

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

to reply please refer to: SB2356
Bill No.

Committee on Energy and Environmental Protection

Date 3/9

SB2356, SD2, RELATING TO LEAF BLOWERS

Time 1334

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

Cat- AF AS AX B:

March 9, 2010

Type 1 2 WI

9:00 a.m.

1 **Department's Position:** The department respectfully opposes this measure. Given current fiscal
2 difficulties, it would not be prudent to enact the measure now.

3 **Fiscal Implications:** As yet unquantified resources would be needed to adopt and enforce rules.

4 **Purpose and Justification:** The bill proposes the following:

5 Amend Chapter 342F, Hawaii Revised Statutes, to prohibit the operation of leaf blowers except
6 between 8:00 a.m. and 6:00 p.m. on any day except Sunday or state and federal holidays in or near a
7 residential zone. The bill also prohibits the operation of leaf blowers in certain areas and restricts the
8 operation and number of leaf blowers for a set duration at any given location. In addition, the bill
9 specifies a maximum decibel level of 70 dba for leaf blowers.

10 Amend Chapter 342H, Hawaii Revised Statutes, to prohibit the operation of a leaf blower in such
11 a manner as to blow debris beyond the parcel boundaries that is being cleaned.

12 Although we generally favor a quieter environment, enforcement against leaf blowers would be
13 extremely difficult to implement due to their mobility, restricted days and times, and the lack of

1 adequate manpower and funding. As far as dust and litter from leaf blowing operations, existing laws
2 and administrative rules exist to address suspected problems.

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

PERFORMANCE LANDSCAPES

C - 24145



SB
Bill No. 2356

To: Committee on Energy and Environmental Protection
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice Chair

Date 3/5

Time 105

From: Matt Lyum, CLP
Owner/Performance Landscapes
State Chair – Certified Landscape Technician Program

Cat- AF AS AX **(B)**

Type **(1)** 2 WI

Re: Opposition to SB 2356 SD2
Tuesday, March 9, 2010

16 copies

While Performance Landscapes is in favor of the intent of the law, we are opposed for the following reasons:

- The elimination of blowers will increase costs to clients dramatically.
- Some clients will ask us not to remove debris and will cause it to blow naturally off property.
- Some clients will turn to “cash” yardmen who will not comply with the law.
- Professional Landscapers are trained to use blowers; within certain hours, safely, minimizing debris and noise.
- There are lower decibel blowers on the market with mufflers.
- **The Dept. of Health already has noise rules regulating noise of “industrial, construction, and ag. Equipment”. Landscape Equipment should/can be added to existing law rather than creating a new one.**
- Mowers, weedwhackers, hedgetrimmers, chainsaws, and many other power tools are not covered by this ban.
- Electric Blowers or power tools will create trip and electrical hazards when dragged around properties.
- It should be the consumers choice to weigh the benefits of paying more for service.

I personally would not like to hear blowers, or any other loud noises waking me up Sunday mornings. I am willing to work on legislation with any interested party that will satisfy the intent of this bill without the adverse economic and environmental effects I believe this bill will cause.

P.O. Box 10459
Honolulu, HI 96816
(808) 282-5496 / Fax (808) 734-8826
Email: PerformanceLS@hotmail.com

Bill No. SB2356

Committee: House Committee on Energy and Environmental Protection
Measure: SB 2356, SD 2, Relating to Leaf Blowers.
Date: Tuesday, March 9, 2010
Time: 9:00 a.m.
Place: Conference Room 325
Testimony of: Daniel D. Palmer, M.D.

Date 3/6

Time 18

Cat AF AS AX (B)

Type (1) 2 WI

Chair Morita and Committee Members:

I am a retired physician. As a matter of public health, I strongly support the intent of this bill to reduce the use of leaf blowers.

It is easy to see that leaf blowers move leaves and twigs with great force. But leaf blowers move smaller particles with even greater vigor. The smallest particles may be nearly invisible, but the combined volume of small particles may approach the volume of larger material. In contrast, rakes barely disturb these smaller particles. Thus, before leaf blowers become prevalent, the smaller particles largely remained on the ground and were gradually absorbed or incorporated into the soil.

The small particles are composed of decaying organic matter, bacteria from the decomposition of decaying organic matter, fungi (molds from decomposition of organic matter), fungus spores and hyphae, pollen, fertilizer particles, herbicides and insecticides used on lawns, animal feces including cysts and eggs of various disease causing organisms, rubber particles from tires, metal particles from brake linings, cigarette butts in various stages of disintegration, organic chemicals from automobile emissions, fine carbon particles (Buckey balls, carbon nano-tubules, from diesel and gasoline combustion), coal dust, mineral materials (cadmium, feldspar, mercury, mica, silica, and others), and other materials.

All of the above are now present in the air we breathe in greater volume than they were before the introduction of leaf blowers. In the past, this particulate matter was allowed to percolate into the soil or become chemically or physically attached to it. It is now wafted into the air, again and again, before it can be assimilated. And because the windows of Hawaii homes are almost always open, the particulate matter floating in the air ends up inside our homes as dust.

It seems clear that all of this fine particulate material in the air must affect the lungs and the general health of all age groups, especially children. Recent publications have established an increase in the incidence of asthma over the past several years. It is probable that the inhalation of the increasing volumes of fine particulate material is one cause for the increase in the incidence of asthma and other respiratory disease problems. Certainly, this aggravates such problems. Additionally, it has recently been found that the incidence of heart disease and strokes in women is correlated with breathing fine particles in polluted air.

House Committee on Energy and Environmental Protection
SB 2356, SD 2, Relating to Leaf Blowers.
Tuesday, March 9, 2010

The rise in the incidence of these disorders corresponds in time with the replacement of rakes and brooms by leaf blowers, and with the increase in both the number of leaf blowers used and their power.

Moreover, the noise produced by weed blowers used in residential areas is louder than noise that would be tolerated in an industrial area. The damage that this does to our hearing ability and collective well-being must be significant.

For these reasons, I urge the Committee to pass legislation to reduce the use of leaf-blowers.

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTIONDate 3/6

Representative Hermina Morita, Chair
 Representative Denny Coffman, Vice Chair,
 Tues., March 9, 2010,

Time 633Cat- AF AS AX

9:00 AM

Type 1 2 WI

House Conference Room 325: State Capitol, 415 South Beretania Street,
 Honolulu, HI 96813
 Email: EEPTestimony@Capitol.hawaii.gov

RE: Testimony Supporting Senate Bill 2356 SD 2: Relating to Leaf Blowers

Dear Representative Hermina Morita: Chair, Representative Denny Coffman: Vice Chair, and the Energy and Environmental Protection Committee,

Thank you for hearing SB 2356 today. I am in support of SB 2356 SD 2 as written. Please seriously consider and act on this Bill.

Many noise sources disrupt citizens daily lives and the removal of any noise from the environment is helpful. In a community where sharing is important, I think it fair that those who are opposed to this bill – who will still be able to use electric leaf blowers – share the responsibility of lessening noise in our neighborhoods.

In Makiki where I live and other densely populated areas, noise reverberates between tall buildings and can be heard throughout the neighborhood. And because each building may have a leaf blower, this noise often continues throughout the day which is particularly upsetting on Sunday and holidays when many people try to relax away from work.

Most of California and many other areas have banned gas leaf blowers. Senate Bill 2356 was written to be enacted in 2011 so ample time will be given for any industry to adjust to this Bill. Hawaii touts itself as a

'Green' State so let us truly be a 'Green' state and save our citizens' health and safety from the noise and environmental pollution that gas leaf blowers generate.

If put into law, this bill is enforceable – it is easy to tell the difference between a gas and electric leaf blower.

Please pass this SB 2356 as written and help protect citizens of Hawaii from this noisy health hazard.

Sincerely,

Bob Kern
1615 Wilder Avenue, 601
Honolulu, Hawaii 96822
943 9241

Bill No. SB 2356



LANDSCAPE HAWAII INC.

2621 Waiwai Loop • Honolulu, Hawaii 96819 • Phone (808) 836-5332 • Fax (808) 836-5336

Date 3/6

Time 705

Cat: AF AS AX **(B)**

Type **(1)** 2 WI

Date: March 6, 2010

Subject: SB 2356 (Against)

Dear Rep. Hermina Mortia (Chair) & Rep. Denny Coffman (Vice Chair),

We as a company are against SB 2356.

As an owner, SB 2356 would create additional labor costs relating to debris consolidation. According to our time and motion (labor duration) analysis, debris consolidation will take four (4) to seven (7) times longer, depending on the surface, to accomplish the same task with out the leaf blower.

As a result of this additional labor costs, two things will inevitably occur.

As a company, our first option would be to pass this cost on to our clients. In this challenging economic environment, our clients will most likely discontinue our services, therefore, forcing our company to layoff employees.

Our second option would be to hold the contract cost in check, leading our company to reduce other services. As services decline, our clients will either ask for a contract reduction, which will lead to employee layoff or contract cancellation which will lead to mass employee layoffs.

In any event, both scenarios will lead to employee layoffs and or in the worst case scenario, company failure. We do not need either of these scenarios whether our country is in economic hardship or not.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Landscape Hawaii, Inc.

Scott S. Ushijima
Vice President & C.O.O.
Contractor's License No. C-18328
Certified Arborist No. WE-3749A

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 06, 2010 1:50 PM
To: EEPtestimony
Cc: royalpalm.group@hawaiiantel.net
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. DB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/6

Time 9:00

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Renie P. Agsalda
Organization: Royal Palm Group
Address: 373 Kilani Avenue Wahiawa, Hawaii
Phone: 808-622-3066
E-mail: royalpalm.group@hawaiiantel.net
Submitted on: 3/6/2010

Cat AF AS AX

Type 1 2 WI

Comments:
we use gas powered leaf blowers in our operation. we completely oppose banning the use of it.

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 06, 2010 11:32 AM
To: EEPtestimony
Cc: irrighi@hawaii.rr.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. DB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/6

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: ALLAN SCHILDKNECHT
Organization: Individual
Address: 45-203 Puali Koa Pl Kaneohe, HI
Phone: 235-7959
E-mail: irrighi@hawaii.rr.com
Submitted on: 3/6/2010

Time 1132

Cat AF AS AX

Type 1 2 WI

Comments:

I oppose the Senate Bill 2356 as written to ban gas driven leaf blowers.

I recommend that the hours and days of use proposed for electric blowers also include gas blowers and perhaps include all outdoor power equipment (mowers, line trimmers, chain saws, construction equipment and related power tools so they're used only between 8 and 5 weekdays and on Saturdays.

In our neighborhood, the leaf blowers are not as much of a problem as the line trimmers.

However, as written, this bill will be hard to enforce and will cause a burden on many businesses and homeowners alike.

