

**HCR-77**

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Testimony for AGR on 3/23/2022 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brian Kau	Dept of Ag - Ag Resource Management Division	Comments	Remotely Via Zoom

Comments:

I will be available to answer questions, if needed.



Ho'ōla Veteran Services  
D.b.a. Ho'ōla Farms  
923 Kukuau St.  
Hilo, HI 96720

March 23rd, 2022

The Honorable Mark Hashem, Chair  
and Members of the Committee on Agriculture  
Hawai'i State Capitol, Room 325

Re: Testimony in support of HCR77/HR70- Simeon and Kathryn Rojas,

Aloha kāua,

My name is Emily Emmons and I am the Executive Director of Ho'ōla Veteran Services d.b.a. Ho'ōla Farms, a Hawai'i nonprofit organization with a mission to provide agriculture training and support services to military Veterans and their families, along with the community, with a goal to create a more sustainable community and well-being for all. Annually we engage over 100 veterans and their families in agriculture activities, utilize 1,000+ volunteer hours, and sell over \$144,000 in locally grown produce through our ecommerce website, Hawai'i Farm to Car.

At Ho'ōla Farms we know there are few pairings more closely aligned than Veterans and farming. The skill sets developed in military service such as problem solving quickly and creatively, and strong work ethic match many of the characteristics of a successful agricultural professional. Whether it's a sense of duty, responsibility and accountability for completing the mission, or being organized and disciplined, Veterans typically transition naturally into farming, ranching, and other agricultural opportunities.

Far too often, Veterans and their families are taken advantage of by those who intend to financially gain from their hard work ethic and teamwork "get the job done" attitude. You can see how a simple land lease agreement quickly turned into a nightmare of unreasonable requests, financial demands, all of which have compounding consequences for our veteran community, including mental health and well-being. The additional stress and lack of support, in an environment that was supposed to be supporting a peaceful lifestyle and a sense of purpose for Mr. Rojas and his family quickly turned into a nightmare; professionally, financially and personally.

We stand with the Rojas Ohana and hope the State will do the same, not just to rectify the current situation but also to protect future Veteran farmers. Mahalo nui loa for your time and consideration.

With Gratitude,

*Emily Emmons*

Executive Director

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**My name is Bosko Petricevic and I am in strong support of HCR 77 measure.**

I represent Mr. Simeon Rojas and his wife Katherine Rojas. To put it bluntly, Mr. and Mrs. Rojas are victims of fraud and negligence on Kahuku Agriculture Park and complete dereliction of duty by Hawaii Department of Agriculture (“HDOA”) and its officials. HDOA’s official Roy Hasegawa has induced my clients to enter into a sublease agreement with one of the lessees in Kahuku Agricultural Park - Mr. Thomas Narvaez and his company Alii Kawa LLC. Neither Mr. Hasegawa nor Mr. Narvaez have ever disclosed or explained to Rojas family that any sublease must be approved by the HDOA before it becoming valid. In fact, both Mr. Hasegawa (HDOA’s official) and Mr. Narvaez have actively induced my clients to enter into this illegal sublease, invest significant amounts of money (over \$200,000) and labor to build their farm only for Rojas family to find out 5 years that their sublease is illegal and that they are in legal limbo. Thomas Narvaez even attempted to illegally evict my clients with HDOA’s and Roy Hasegawa’s complete knowledge and tacit approval. To make matters even worse, Thomas Narvaez and his company Alii Kawa (lessee in Kahuku Ag Park) are not doing any farming and have not been for years. HDOA knows about this lack of farming, about illegal subleases and is choosing to do NOTHING. In fact, they have even attempted to cover it up.

Mr. Simeon Rojas is a 20-year military war veteran who participated in Iraqi Freedom and many military missions and suffers from post-traumatic stress disorder. In order to cope with PTSD Simeon and his wife Katherine (Kathy) agreed that farming could be dually beneficial to pivot to something meaningful, positively moving from PTSD, and starting a small business. The Rojas couple successfully participated in the University of Hawaii GoFarm program and were certified to start a small, sustainable farming operation growing lettuce, tilapia, catfish, and prawns.

The Rojas couple secured a sublease from Thomas Narvaez and his company Alii Kawa LLC, in Kahuku Agriculture Park in late 2016, on recommendation and inducement by Roy Hasegawa (HDOA official and manager of the Kahuku Agricultural Park). Despite being aware of this sublease agreement, Mr. Hasegawa kept it quiet, never disclosed it to HDOA and even failed to disclose approval requirements to Rojas family. Due to these representations, the Rojas couple invested over \$200,000 in cash and tens of thousands more in labor in their aquaponics system and farming operation that they built on lot 10 at Kahuku Ag Park.

In August of 2020, with full acknowledge and tacit approval of Mr. Hasegawa, Mr. Narvaez tried to evict the Rojas couple from lot #10 after they spent over \$200,000.00 and 5 years of hard

labor to improve the land and built their farm on lot #10. Mr. Narvaez, with HDOA's knowledge, also attempted to evict Rojas couple to keep their farm and aquaponics systems they would be forced to leave behind if evicted. This was done with complete tacit approval by Mr. Hasegawa and attempted cover up.

