



**Ka Moku'aina 'O Hawai'i Aha Moku O Pae'Aina**

**State of Hawai'i Aha Moku**

**P. O. Box 621**

**Honolulu, Hawaii 96809**

Testimony of the Hawaii State Aha Moku

Before the House Committee on

Water and Land

Thursday, February 2, 2023

9:30 a.m.

Conference Room 430 & Videoconference

**IN SUPPORT of House Bill 245**

Relating to Vessels

House Bill 245 prohibits a vessel from being fumigated on ocean waters. It allows an owner whose vessel is required to be fumigated on ocean waters to apply for an exemption from the Division of Boating and Ocean Recreation (DOBOR). It requires any vessel granted an exemption to be fully covered and sealed while being fumigated and for any period of time thereafter needed to prevent fumigant or other chemicals from entering ocean waters.

**The Hawaii State Aha Moku (Aha Moku) supports this measure.**

The ocean waters that surround the Pae'Aina, the islands of Hawaii are incredibly important to the native Hawaiian community of the State of Hawaii. Traditionally, the Pae'Aina encompasses eight (8) main Hawaiian Islands, forty-six Moku and 606 Ahupua'a. Each of these land districts depend upon their surrounding ocean waters, its currents and the marine life that in turn, is dependent upon the land resources to be sustainable. The balance of an ecosystem is reliant on the health of the ocean. Keeping chemicals and fumigants out of our pristine ocean waters is critically important to the host culture of Hawaii, and to the Public Trust – the residents of Hawaii Nei.

We believe that DOBOR can keep the ocean environment clean and safe for the people of Hawaii by making sure that vessels that must be fumigated are properly permitted or prohibited to do so on ocean waters. We ask that this measure, HB 245 be adopted by this committee.

Respectfully,

Leimana DaMate, Luna Alaka'i/Executive Director

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*Pae'Aina: Moku O Keawe, Moku O Piilani, Moku O Kanaloa, Nana'i Kaula, Moloka'i Pule O'o, Moku O Kakuhihewa,  
Manokalanipo, Ka'Aina O Kawelonakala*



# HAWAII PEST CONTROL ASSOCIATION

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February 2, 2023

Testimony To: House Committee on Water & Land  
Representative Linda Ichiyama, Chair

Presented By: Tim Lyons, CAE  
Executive Director

Subject: H.B. 245 – RELATING TO VESSELS.

Chair Ichiyama and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association and we are opposed to this bill.

First, we would like to say that this is a very sensitive area and that most people are generally not familiar with the “science” of fumigation but only see a tarp covering something; so whatever is in there must not be good!

On the contrary, the substances used for fumigation are highly regulated by the U.S. Environmental Protection Agency. Typically, approved pesticides are in study, evaluation and

the approval process for up to 3 – 5 years before being used. In this case, the materials being used are longstanding and have been used safely in order to fumigate homes, vessels and even furniture for years with very little consequence.

It is important to understand that the fumigation occurs as a result of inducing gas (lighter than air) and then trying to hold that gas in so it can have an effect on the pest involved, generally termites and bed bugs.

We are aware of an instance where this became an issue and DLNR originally was alarmed that sulfuryl fluoride would be highly toxic to aquatic life however after consultation with the Department of Health, the Department of Agriculture and the Department of the Attorney General it was discovered that this material is in fact authorized by EPA to use for fumigation of boats on the water with a caveat that it be used in accordance with the label. In the pesticide world, the label is the law and the label instructs exactly how the product is to be used including requirements for it being fully covered and sealed and the amount of fumigant to be used. EPA determined in this case that the fumigant was safe and appropriate to be used. Additionally, for a touch of scientific information, it should be noted this gas does not dissolve well in water and it does not pose a threat to aquatic life if it is used properly. Those were the conclusions of DLNR in this instance.

We would also suggest to you that the immediate impact is on boat owners who would have to pay and wait for dry dock facilities while the termites are chewing away on their expensive boat.

Because this area is already highly regulated and because there does not appear to be any safety questions to either people or aquatic life, we oppose this bill.

Thank you.