Cyndi Apana

Bill No. SB2356

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 06, 2010 4:44 PM
To: EEPtestimony
Cc: kulaapu@yahoo.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/6
Time 1644

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Cat AF AS AX(B)

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: kula mossman
Organization: Individual
Address: 3014 Gulston St. Hon.Hi.96816
Phone: 808-737-8322
E-mail: kulaapu@yahoo.com
Submitted on: 3/6/2010

Type (1) 2 WI

Comments:

Follow the law on noise regulated work hours & maybe compromise to something more tolerable like 9am to 6pm allowing workers & the general public a fair deal.mahalo

Testimony Presented Before the
House Committee on Energy and Environmental Protection
e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Bill No. 2356

Date 3/1

Time 02

Cat. AF AS AX B

Type 1 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Valere McFarland and I live at 3055 Pualei Circle. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. Still quieter are 'battery powered leaf blowers' as these are very quiet, putting forth dBA's in the range of a hair dryer. They are powerful enough to clean off sidewalks, patios and do all of the kinds of weed blowing activities normally performed in close proximity to residences, including condominium projects. While these machines are not built to withstand use in an eight or ten hour work day period, they are optimal for residences and condo projects. They can be supplied to landscapers to use once or twice per week for half an hour.

This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.' A lot more than noise is blowing into our homes. For example, we are subjected to dust containing rodent droppings, harmful CO₂, NO_x or nitrogen oxides, and hydrocarbons, HC from the motors.

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. According to 6th WHO, noise can impair sleep even when the sleeper is not awakened. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants. These noise levels also harm the user. In the case of Hawai'i, it is a civil rights issue because the individuals taking the kinds of low paying jobs requiring them to use these machines are most often those with the least education and the least ability to confront their employer should they have concerns. They are likely to be immigrants with

limited English spoken or written abilities and lack the ability to read English language newspapers (the most common source of notices of harmful impacts or legislative initiatives).

Thank you for this opportunity to testify.

Respectfully,

Valere McFarland, Ph.D.

Address: 3055 Pualei Circle, #306

Email address: valeremcfarland@gmail.com

Ridley, Lee

From: Ridley, Lee
Sent: Sunday, March 07, 2010 12:49 PM
To: Ridley, Lee
Subject: Ban on gas blowers

Bill No. SB2356

Lee Ridley

Grounds Supervisor

Marriott's Waiohai Beach Club

2249 Poipu Beach Road

Koloa, Hawaii 96756

Date 3/7

Time 859

Cat AF AS AX

Type 2 WI

Bill SB2356---Against

To the committee on Energy and Environmental protection: Rep. Hermina Morita, Chair & Rep. Denny Coffman, Vice Chair.

Speaking on behalf of myself and the Kauai Landscape Industry Council, I would formally like to state my opposition to this bill. Gas Blowers are an essential tool in

maintaining commercial as well as residential property. All landscape equipment makes noise. Regulating the hours of use may be a better approach.

Mahalo Nui

Loa

Cyndi Apana

Bill No. SB 2356

From: Jeffrey Bridges [jbridges99@gmail.com]
Sent: Sunday, March 07, 2010 9:32 AM
To: EEPtestimony
Subject: Relating to Leaf Blowers

Date 3/7

Time 932

Cat AF AS AX B

Type 1 2 WI

Testimony Presented Before the
House Committee on Energy and Environmental Protection
e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Jeffrey Bridges and I live at 327 Pualei Circle. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded."

The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

Jeffrey Bridges

Address:

3027 Pualei Circle #104

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Bill No. SB2352

Date 3/9

Time 1022

Cat: AF AS AX (B)

Type (1) 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee:

My name is Alethea Rebman and I live in Waikiki. As noisy as Waikiki is, a few changes would make a big difference in our quality of life, and the bill before you today would bring about one of those important changes.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is increased by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA.

The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants. It also prevents anyone living nearby from relaxing or concentrating.

Please recognize that it IS possible to improve quality of life. We do not have to accept the status quo – just because someone does something it does not mean they have the right to continue doing it at the expense of others. There are viable alternatives to electric leaf blowers and they should be encouraged.

Thank you for this opportunity to testify.

Respectfully,

Alethea K. Rebman

Address: 1910 Ala Moana Blvd. Honolulu, Hawaii 96815

Email address: akr9@hawaii.rr.com

Cyndi Apana

Bill No. SB 2356

From: DRJLAM@aol.com
Sent: Sunday, March 07, 2010 1:40 PM
To: EEPtestimony
Cc: mohalaway@hawaii.rr.com; leiahi@hawaii.rr.com
Subject: testimony SB 2356, SD2

Date 3/7
Time 1341

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Cat AF AS AX B
Type 1 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is **JEREMY LAM** and I live at 2230 Kamehameha Avenue 96822. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

Jeremy Lam, M.D

Address: 2230 Kamehameha Avenue Honolulu 96822

Email address: DRJLAM@aol.com

Bill No. SB 2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Date 3/11

Time 1353

Cat ~~AF~~ AS AX B

Type 1 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Douglas McCormick and I live at 3017 Pualei Circle in Honolulu. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

Douglas McCormick

Address: 3017 Pualei Cir Apt 216, Honolulu, HI 96815

Email address: dougmcormick@hawaiiantel.net

Cyndi Apana

Bill No. SB 2356

From: Mary Lou Sanelli [marylou@olympus.net]
Sent: Sunday, March 07, 2010 3:20 PM
To: EEPtestimony
Subject: Leaf Blower Bill: IN SUPPORT OF

Date 3/7

Time 1531

Cat AF AS AX B

Type 1 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Mary Lou Sanelli and I live in on The Gold Coast of Honolulu. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

Mary Lou Sanelli

www.marylousanelli.com

marylou@olympus.net

Bill No. SB 2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Date 3/7

Time 1733

Cat AF AS AX

Type (1) 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Tim Apicella and I live at 500 Lunalilo Home Road (Hawaii Kai). I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. The noise produced by gas powered leaf blowers severely compromises the quality of life in our communities and neighborhoods. Each day thousands of **day time** residents- children, mothers and fathers who care for their children, retired, elderly, disabled, and at home employees are forced to endure the excessive noise produced by gas powered leaf blowers on a daily basis.

The noise produced by a single gas powered blower is rated at or around a 70-decibel (dBA) level. For those high-density population communities (apartments, condominiums, and town house developments), their common area grounds are usually maintained by multiple landscape gardeners. It is common to witness these grounds keepers using at least one or two gas powered leaf blowers simultaneously. The noise of multiple gas- powered blowers in use far exceeds 70-dBA and the noise they produce is near impossible to escape. Even when a resident attempts to close all the doors and windows of their unit, the noise level of a single gas powered blower, not to mention multiple blowers, cannot block out the excessive decibel noise level. The residents of these high-density population communities live in a state of severe compromise. Each day, and for hours Hawaii's day time residents are literally trapped in their homes, forced to endure the constant noise of these blowers. The pattern of this noise pollution continues every day, every week, every month, and throughout the year without exception. Relief for Hawaii's residents is required.

I urge the legislature to consider the adverse impacts these loud gas powered blowers have on our communities, and further, support and pass this much-needed bill into law.

Respectfully,

Tim Apicella

500 Lunalilo Home Road
Honolulu, HI 96825

Email address: apicella58@msn.com

Bill No. SB2356

From James Metz
Makiki District

Date 3/1

Time 2:00

Cat AF AS AX B

Type 1 2 WI

Petition Presented to the
House Committee on Energy and Environmental Protection
e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

SB 2356, SD2: Relating to Leaf Blowers

Dear Chair Morita, Vice Chair Coffman, and Members of the Committee

By now you have read the testimony of those supporting passage of SB2356, SD2. I respectfully request that you support SB 2356, SD2. This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. It also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

I strongly urge you to consider the impact of noise and dust pollution on the mental and physical health of all of Hawaii's citizens and to pass SB 2356 SD2 for the health benefits it will begin to provide for our o'hana.

Thank you for your time.

Respectfully,

QuickTime™ and a
decompressor
are needed to see this picture.

James Metz

1630 Makiki Street #C-105

Honolulu, HI 96822

Cyndi Apana

Bill No. SB 2356

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 8:02 PM
To: EEPtestimony
Cc: jeannine@hawaii.rr.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7

Time 2002

Cat AF AS AX (B)

Type (1) 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Jeannine Johnson
Organization: Individual
Address: 5648 Pia Street Honolulu, HI
Phone: 808-373-2874
E-mail: jeannine@hawaii.rr.com
Submitted on: 3/7/2010

Comments:

I would like to add Saturdays to the list of prohibited periods. Mahalo.

Cyndi Apana

Bill No. ~~SB 2356~~ **SB 2356**

From: Doug Perrine [perrine@hawaii.rr.com]
Sent: Sunday, March 07, 2010 8:30 PM
To: EEPtestimony
Subject: SB 2356 in support

Date 3/7

Time 2:30

RE: SB 2356 hearing Tues., March 9 at 9:00 am in Rm. 325 - in support

Cat AF AS AX **B**

Noisy gas leafblowers are a constant torment in my neighborhood. There is nothing they do that could not be as easily or more easily accomplished with a rake or an electric blower. Type **(1) 2 WI**

These devices have won awards for stupidest and most environmentally-unfriendly invention ever. While annoying people they emit greenhouse gases and other pollution and consume precious fossil fuel resources, which are mostly imported from foreign countries with anti-American agendas. Are we really in favor of energy self-sufficiency? Do we really believe that people in Hawaii who live with open windows and open doors deserve some peace, quiet, and aloha? Then ban these stupid machines! Or at least force the operators to distribute ear protectors (the same kind they themselves wear) to everybody within a 2000 yard radius.

mahalo,
Doug Perrine

Doug Perrine
76-223 Haa St.
Kailua-Kona HI 96740 U.S.A.
+1 (808) 329-4523

please do not send any attachments larger than 1MB without advance permission

if your e-mail doesn't go through, try my travel account:
douglasperrine@yahoo.com

Cyndi Apana

Bill No. SB2356

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 8:47 PM
To: EEPtestimony
Cc: goneswimmingagain@gmail.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7

Time 2048

Cat AF AS AX B

Type 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Cynthia Rhoads
Organization: Individual
Address: Kihei, HI
Phone:
E-mail: goneswimmingagain@gmail.com
Submitted on: 3/7/2010

Comments:

I'm writing to urge you to pass SB 2356 SD2, which would ban gas powered leaf blowers. I'm so tired of being woken up early in the morning by leaf blowers. As an environmentalist, I feel we should pass this bill because gas powered leaf blowers are bad for the environment and people's health. It doesn't make sense to live in such a beautiful, peaceful place and have these stupid machines causing so many people anxiety. Do the right thing and vote for SB 2356 SD2.

