import process was presented in March 2018; and

WHEREAS, the proposed framework is a risk-based framework for aquaculture operation siting that utilizes published scientific data and GIS mapping, and is reinforced by industry standard best management practices at the farm level; and



1 WHEREAS, this framework could streamline the import permit  
2 process and create a model for all Plant Quarantine Branch  
3 import decision making; now, therefore,  
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5 BE IT RESOLVED by the Senate of the Twenty-ninth  
6 Legislature of the State of Hawaii, Regular Session of 2018, the  
7 House of Representatives concurring, that the Board of  
8 Agriculture is requested to review and update the import permit  
9 process for all agricultural commodities and submit a report to  
10 the Legislature, no later than twenty days prior to the  
11 convening of the Regular Session of 2019, recommending any  
12 required legislative changes to the import permit process; and  
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14 BE IT FURTHER RESOLVED that the review and update of the  
15 import permit process consider at least:  
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- 17 (1) Updating the Plant Quarantine Branch's administrative  
18 rules pursuant to chapter 91, Hawaii Revised Statutes,  
19 to reflect current industry conditions and needs;  
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- 21 (2) Adopting the proposed risk-based import framework for  
22 aquaculture and expanding it to all import categories;  
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- 24 (3) Developing best management practices applicable for  
25 all agriculture industries for integration into permit  
26 conditions; and  
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- 28 (4) Updating the import permit lists using risk  
29 assessments to remove existing species or add new  
30 species; and  
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32 BE IT FURTHER RESOLVED that certified copies of this  
33 Concurrent Resolution be transmitted to the Chairperson of the  
34 Board of Agriculture and Branch Chief of the Plant Quarantine  
35 Branch of the Department of Agriculture.

