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TESTIMONY IN OPPOSITION OF SB 3011, SD2

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Gregg Takayama, Vice Chair

Friday, March 15, 2024, 2:00 pm

Conference Room 325 & Videoconference

Honorable Chair Tarnas, Honorable Vice Chair Takayama, and Members of the Committee on Judiciary & Hawaiian Affairs, the Hawai'i County Department of Parks and Recreation submits the following in OPPOSITION of SB 3011, SD2.

This Bill makes it unlawful for any entity or agent thereof to operate a weed whacker in or within one hundred feet of a residential zone, except between 8:00 a.m. and 7:00 p.m. on most days. Provides exceptions for government entities and agents acting on behalf of government entities during emergencies. Defines weed whacker.

I am writing to express our OPPOSITION to SB3011 SD2, which seeks to restrict the operation of leaf blowers and weed whackers during certain hours. As the Director of Hawai'i County Parks and Recreation, I believe this Bill, if enacted, will have detrimental effects on our ability to maintain the vast network of parks and recreational facilities across Hawai'i Island.

Currently, under HRS 342F-30.8, government entities, including our Parks and Recreation Department, are exempt from certain restrictions on the operation of landscaping equipment. This exemption is crucial for us to effectively manage and maintain over 300 park facilities that are open to the public seven days a week.

The proposed Bill would limit the exemption for government entities only to emergencies as defined in HRS 127A-2, effectively prohibiting the use of leaf blowers and weed whackers during regular operational hours. This change would severely impact our ability to provide clean, safe, and enjoyable spaces for the residents and visitors to County parks on Hawai'i Island.

Our parks typically open at 7 am, and we operate with a minimal workforce to handle the extensive maintenance needs to ensure our park facilities are at the highest standards when users arrive. Utilizing leaf blowers and weed whackers during these early hours is essential for

preparing the facilities for public use and ensuring their upkeep. Restricting the hours during which we can conduct maintenance activities will undoubtedly strain our operations and compromise the quality of our parks.

Moreover, maintaining well-groomed parks not only enhances the overall experience for visitors but also contributes to public safety and environmental conservation. Regular maintenance helps prevent the accumulation of debris and invasive plant species, mitigates fire hazards, and preserves the natural beauty of our landscapes.

We understand the concerns regarding noise and environmental impact associated with landscaping equipment. However, it's essential to strike a balance between environmental stewardship and practical maintenance needs. Our department is committed to implementing sustainable practices and minimizing disturbances to the community while fulfilling our responsibility to manage public spaces effectively.

Therefore, we urge the committee to reconsider the proposed amendment to HRS 342F-30.8 and maintain the current exemption for government entities. This will enable us to continue our essential maintenance operations and uphold the highest standards of our parks and recreational facilities.

Thank you for considering our perspective on this matter.

For the foregoing reasons, the Hawai'i County Department of Parks and Recreation OPPOSES the passage of SB 3011, SD2. Thank you for the opportunity to testify on this matter.

SB-3011-SD-2

Submitted on: 3/12/2024 4:26:53 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen Hilton	Windward Coalition	Support	Written Testimony Only

Comments:

- The Windward Coalition supports **SB 3011** pertaining to **Weed Whackers**. We support this bill because for the following reasons:
- Noise reduction: It should significantly reduce noise pollution in residential areas, promoting a quieter and more peaceful environment for residents. The adverse medical and psychological effects of loud noise have been well documented in the medical literature.
- Environmental protection: these machines can unintentionally harm wildlife and contribute to air and soil pollution.
- Safety enhancement: Restricting the use of weed whackers to daylight hours can improve safety by ensuring better visibility for operators, reducing the risk of accidents or injuries.
- Quality of life improvement: Residents will enjoy a higher quality of life with less disturbance from the noise and possible fumes generated by weed whackers.

Mahalo,

Eileen Hilton, President

Windward Coalition

SB-3011-SD-2

Submitted on: 3/12/2024 4:12:16 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leonard Rossoff	Individual	Support	Written Testimony Only

Comments:

- 03/12/2024
- I support SB 3011 pertaining to Weed Wacker Noise. I support this bill as it will reduce environmental noise during the evenings and night when such noise would most adversely affect residents. It will promote better social interaction, general quality of life, cognition especially on the part of students doing their homework, and the quality of sleep. The adverse physical and psychological effects of such noise are well documented.

L.J. Rossoff, MD

Kaneohe

SB-3011-SD-2

Submitted on: 3/12/2024 5:03:44 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Comments	Written Testimony Only

Comments:

Not everyone in Hawai'i is a 9a to 5p person. You need a smaller window of time e.g. 11a to 3p. This is enough time to get even a large project finished. I say this even though this is a time slot when I personally sleep but am willing to compromise on.

SB-3011-SD-2

Submitted on: 3/12/2024 5:14:39 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Smith	Individual	Support	Written Testimony Only

Comments:

I support SB3011, but I would rather see a stronger measure. Prohibiting leaf blowers and weed wackers during the hours of darkness is not enough. They are typically used during the day already. These machines are extremely annoying when powered by 2 cycle gas engines. And it's well known that the 2 cycle tools are major polluters. There is no paradise when one is in use.

Electric leaf blowers and weed wackers are much quieter and more tolerable. Electricity isn't pollution free, but it's generated by methods that emit less than small gas engines that are often worn out and smokey.

It's good to address this problem, but we should ban 2 cycle yard equipment completely. Electric machines should be considered separately, and possibly approved during daytime hours, as the bill specifies.

Making a rule affective in 2050 won't help anybody I know. It's good for our grandchildren. Let's make a stronger law that takes effect sooner. It would be reasonable to allow a transition period for yard crews to gradually switch to newer technology. 2028 would be about right.

Nathan Smith

SB-3011-SD-2

Submitted on: 3/13/2024 9:27:50 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I live in a high rise condo in downtown Honolulu. While I strongly support this bill, it does not go far enough. Tens of thousands of people like me live in high rise buidlings in areas that are not zoned residential, they are zoned business mixed use and will not benefit from this. Please amend the bill to include business mixed use districts.

We are all plagued by this noise. As noise rises, those living higher up will hear the noise louder.

SB-3011-SD-2

Submitted on: 3/14/2024 1:24:35 PM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jakey	Individual	Support	Written Testimony Only

Comments:

I am in full support for SB 3011. I have no problem with anyone using a weed walker, my issue is that I don't like how workers use a weed wacker close to to sidewalk where I am walking, causing projectile objects to hit me causing pain and irritation. There needs to be a boundary set so people are directed to an alternative route. Thank you

SB-3011-SD-2

Submitted on: 3/15/2024 10:08:19 AM

Testimony for JHA on 3/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Holten	Individual	Support	Written Testimony Only

Comments:

I strongly support bill SB3011 SD2. Weed whackers are so loud when they are in use and cause a lot of noise, disrupting quite mornings and often obstruct morning runs/walks. Limiting the weed whacker usage to between 8 am to 7 pm would allow some peace and quite for neighborhoods. This bill would also decrease carbon emissions that would usually occur with the morning and evening traffic.