Cyndi Apana

Bill No. SB2356

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 8:49 PM
To: EEPtestimony
Cc: mpeary1947@aol.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7
Time 2049

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Cat AF AS AX B

Type 1 2 WI

Conference room: 325
Testifier position: comments only
Testifier will be present: No
Submitted by: Margaret Peary
Organization: Individual
Address: Mililani, HI
Phone:
E-mail: mpeary1947@aol.com
Submitted on: 3/7/2010

Comments:

I wholeheartedly support most of this measure although I would ultimately prefer the use of rakes and brooms to sweep up leaves and lawn cuttings thereby eliminating the use of leaf blowers.

The Mililani Town Assoc. employs landscapers who come into my Mauka neighborhood once a month. The first time I heard them I thought we were being assaulted by some unkind people. I counted five cutters and five leaf blowers coming behind the cutters. The noise was like nothing I've ever encountered. I closed my front windows and retreated to the back of my home to try to escape the deafening noise.

I do not agree that government entities should be exempt from the electrical leaf blowers. Isn't it possible to use some of the federal stimulus funds to replace the gas devices with electric ones? Why should the public be needlessly exposed to the deafening decibels generated by a gas blower used by government workers? Perhaps that might be even more egregious since our tax dollars are paying for our own demise where our health is concerned. Please consider taking the government exemption out of the proposed legislation.

Mahalo,

Margaret Peary
Mililani Mauka

Cyndi Apana

Bill No. SB 2356

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 9:02 PM
To: EEPtestimony
Cc: surfching@gmail.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7

Time 2/03

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Cat AF AS AX

Type 2 WI

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Kevin Ching
Organization: Individual
Address: Waialeale, HI
Phone:
E-mail: surfching@gmail.com
Submitted on: 3/7/2010

Comments:

I'm in strong support of SB 2356 SD2. I lived in Los Angeles for many years where these leaf blowers are banned. It doesn't make sense to let landscapers ruin other's peace of mind so they can get the job done faster. We should all respect each other's space and not use loud leaf blowers. Please pass this bill to bring sanity back to my neighborhood.

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 9:57 PM
To: EEPtestimony
Cc: mary.bright93@yahoo.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7

Time 2:57

Cat AF AS AX **(B)**

Type **(1)** 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Mary Bright
Organization: Individual
Address: Lihue, HI
Phone:
E-mail: mary.bright93@yahoo.com
Submitted on: 3/7/2010

Comments:

I strongly support SB 2356. I live on Lihue, Kauai and these contraptions are driving our ohana crazy. It may not seem like a very important issue, but it is. I work hard to support my family and I value my sleep and quiet time. This seems like a sensible bill because it doesn't totally ban all leaf blowers, but allows electric ones. Thanks very much for this common sense legislation that will benefit all of Hawaii nei.

Bill No. SB2356

Bishop's Landscaping Maintenance
P.O. Box 623
Kailua, Hawai'i 96734
Phone: 343-1080

Date 3/7

Time 2236

Cat AF AS AX

RE: Testimony in Support of Senate Bill 2356, SD2 - Relating to Leaf Blowers

Type 1 2 WI

March 9, 2010

Dear Chair Morita, Vice Chair Coffman, and Energy and Environmental Protection Committee members,

I'm Bishop, the owner of Bishop's Landscaping Maintenance. I've used gas powered leaf blowers in my business for years.

I'm testifying in support of Senate Bill 2356 SD2. This is hard for me to say, given that this bill directly impacts my "bottom line."

Over the years, I've gotten some complaints from the neighbors of my clients. Usually, people have been most concerned about the noise pollution, and also the smells and fumes that our leaf blowers produce. It was when a neighbor of mine started using a leaf blower on a regular basis for extended periods of time that I started to understand better why some people complain. We had to schedule our home activities around when the leaf blower was going to be used and that just didn't seem right. So now I understand how gas leaf blowers can definitely affect the quality of life for people and am now using an electric leaf blower instead.

I think this bill provides a reasonable compromise by allowing electric leaf blowers to still be legal. Electric leaf blowers are not as loud and don't produce the same air pollution that gas ones do. Additionally, the bill gives us in the industry until July 2011 to phase out our old gas models.

Sincerely,

Bishop

Bishop's Landscaping Maintenance
P.O. Box 623
Kailua, Hawai'i 96734
Phone: 343-1080

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
 Sent: Sunday, March 07, 2010 11:21 PM
 To: EEPtestimony
 Cc: ronaldarthur123@yahoo.com
 Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7
 Time 2:32

Cat: AF AS AX

Type 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
 Testifier position: support
 Testifier will be present: No
 Submitted by: Ronald and Patricia Arthur
 Organization: Individual
 Address: Ewa Beach, Hawaii
 Phone:
 E-mail: ronaldarthur123@yahoo.com
 Submitted on: 3/7/2010

Comments:

Re: SB2356 SD2

My wife and I both have breathing difficulties, hers caused by asthma, mine from emphysema. We live in a housing development in Ewa Beach where the landscapers use blowers, lawn mowers, and weed whackers almost every day around our building. Although the noise of all the machines is unpleasant, it's the fumes that are making us miserable. Even with the windows closed and air conditioner on, the gas fumes still come in and make both of us wheeze. We moved to Hawaii 15 years ago so we could retire in paradise. We can't go outside most days though and our sicknesses and the things that cause them to worsen, are making our lives hell. If the blowers were required to be changed to electric ones that emit less fumes it would be one more breath of fresh air for us. Thank you for your sincere consideration on behalf of the many people like us.

Cyndi Apana

Bill No. SB2356

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 07, 2010 11:24 PM
To: EEPtestimony
Cc: datomahawk@gmail.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Date 3/7

Time 2:24

Cat AF AS AX

Type 1 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Jeff Takayama
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: datomahawk@gmail.com
Submitted on: 3/7/2010

Comments:

I live in East Honolulu. Our community association dues pay for landscaping service. Many, many times over the last 10 years residents have complained to our board about the pollution and annoyance caused by the gas leaf blowers. The board has attempted to ask the landscapers to not use them. When the landscape company refused we tried to hire another company that doesn't use them, but there are not any that we have been able to find. We would loudly applaud you for passing SB 2356 SD2 and banning the gas leaf blowers. Without them the job will still get done but it won't be at the expense of our neighborhood's sanity.

Bill No. SB 2356

March 7, 2010

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
STATE CAPITOL, 415 South Beretania Street CONFERENCE ROOM 325
DATE: Tuesday, March 9, 2010
TIME: 9:00 A.M.

Date 3/8

Time 58

Cat AF AS AX B

Type 1 2 WI

To: Representative Hermina Morita, Committee Chair
Representative Denny Coffman, Committee Vice-Chair
Members of the Energy and Environmental Protection Committee

RE: Testimony Supporting Senate Bill 2356, SD2: Relating to Leaf Blowers

Dear Judiciary and Government Operations Committee:

I am testifying in support of Senate Bill 2356, SD2: Leaf Blower Control, because my family and I and our many friends have been affected by leaf blowers in a negative way.

Every other Saturday I have to close every window and door in my house to avoid the fumes and obnoxious noise from our neighbors' gardeners' leaf blower. This goes on for over an hour. Every other Monday the same thing happens next door and across the street. The noise pollution often begins at 7:30 in the morning. We can not use our yard during this time unless we want to get gassed out by the fumes and yell at the top of our lungs to be heard.

I sincerely urge you to support SB 2356, SD2. Thank you for this opportunity to testify.

Respectfully,

Jeannie Bishop
269 N. Kalaheo Ave.
Kailua, HI 96734
261-8815

Bill No. SB 2386

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Representative Hermina Morita, Chair
Representative Denny Coffman, Vice Chair,
Tues., March 9, 2010,
9:00 AM

Date 3/8

Time 3:21

House Conference Room 325: State Capitol, 415 South Beretania Street, Honolulu, HI 96813

Email: EEPTestimony@Capitol.hawaii.gov

Cat AF AS AX B

Type 2 WI

RE: Testimony Supporting Senate Bill 2356 SD 2: Relating to Leaf Blowers

Dear Representative Hermina Morita, Representative Denny Coffman, and the Energy and members of the Environmental Protection Committee,

Thank you for hearing SB 2356 today. I am in support of SB 2356 SD 2 as written. Please seriously consider and act on this Bill.

I feel that this Bill is fair to all in that the City can enforce it, as all people know the difference between a gas and electric leaf blower. Many voters are represented in SB 2356 as they helped draft SB 2356 over the summer due to SB 466 from last year not passing.

Most of California and many other areas have banned gas leaf blowers and documented it appropriately. Senate Bill 2356 was written to be enacted in 2011 so ample time will be given for any industry to adjust to this Bill. Hawaii touts itself as a 'Green' State so let us truly be a 'Green' state and save our citizens' health and safety from the noise and environmental pollution that gas leaf blowers generate.

This bill, which bans gas powered leaf blowers, recognizes electric powered leaf blowers reduce that noise pollution. This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2(a)(1) line 2: Recommend distance be increased from '10 feet' to '50 feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoors level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70-decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly, and infants. Thank you for this opportunity to testify.

Respectfully,
Linda Wong
3071 Pualei Circle #203
Hon. HI 96815

Cyndi Apana

From: Brian and Darla [midhope@hawaii.rr.com]
Sent: Monday, March 08, 2010 6:36 AM
To: EEPtestimony
Subject: SB 2356,SD2: Relating to Leaf Blowers

Bill No. SB2356

Testimony Presented Before the House Committee on Energy and Environmental Protection

Date 3/8

March 9, 2010 9:00 am room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice Chair

Time 637

Cat- AF AS AX B

SB 2356, SD2: Relating to Leaf Blowers

Type 1 2 WI

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Brian Roberts and I live at 3055 Pualei Circle #206. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent of SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from ten feet to fifty feet.

