
SENATE 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
7

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28 WHEREAS, an example of outdated provisions is the ongoing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



- 1 (1) Section 4-70-12, Hawaii Administrative Rules: "Notice
- 2 of quarantine. The board has determined that there
- 3 exists serious danger to the pineapple industry of
- 4 Hawaii from the introduction of thrips (Frankliniella
- 5 moultoni Hood, Frankliniella shultzei trybom),
- 6 pineapple borers (Anomocaulus fulvovestitus furn.,
- 7 Metamasius spp. And Thecla basiliodes), and other
- 8 insects, and diseases of pineapple bromeliaceous
- 9 plants, that are not now established in Hawaii."; and
- 10
- 11 (2) Section 4-70-13(a), Hawaii Administrative Rules: "The
- 12 introduction into Hawaii of any pineapple plant (any
- 13 species of the genus Ananas), seed, or other plant
- 14 parts, is prohibited except by approved permit in
- 15 accordance with §4-70-14."; and
- 16

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

23
 24 WHEREAS, section 4-71-4.1(c), Hawaii Administrative Rules,
 25 states that, with certain exceptions, "an application request
 26 for the issuance of a permit shall be given automatic approval
 27 if action is not taken by the department [of agriculture] within
 28 the established maximum period of time", and that "[a]fter the
 29 expiration of the maximum time period is brought to the
 30 attention of the department, the department shall have a
 31 reasonable amount of time to issue the permit."; and

32
 33 WHEREAS, a Department of Agriculture project focusing on
 34 developing a new framework to improve the current import process
 35 was presented in March 2018; and

36
 37 WHEREAS, the proposed framework is a risk-based framework
 38 for aquaculture operation siting that utilizes published
 39 scientific data and GIS mapping, and is reinforced by industry
 40 standard best management practices at the farm level; and

41



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,
4

5 BE IT RESOLVED by the Senate of the Twenty-ninth
6 Legislature of the State of Hawaii, Regular Session of 2018,
7 that the Board of Agriculture is requested to review and update
8 the import permit process for all agricultural commodities and
9 submit a report to the Legislature, no later than twenty days
10 prior to the convening of the Regular Session of 2019,
11 recommending any required legislative changes to the import
12 permit process; and
13

14 BE IT FURTHER RESOLVED that the review and update of the
15 import permit process consider at least:
16

- 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;
20
- 21 (2) Adopting the proposed risk-based import framework for
22 aquaculture and expanding it to all import categories;
23
- 24 (3) Developing best management practices applicable for
25 all agriculture industries for integration into permit
26 conditions; and
27
- 28 (4) Updating the import permit lists using risk
29 assessments to remove existing species or add new
30 species; and
31

32 BE IT FURTHER RESOLVED that certified copies of this
33 Resolution be transmitted to the Chairperson of the Board of
34 Agriculture and Branch Chief of the Plant Quarantine Branch of
35 the Department of Agriculture.

