# TESTIMONY SB 701 SD 2 LATE

From:

Hanalei Y. Aipoalani [haipoalani@yahoo.com]

Sent:

Thursday, February 26, 2009 2:29 PM

To:

WTLTestimony

Cc:

Rep. Karen Awana; Todd Apo; Sen. Colleen Hanabusa; Rep. Maile Shimabukuro

Subject: Support SB701 -- Relating to a Landfill Moratorium

Thursday, February 26, 2009

Hawaii State Senate Water, Land, Agriculture and Hawaiian Affairs Committee



Dear Committee Chair and Members:

Aloha no!

I write to urge your support and passage of SB701; a bill relating to a Landfill Moratorium.

Leeward O'ahu residents and businesses have endured unnecessary landfilling for decades.

Sadly, in one particular instance, the associated consequences of poor choice of site location (state land in Nanakuli leased to private Japanese entity) coupled with lack of oversight (Dept. of Health) resulted in many individuals contracting unknown, life threatening upper-respiratory ailments. Leeward O'ahu residents and business owners alike will not allow this act of genocide to repeat itself.

The health and public safety of Hawaii's people should be a priority of our elected officials and should not be compromised for selfish reasons. It is due time to effect change by incorporating and utilizing sound, applicable technology that will readily compliment the foot-print of Waimanalo Gulch Sanitary Landfill or landfilling at another site (i.e. Kapa'a Quarry) requiring back-fill.

In order to realize change, however, your committee and then colleagues in both chambers must stand united in passing SB701 and its House companion bill, relating to a Landfill Moratorium.

I thank you for your time and look forward to a favorable outcome.

Warm regards,

Hanalei

Mr. Hanalei Y. Aipoalani 89-308 Mokiawe Street Waianae, Hawaii 96792 (808) 351-3989 Senator Clayton Hee, Chair, Committee on Water, Land, Agriculture, and Hawaiian Affairs

Friday, February 27, 2009 2:45 p.m., Conference Room 229



Testimony in **Opposition** to SB 701 SD2 (Proposed)

Aloha Chair Hee and members of the committee:

My name is Cynthia K.L. Rezentes and I am a concerned resident of the Wai`anae Coast.

While I believe that there needs to be a moratorium on **ALL** new landfills or expansions of current landfills on the Leeward Coast, including Waimanalo Gulch Sanitary Landfill, this bill does not do that.

I would encourage two modifications to the bill be adopted:

- 1) extend the intent of restricting future landfills on the Leeward Coast to include all landfills, including solid waste landfills, and
- include the entire Leeward Coast from Waimanalo Gulch to Kaena Point, inclusive.

These modifications would strengthen the bill in further clarifying the type of landfills that are covered under this bill and also eliminate confusion as to what areas of the coast this bill applies to.

For example, the commonly recognized area of Nanakuli is **not** the same area as the traditional ahupua`a of Nanakuli. In addition, the ahupua`a/valley of `Ohikilolo is one of the top eight sites for a landfill placement for the City and County of Honolulu and is not identified in your listing but is on the Leeward Coast near Makua.

Therefore, without these modifications, I urge you to HOLD this bill.

From: Sent:

Clara [cbatongbac01@hawaiiantel.net] Friday, February 27, 2009 9:28 AM

To: Subject: WTLTestimony SB701 RELATING TO LANDFILLS



Senator Mike Gabbarb, Chair, Committee on Energy and Environment Senator J. Kalani English, Chair, Committee on Transportation, International and Intergovernmental Affairs

Friday, February 27, 2009 2:45 P.M. Conference Room 229

Testimony NOT IN SUPPORT OF SB 701 (as presently written)

Chairs Gabbarb and English and Members of the Committee:

My name is Clarentia L. Batongbacal and I am a concerned elder who resides on the Waianae Coast. The general intent of SB 701 to place a moratorium on any future landfills on the leeward coast and references only municipal solid waste landfills is not acceptable. This bill should reference all types of landfills including construction and demolition debris landfills, composting landfills, bio-hazard landfills, and so forth.

The areas mentioned Nanakuli, Waianae, Maili, Makaha and Makua is too restrictive to the common locations. Instead, it should cover the area as a whole from Makaiwa Gulch to Kaena and make sure that there is an understanding that these areas include the boundaries beginning from the seashore on upwards to the top of the mountain ridges.