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded". The maximum decibel level recommended in their bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,
Brian Roberts
3055 Pualei Circle #206
Honolulu, HI 96815
midhope@hawaii.rr.com

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 7:51 AM
To: EEPtestimony
Cc: gouldp001@hawaii.rr.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Time 7:51

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Pam Gould
Organization: Individual
Address: 4020 Kula Hwy Kula HI
Phone: 808 876 0711
E-mail: gouldp001@hawaii.rr.com
Submitted on: 3/8/2010

Cat AF AS AX ~~B~~

Type (1) 2 WI

Comments:

Cyndi Apana

From: Diane Mocerì [democeri@hawaiiantel.net]
Sent: Monday, March 08, 2010 7:58 AM
To: EEPtestimony
Subject: Testimony SB 2356, SD2 Relating to leaf blowers

Bill No. SB2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Date 3/8

Time 758

Cat: AF AS AX (B)

Type (1) 2 WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Diane Mocerì and I live at 1630 Makiki St Honolulu Hawaii 96822. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

Diane Mocerì

1630 Makiki St A107

Honolulu HI 96822

Address:

Email address: inkymo@gmail.com

Additionally, I think there is a danger to the health for asthmatics and other persons suffering from breathing disorder from the dust and debris blowing around. I know when I hear the dreaded sound of a leaf blower I quickly close all shutters, doors, openings and that does not prevent a thin layer of yucky dust from forming....the danger is present. The Methodist church behind my unit uses an extra-ordinary leaf blower which drowns all sound while it is blasting away. I have written to the church about this blower, but their gardeners continue to use it. While it is blowing, there can be no conversation, tv or music listening nor any other activity...in addition the vibrations hurt one's eardrums. These blowers need regulation! Please.



Island Landscape

Bill No. SB 2356

Date 3/8

Time 8:12

Cat. AF AS AX B

Type (1) 2 WI

March 8, 2010

Chair Morita & Vice Chair Coffman &
Members of the Committee
House Energy & Environmental Protection Committee

TESTIMONY AGAINST SB 2356 RE: LEAF BLOWERS WITH COMMENTS
TUESDAY, MARCH 9, 2010, CONFERENCE RM. 325 AT 9AM

Dear Chair Morita, Vice Chair Coffman and Members of the Committee,

I am writing to oppose SB 2356 and to provide comments on this bill because, as written, this bill will create hardships for landscaping and maintenance businesses.

While we understand emission and noise level concerns, we feel they can be appropriately addressed in other ways (as noted below) and that it is important to have reasonable regulation, particularly in these economic times.

The justification for this bill states that "The act of stirring up dust and debris increases risks to asthma and allergy sufferers, and increases the risk of breathing pesticides, animal feces, and viruses. A landscaper in Long Island died after using a leaf blower in an area with lots of rodents, because the blower stirred up particles of rodent saliva, urine, and feces containing the hantavirus, which when breathed by humans is often fatal." This superfluous comment may have been added hype for the justification, but it is important to note that whether or not a leaf blower is used, such particles will still be stirred, even by raking, sweeping, or the use of one's hands.

With respect to noise levels and when blowers can be used, we agree with not using blowers on weekends and holidays and believe licensed landscape professionals do not use blowers during these times anyway. Therefore, rather than eliminate gas blows, we feel the issue can be addressed by managing the hours of use, Monday through Friday, during standard working hours of 8am to 6pm.

Additionally, the language in the bill is too specific, covering the number of blowers that can be used, equipment decibel limits, acreage, etc. We ask that this language be removed and that we address the noise concerns (which appears to have been the impetus for the bill) by hours of operation.

Further, it appears this bill may have been developed to deal with homeowners' use of such equipment, given the times noted and as landscape professionals do not blow debris onto other properties. With more homeowners caring for the properties to save money, or hiring inexperienced or part-time gardeners, blowers are being more frequently used at inappropriate times, without knowledge of CC&Rs, professional standards, and time standards. Therefore, a significant public awareness campaign may be required if this bill goes forward to inform residents of the new law, which may also be costly.

While we are also licensed in California, we are unfamiliar with the California tests that indicate rakes and brooms can be as efficiently used as blowers, but tend to disagree, as here in Hawaii cinders are widely used in landscapes and rakes pick up these cinders and leave unsightly debris and rock. Therefore, more time is required.

In these economic times when all businesses are hurting, it is imperative that we NOT add legislation that further hampers businesses and increases the cost of doing business. Right now, it is hard to charge reasonable fees for landscaping services. Many residents are experiencing hardships and such services can be viewed as a luxury. As a result, people are hiring inexperienced and/or unlicensed companies that are undercutting licensed professionals as they don't have the same level of expertise or expenses to maintain. By passing this bill, you will not only increase our cost of doing business, but may further promote unlicensed workers or businesses doing more landscape work under the table.

Thank you for the opportunity to provide testimony.

Sincerely,

Brian Kashima
Owner

Committee: Energy and Environmental Protection

Rep: Hermina M. Morita, Chair

Rep. Denny Coffman, Vice Chair

Bill No. SB2356

AGAINST SB 2356

Date 3/8

Aloha Representative Morita and Representative Coffman. My name is Randy Liu, and I am the Grounds and Landscaping Manager at the Starwood Hotels and Resorts, Waikiki 812 (Sheraton Waikiki, Royal Hawaiian, a Luxury Collection, Moana Surfrider, a Westin Resort, and the Princess Kaiulani). I am **against SB 2356** to ban gas leaf blowers, or any of the other bills proposed in the Senate and House; SB466 SD2 HD 1, SB2356, HB 2047.

Here at the hotels, even though guests pay a premium for their tranquility, there is still a place for the use of blowers, if they are used consciously and considerately. Gas blowers are more efficient at moving leaves than raking or sweeping, and save valuable man hours that keep our costs down.

Furthermore, what is good for residents in Diamond Head or the resort living of Hualalai district, may not be what is good for a condos in Salt Lake or Waipahu who are trying to keep costs down with time saving machinery. If these communities require stricter noise level controls, why don't they take care of it at a community level? Why limit the whole State.

Are there not noise pollution laws already in place? Nothing before 8am and after 9pm, no work on Sundays, etc, etc. If Landscapers are excluded from this law, why not just amend the law to include them? Why make a whole other law singling out the blower? And who will regulate this law? Will we need to hire more state personnel to oversee this?

Also, small engine companies such as STIHL, Echo, Shindaiwa, and Honda are all aware of the emissions and noise levels two cycle engines produce and they are working hard to change the technology to reduce these outputs. In a short time, emissions and noise levels will be lower than ever before.

Additionally, there are a few other questions that need to be answered;

Who will reimburse the small business and property owners who collectively have invested tens of thousands of dollars on machinery? Are we unjustly singling out a piece of equipment when there is many other equipment/machinery that is just as, or even louder than a blower? By banning blowers, is the state opening the door to a class action lawsuit?

Without a doubt, fees for landscaping, general maintenance, and tree trimming will go up as labor costs go up resulting from this ban, or quality of work go down. Is the general public willing to sacrifice these changes for the few in Pualei circle? Here is another

very real scenario; properties don't want to pay the increased cost for continued quality level maintenance. What's the next alternative? Cut down the trees that are causing the leaves. I have worked in the private sector; I know this is always an option. This is something they look at now, even with blowers. Is that a repercussion we want from this ban?

If gas blowers are banned through out the State, companies have two choices, abide, or ignore. I am assuming law abiding, legitimate tax paying companies will be forced to stop using them. But who will continue to use them? Solo operators or small weekend warriors who do not always play by the rules, and do not always have proper training, and most likely don't even pay taxes. They will come in cheaper and take away business from the "do the right thing" guys, because they are still using efficient means to do their work.. It will be another way where the State is tying the hands of the "good" guys and allowing the free loaders to proliferate.

Perhaps the answer lies in education or certification program. This State already has a Nationally recognized Landscape Industry Certification which covers the proper and safe use of a gas blower. Perhaps we make certification mandatory for all those who use a gas blower.

In a time when we are focusing on economy, and ways to drive revenue, limiting a landscaper, Gardener, or maintenance man from blower use is like taking away a pipe wrench from a plumber, or a spray gun from a painter. The results will only drive prices up in our field of work as it will take a considerable amount more labor to do what a leaf blower can do. It also comes with other negative ramifications that will be the fall out from this ban. Is that something we really need now?

I humbly ask for your consideration

Thank You,

Randy Liu
Grounds Manager
Starwood Hotels & Resorts in Waikiki
2255 Kalakaua Avenue
Honolulu, HI 96815-2579
Phone (808) 931-8545
Fax (808)931-8547
Email: randy.liu@starwoodhotels.com

<http://www.sheratonhawaii.com/www.sheratonhawaii.com>

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Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 8:49 AM
To: EEPtestimony
Cc: leilaandkionidalton@yahoo.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Leila M. Dalton
Organization: Individual
Address: Mililani, HI
Phone:
E-mail: leilaandkionidalton@yahoo.com
Submitted on: 3/8/2010

Time 849

Cat AF AS AX **(B)**

Type **(1)** 2 WI

Comments:

To: Representative Morita, chair of the Energy and Environment Committee
From: Leila M. Dalton
Re: Testimony for SB2356 SD2
Date: March 8, 2010

Chair Morita and members of the committee. My name is Leila M. Dalton and I'm writing to urge you to support the passage of SB 2356 SD2. For me, it's a quality of life issue. I've lived in Hawaii more than 27 years and love it because of the beautiful weather, the cooling trades and being able to keep our windows open and spend a lot of time outdoors. And I want to keep it this way.

When landscapers come to our neighbors' homes and even to our house (we rent and the landscaping is included) and do their work, I usually have to retreat to the indoors and close most of my windows to keep out the noise and the gas fumes that often blow in. This means my schedule has to work around the work of the landscapers and sometimes it seems to go on for hours. It also makes me feel like I live in New York City during these times, with all the noise and pollution.

Having restrictions on the hours leaf blowers can be used and also allowing only the quieter electric ones would definitely minimize the impact on our quality of life.

Thanks for your consideration in passing this bill.

Cyndi Apana

From: Darla_Thomas/NIMITZ/HIDOE@notes.k12.hi.us
Sent: Monday, March 08, 2010 9:28 AM
To: EEPtestimony
Subject: SB 2356,SD2: Relating to Leaf Blowers

bill no. SB 2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection
March 9, 2010 9:00 a.m. Room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice Chair

Date 3/8
928
Time _____

Cat AF AS AX B

Type 1 2 WI

SB2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Darla Thomas and I live at 3055 Pualei Circle #206. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from ten feet to fifty feet.

On page 4, Section 2 (a) (4), line 12. Recommend this be changed to The maximum decibel level of 55 dba shall not be exceeded. The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify,

Respectfully,

Darla J. Thomas
3055 Pualei Circle #206
Honolulu, HI 96815
Darla_Thomas@notes.k12.hi.us

SB2356 AGAINST

Bill No. 602358

Date 3/8

Time 7:48

Cat AF AS AX(B)

Type 1 2 WI

I am writing because I am against any bill that bans blowers.

We already have laws that cover noise and littering, we do not need a new law that singles out only leaf blowers.

It would be ok to make as much noise as we want with a chain saw, a air horn or a boom box, as long as it's not with a leaf blower?

It would be ok to litter the street or someone's yard with a broom or a rake, as long as it's not with a leaf blower?

