

STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of SB0719
RELATING TO PESTICIDES**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 2/8/2021

Room Number: Via Videoconference

- 1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's
- 2 Executive Budget Request for the Department of Health's (Department) appropriations and
- 3 personnel.

- 4 **Department Testimony:** The Department supports this measure directing the Department of
- 5 Agriculture, in consultation with the Department, to develop and implement a one-time restricted
- 6 use pesticide disposal program offering safe collection and lawful disposal of banned, outdated,
- 7 or unwanted pesticides from bona fide farmers. These waste chemicals can become a serious
- 8 public health and environmental threat when not managed properly and if accumulated for long
- 9 periods of time.

- 10 This bill has tremendous potential to provide environmental and human health benefits for the
- 11 community by removing threats to residents, waterways, and the environment. This measure is
- 12 timely, as legal disposal options are limited in Hawaii, and the longer waste pesticides are left
- 13 unmanaged, the more likely the container will leak, the label will be become unreadable,
- 14 someone will be exposed, or the chemicals will leach into the ground or wash into nearby
- 15 waterways.

- 16 Farmers and other businesses have a legal obligation to properly dispose of the waste pesticides
- 17 that they generate, including those qualifying as hazardous waste. Waste pesticide collection
- 18 programs have been established in other states that require farmers to provide inventories of

1 waste materials being received by the waste contractors conducting the events. With proper
2 documentation, hazardous waste pesticides can be properly managed as universal waste under
3 such a collection program.

4 **Offered Amendments:** None.

5 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND THE ENVIRONMENT
FEBRUARY 8, 2021
VIDEOCONFERENCE**

**SENATE BILL NO. 719
RELATING TO PESTICIDES**

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 719, relating to pesticides. The bill appropriates funds from the general fund for fiscal year 2022-2023 to the Hawaii Department of Agriculture to develop, in consultation with the Hawaii Department of Health, and implement a pesticide disposal program to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides and non-restricted use pesticides from a bona fide agricultural entity and directs the Department to convene a steering committee to guide and monitor the pesticide disposal amnesty program, and increases fines for pesticide use violations. The Department strongly supports this bill.

The Department strongly supports the concept of a one-time pesticide disposal program. Currently, there exists in most counties in the State of Hawaii, a pesticide disposal program for household pesticide products, but not for commercial and other types of pesticide products. The proposed disposal program will make a positive impact on the health and wellbeing of residents and the environment by removing unused and unwanted pesticide products from the State.

The Department is aware of a number of growers with excess products that are not able to be safely stored, transported or used. The condition of the containers are



usually questionable at best and many have directions for use that may not be legible due to time in the elements. Moreover, the Department has received numerous calls where family has inherited land with pesticides found in the storage. The family has either no desire, or ability to use the products but wants to dispose of them safely and legally. However, disposal of agricultural pesticide products is beyond the financial means of many families and businesses. The need for an agricultural pesticide disposal program in Hawaii is imminent and essential to the safety of Hawaii's people and the environment.

The Department supports increased fines for pesticide use violations. The Department is provided discretion in all violations and fines but usually starts violators off with small fines. The Department only increases fines as violators made repeat violations or if there are other major environmental or human health or safety violations. Granting the Department with the ability to fine repeat violators does not stop the Department from beginning with minimal fines for first and second-time violators.

Currently, if the Department feels that our maximum possible fine has not deterred a violator from violating again, either due to the egregiousness of the violation or due to lack of compliance history by the applicator, we refer the case to the U.S. Environmental Protection Agency (EPA). If the EPA takes enforcement action, enforcement and closure of the case takes a longer period of time than if the matter is resolved within our current system. The fines from EPA can also be substantial; up to and including hundreds of thousands of dollars, and any collected fines go to the EPA rather than the State.

After the passage of Act 45 SLH 2018, all fines collected by HDOA for violations of 149A, HRS are placed into the pesticide use revolving fund, where they may be used for training, educational workshops, environmental surveys, and other pesticide branch related activities. The Department, as well as local growers and companies would benefit from fines going to Department, rather than going to EPA. The Department would only use these highest end fines for businesses and individuals who repeatedly violate pesticide law without any attempt to better their practices.