I feel that this bill as it stands lack clarity and invites entities to maneuver around the language of the bill to bring other types of unwanted landfills that would negatively impact the health concerns and environmental concerns of our Leeward Coast residences.

Also, because of several conflicting interpretations of boundaries the exist on the Leeward Coast, we should include the whole of the area as I have suggested.

This is my testimony of non-acceptance of this bill as it is presently written and hope you will make the necessary changes.

Senator Clayton Hee, Chair To:

Committee on Water, Land, Agriculture and Hawaiian Affairs

Hawaii State Capitol, Room 228

RE: SB 701, SD1-Relating to Landfills

Testimony Opposing SB 701

February 26, 2009

Dear Chair Hee and Members of the Committee,

I DO NOT support SB 701. This will impact all businesses related to construction and demolition. Support of this measure will result in increased tipping fees required at the city landfill. Shipping solid waste would be dangerous and impractical. This bill can only hurt business during harsh economic times.

Name of Company Pineridae Farms Inc Signature:\_\_\_

Senator Clayton Hee Chair, Committee on Water, Land, Agriculture and Hawaiian Affairs Hawaii State Capitol, Room 228

Re:

S.B. No. 701, SD1-Relating to Landfills

Hearing: Friday, February 27, 20090 at 2:45pm, Room 229

Dear Chair Hee and Members of the Committee;

Testimony AGAINST SB 701

February 26, 2009

We at Concrete Coving to Harai DO NOT support SB 701. The bill proposes to prohibit the donstruction of new and expansion of existing solid waste landfill facilities in the areas of Nanakuli, Waianae, Maili, Makaha and Makua, Oahu after August 1, 2009.

We oppose this measure because it would be detrimental to businesses involved in construction, demolition, collection, hauling, management treatment and/or disposal of solid waste.

Signed:

IN Q-MOST DIV. HANDERE

FEB. 27. 2009 7:02AM

Sergeant at Arms
Senate Committee on Water, Land, Agriculture and
Hawaiian Affairs
Senator Clayton Hee

S. B. 701, Relating to Landfills

I am AGAINST S.B. NO 701. If no new landfills are allowed to be built or constructed, where are we to dump our rubbish? Are there any other alternatives that are realistic and feasible? Shipping? How many barges will be needed to ship construction debris? Is it ethical to send our trash to be dumped on other states? So much for aloha. The cost will be prohibitive. Construction will come to a halt in Hawaii immediately. Nobody will invest in construction in Hawaii because of high costs and unemployment will skyrocket. Many people will be forced to leave the state.

If this bill should ever become law, the only new construction will be grass shacks with rubbish dumped illegally all over our beautiful aina.

Aloha.

Scott Smentek

866 Leighton St. HNL, HI 96821 (808) 341-4015 C

Sergeant at Arms Senate Committee on Water, Land, Agriculture and Hawaiian Affairs Senator Clayton Hee S. B. 701, Relating to Landfills

In Opposition to SB 701, Relating to Landfills

It will affect the continued operation of the PVT landfall, which will impact myself and the company I work for adversely with greatly increased costs or leave us with nowhere to dispose of our wastes. This bill proposes to prohibit the construction of new or existing solid waste landfills on the Leoward coast. We already have to compete with companies that dispose of their waste illegally along the Loeward Coast. We feel that this bill will only encourage more illegal dumping and possibility leave me without a job.

I believe that this bill is inappropriate and will have unintended consequents for myself and the entire island.

Jin Wilkinson, Wilkinson SHAKE Rocking

**672,4** 

02/27/2009 07:34 808-8410219

FEB. 26. 2009 2:22PM

NO. 147 P. 4/6



Sergeant at Arms
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
Senator Clayton Hee
S. B. 701, Relating to Landfills

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Sincerely,

Signed:

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Senate Committee on Water, Land, Agriculture and
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If this bill should ever become law, the only new construction will be grass shacks with rubbish dumped illegally all over our beautiful aina.

Aloha,

Sergeant at Arms Senate Committee on Water, Land, Agriculture and Hawaiian Affairs Senator Clayton Hee

S. B. 701, Relating to Landfills

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This bill proposes to prohibit the construction of new or existing solid waste landfills on the Leeward coast. It will affect the continued operation of the PVT landfill, which will impact our company adversely with greatly increased costs or leave us with nowhere to dispose of our wastes. At best we will be faced with a 10X increase in costs in an area where we already have to compete with companies that dispose of their waste illegally along the Leeward Coast. We feel that this bill will only encourage more illegal dumping and drive our costs up, which we will then have to pass along to our customers.