Making a law that prohibit ANY noise in a certain area between certain times of the day makes sense to me.

To make a law that prohibits only certain noise makes no sense to me.

So why not ban all power equipment like lawn mowers, weed eaters and hedge trimmers? Because it makes our lives easier and saves time, just like the automobile. Why do we drive around in these dangerous, poluting machines when we could easily walk?

Because it's easier to drive than it is to walk and it saves time. The same could be said for leaf blowers, any power equipment or any modern day machinery for that matter. We use them because it makes life easier and saves time.

To those supporters of this bill who claim leaf blowers are no more efficient than using a rake, I have only this to say.

Home owners, gardeners, yard men, landscapers, businesses, home owners associations, city, state and government organizations would not be buying them and using them if they didn't make life easier and same time.

I hope the supporters of this bill are willing to pay more in monthly maintenance fees because it takes their grounds crew longer to do their job. When it takes more time for landscapers and yard men to do their jobs, the added costs will no doubt be passed on the the consumer.

I can fully understand that a leaf blower can be annoying to some, but I can't think of any application where a leaf blower is used for more than a few minutes at a time.

Leaf blowers make up a significant part of power equipment sales and will directly affect our bottom line as well as all other power equipment dealers in the state. In this poor economy, why pass a new law that will jeopardize small

businesses and even jeopardize jobs just because a vocal minority
are annoyed a few minutes a week?

Thank you for your time.

Aloha,
James Ward
Manager
Aloha Power Equipment
808-848-5534

Bill No. SB2356

SB 2356 AGAINST

Date 3/8

Linda Mascaro- Project manager/ Fred Lau Hawaiian Landscape Company TIME 1059

Committee on Energy and Environmental Protection, Rep. Hermina M. Morita, Chair & AS AX (B)
Rep. Denny Coffman, Vice Chair

Type (1) 2 WI

The date and time of the hearing; Tuesday, March 9, 2010 9:00 a.m.

Measure number; SB 2356

Aloha Rep Morita,

My name is Linda Mascaro and I am here today to represent Fred Lau Hawaiian Landscape Company in opposition to Senate Bill 2356.

Our company, like the many other small business here today, is dependant on the use of the gas-powered blower in the performance of our daily operations. The ability to have and use the most efficient technology available allows us to work within budget and time constraints in today's market. In this economy our industry would be hard hit with the cost increase to business by having to alter operations to adjust for the loss of the gas powered blower.

The industry would spend considerable cost to switch operations to other means such as electric blowers with extension cords; which increases public safety hazards. These electric blowers will be powered by generators - which register the same decibels (or louder) than the leaf blowers in use today.

There is already a noise ordinance in place to protect the public from noise pollution. The attempt to control operations and cause financial hardship to small business, while at the same time reiterating a law already in place, is unnecessary.

Mahalo
Linda Mascaro

Bill No. SB 2356

From: Scott Keir & Jennifer Burns
Neighborhood: Niu Valley
Date: Monday, March 8, 2010

Date 3/8

Time 1114

Cat AF AS AX B

Type 1 2 WI

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice Chair
Rep. Rida Cabanilla Rep. Chris Lee
Rep. Jerry L. Chang Rep. Sylvia Luke
Rep. Pono Chong Rep. Roland D. Sagum, III
Rep. Sharon E. Har Rep. Corinne W.L. Ching
Rep. Robert N. Herkes Rep. Cynthia Thielen
Rep. Ken Ito

AMENDED NOTICE OF HEARING

DATE: Tuesday, March 9, 2010
TIME: 9:00 a.m.
PLACE: Conference Room 325, State Capitol
415 South Beretania Street

RE: Testimony Supporting Senate Bill 2356: Relating to Leaf Blowers

Dear Committee On Energy & Environmental Protection:

I am testifying in support of Senate Bill 2356 (Leaf Blower Control), because of the adverse impact of leaf blowers (and gas-powered weed wackers) make on the quality of life within our Niu Valley neighborhood. The use of these loud and polluting machines has negatively impacted our lives in the following ways:

- Every weekend, my wife and I have to either endure the obnoxious sound of these machines or leave our comfortable home to avoid the noise. We do not have air conditioning in our home (as many of our neighbors *do not*) and the sound comes right into our home, even if you close the windows and block off the trade winds which we rely on to cool our house.
- Some of the landscapers use multiple machines for several hours at a time and it is just ridiculous to try to endure this. We have timed one of our neighbors who used their blowers and weed wackers for over 4 hours one weekend.) My wife and I both have gone to talk-w/ our neighbors in a friendly way to try to resolve the issue neighbor to neighbor, but without having any legal recourse, they shrug their shoulders and tell us 'they will finish when they're finished.'
- All the landscapers seem to come on the weekend for some reason. I work from home twice a week and never see the landscapers come during weekdays. They all come on Saturday or Sunday. Some even continue their work way after 6:00 pm essentially ruining any chance of enjoying our lanai for dinner or relaxing.
- Our valley (as must be the case for other valleys) is a natural echo chamber and any loud activity that happens reverberates across a very large area. We can hear these awful

machines (as they rev up and down, up and down, over and over) from several blocks away because of the acoustics of the valley.

We *sincerely urge you* to support SB 2356 . . . and we believe July 2011 is too long to initiate the law, but any hope at all would be a good sign for your support of a healthy and civil living environment in our neighborhood and on Oahu. Thank you for this opportunity to testify.

Respectfully,

Name: Scott Keir and Jennifer Burns
Email: hawaii50@netscape.com
Address: 409 Mamaki St.
Honolulu, HI 96821

Scott S. Keir, PhD

Jennifer Burns

My name is Mark Leon, and I am the president of Sunshine Landscape Co., Inc. I am a licensed landscape contractor, certified landscape technician, licensed arborist, certified tree worker, and certified irrigation specialist.

I intend to testify against this bill because it unfairly targets my industry.

I intend to cite examples of how prohibiting the use of gas powered leaf blowers will create an unreasonable hardship on my industry, as well as a study wherein the decibel level of a leaf blower was compared to a city vehicle.

I thank the Committee for the opportunity to testify.

Bill No. SB 2356

Date 3/8

Time 11:49

Cat AF AS AX B

Type 1 2 WI

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 12:10 PM
To: EEPtestimony
Cc: chrish@hiscosales.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Date 3/8

Time 1210

Cat- AF AS AX (B)

Type (1) 2 WI

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Chris Hudnall
Organization: HISCO Inc.
Address: 200A Waiehu Beach Road Wailuku HI
Phone: 808-856-7676
E-mail: chrish@hiscosales.com
Submitted on: 3/8/2010

Comments:

Professional landscapers accross the State of Hawaii oppose this measure. We give training through CLT, Certified Landscape Technician, and other courses on correct and courtious use of gas powered blowers. We know the complaints, but their use is a neccesity. And who,where and how will this be enforced? I hope people are not forced to hose down the areas. We encourage the use of rakes and brooms with the blowers. The cost of labor to clean properties using ONLY rakes and brooms would be huge, and would never be as clean as a blower A property manager in San Diego, where some cities have banned blowers, said it best,"Cleaning the property with a broom, is like having a dog lick your plate clean!" There are landscape maintenance people out there with out training, and we try to reach them all. As we know they make it difficult for the professional maintenance teams. So it is with many professions, there are those people who will hire without ever checking for insurance or licensing. As landscape professionals, we vow to raise the awareness of the need and proper use of gas powered blowers.

Cyndi Apana

①

From: ISADORA STORMY [isadorastormy@gmail.com]
Sent: Monday, March 08, 2010 1:05 PM
To: Valere McFarland; EEPtestimony
Subject: Re: SB 2356, SD2 - Leaf Blowers

Bill No. SB 2356

Date 3/8

Time 1305

Cat AF AS AX (B)

Type (1) 2 WI

Testimony Presented Before the
House Committee on Energy and Environmental Protection

e-mail: EEPTestimony@capitol.hawaii.gov

March 9, 2010, 9:00 a.m., room 325

Rep. Hermina M. Morita, Chair

Rep. Denny Coffman, Vice-Chair

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is ISADORA HUNLEY and I live at 91-1012 HULIAU ST #D EWA 96706 . I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep; which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

②

Respectfully,

Address: 91-1012 HULIAU ST #D EWA BEACH 96706

Email address: ISADORASTORMY@GMAIL.COM

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 1:22 PM
To: EEPtestimony
Cc: jadamsesq@aol.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Jo-Ann M Adams
Organization: Individual
Address: 411 Hobron Ln #801 Honolulu
Phone: 8085282100
E-mail: jadamsesq@aol.com
Submitted on: 3/8/2010

Time 1322

Cat AF AS AX **(B)**

Type **(1)** 2 WI

Comments:

I support banning the use of gas-powered leaf blowers.

As a member of the Waikiki Neighborhood Board we hear continual complaints about noise pollutions. The two most common complaints are motorcycles and leaf blowers.

This bill would eliminate one of those sources.

Electric leaf blowers are now readily available.

One would hope that common courtesy would encourage people to upgrade to an electric leaf blower. Alas, it has not. Therefore, we seek relief from the legislature.

Please pass this bill banning gas-powered leaf blowers.

Cyndi Apana

From: RANDALL BAUMGARDT [admlpiett@gmail.com]
Sent: Monday, March 08, 2010 1:22 PM
To: valeremcfarland@gmail.com; EEPTestimony
Subject: Re: SB 2356, SD2 - Leaf Blowers

Bill No. SB 2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection

Date 3/8/10

Time 1322

e-mail: EEPTestimony@capitol.hawaii.gov

Cat- AF AS AX B

March 9, 2010, 9:00 a.m., room 325

Type 1 2 WI

Rep. Hermina M. Morita, Chair

Rep. Denny Coffman, Vice-Chair

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is RANDALL BAUMGARDT and I live at 91-1012 HULIAU ST #D EWA BEACH. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,

2

Address: 91-1012 HULIAU ST #D EWA BEACH 96706

Email address: ADMLPIETT @GMAIL.COM

Waipahu Lawn Equipment**Sales and Service, Inc.**

94-150 Lealeo Street #6A, Waipahu, Hawaii 96797

Phone: (808) 677-1071 Fax: (808) 677-6946

Date 3/8Time 1338Cat-AF AS AX BType 1 2 WI

March 8, 2010

Committee on Energy and Environmental Protection
Rep. Hermina M. Morita, Chair & Rep.
Denny Coffman, Vice Chair

Subject Senate Bill 2356 Leaf Blower Hearing Tuesday, March 9, 2010 9am

Waipahu Lawn Equipment Sales and Service, Inc. does NOT support Senate Bill 2356. This bill would prevent many homeowners, professional landscapers, golf courses, agriculture farms, nonprofit organizations, hotels, and government contract providers of doing their daily tasks quickly and efficiently.