Thank you for the opportunity to testify on this measure.



SB 719, RELATING TO PESTICIDES

FEBRUARY 8, 2021 · SENATE AGRICULTURE AND ENVIRONMENT COMMITTEE · CHAIR SEN. MIKE GABBARD

POSITION: Support.

RATIONALE: Imua Alliance supports SB 719, relating to pesticides, which requires the Department of Agriculture, in consultation with the Department of Health, to develop and implement a one-time pesticide disposal collection program, for a duration to be determined by the department; requires the Department of Agriculture to convene a steering committee to guide and monitor the pesticide disposal collection program; and increases the civil and criminal penalties for violating the Hawaii pesticides law.

In the debate over regulating local agriculture, there is one thing that everyone should agree to condemn: causing harm to other people. Unfortunately, Hawaii's pesticide code allows chemical abuse to go unchecked. Today, the State Department of Agriculture must warn pesticide abusers before investigating potential legal violations. A farm that fails to take caution when using harmful chemicals, then, may suffer no consequences for its actions, since the warning gives owners time to hide evidence of their crimes. Even when caught, chemical criminals face minimal penalties. State law currently grades pesticide abuse as a merely a misdemeanor offense, meaning farm operators who apply dangerous doses of chemicals face a maximum one-year prison sentence.

In the islands, pesticide abuse poses major health risks. According to an investigation conducted by the *Cascadia Times*, pesticide application by four large agricultural companies on Kaua'i—Syngenta, BASF Plant Science, DuPont Pioneer, and Dow AgroSciences—is ten times the national average. In their report, *Cascadia* found that a number of restricted use pesticides were overused, including chlorpyrifos, atrazine, and paraquat. A study published in the medical journal *The Lancet Neurology*, in March of 2014, found

that the neurotoxin chlorpyrifos led to developmental disabilities in children. Similarly, atrazine and paraquat are banned in the European Union. Atrazine is known to contaminate groundwater supplies, while paraquat has been linked to the onset of Parkinson's disease. Yet, both herbicides remain widely popular in the United States, where the Environmental Protection Agency prematurely declared with “reasonable certainty” that neither carry a significant risk of harm.

Pesticide abuse is not limited to the outer islands. On O'ahu, Imua Alliance has provided services to cancer-stricken sprayers of restricted use pesticides, some of whom have are also victims of labor trafficking. Not only were our clients provided with little to no information about the health risks of pesticides placed in their hands, they were also not given equipment to protect themselves from harm. To protect against pesticide abuse that impacts sensitive educational areas and makes children ill—as happened in 2007 at Kahuku High and Intermediate, in which a dozen students fell ill when a nearby sod farmer ignored windy weather while applying pesticides, and in 2008 in Waimea on Kaua'i, where dozens of students got sick after farmers applied pesticide on a nearby seed corn plot—it is incumbent upon lawmakers to pass legislation increasing penalties for people who recklessly assault our communities with chemical poison.

In addition to this measure, we urge local lawmakers to pass legislation eliminating warning notice requirements from the state's pesticide code, allowing investigators to probe allegations of noncompliance without tipping off their targets. Policymakers should simultaneously ensure that the Department of Agriculture has the clear capability to refer pesticide violations to law enforcement. It's time we started prosecuting those who sacrifice people's health to personal profit.

Elected officials recently passed SB 3095 (act 45), banning chlorpyrifos and establishing increased disclosure requirements for pesticide application. It is imperative that political leaders stand up for safety again this year, given recent court rulings curtailing county jurisdiction over pesticide use and land management. If you wait, our children will breathe in the fallout for generations to come.

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org



HAWAII PEST CONTROL ASSOCIATION

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February 8, 2021

Testimony To: Senate Committee on Agriculture and Environment
Senator Mike Gabbard, Chair

Presented By: Tim Lyons, CAE
Executive Director

Subject: S.B. 719 – RELATING TO PESTICIDES.

Chair Gabbard and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association and we oppose part of this bill and have a suggested amendment for the balance of the bill.

Our comments as it relates to the increase of penalties in the administrative fines are the same as those on S.B. 499.