We believe that this bill is inappropriate, costly, and will have unintended consequents for the entire island.

Sincerely,

Sign: Soy

Company: United Insulation, LLC

Affairs ESTIMONY

Sergeant at Arms
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
Senator Clayton Hee

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Sincerely,

Company:

nitiek Contrading Group

02-27-'09 09:11 FROM-FEB. 26. 2009 2:23PM



Sergeant at Arms Senate Committee on Water, Land, Agriculture and Hawaiian Affairs Senator Clayton Hee

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Sincerely,

Sign:

Company: Unitex Technical Serv-Marthme



1176 Sand Island Parkway ▼ Honolulu, Hawaii 96819 Tel (808) 843-0500 Tex (808) 843-0067 Contractor's License ABC-14156

February 27, 2009

p. 1

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Sincerely,

Aardn M. Yahiku, P.E.

Project Manager

LATE TESTIMONY

Sergeant at Arms
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
Senator Clayton Hee
S. B. 701, Relating to Landfills

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Sincerely,

Signed: Luty Nahu

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Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
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Sincerely,

To: Senator Clayton Hee, Chair Senator Jill N. Tokuda, Vice-Chair

Hearing: February 27, 2009

Measure: HB 701 SD1

# LATE TESTIMONY

#### RESERVATION ON HB 701 SD1

Aloha e;

My name is Alice U. Greenwood. I, Concern Elders of Waianae and Friends of Ulu Ke KuKui, have some deep concerns towards this bill.

This measure SB 701 SD1-2 does nothing to achieve justice, environmental justice that is, for the people of Waianae!!

We have for over 100 years served as the final resting place for the waste produced by Honolulu's citizen, businesses, industries, and visitors.

Consider the following suggestions on how to make this measure better!!

First, the exclusionary zone where the moratorium shall apply is incomplete identifying all areas of the Leeward Coast....

For example, the measure leaves out Ohikilolo and Lualualei, two locations where landfill could be sited. On the other hand, it includes Makaha where, for economic and political reasons, no landfill would ever see the light of day. Some may argue that the private landfill at Nanakuli "B" is in Nanakuli. Others may say that Nanakuli "B" is in Maili. According to this government documents, Nanakuli "B" is in Lualualei!! Lualualei is not listed as among those areas where landfills shall be banned, which neighbors our prime Agriculture lands.

Second, the measure does not prohibit the establishment of construction and demolition, waste processing and disposal operations and inert landfills. Nor does it prohibit the permanent disposal of coal ash in landfills. Land disposal of waste will not enhance the economy in Waianae, nor will it promote social equity. Based on the 2000 U.S. Census Bureau data for Oahu County, the greatest number and proportion of Native Hawaiians and most economically disadvantaged individuals in the county live in Waianae. They have the highest risk to harmful and environmental hazards. One out of Seven Native Hawaiians lives near toxic waste sites, compared to one in fifty Asians and one in forty Caucasians. So it's understandable when Waianae residents claim that landfill settings are another form of institutional racism, they believe it.

Mahalo for your kind understanding;
Alice U. Greenwood, Concern Elders of Waianae, etc.

From:

Glenn Nohara [gnohara@kogaeng.com] Friday, February 27, 2009 1:56 PM

Sent:

WTLTestimonv

To: Subject:

Testimony opposing SB701, SD1 Relating to Landfills

Attachments:

Koga Logo 1 small.jpg

TATE TESTIMONY To: The Honorable Senator Clayton Hee and the Senate Committee on Water, Land, Agriculture.

and Hawaiian Affairs

Hearing Date: February 27, 2009

Time: 2:45 P.M.

Place: Conference Room 229

Re: SB701, SD1 Relating to Landfills

Dear Chair Hee and Members of the Committee on Water, Land, Agriculture and Hawaiian Affairs:

My name is Glenn Nohara, president of Koga Engineering & Construction, Inc., a sitework construction company. We have been in business in Hawaii for over 35 years and employ 100 people.