During this eviction process, in June of 2021, Rojas couple found out for the very first time that their sublease is illegal and not approved by the State. In other words, more than 4 years after signing of their sublease in December of 2016, Rojas couple found out during the eviction process that Mr. Narvaez and Mr. Hasegawa have been misleading them all along. Thankfully, district Judge Holma denied this eviction attempt. However, despite this, Rojas family is now in a legal limbo with no way out.

However, retaliation did not stop here. Mr. Narvaez (in retaliation for failed eviction attempt) then shut off water to the Rojas Farm causing significant monetary damage in their farm operations from their fish dying to major reduction of lettuce production. For months, neither Narvaez nor the HDOA heeded to the Rojas couple's repeated pleas for water. It was only after recent court order that Mr. Narvaez was forced to restore the farm's water. HDOA just stood and watch and did nothing while this was playing out.

Despite all of this, and despite being alerted that Mr. Narvaez is NOT farming the land as required and that he is even illegally subleasing his lot to other unsuspecting victims, HDOA still offered him a chance for retroactive approval that Mr. Narvaez ignored and HDOA never followed up on it. HDOA, to this day, is still not investigating the fact that Mr. Narvaez is not farming the land.

Currently, lessee on lot 10 - Mr. Narvaez and his company Alii Kawa LLC - is not doing any farming, is illegally subleasing the lot to other victims, and HDOA, despite being made aware of all this, is still doing nothing about it.

Moreover, in a shocking example of public corruption, the Kahuku State Agriculture Manager, Roy Hasegawa even asked my clients to build him an aquaponics and hydroponics system at Hasegawa's house. Despite these allegations, HDOA is still doing nothing.

**In a nutshell, this case is about the broken public trust. Due to HDOA's negligence, state's land is being completely misused and abused by predatory individuals that are neither farming the land nor interested in helping the State reach its sustainability goals. Because of this, my clients - the hard-working Rojas family - who are bonafide farmers that the State promised to support and encourage, have been completely taken advantage of and put in a position where they are likely to lose their farm and their livelihood. Relying on promises and legal representations, my clients have invested their entire economic worth, blood, sweat and tears to grow and establish an organic and self-sustained farming operation on lot No. 10 in Kahuku Agricultural Park only to fall prey to predatory, fraudulent, corrupt, and negligent behavior.**

**Instead of stepping in, correcting things, HDOA has convinced the Attorney General's office to blindly defend its indefensible misconduct and complete abdication of their legally mandated responsibility to ensure that the state's agricultural lands are being used for its proper purpose. As a former deputy Attorney General myself, I am saddened and disappointed that the Attorney General's office is refusing to properly investigate this case and is engaging in blind defense of HDOA and its officials who are clearly liable. When I was a deputy Attorney General, I always looked to ascertain the truth and protect the people of Hawaii, not just blindly cover for, and defend government officials who are not doing their jobs and/or possibly engaging in corruption. I invite the Attorney General's office and HDOA to come and visit lot 10 in Kahuku and finally see the truth."**

In conclusion, I am perplexed and disturbed by the HDOA's lack of communication, failure to address the Rojas couple's pleas to provide water for their farm operations, concerns of alleged favors requested by a state employee using his position to gain special privileges, the failure of the HDOA to properly manage their ag lands and ensure compliance with farming requirements and protect unsuspecting farmers from being taken advantage by predatory middlemen lessees.

I strongly believe that audit of HDOA is necessary and absolutely crucial to protect the taxpayers from having their agricultural lands wasted and abused. Please pass this measure.

Thank you for listening,

  
Bosko Petricevic

In support of HCR77/HR70

Hello, I am Katherine Aquino Rojas and I am coming forward to ask for an investigation.

Unlawful practices on state Ag land - I believe that this is a case of human trafficking of a VETERAN, my husband who was coerced into this situation, by negligence referral, Simeon was referred to Thomas Narvaez a lessee on lot #10 by Kahuku ag park manager Roy Hasegawa.

Thomas Narvaez whom was awarded this land is a un qualified farmer, he locked my husband into a situation of extortion, misleading him to invest and farm on a portion of his low - cost ag leased land,

Thomas charged my husband an inflated price with others that I witnessed doing business on lot #10. Hasegawa approved the sublease agreement as he assisted my husband with the sublease but failed to notify the Agriculture board for final approval.

Fraud and Misrepresentation - I say extortion because, Thomas took it upon himself along with a contractor friend to illegally build the aquaponics system without approval of Simeon. This is fraud and blackmail as Thomas stole our material when my husband was away for about a month,

Thomas had no aquaponics experience Thomas also made up more and more ways to charge my husband for other services. Such as weekly landscaping , offered my husband hourly machine rate of \$50 , plus the diesel gas , asking my husband to pay for a portion of Thomas' personal water filtration for his home , asking Simeon to pay him for a portion of lawn care machines , chain saws , etc... he was even brave enough to ask me to buy him a trailer , so that he could haul stuff for us , I declined .