Regarding the Pesticide Disposal Program, we are not sure why structural pest control operators are not included in the provisions or the activities envisioned by this bill. The bill clearly limits itself to “bona fide agricultural entities”. We think the omission is glaring and discriminatory and we would respectfully request inclusion of structural pest control operators in any pesticide disposal program.

Thank you.



Senate Committee on Agriculture and Environment

Hawai'i Alliance for Progressive Action (HAPA) Supports: SB 719

Monday, February 8th 2021 at 1:00 p.m.

Aloha Chair Gabbard, Vice Chair Nishihara and Members of the Committee,

HAPA supports safe and responsible disposal of pesticides to better protect our community and environment. We strongly support increasing the maximum fines for pesticide use violations.

It is critical to our environment and public health that these pesticides are not dumped into rivers, backyards and sewage facilities and SB 719 helps to accomplish this. The impacts of improper dumping of pesticides in surrounding environments and sewage facilities are devastating and cascading.

HAPA is concerned with how location sites will be selected for collection and disposal. Historically such dump sites have often been placed near economically disadvantaged communities and native Hawaiian communities. The bill should clarify that the steering committee includes representatives from OHA and other stakeholders from an appropriate environmental justice organization.

HAPA also strongly supports the provision to increase to the maximum fine amounts for pesticide use violations.

Pesticide violations are a threat to our keiki, farmworkers and communities living near heavily sprayed fields. Improper use, disposal and drift threatens to harm adjacent, non-target plants and species, to lead to short and long-term contamination of the state's soil, air and water and takes a toll on human health and quality of life. Despite these risks, pesticide misuse has, and continues to occur.

In 2016¹ and 2017², Syngenta failed to adhere to pesticide use instructions on Kaua'i exposing 77 farmworkers to the now banned neurotoxin, *chlorpyrifos*. This led to the hospitalization of ten farmworkers.

¹<https://www.staradvertiser.com/2016/01/23/hawaii-news/kauai-farmworkers-hospitalized-after-being-exposed-to-pesticide/>

² <https://www.civilbeat.org/2018/02/epa-settles-syngenta-pesticide-claim-for-pennies-on-the-dollar/>

In 2019³, Monsanto/Bayer pleaded guilty to using an illegal banned pesticide, *Penncap-M*, on Maui and Moloka'i. This is linked to impaired neurological development, chronic fatigue syndrome, and Parkinson's disease.

Too often pesticide violations are considered an acceptable "cost of doing business" by large multi-billion dollar industrial operations. Increasing fines will help create a better deterrent for future violations.

For the disposal program, we suggest that the thresholds are set to ensure accountability for large corporate users who can afford to dump appropriately. In other measures large pesticide users have been defined as those using more than 5 lbs or 15 gallons of any specific pesticide (formulated product). To ensure that the state is not allowing large multi-billion dollar agricultural corporations to shift their financial and legal responsibility to taxpayers, a threshold of 5 lbs/15 gallons should be adopted as the cut off for any amnesty program.

This bill is an important step towards better protecting our farmworkers, frontline communities and the environment from pesticide misuse, please support SB 719.

Respectfully,



Anne Frederick
Executive Director

³<https://www.earthisland.org/journal/index.php/articles/entry/monsanto-guilty-of-spraying-banned-pesticide-on-maui-fields/>

**LARRY JEFTS FARMS, LLC
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(808) 688-2892**

SB719, Relating to Pesticides
Sen AEN Hearing
Monday, February 8, 2021
Videoconference

Testimony By: Larry Jefts
Position: Support

Chair Gabbard, Vice Chair Nishihara, and Members of the Sen AEN Committee:

I am Larry Jefts, owner and operator of Larry Jefts Farms, LLC, which is part of our family-run business of farms on Oahu and Molokai, under the administrative umbrella of Sugarland Growers, Inc. We have more than 35 years of Hawaii farm experience on Molokai and Oahu. I am a volunteer director for the West Oahu Soil and Water Conservation District (SWCD).

Support is expressed for this proposal to establish an affordable and accessible RUP and non-RUP pesticide disposal program. This would provide farmers a means for legal and safe disposal of outdated, banned or no longer used pesticides.

The \$800,000 appropriations proposed for FY 2021-2022 and FY 2022-2023 to establish and operate the pesticide disposal collection program is especially meaningful during these times of severe State budget shortfall.