This ban on gas powered leaf blowers would be costly and time consuming for those that depend on this equipment. Sweeping would not be cost effective in large areas such as parking lots, parks and agriculture areas. Banning this type of equipment from maintenance grounds, landscapers, etc., is like taking away a computer from an administrative assistant and giving them a typewriter. Or taking away email and only communicating by mail. Think about it, how much more time and money it would cost the employer.

Considering all these items and our current economic climate, how would small and large businesses continue to operate and provide services if this ban is pushed through. Labor costs would sky rocket and who would be the ones to pay this. The customers and tax payers. This would not help the economy in any way.

If noise is a concern, many manufacturers and brands Waipahu Lawn Equipment Sales and Service represents offer Quiet blowers with operating levels as low as 65dB.

If dust is a problem, yes there are such blowers that have kits to convert them to operate as vacuums as well. Banning the gas blowers completely would also include these convertible type blowers. We also do have other equipment such as walk behind debris vacuums. But the noise and dust level is not much less than a conventional blower with a vacuum kit.

Electric and battery operated blowers are great. We do carry those as well. But they are designed for consumer and residential use. However, they do not perform and last as long as a commercial grade gas blower. In addition, what would be used in the field to run these electric blowers or charge the batteries? Generators? Most generators are much louder than blowers and would probably produce just as much emissions.

I encourage the House to think this bill thoroughly through. Education of the proper use is the key. Not a total ban. Yes, California has banned leaf blowers in a few cities. But many cities still allow the use of them. This is not the mainland. It seems that the supporters of the bill have had bad personal experiences with users, not the actual products. When did our neighbors and citizens of this State become so impersonal? Where's the Aloha? I think if we all

took a little time to be considerate and to listen to our neighbors, this whole thing wouldn't have gotten this far.

Lastly, who will regulate this ban? The Honolulu Police Department? I am sure it will be last on their list to run out and site someone using a blower. By the time they arrive, the offender's job would probably be done and they would be long gone. Another waste of time and tax payers' money.

Thank you for the opportunity to comment.

Sincerely,



Terrence K. Fernandez
Vice President

Cyndi Apana

From: Sabrina Stevens [sabrina@starface.com]
Sent: Sunday, March 07, 2010 1:37 PM
To: EEPtestimony
Subject: leaf blowers

Bill No. SB2356

Dear Legislators,

Please stop the leaf blowing or convert to electric new silent model of leaf blowing 24/7.
I appreciate your help in trying to have some peace & quiet in all neighborhoods.

Date 3/8

Time 1344

Mahalo

Cat AF AS AX

Sabrina Stevens

Type 2 WI

923 6737

3121 Pualei circle apt 15
Hon. Hi 96815

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 2:01 PM
To: EEPtestimony
Cc: nicoleel@hawaii.edu
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Conference room: 325
Testifier position: comments only
Testifier will be present: No
Submitted by: Nicole Lowen
Organization: UH Environmental Center
Address: 2500 Dole Street Honolulu, HI
Phone: 956-3974
E-mail: nicoleel@hawaii.edu
Submitted on: 3/8/2010

Time 1401

Cat-AF AS AX B

Type 1 2 WI

Comments:

Cyndi Apana

From: Samuel Burris [samuelu2001@yahoo.com]
Sent: Sunday, March 07, 2010 9:18 PM
To: EEPtestimony
Subject: Noisy fuel powere leaf blowers should be banned

Dear Sirs:

I am strongly in favor of noise control for Honolulu and leaf blowers are one of the causes. These machines should be electric and quiet. Using electric would also save on gasoline which is used to power these monsters. They also cause a lot of air pollution. When the crew blows outside our apartment, the whole apartment smells of fumes as well as NOISE and I have to evacuate every time, sometimes for up to 30 minutes or more!

Please pass this one!

Sincerely,

Samuel Burris
1630 Makiki St. # A 104
Honolulu, HI 96822
Tel: 943-9357

Bill No. SB 2356

Date 3/7

Time 2145

Cat- AF AS AX **(B)**

Type **(1)** 2 WI

HAWAII RENEWABLE ENERGY ALLIANCE

46-040 Konane Place #3816, Kaneohe, HI 96744 – Telephone/FAX: 247-7753 – Email: wsb@lava.net

TESTIMONY OF WARREN BOLLMEIER ON BEHALF OF THE HAWAII RENEWABLE ENERGY ALLIANCE BEFORE THE HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Officers

President
Warren S. Bollmeier II

Vice-President
John Crouch

Directors

Warren S. Bollmeier II
WSB-Hawaii

Cully Judd
Inter Island Solar Supply

John Crouch
Solar Power Systems
International

Herbert M. (Monty) Richards
Kahua Ranch Ltd.

SB 2544 SD2, RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU

March 9, 2010

Chair Morita, Vice-Chair Coffman and members of the Committee I am Warren Bollmeier, testifying on behalf of the Hawaii Renewable Energy Alliance (HREA). HREA is an industry-based, nonprofit corporation in Hawaii established in 1995. Our mission is to support, through education and advocacy, the use of renewables for a sustainable, energy-efficient, environmentally-friendly, economically-sound future for Hawaii. One of our goals is to support appropriate policy changes in state and local government, the Public Utilities Commission and the electric utilities to encourage increased use of renewables in Hawaii.

The purpose SB 2544 SD2 is to extend the authorization to issue special purpose revenue bonds for Honolulu Seawater Air Conditioning LLC. The legislature has previously authorized a total of \$145 million in SPRBs for this Project. This bill requests an extension to June 28, 2015 on \$48 million in SPRBs that will expire on June 30, 2010. HREA strongly supports this measure for the following reasons:

1. SWAC Benefits. Seawater Air Conditioning ("SWAC") is a renewable energy technology which offsets the need for electricity to cool water via a conventional chiller system. As an off-set technology, all SWAC projects would contribute towards the utility's RPS.
2. HSWAC Project Benefits. It has been estimated that the proposed Honolulu Seawater Air Conditioning ("HSWAC") Downtown project the Downtown project will off-set approximately 14 MWs in power that would otherwise be needed for 28,000 tons of conventional chiller-type air conditioning. This project will help HECO meet its RPS requirement; and also provide valuable jobs during construction and operation of the facility.
3. Need for the Extension of the Bond Authority. Unprecedented disruptions in the financial markets have caused HSWAC to postpone the sale of bonds for the Downtown project. This has caused some of the SPRBs to approach expiration. Current markets are dramatically improved and there is significant interest in the financing of this green project. HREA understands the balance of Downtown Honolulu SWAC Project funding will come from taxable bonds and private-sector equity investment.

Bill No. SB 2544

Date 3/8

Time 1107

Cat: AF AS AX B

Type (1) 2 WI

Thank you for this opportunity to testify.

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 11:35 AM
To: EEPtestimony
Cc: 808.284.4221@earthlink.net
Subject: Testimony for SB2544 on 3/9/2010 9:00:00 AM

Bill No. SB 2544

Testimony for EEP 3/9/2010 9:00:00 AM SB2544

Date 3/8

Conference room: 325
Testifier position: support
Testifier will be present: Yes
Submitted by: Frederic Berg
Organization:
Address: 500 Ala Moana Boulevard 7-407 Honolulu Hawaii 96813
Phone: 808.284.4221
E-mail: 808.284.4221@earthlink.net
Submitted on: 3/8/2010

Time 1135

Cat AF AS AX B

Type 1 2 WI

Comments:

Bill No. SB 2858

Testimony Before the House Committee on
Energy & Environmental Protection

By: Michael V. Yamane, P.E.
Engineering Manager
Kauai Island Utility Cooperative
4463 Pahee Street, Suite 1, Lihue, Hawaii, 96766-2000

Tuesday, March 9, 2010, 9:00am
Conference Room #325

Date 3/8

Time 905

Cat- AF AS AX B

Type 1 2 WI

Senate Bill No. 2858, SD2 – Relating Retail Wheeling

To the Honorable Hermina M. Morita, Chair; Denny Coffman, Vice-Chair,
and members of the Committee:

KIUC opposes Senate Bill No. 2858, SD2 and respectfully submits comments:

KIUC believes this measure is unnecessary because the PUC has already opened a docket on intra-governmental wheeling.

Wheeling power over a utility's existing infrastructure has many complex financial issues, as well as technical ancillary service issues. While this may be common for the mainland grid where all electric utilities are basically tied together in one national grid, this application of wheeling really does not make sense for an island utility.

Thank you for the opportunity to inform you of KIUC's position on this matter.

Bill No. SB2858

TESTIMONY BEFORE THE
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Date 3/9

Tuesday, March 9, 2010

Time 1317

9:00 a.m.

Conference Room 325, State Capitol

Cat AF AS AX B

S.B. NO. 2858, S.D.2

Type 1 2 WI

RELATING TO RETAIL WHEELING

By Kevin Katsura
Associate General Counsel, Legal Department
Hawaiian Electric Company, Inc.

Chair Morita, Vice-Chair Coffman, and Members of the Committee:

My name is Kevin Katsura providing testimony in opposition to S.B. No. 2858, S.D.2 on behalf of Hawaiian Electric Company, Inc. and our subsidiary companies, Hawaii Electric Light Company, Inc. and Maui Electric Company, Ltd. (collectively, the Hawaiian Electric Companies).

The Hawaiian Electric Companies oppose this bill because it requires the implementation of "retail wheeling" without first determining whether "retail wheeling" is feasible, has definite benefits in Hawaii, and is in the public interest. Retail wheeling creates a new complex regulatory structure which benefits a few large-load customers at the expense of other customers. These benefits can already be captured through the existing regulatory structure, which allows contracts with independent power producers ("IPPs") through competitive bidding and negotiations, where the benefits flow to ALL customers instead of a select few.

Retail wheeling, as proposed, will benefit large-load customers at the expense of non-wheeling (residential) customers who may have to pay for all the cost of the current infrastructure and generating units. "Retail wheeling" as proposed simply amounts to giving certain customers special advantages. Such wheeling is not necessarily pro-competitive – it simply reallocates costs from one group of customers to another in a manner that has little to do with efficiency.

Loss of load as a result of retail wheeling is likely to "strand investment" of the utility in those facilities installed in anticipation of servicing loads of the departing customers. Stated another way, the utility's revenue requirements (apart from fuel and other variable costs) will remain unchanged, but must now be recovered

from fewer kW of load. Consequently, rates to remaining customers must be increased.

In addition retail wheeling, as proposed, creates winners and losers between renewable energy providers – those currently with contracts with the utilities and currently negotiating contracts with the utility (through competitive bidding) vs. those who contract directly with the large-load customers. It also creates additional risks for those IPPs with contracts with the utility as well as those contemplating contracting with the utility.

