

MAR 09 2018

SENATE RESOLUTION

REQUESTING THE BOARD OF AGRICULTURE TO SUBMIT A REPORT TO THE
LEGISLATURE DETAILING A PLAN TO IMPROVE THE IMPORT PERMIT
PROCESS FOR ALL AGRICULTURAL COMMODITIES.

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

12
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

17
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

22
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

27
28 WHEREAS, an example of outdated provisions is the ongoing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:

- 31
32 (1) Section 4-70-12, Hawaii Administrative Rules: "Notice
33 of quarantine. The board has determined that there
34 exists serious danger to the pineapple industry of
35 Hawaii from the introduction of thrips (Frankliniella



1 moultoni Hood, Frankliniella shultzei trybom),
2 pineapple borers (Anomocaulus fulvovestitus furn.,
3 Metamasius spp. And Thecla basiliodes), and other
4 insects, and diseases of pineapple bromeliaceous
5 plants, that are not now established in Hawaii."; and
6

- 7 (2) Section 4-70-13(a), Hawaii Administrative Rules: "The
8 introduction into Hawaii of any pineapple plant (any
9 species of the genus Ananas), seed, or other plant
10 parts, is prohibited except by approved permit in
11 accordance with §4-70-14."; and
12

13 WHEREAS, there are reports of several incidents in which
14 those seeking to import aquaculture into the State have not
15 received permits from the Department of Agriculture within the
16 maximum time periods or within a reasonable amount of time after
17 the expiration of the maximum time periods established in
18 section 4-71-4.1, Hawaii Administrative Rules; and
19

20 WHEREAS, section 4-71-4.1(c), Hawaii Administrative Rules,
21 states that, with certain exceptions, "an application request
22 for the issuance of a permit shall be given automatic approval
23 if action is not taken by the department [of agriculture] within
24 the established maximum period of time", and that "[a]fter the
25 expiration of the maximum time period is brought to the
26 attention of the department, the department shall have a
27 reasonable amount of time to issue the permit."; and
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29 WHEREAS, a Department of Agriculture project focusing on
30 developing a new framework to improve the current import process
31 was presented in March 2018; and
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33 WHEREAS, the proposed framework is a risk-based framework
34 for aquaculture operation siting that utilizes published
35 scientific data and GIS mapping, and is reinforced by industry
36 standard best management practices at the farm level; and
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38 WHEREAS, this framework would streamline the import permit
39 process and create a model for all Plant Quarantine Branch
40 import decision making; now, therefore,
41



S.R. NO. 126

1 BE IT RESOLVED by the Senate of the Twenty-ninth
 2 Legislature of the State of Hawaii, Regular Session of 2018,
 3 that the Board of Agriculture is requested to submit a report to
 4 the Legislature, no later than twenty days prior to the
 5 convening of the Regular Session of 2019, detailing a plan to
 6 improve the current import permit process for all agricultural
 7 commodities, including those relating to aquaculture; and

8
 9 BE IT FURTHER RESOLVED that the plan include at least:

- 10
 11 (1) Updating the Plant Quarantine Branch's administrative
 12 rules pursuant to chapter 91, Hawaii Revised Statutes,
 13 to reflect current industry conditions and needs;
 14
 15 (2) Adopting the proposed risk-based import framework for
 16 aquaculture and expanding it to all import categories;
 17
 18 (3) Developing best management practices applicable for
 19 all agriculture industries for integration into permit
 20 conditions; and
 21
 22 (4) Updating the import permit lists using risk
 23 assessments to remove existing species or add new
 24 species; and

25
 26 BE IT FURTHER RESOLVED that certified copies of this
 27 Resolution be transmitted to the Chairperson of the Board of
 28 Agriculture and Branch Chief of the Plant Quarantine Branch of
 29 the Department of Agriculture.

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 32 OFFERED BY: 