Thank you for the opportunity to present testimony.



PAN

PESTICIDE ACTION NETWORK • NORTH AMERICA

Reclaiming the future of food and farming

Re: Support for SB 719

Pesticide Action Network North America is a national & international organization with a mission to end reliance on hazardous pesticides and achieve health, resilience and justice in food and farming. **We wish to express strong support of SB 719**, which would increase penalties for violations of Hawaii pesticides law, and create a safe pesticide disposal program.

There are almost 10,000 different pesticide formulations registered for use in Hawai'i¹. Anyone using pesticides will at some point need to dispose of unwanted excess pesticides or pesticide mixture, pesticide-treated materials, and/or containers containing pesticides or their residues. Despite this, there is no consistent pesticide disposal program being offered in the state. This creates conditions for **improper disposal, which can lead to release of toxins with significant harmful impacts on waterways, ecosystems, and even human health.**

This problem is exacerbated by the fact that the largest pesticide and biotechnology corporations (each worth several billion dollars) are operating on a massive scale in Hawai'i, which has hosted more cumulative field trials than any other state.² **The current penalty levels for pesticide violations are pocket-change for these multinational corporations, and do not act as a real deterrent for repeat violations.** For example, in the Jan 2016 Syngenta pesticide poisoning on Kauai, the Environmental Protection Agency was seeking civil penalties of \$4.8 million³ (an amount which was eventually settled at \$550,000)⁴. While high-profile violations such as this one may be turned over to federal investigators, local enforcement staff is left to deal with the much more numerous, smaller, and “routine” violations that often go under-investigated and/or unenforced, due to the limited capacity of enforcement staff. **Increasing fines therefore has the added benefit of increasing the resources of enforcement staff.**

Therefore, **we support SB 719 as an important step** towards protecting our communities from toxic pesticide exposure.

¹ <https://hdoa.hawaii.gov/pi/pest/licensed-pesticides/>

² http://www.centerforfoodsafety.org/files/key-findings_2nd_ed_61347.pdf

³ <https://www.khon2.com/local-news/syngenta-receives-epa-complaint-over-kauai-farm-pesticide-exposure/>

⁴ <https://www.reuters.com/article/syngenta-epa/syngenta-seeds-settles-hawaii-pesticide-exposure-action-by-epa-idUSL2N1Q3025>



PO Box 1177 Koloa HI 96756
808.652.5286 hawaiiSEED.org

February 6, 2021

Hawai`i SEED Supports: SB 719

Senate Committee on Agriculture and Environment

Aloha Chair Gabbard, Vice Chair Nishihara and Members of the Committee,

We strongly support SB 719, relating to proper Pesticide Disposal and fines for non-compliance and violations.

We have long advocated that these chemicals are much too dangerous for our fragile eco-system and unsafe for use by field workers, applicators, communities and especially our keiki.

While there may have been a time in the past where knowledge of harm and unintended consequences brought the substances here, we know better now and are changing our course and growing methods. Alternatives do exist and we should transition and make possible a vehicle for safe disposal.

We strongly support the Department of Health be consulted by the Department of Agriculture to develop a safe method and a proper destination to dispose of the collected pesticides. We champion the development and implementation of a disposal collection program which abides by the highest integrity.

It would be a helpful requirement for the Department of Agriculture to convene a steering committee to guide and oversee the disposal collection program with transparency to the community of the end disposal site.

As shown in previous pesticide violation fines, increasing the civil and criminal penalties for violators could go towards supporting the DOA, DLNR, as well as other groups responsible for protection of the environment.

We strongly support the intention of this bill.

Mahalo,
Jeri Di Pietro, President
Hawai`i SEED



HAWAII CROP IMPROVEMENT ASSOCIATION

In Support of the Intent of SB719
Relating to Pesticides

Senate Committee on Agriculture and Environment

Date: Monday, February 8, 2021
Time: 1:00 p.m.
Place: Via Video Conference

Chair Gabbard, Vice-Chair Nishihara, and members of the committee:

Thank you for allowing the Hawaii Crop Improvement Association the opportunity to provide testimony in support of the intent of SB719 which requires the department of agriculture, in consultation with the department of health, to develop and implement a one-time pesticide disposal collection program, for a duration to be determined by the department; requires the department of agriculture to convene a steering committee to guide and monitor the pesticide disposal collection program; and increases the civil and criminal penalties for violating the Hawaii pesticides law.