Further, retailing wheeling may result in the degradation of service reliability. The utility will be unable to predict where the load will come on to the system and make sure that the transmission infrastructure is adequate. There is less ability for the utility to negotiate to change operating requirements and project design to protect the system. The utilities need to be involved in setting operational reliability standards to assure system reliability.

The PUC has already initiated a proceeding to examining the feasibility of intra-governmental wheeling, a more focused investigation, in response to the 2004 Legislature's Senate Concurrent Resolution No. 180 ("S.C.R. No. 180"), which requested that the Commission explore ways to implement intra-governmental wheeling to facilitate government wheeling of electricity, and other regulatory measures to support the development of renewable energy systems by federal, state, and county agencies.

The PUC should be allowed to continue its investigation into whether intra-governmental wheeling is feasible, has definite benefits in Hawaii, and is in the public interest. Additional legislation is unnecessary.

For these reasons, we oppose S.B. No. 2858, S.D.2. Thank you for the opportunity to provide testimony.

Bill No. SB 2231

Testimony before the House Committee on
Energy and Environmental Protection

Date 3/8

S.B. 2231 SD1, Relating to Electric Vehicles

Time 908

Tuesday, March 9, 2010
9:00 a.m., Conference Room 325

Cat AF AS AX B

Type 1 2 WI

By Carlos Perez Loriga
Director
Customer Technology Applications Division
Hawaiian Electric Company, Inc.

Chair Morita, Vice Chair Coffman and members of the Committee:

My name is Carlos Perez Loriga and I am testifying on behalf of Hawaiian Electric Company, Inc., and its subsidiary utilities, Maui Electric Company, Ltd., and Hawaii Electric Light Company, Inc.

S. B. 2231 SD1 exempts from the general excise tax the sale or lease of electric vehicles and electric vehicle charging systems that are purchased or placed in service after July 1, 2015, and before January 1, 2020.

Hawaiian Electric Company supports S.B. 2231 SD1; to promote the increased use of electric and plug-in hybrid electric automobiles. Increased consumer acceptance of these types of vehicles will aid in the reduction of greenhouse emissions and fossil fuel use and will help enable the Hawaii Clean Energy Initiative's goal of 70% clean, renewable energy by 2030.

Thank you for the opportunity to testify.

TAXBILLSERVICEDate 3/8

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587 1033

SUBJECT: GENERAL EXCISE, Exempt electric vehicles and electric vehicle charging systems **Category AS AX (B)**

BILL NUMBER: SB 2231, SD-1 **Type (1) 2 WI**

INTRODUCED BY: Senate Committee on Ways and Means

BRIEF SUMMARY: Adds a new section to HRS chapter 237 to exempt from the general excise tax, the gross proceeds arising from the sale or lease of electric vehicles and electric vehicle charging systems purchased and placed in service after July 1, 2015 and before January 1, 2020.

Defines "electric vehicle" as a motor vehicle, including a plug-in hybrid: (1) which draws propulsion using a traction battery with at least four kilowatt hours of capacity; (2) which uses an off-board source of energy to recharge the battery; (3) the original use of which commences with the taxpayer; and (4) which is acquired for use or lease by the taxpayer and not for resale. Further defines "electric vehicle charge point" and "electric vehicle charging system" for purposes of the measure.

This act shall be repealed on January 1, 2020 and HRS section 237-1 shall be reenacted in the form in which it read on the day before the effective date of this act.

EFFECTIVE DATE: July 1, 2015

STAFF COMMENTS: This measure proposes to encourage the deployment of electric vehicles and electric vehicle charging systems by exempting such vehicles and vehicle charging systems from the general excise tax. While it appears that this measure is proposed to encourage the use of electric vehicles and development of charging infrastructure, it is questionable whether a tax credit is necessary. While the trend is to move toward non-fossil fuel vehicles, such as electric vehicles and non-gasoline vehicles, such infrastructure would become necessary to recharge and refuel these vehicles so such development will occur regardless of the credit. While the measure exempts from the general excise tax the purchase of electric vehicles, the exemption is only applicable to an electric vehicle that "uses an off-board source of energy to recharge the battery." By this definition, the exemption does not include current hybrid vehicles that charge the battery as the vehicle is driven.

In addition, the adoption of this measure would merely result in a handout of state funds without regard to a taxpayer's need for tax relief, the proposed measure would result in fewer tax dollars that the state sorely needs at this point. On the other hand, perhaps all proposals suggesting tax expenditures, such as this proposal forwards, should be accompanied with a recommendation for an equal reduction in state spending to compensate for the lost revenues. It is incredulous that lawmakers would propose a further reduction in general fund tax collections, like this, while on the other hand entertain the possibility of raising taxes on all other taxpayers. There is certainly a disconnect with what is being proposed and the reality of the state's fiscal crisis.

Because the proposed incentives are nothing more than a subsidy of these vehicles or charging stations, the cost of the exemption steals from funds that could have been used for many other worthy programs. Such proposals reflect a lack of understanding of the gravity of the fiscal situation that the state is facing.

As officials have finally recognized in promoting the use of alternate energy devices, the tax incentive is regressive in that it favors those taxpayers who have the means of acquiring such alternate energy devices. For the immediate future, it is more than likely that the cost of these electric vehicles will be out of the reach of most consumers. Thus, the tax break will favor those who have the resources to acquire such vehicles at the expense of those who do not. It should be remembered that taxes foregone mean that either public programs will suffer or taxes on others must be increased.

The legislature mandated with Act 156, SLH 2009, that public parking facilities with at least 100 parking stalls must provide one percent of the stalls for electric vehicles. It also mandated that at least one stall be equipped with an electric charging unit. Owners of such parking facilities must comply with this mandate by December 31, 2011. Thus, it makes little sense to provide a tax incentive for such facilities when it is already a mandate.

Finally, it should be remembered that while it may seem like this proposal is reducing the cost of such vehicles and facilities, the general excise tax is not a tax on the consumer but on the business for the privilege of doing business in the state. Thus, an exemption like this for only businesses that sell these types of products will allow these select businesses an exemption from the tax while those who sell similar vehicles or systems that may provide similar alternative fueling systems would not be entitled to the same tax treatment. Again, it should be noted that the tax system is not meant to be a mechanism to influence human behavior, but in the very least it should treat all taxpayers similarly situated in the same manner. This measure deviates from good tax policy.

Digested 3/8/10

EEP 9:00 am 3/9/2010

MENTS OF
 DEPARTMENT OF THE ATTORNEY GENERAL Bill No. SB 2081
 TY-FIFTH LEGISLATURE, 2010

Master 1 - Printshop

2

Room 012B

ON THE FOLLOWING MEASURE:

S.B. NO. 2081, S.D. 2, RELATING TO LITTER CONTROL.

Date 3/8

BEFORE THE:

House COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Time 14:52

DATE: Tuesday, March 9, 2010 TIME: 9:00 a.m.

Cat-AF (AS) AX B

LOCATION: State Capitol, Room 325

Type 1 (2) WITESTIFIER(S): Mark J. Bennett, Attorney General, or
Kathleen S. Y. Ho, Deputy Attorney General

Chair Morita and Members of the Committee:

The Department of the Attorney General provides these comments regarding two legal problems in this bill.

The purpose of this bill is to amend section 339-8, Hawaii Revised Statutes, to (1) increase the fine for littering from \$500 to \$1,000; (2) require that the fine issued by a county agency be deposited into the county's general fund; and (3) require that the fine issued by a state agency be deposited into a special account within the state general fund.

First, the language found on page 1, lines 16 through 17, of the measure is ambiguous. It states: "If the fine under this subsection was issued by a county agency, the fine shall be deposited in the county's general fund." There may be instances in which a citation with a specific fine is issued but the matter is settled for a lesser amount. The same is true for citations issued by a state agency (page 2, lines 1 through 3). Therefore, this language should be clarified to require that a fine collected by a county or state agency shall be deposited into the respective fund.

Second, the bill attempts to authorize the deposit of moneys into a special account within the general fund. Moneys placed in a special account within the general fund will lapse

364518_2.DOC

Testimony of the Department of the Attorney General
Twenty-Fifth Legislature, 2010
Page 2 of 2

to the general fund at the end of each fiscal year. It may be preferable to have a statutorily created special fund for permanent, ongoing revenue set-aside such as what is being proposed in this bill. If this is the intent, the special fund has not been created. Moreover, the measure does not specify how the moneys are to be used. If this bill is passed, we would suggest the language found on page 1, line 17, through page 2, line 5, be deleted:

If the fine under this subsection was issued by a state agency, the fine shall be deposited into a special account within the general fund of the State for the use of the state law enforcement agency that issued the citation for littering pursuant to section 339-9.

The deleted language would then be replaced with this language:

There is established in the state treasury the litter control special fund, into which shall be deposited the fines collected by a state agency under this subsection. Moneys from the litter control special fund shall be used by the state agency that issued the citation for the following purpose

The intended use for the moneys should then be filled in.

WRITTEN ONLY

TESTIMONY BY GEORGINA K. KAWAMURA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON ENERGY AND
ENVIRONMENTAL PROTECTION
ON
SENATE BILL NO. 2081, S.D. 2

March 9, 2010

Bill No. SB 2081

Date 3/8

Time 1623

Cat-AF AS AX B:

Type 1 2 WI

RELATING TO LITTER CONTROL

Senate Bill No. 2081, S.D. 2, increases fines for littering and requires fines to be deposited into the county general fund for the county that imposed the fine, or if the fine is imposed by the State, into a special account in the State general fund for use by the State law enforcement agency that imposed the littering citation.

As a matter of general policy, this department does not support the creation of any special account within the general fund of the State for specific purposes. General fund program requirements should be reviewed on a statewide basis and allocated to programs based on statewide priorities within available resources.