The state was an actor in the unlawful practice through the manager of the Kahuku Agriculture Park - Hasegawa. By now my husband was locked into a

situation that was very uncomfortable. Roy Hasegawa visited giving my husband the impression everything was Ok.

Why come over with a engineer? why give my husband intent to farm forms? ask for personal records?

During this process of litigation, according to the general rules, there was supposed to be a official response as to an approved, unapproved or incomplete. there was none , Roy had never pushed the paperwork thru , was this our fault ? No!! Simeon did his due diligence with Hasegawa failing to follow the law.

Was there ulterior motive between Roy Hasegawa and Thomas Narvaez?

"Let the guy build, work, pay and then tom and roy will take the hard work away "which they did by supporting each other thru all of it. Roy turning a blind eye, Thomas continuing to abuse my husband.



Roy Hasegawa is saying that Simeon is a worker,  
There was no way for Simeon to get out of this,  
Thomas locked Simeon into the build and Roy was  
making this to appear to be ok.

Roy condoned this behavior!!!

ROY HASEGAWA and the department of Ag is  
condoning HUMAN TRAFFICKING!!!!!! He is responsible  
for me and my husband's business disruptions and near  
shut down, because they choose to not communicate  
fairly, but come in by force, by saying to get out in 45  
days, turning of water, false imprisoning my family and  
friends by locking us in our own lot - onto the farm,  
barging in on business affairs, defaming us with lies,  
we own and worked hard for this business, and  
contributed to the sustainability goals. Thomas did  
nothing but to harass us, and cover up his PROOF OF  
VIOLATION OF THE LAW ILLEGAL SEPTIC TANK  
contamination of the land with his waste and garbage  
for many years, even before the pandemic. Letting all  
of it seep into the ground into the water table, I  
made the mistake of running into the area he let his

waste seep into, because I had to shut off a gushing pipe, and I realized I was running into a sludgy gross substance, days later I was admitted to the hospital for sepsis for about two weeks (medical records to confirm this).

Narvaez does not follow rules and lies , after lies

Is it ok to contaminate the land?

Is it ok to human traffic?

Is it ok to not be a farmer and obtain state ag land?

Is farming people considered farming or human trafficking?

Despite the HDOA being informed and provided a mountain of evidence on numerous occasions that Mr. Narvaez and his company Aii Kawa are not doing any farming on State's land and illegally subletting their lot to other non-farming entities, HDOA decided to do nothing and is still doing nothing. My husband suffers from PTSD from his military service and this situation has been extremely difficult for him. This situation is making him suicidal and I worry deeply

for him. HDOA's indifference has been heartbreaking to watch. With their negligence and corruption, HDOA and its officials Hasegawa and Narvaez will take everything from us. HDOA and Roy Hasegawa know that Thomas Narvaez is not doing any farming and is even illegally subletting to many others. In fact, from my personal observation, there is not much farming going on in Kahuku Ag Park. HDOA knows about all of this and is choosing to do nothing.

## Testimony in support of HCR77/HR70:

I am Simeon Rojas a 20-year war veteran from Kalihi who partnered with my wife, to get certified and start my dream farm,

It was from a military mission that I lost 30 fellow soldiers during a helicopter crash in Iraq. When I came back from war, I couldn't control my anger, I had panic attacks, headaches and was always edgy and my life was spiraling out of control.

Farming helped me cope with post-traumatic stress disorder. Because it has been difficult for me to find peace and assimilate back into society after the war.

Today, I still live by the military values and found purpose again in science, nature and growing things. I invested \$200,000.00 and hard work in my new mission, "Operation feed Hawaii "

I am programmed to adhere to protocol, so thru all this we established our sustainable aquaponics eco-farm in which we grow lettuce, raise tilapia, cat fish and prawn. On state owned Kahuku agricultural park.

This was supposed to be therapeutic and positive new page in my life, but it turned out to be the opposite.

I have been mis-led and victimized by state department of Ag Park official Roy Hasegawa,

I signed into a sublease that they never had intentions of getting officially approved by HDOA,

Narvaez and Hasegawa tricked me and lead me on to invest into improving the land then to turn around and evict me,

To add insult to it all, when I turned in the necessary paper work, to Roy Hasegawa, in a conversation Roy Hasegawa fraudulently asked me to build him an aquaponics and hydroponics system at his home. I was in shock by that because, an official was asking me to

help him at his residence, this is wrong, I believe this is considered bribery, so I did not return a promise to do so, and eventually the conversation ended.

Ladies and Gentleman, Thomas Narvaez was a full fireman now retired, his father retired from a full-time navy shipyard job. his mother did not have a farming back ground. his DCCA and tax activities shows that he is unsuccessful in all his business, and does not reflect farming. but all is just a big cover up.

Majority of his income does not come from farming activity. He is a security guard for the Ag park, and retired from being a full time fireman .

I am confused how this imposter was awarded this land; this fumble opened up corruption and liability to HDOA and loss of public trust. This is what the citizens of Hawaii pay taxes for???

That mistake by HDOA caused me to get hurt ,  
while I tried to help the state out , they were  
hurting me.