The Hawaii Crop Improvement Association applauds the Hawaii State Legislature for taking up this important measure to support local farmers, ranchers, responsible pesticide applicators, and communities across the State. This proposed program is a proactive step towards empowering the Hawaii Department of Agriculture (HDOA) to regulate, educate, and support Hawaii's pesticide applicators.

The Hawaii Crop Improvement Association would like to voice concerns regarding the proposed changes to the administrative and criminal penalties in Part 2, Section 4 of this measure and will defer to the opinion of the larger agricultural community at this time.

Mahalo for this opportunity to testify in support of the intent of SB719. If you have any questions, please contact me at your convenience.

Sincerely,

Emmanuel Zibakalam

Executive Director, Hawaii Crop Improvement Association

The Hawaii Crop Improvement Association is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.



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February 8, 2021

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 719
RELATING TO PESTICIDES

Via Videoconference
1:00 PM

Aloha Chair Gabbard, Vice Chair Nishihara, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau strongly supports Part 1 of SB 719, which develops and implements the Pesticide Disposal Collection Program within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of pesticides from a bona fide agricultural entity, and convenes a Program Steering Committee to guide and monitor the program.

While some of Hawaii's counties already provide for periodic *residential household* hazardous waste collection, **farmers are not eligible to participate** in these events. The majority of states/counties across the country periodically hold unwanted pesticide collection events ***specifically for farmers and ranchers*** – from the very small to the largest farms. Unfortunately, Hawaii does not. Although our isolated location and the need for numerous island collection sites make this type of program logistically complex, and costly, it would certainly benefit farmers and ranchers, and their communities.

The program is justifiable because, unlike other businesses, local farmers typically cannot pass along their costs to consumers because of competition coming from outside of Hawaii -- products grown elsewhere can be grown, imported, and sold much cheaper than those grown here.

HFB agrees that the State Advisory Committee on Pesticides should guide and monitor the pesticide disposal program. This Committee is the appropriate body to hold that role and responsibility. Its members are vetted Governor-appointees, confirmed by the

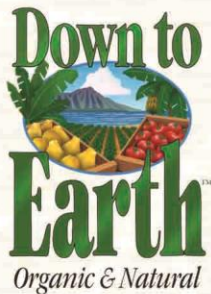
Senate, experienced in pesticide laws, regulations, and use, and include HDOA, HDOH, DLNR, the environmental community, pesticide user group representatives, and the public. They also have the farmer connections necessary to help make the program a success.

HFB would also be pleased to partner with HDOA to help with this program, as we have knowledge and experience in this area, having assisted the agency in the last agricultural pesticide disposal program conducted twelve years ago.

HFB respectfully disagrees with Part II of this bill, which would arbitrarily increase the administrative and criminal penalties, **doubling some and increasing others five-fold**. To our knowledge, there are *no* farms that intentionally violate pesticide laws and that would consider the already-significant penalties and terrible public relations as a “cost of doing business.” For the vast majority of farms in Hawaii, even the current penalties, not to mention the negative publicity, could quickly put them right out of business. We believe that a more robust pesticide education outreach effort would better serve the community and prevent violations of the complex pesticide laws.

Thank you for the opportunity to testify on this important subject and for your support of Hawaii’s farmers and ranchers.

Love Life!



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SB 719 RELATING TO PESTICIDES

Senate Committee on Agriculture and Environment, Judiciary, and Ways and Means
February 8, 2021, 1:00pm State Capitol

Aloha Sen. Mike Gabbard, AEN Chair, Clarence K. Nishihara, AEN Vice Chair, Sen. Karl Rhoads, JDC Chair, Sen. Jarrett Keohokalole, JDC Vice Chair, Donovan M. Delacruz, WAM Chair, Gilbert S.C. Keith-Agaran, WAM Vice Chair, and Committee Members,

Down to Earth Organic and Natural testifies in support of SB 719.

Down to Earth Organic and Natural has six locations on Oahu and Maui. Since we opened in 1977, we have supported healthy lifestyles and preservation of the environment by selling local, fresh, organic and natural products, and by promoting a healthy, plant-based and vegetarian lifestyle.