We strongly oppose SB701, SD1 Relating to Landfills. This bill would put a moratorium on landfill expansion on the Leeward coast after August 1, 2009. We can see the validity of preventing any new landfills, but to stop the expansion of the existing landfills would be devastating to the already struggling construction industry. There will be no other practical solution to handle construction demolition and waste on Oahu other than to ship it off island, which will further increase the cost of construction at a time when Hawaii's people can ill afford it.

Thank you for the opportunity to testify.

Sincerely, Glenn Nohara

Phone: (808) 842-9302 Cell: (808) 479-7468 Fax: (808) 845-3742

Email: gnohara@kogaeng.com

Website: www.KogaEngineering.com

Shink Sitework . . . Say Koga!



1065 Ahua Street Honolulu, HI 96819

Phone: 808-833-1681 FA

FAX: 839-4167

Email: info@gcahawaii.org Website: www.gcahawaii.org



LATE TESTIMONY

February 27, 2009

TO:

THE HONORABLE SENATOR CLAYTON HEE, CHAIR AND MEMBERS

OF THE COMMITTEE ON WATER, LAND, AGRICULTURE AND

**HAWAIIAN AFFAIRS** 

SUBJECT:

S.B. 701, SD1, RELATING TO LANDFILLS

#### **NOTICE OF HEARING**

DATE:

Friday, February 27, 2009

TIME:

2:45 p.m.

PLACE:

Conference Room 229

Dear Chair Hee and Members of the Committee on Water, Land, Agriculture and Hawaiian Affairs:

The General Contractors Association (GCA), an organization comprised of over five hundred and sixty (560) general contractors, subcontractors, and construction related firms, <u>opposes</u> the passage of S. B. 701, SD1, Relating to Landfills.

S. B. 701, SD1, if enacted will prohibit the construction of new landfill or the expansion of existing landfill in the Leeward coast. The GCA is opposed to the passage of this bill because our members will have no legitimate facility to send construction and demolition materials except existing facilities that are close to capacity. We are very concerned that this bill if passed will increase the cost of construction for our members and will increase the illegal dumping throughout Oahu.

The GCA is opposed to the passage of S. B. 701, SD1 and recommends that this bill not be passed.

Thank you for the opportunity to provide our views on this issue.

#### Testimony Presented Before the

Senate Committee on Water, Land, Agriculture, and Hawaiian Affairs

February 27, 2009 at 2:45pm

by

Andrew G. Hashimoto

LATE TESTIMONY

SB 709, SD 1 - RELATING TO AGRICULTURE

Chairperson Hee, Vice Chair Tokuda, and Members of the Committee:

My name is Andrew Hashimoto, and I serve as Dean and Director of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources (CTAHR). I am pleased to provide personal testimony on SB 709, SD 1. This testimony does not represent the position of the University of Hawaii or CTAHR.

The purpose of Senate Bill 709, Senate Draft 1 is to protect taro by establishing a ban on developing, testing, propagating, releasing, importing, planting, and growing genetically modified taro in the State of Hawaii.

I am opposed to SB 709, SD1. As written, the measure is too restrictive. It proposes a broad-scale ban not only Hawaiian taro but now includes a ban on <u>all</u> transgentic taro research in the State.

Out of respect for the cultural significance of Hawaiian taro, CTAHR agreed not to conduct any transgenic research on Hawaiian taro. We have honored that agreement and will continue to do so.

There are other places in the Pacific Basin, however, that are concerned with the effects disease and other threats on taro. We would like to continue to provide aid and research on these non-Hawaiian taro varieties. To be prevented from conducting any research on taro would be a great disserve to our clients and to our obligations as a land grant university, and may eventually affect the future availability of taro.

I recommend that amendments proposed by the University in separate testimony be considered to improve this bill.

Thank you for the opportunity to testify on this bill.

NO. 168 P. 2/

## LATE TESTIMONY

Sergeant at Arms
Senate Committee on Water, Land, Agriculture and
Hawaiian Affairs
Senator Clayton Hee

S. B. 701, Relating to Landfills



I am AGAINST S.B. NO 701. If no new landfills are allowed to be built or constructed, where are we to dump our rubbish? Are there any other alternatives that are realistic and feasible? Shipping? How many barges will be needed to ship construction debris? Is it ethical to send our trash to be dumped on other states? So much for aloha. The cost will be prohibitive. Construction will come to a halt in Hawaii immediately. Nobody will invest in construction in Hawaii because of high costs and unemployment will skyrocket. Many people will be forced to leave the state.