We are in support of SB 719. The safe disposal of pesticides is just as crucial as the close monitoring of how they are used in our communities. We urge more regulation and the use of fines when necessary to regulate and ensure documentation of pesticides from the time they are purchased, applied, and disposed.

According to the National Pesticide Information Center, after excess pesticides are dumped, they form new chemicals that may be more or less toxic than the original chemical. How long the residue lasts and the impacts in the environment for many pesticides are simply not known. By providing a safe disposal program we can prevent outdated and banned pesticides from contaminating our soil, land, and water.

Thank you for the opportunity to comment on this bill.

Alison Riggs
Public Policy & Government Relations Manager
Down to Earth

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SB-719

Submitted on: 2/3/2021 5:55:20 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Will Caron | Individual | Support | No |

Comments:

Aloha committee members,

Please support SB719, which will raise pesticide violation fines and safely create a one-time disposal of pesticides to better protect our community and environment. It is critical to our environment and health that these pesticides are not dumped into rivers, backyards and sewage facilities. The bill also authorizes the Department of Agriculture to create a threshold for the program, so only smaller scale users/farmers are eligible.

Mahalo for the opportunity to testify,

SB-719

Submitted on: 2/3/2021 5:55:55 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Blair | Individual | Support | No |

Comments:

Support.

SB-719

Submitted on: 2/3/2021 6:30:31 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| John NAYLOR | Individual | Support | No |

Comments:

Aloha,

Please no more "slaps on the wrist." The fines should be big & deter sloppy handling. The fines should be big enough to compenstate the damage to the Aina and "WE the People!"

SB-719

Submitted on: 2/3/2021 7:09:20 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ruta Jordans | Individual | Support | No |

Comments:

Please support this bill to **increase state pesticide fines and encourage the safe disposal of pesticides.**

SB-719

Submitted on: 2/3/2021 8:01:22 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kiana Otsuka | Individual | Support | No |

Comments:

Aloha,

My name is Kiana Otsuka, and I am writing in strong support of SB 719. It is important to me that we increase the administrative and criminal penalties for those who violate the Hawai'i pesticides law. Right now, the maximum fine for corporate pesticide violations is currently set at \$25,000. For multi-billion dollar corporate polluters, this amount is simply a "cost of doing business", rather than a deterrent. We need to increase the fine to create a sense of urgency to change the behavior of the polluters and stop repeat offenders. It is important to me that this bill passes, to better protect our farmworkers, communities, and the environment from pesticide misuse.

Thank you for the opportunity to submit testimony.

Mahalo,

Kiana Otsuka

SB-719

Submitted on: 2/3/2021 9:25:15 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Stathie J. Prattas | Individual | Support | No |

Comments:

Aloha Legislators:

Support.

We must enforce our laws by providing stiffer penalties for violators poisoning our land, water, and people.

Mahalo,

Stathie J. Prattas

SB-719

Submitted on: 2/3/2021 10:02:22 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sandy | Individual | Support | No |

Comments:

It is critical to our environment and health that these pesticides are not dumped into rivers, backyards, and sewage facilities.

SB-719

Submitted on: 2/3/2021 10:08:30 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Anne Thurston | Individual | Support | No |

Comments:

I fully support this bill. It will raise pesticide violation fines and help to protect our community and our environment so that pesticides are not dumped into sewage facilities and rivers, which presents high risks for all of us.

SB-719

Submitted on: 2/3/2021 10:48:45 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Cory Harden | Individual | Support | No |

Comments:

Aloha legislators,

Please increase penalties to where they are no longer just a cost of doing business, but a real deterrent.

mahalo, Cory Harden

SB-719

Submitted on: 2/4/2021 12:48:57 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| B.A. McClintock | Individual | Support | No |

Comments:

Please support this important bill.

SB-719

Submitted on: 2/4/2021 8:29:05 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| James Long | Individual | Support | No |

Comments:

Please pass this important piece of legislation, SB719, which will help protect our natural environment.