If this bill should ever become law, the only new construction will be grass shacks with rubbish dumped illegally all over our beautiful aina.

Aloha,

NO. 168 P. 3/7

LATE TESTIMONY

Screeant at Arms
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs
Senator Clayton Hee
S. B. 701, Relating to Landfills

FAXED MAR 02 7009

In Opposition to SB 701, Relating to Landfills

It will affect the continued operation of the PVT landfill, which will impact myself and the company I work for adversely with greatly increased costs or leave us with nowhere to dispose of our wastes. This bill proposes to prohibit the construction of new or existing solid waste landfills on the Leeward coast. We already have to compete with companies that dispose of their waste illegally along the Leeward Coast. We feel that this bill will only encourage more illegal dumping and possibility leave me without a job.

I believe that this bill is inappropriate and will have unintended consequents for myself and the entire island.

Sincerely,

HAMPIAN STEAM II

HAWAIIAN STEAM INC.

NO. 168 P. 4/7

LATE TESTIMONY

To:

Senator Clayton Hee, Chair

. Committee on Water, Land, Agriculture and Hawaiian Affairs

Hawaii State Capitol, Room 228

RE:

SB 701, SD1-Relating to Landfills

FAXED MAR 02 2009

Testimony Opposing SB 701

February 26, 2009

Dear Chair Hoo and Members of the Committee,

I DO NOT support SB 701. This will impact all businesses related to construction and demolition. Support of this measure will result in increased tipping fees required at the city landfill. Shipping solid waste would be dangerous and impractical. This bill can only hurt business during harsh economic times.

Name of CompaniAWAIAN STEAM INC.

Signature:

NO. 168 P. 6/

LATE TESTIMONY

Senator Clayton Hee Chair, Committee on Water, Land, Agriculture And Hawaiian Affairs Hawaii State Capitol, Room 228

8084567664

FAXED MAR 02 2009

Re:

S.B. No. 701, SD1-Relating to Landfills

Hearing: Friday, February 27, 2009 at 2:45pm, Room 229

Dear Chair Hee and Members of the Committee;

I am against SB701, it is not a practical solution to landfill issues. It will create greater problems with health and safety issues on the island of Oahu if landfills are prohibited from construction and expansion. It was the Blue Ribbon Committee that decided that landfills were most appropriate in their present locations. Stopping the continued use of these facilities will hurt many related businesses such as construction, collection and hauling. Where will they put the rubbish generated by the new rail system?

HAWAIIAN STEAM INC.

February 26, 2009

LATE TESTIMONY

NO. 168 P. 5/7

Senator Clayton Hee Chair, Committee on Water, Land, Agriculture and Hawaiian Affairs Hawaii State Capitol, Room 228

FAXED MAR 02 2009

Re:

S.B. No. 701, SD1-Relating to Landfills

Hearing: Friday, February 27, 20090 at 2:45pm, Room 229

Dest Chair Hee and Members of the Committee;

Testimony AGAINST SB 701

February 26, 2009

STEAM INC. DO NOT support SB 701. The bill proposes to prohibit the construction of new and expansion of existing solid waste landfill facilities in the areas of Nanakuli, Waianae, Maili, Makaba and Makua, Oahu after August 1, 2009.

We oppose this measure because it would be detrimental to businesses involved in construction, demolition, collection, hauling, management treatment and/or disposal of solid waste.

Signed;

LATE TESTIMONY

Sergeant at Arms Senate Committee on Water, Land, Agriculture and Hawaiian Affairs -Senator Clayton Hee FAXED MAR. 02 7009

NO. 168

S. B. 701, Relating to Landfills

In Opposition to SB 701, Relating to Landfills

This bill proposes to prohibit the construction of new or existing solid waste landfills on the Leeward coast. It will affect the continued operation of the PVT landfill, which will impact our company adversely with greatly increased costs or leave us with nowhere to dispose of our wastes. At bost we will be faced with a 10X increase in costs in an area where we already have to compete with companies that dispose of their waste illegally along the Leeward Coast. We feel that this bill will only encourage more illegal dumping and drive our costs up, which we will then have to pass along to our customers.

We believe that this bill is inappropriate, costly, and will have unintended consequents for the entire island.

Sincerely,

Company AWAIIAN STEAM INC

# TESTIMONY SB 701 SD 2 LATE (END)