Thank you,

James Long

SB-719

Submitted on: 2/4/2021 8:44:27 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Carl J. Berg | Individual | Support | No |

Comments:

As a scientist studying water pollution in Hawaii, I documented the presence of pesticides in our stream and ditch waters. With students we also identified the spread of pesticides and heavy metals from ag fields into the general environment by using bees as bio-monitors.

Pesticide violations have been shown to occur on state lands administered by the ADC.

I strongly support an increase in fines to act as a deterrent to pesticide mis-use and the one-time disposal of pesticides so that they do not end up in our waters.

Carl J. Berg, Ph.D. ecologist

SB-719

Submitted on: 2/4/2021 9:55:43 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Melissa Barker | Individual | Support | No |

Comments:

Honorable Committee Member,

Please support SB719 which will increase pesticide violation fees and create a pesticide disposal program.

Thank you,

Melissa Barker 6230C Hauiki Road Kapaa, HI 96746

SB-719

Submitted on: 2/4/2021 11:48:41 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Davene Januszewki | Individual | Support | No |

Comments:

Aloha!

After living in Kekaha from June 2010-July 2011, on the west side of Kauai, after about 4 or 5 months my husband and I both noticed we were experiencing strange ailments. I was getting bad headaches and sick for no reason at all just felt sick and lacking energy. My husband, who had a pre-existing condition, started to deteriorate very quickly only after moving to the west side.

Our daughter then started a job with Papayas, an organic grocery here on Kauai, and we found out about all the horrifying chemicals that are being sprayed on the west side!!! Horrifying!! Mostly because the companies refused to tell us what they were spraying so when we went to the ER could tell them and get the correct treatment.

It then comes to our attention that the school in Waimea has twice been evacuated. These companies are making our kids sick and you stood by and did nothing until you were forced.

On top of the dire statistics about how much incredibly higher, the cancer rates are for residents of the west side. (It's really sad that you people don't just do this and I have to write this it's really reprehensible. Why wouldn't you put the health and safety of your constituents first? Why?)

Unfortunately, the mayor at the time and other legislators thought it was more important to have these unethical killers on the island spraying poison all over everyone - including our children! Your decisions are literally poisoning the future. With Hawaiian politicians', namely Carvalho's, permission and blessing! But now he has a really nice \$2M house - isn't he lucky and isn't my husband's life shortened due to what was allowed and is continuing to happen here in Hawaii. It's disgraceful.

If you geniuses down there would increase the fines to \$500,000.00, YES a half a million dollars for each and every infraction. Or are our lives not worth that? Maybe you could get the Hawaiian economy back online but instead, Ige, Carvalho, and the like are getting wealthy.

It really is astonishing to me that you people have not already done this and you need me to tell you what the ethical choice is, very sad.

With all sincerity, mahalo for your attention.

Davene Januszewski

Kalaheo, HI 808-482-0076

SB-719

Submitted on: 2/4/2021 4:16:47 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| jessica hernandez | Individual | Support | No |

Comments:

We need to protect the land and the people--not corporate polluters. Pesticide violations have significant ramifications and the current fine system allows corporations to not have to care or think about their actions. I support this bill because we need to make sure corporations are held accountable for their actions and suffer consequences that will ensure they don't reoffend.

SB-719

Submitted on: 2/4/2021 6:43:35 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Roger Harris | Individual | Support | No |

Comments:

Aloha.

Please support the passage of this bill.

SB-719

Submitted on: 2/4/2021 8:49:55 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Momi Ventura | Individual | Support | No |

Comments:

Alohamai My Name Is R.Momi Ventura, I Currently Live In Kihei And Support SB 719, I Am Half Hawaiian And Am Concerned With The Pollution Of Hawai'i Nei's Lands, Oceans And Air Quality. These Islands Have Been Pushed Beyond It's Capacity To Clean Itself, It's Polluted Without Punishment.??

SB-719

Submitted on: 2/5/2021 9:48:19 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| minda goodman | Individual | Support | No |

Comments:

I support both SB719 and SB499.

We have the knowledge and technology for safe, healthy, and sustainable farming/living practices and they are *inexpensive*.

Please dont allow these company to continue to abuse the aina and its people. (ie:2019 Monsanto/Bayer **pleaded guilty** to using an illegal banned pesticide.)

Where were the Monsanto/Bayer people and their families when they decided to **knowingly** poison us?

SB-719

Submitted on: 2/5/2021 11:53:47 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Valerie Weiss | Individual | Support | No |

Comments:

I am insupoort of increased fines for pesticide violations and I support the proper disposal of pesticides and providing what is required to be sure that takes place.

SB-719

Submitted on: 2/5/2021 4:44:14 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Nanea Lo | Individual | Support | No |

Comments:

Hello,

My name is Nanea Lo and I'm writing in support of SB719.

SB 719 will raise pesticide violation fines (see talking points for SB 499) and safely create a one-time disposal of pesticides to better protect our community and environment. It is critical to our environment and health that these pesticides are not dumped into rivers, backyards, and sewage facilities.

The bill authorizes the Department of Agriculture to create a threshold for the program so only smaller scale users/farmers are eligible.

Please support this bill.

me ke aloha 'Ä• ina,

Nanea Lo

SB-719

Submitted on: 2/6/2021 4:22:17 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Anne Miller | Individual | Support | No |

Comments:

Dear Senators,

Please support the passage of SB 719 to provide for safe disposal of pesticides to protect our environment from improper dumping of toxins into our soils (and groundwater and beaches and oceans). We live in and are affected by whatever chemicals are dumped into our ecosystem.

I know personally the horrible effects of pesticide on our bodies. I suffered organophosphate poisoning in 1991 by a company's improper use of a termiticide (chlorpirifos in a petroleum solvent) and have suffered lasting negative health consequences since then. Please protect our precious aiina and our communities.

Mahalo for supporting and paying diligent attention to this bill.

Anne Miller

SB-719

Submitted on: 2/7/2021 11:00:09 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dan Gardner | Individual | Support | No |

Comments:

Dear Senator Chang - Our thanks to you for sponsoring this valuable legislation that will make our environment safer for years to come. The State of Hawaii will be a better place not only for my wife and I, but for our children and grandchildren to live as a result of this legislation being enacted.

SB-719

Submitted on: 2/7/2021 11:12:01 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mary Lacques | Individual | Support | No |

Comments:

Aloha Chair Gabbard, Vice Chair Nishihara and Members of the Committee, I am submitting testimony in strong SUPPORT of SB 719 which signifies a proactive effort for genuine regulation and oversight of the improper disposal of pesticides, which have for decades had a devastating effect on Hawaii's fragile ecosystem.

The Department of Agriculture Chairperson Phyliss Shimabukuro-Geiser's testimony in support of Companion Bill HB 779 made it abundantly clear that the department's awareness of "a number of growers with excess products that are not able to be safely stored, transported, or used," and "The need for an agricultural pesticide disposal program in Hawaii is imminent and essential to the safety of Hawaii's people and the environment," probably represents just the tip of the iceberg in determining the scope of this serious problem.

I am also in strong support of increasing the maximum fines for pesticide use violations because it will undoubtedly create more robust pesticide education programs and will undoubtedly create a meaningful deterrent for pesticide applicators.

SB-719

Submitted on: 2/7/2021 11:52:37 AM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Keisa Liu | Individual | Comments | No |

Comments:

My name is Keisa Liu and I would like to support this bill but I am a little lost on where the disposed pesticides will go. Will we be shipping them to a different state? Will we be holding the pesticides in one location? Where would they be?

I believe there should be a safe way to dispose of pesticides so that they do not harm our land, water, animals, plants or people. But I am not convinced that this will actually be done.

SB-719

Submitted on: 2/7/2021 9:29:29 PM

Testimony for AEN on 2/8/2021 1:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Laura Michele | Individual | Support | No |

Comments:

I support this bill, especially after what has occurred in the past-

In 2016 and 2017, Syngenta failed to adhere to pesticide use instructions on Kaua'i exposing farmworkers to the now banned neurotoxin, chlorpyrifos. This led to the hospitalization of ten farmworkers

and In 2019, Monsanto/Bayer pleaded guilty to using an illegal banned pesticide, PennCap-M, on Maui and Moloka'i. This is linked to impaired neurological development, chronic fatigue syndrome, and Parkinson's disease

We need to confront and address these problems or it will only get worse. we need to work together to create safe environments for our island. I support this bill.

Thank you for your time.