DEPARTMENT OF BUDGET AND FISCAL SERVICES
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 208 • HONOLULU, HAWAII 96813
PHONE: (808) 768-2900 • FAX: (808) 768-3179 • INTERNET: www.honolulu.gov

MUFU HANNEMANN
MAYOR



March 9, 2010

Bill No. 2081

RIX MAURER III
DIRECTOR

Date 3/8 MARK K. OTO
DEPUTY DIRECTOR

Time 1604

Cat- AF AS (AX) B:

Type 1 (2) WI

The Honorable Hermina M. Morita, Chair,
and Members
House Committee on Energy
and Environmental Protection
Twenty-Fifth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chair Morita and Members:

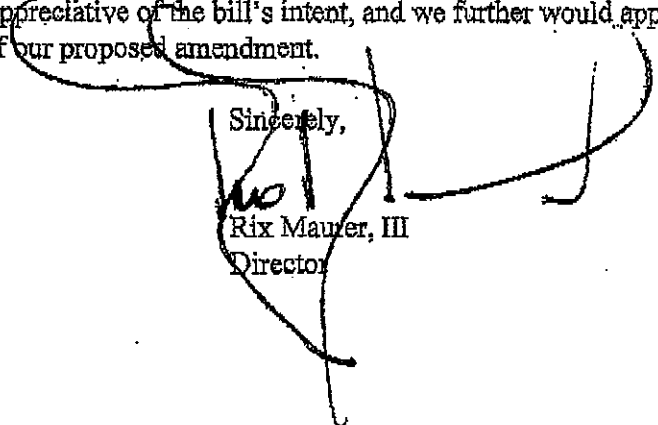
Subject: SB 2081, SD 2 – Relating to Litter Control

The City and County of Honolulu supports the intent of SB 2081, SD 2, which provides for fines imposed by a county agency for violations of the State's litter control law (HRS Chapter 339) to be deposited to the respective county's general fund. However, while county police officers may enforce the provisions of the litter control law by issuing a citation to a violator, the police department does not "impose" the fine upon the violator. Consequently, this discrepancy in the draft language may make the law ineffective.

To remedy that confusion, we recommend an amendment to the bill to clarify that a county would receive the fines imposed upon a violator of the provisions of HRS Chapter 339 if the violator received a citation by a county law enforcement officer or county personnel, pursuant to Section 339-9, HRS.

We certainly are appreciative of the bill's intent, and we further would appreciate your favorable consideration of our proposed amendment.

Sincerely,


Rix Maurer, III
Director



UNIVERSITY
of HAWAII
MĀNOA

RL: 2266

Bill No. SB2356

Date 3/8

Time 1401

Cat AF (AS) AX B;

Type 1 (2) WI

SB 2356 SD 2
RELATING TO LEAF BLOWERS

House Committee on Energy and Environmental Protection
Public Hearing – March 9, 2010
9:00 a.m., State Capitol, Conference Room 325

By
Peter Rappa, Environmental Center
Eileen Ellis, Sea Grant
John Cusick, Environmental Center

SB 2356 SD 2 prohibits the use of gas power leaf blowers; prohibits the use of electric leaf blowers on or near residential zones, except within allowed time periods and prohibits leaf blowing operations from blowing debris onto adjacent property without permission. Our statement on this measure does not represent an institutional position of the University of Hawaii.

Gas powered leaf blowers are a loud and potentially hazardous way to remove leaves and other debris from lawns, driveways, walkways and parking lots. There are four reasons to ban or at least restrict the use of gas powered leaf blowers: 1) they're noisy, leaf-blowers usually generate about 70-75 dB; 2) they pollute the air, particulate matter swept into the air by blowing leaves is composed of dust, fecal matter, pesticides, fungi, chemicals, fertilizers, spores, and street dirt which consists of lead and organic and elemental carbon; 3) they worsen allergies and asthma and irritate the lungs; and 4) they waste gas and emit toxic exhaust fumes. A number of municipalities have already banned them or curbed their use including the cities of Los Angeles, Palo Alto and Santa Barbara in California; Portland, Oregon; and a number of municipalities in the suburban area around Chicago, Illinois.

An argument against banning gas powered leaf blowers is that they save time over other means of cleaning debris. UH grounds keepers have done time studies by area and found the difference in time saved to be in the range of 20 percent. No small savings when you consider that UH groundskeepers manage areas anywhere between 5-10 acres of high traffic landscapes. Yet, even they are looking into alternate ways to collect leaves including the purchase and use of new sweeper that can get in to areas that could not mechanically be swept with previous sweeper. We don't see why government entities should be exempt from the ban on gas powered leaf blowers. They make as much noise and cause as much mayhem in the hands of a

government-affiliated grounds keeper as a private contractor or an individual blowing the leaves off his/her yard or driveway. This exemption would make for two classes of people, government agents who can use them and the rest who are prohibited. It is inherently unfair.

Alternatives to gas powered leaf blowers are available. Rakes, brooms and electric blowers are alternate equipment that can perform leaf cleanup tasks. The first two have been in use since antiquity and have been proven performers since that time. Rakes and brooms are quiet and consume no resources. They produce minimal dust and little debris into the atmosphere and no pollutants from the power source. They are also a good way to burn calories and help keep people fit.

Thank you for the opportunity to comment on this bill.

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 309 • KAPOLEI, HAWAII 96707
 Phone: (808) 768-3003 • FAX: 768-3053 • Internet: www.co.honolulu.hi.us

MUFI HANNEMANN
 MAYOR



March 8, 2010

Bill No. 2356 LESTER K. C. CHANG
 DIRECTOR

Date 3/8 RICHARD HARU
 DEPUTY DIRECTOR

Time 1609

Cat-AF AS (AX)B

Type 1 (2) WI

The Honorable Hermina M. Morita, Chair
 and Members of the Committee on
 Energy and Environmental Protection
 House of Representatives
 State Capitol
 Honolulu, Hawaii 96813

Dear Chair Morita and Members:

Subject Senate Bill 2356, SD2 - Relating to Leaf Blowers

The Department of Parks and Recreation (DPR) supports Senate Bill 2356, SD2 as written. This testimony is to emphasize that it is imperative that the proviso exempting government entities from leaf blower restrictions remain intact. As originally introduced, this bill would have prevented DPR from performing its duty in an efficient and cost-effective manner. In the current economic climate, operational efficiency is critical.

The prohibition of gas powered leaf blowers would be costly, time consuming, and a less effective use of our labor and limited resources. Sweeping is currently limited to small work areas and projects. It is not practical to sweep a large area such as a park and its parking lots.

Our staff makes every effort to insure that the equipment being operated is being used in the correct fashion it was designed for. Providing further education on blower usage to our staff is far simpler than imposing a fine system that must be monitored and implemented by another governmental agency.

Thank you for the opportunity to comment.

Sincerely,

Lester K. C. Chang
 Director

Petition Presented to the
House Committee on Energy and Environmental Protection
e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Bill No. SB2356

Date 3/8

Time 1451

SB 2356, SD2: Relating to Leaf Blowers

Cat-AF AS AX **(B)**

Dear Chair Morita, Vice Chair Coffman, and Members of the Committee

By now you have read the testimony of those supporting passage of SB2356, SD2. I respectfully request that you support SB 2356, SD2. This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. It also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

Type 1 **(2)** WI

I strongly urge you to consider the impact of noise and dust pollution on the mental and physical health of all of Hawai'i's citizens and to pass SB 2356 SD2 for the health benefits it will begin to provide for our ohana.

Thank you for your time.

Respectfully,

Name K. H. Mitt Address: 3095 Puukoa Circle E-Mail Address: _____
Name J. K. Loh Address: 3095 Puukoa Circle E-Mail Address: _____
Name Paula... Address: 3095 Puukoa Circle E-Mail Address: _____
Name _____ Address: _____ E-Mail Address: _____
Name _____ Address: _____ E-Mail Address: _____
Name _____ Address: _____ E-Mail Address: _____
Name _____ Address: _____ E-Mail Address: _____
Name _____ Address: _____ E-Mail Address: _____

Testimony Presented Before the
House Committee on Energy and Environmental Protection
e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Bill No. SB 2356

Date 3/8

Time 1453

Cat. AF AS AX (B)

Type 1 (2) WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is K. Gilkey and I live at Scholar. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawai'i's working population by prohibiting the use of leaf blowers on Sundays, federal holidays and state holidays and limits the hours of operation.

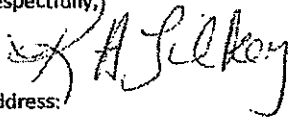
While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,



Address:

Email address:

Kymbereeg@yahoo.com

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 3:31 PM
To: EEPtestimony
Cc: lanco@hawaii.rr.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Gregg Fujii
Organization: lanco@hawaii.rr.com
Address: 3219 Ualena St Honolulu, HI 96819
Phone: 808-836-1188
E-mail: lanco@hawaii.rr.com
Submitted on: 3/8/2010

Time 1531

Cat AF AS AX B

Type 1 2 WI

Comments:

Bill No. SB2356

Testimony Presented Before the
House Committee on Energy and Environmental Protection
To e-mail: EEPTestimony@capitol.hawaii.gov
March 9, 2010, 9:00 a.m., room 325
Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

Date 3/8

Time 1559

Cat-AF AS AX (B)

Type 1 (2) WI

SB 2356, SD2: Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee

My name is Aubrey Hawk and I live at 3155 Oahu Ave, Manoa. I am testifying as a private citizen. Thank you for hearing this important bill today.

This bill, which bans gas powered leaf blowers, recognizes that noise pollution is reduced by electric powered leaf blowers. This bill also considers the needs of Hawaii's working population by prohibiting the use of leaf blowers on Sundays, federal holidays, and state holidays and limits the hours of operation.

While I support the intent SB 2356 SD2, I have some specific comments and suggested amendments to the following sections:

On page 4, Section 2 (a) (1) line 2: Recommend the distance be increased from 'ten feet' to 'fifty feet.'

On page 4, Section 2 (a) (4), line 12: Recommend this be changed to "The maximum decibel level of 55 dba shall not be exceeded." The maximum decibel level recommended in this bill is 70 dBA. The World Health Organization, 1980, Environmental Health Criteria 12: Noise, recommends an outdoor level of 55 dBA and a level of 45dBA to meet sleep criteria. Thus, a 70 decibel leaf blower prohibits healthful sleep, which often takes place during daytime hours for night workers, elderly and infants.

Thank you for this opportunity to testify.

Respectfully,



Address: 3155 Oahu Ave. 96822

Email address: aubrey@aubryhawkpr.com



Glad's Landscaping & Tree Trimming

The Tree People

COMPLETE TREE SERVICE CONSULTATIONS LANDSCAPING

P.O. Box 19007 Honolulu, Hawaii 96817

Phone: 808-836-9515 Fax: 808-836-9528



SB 2356 AGAINST

TO: Committee on Energy Environmental Protection, Rep. Hermina M. Morita, Chair
and Re. Denny Coffman, Vice Chair

FROM: Alex Aquino, Office Manager

RE: Against SB2356

Please be advised I am against Bill SB2356 for a number of reasons listed :

- 1) More manpower will be required to complete a service call.
- 2) The cost will affect residents, commercial and all governmental agencies
- 3) More man hours will be added to a typical service call thus slowing the process and efficiency of maintenance of out door facilities such as public parks, recreation areas, condominiums, etc.
- 4) Newer blower models for cleaner air are on the market and so are quieter models.

Please consider the effects of regulating the use of blowers as a means in curtailing business efficiency while driving up expense and lower the performance of job performance.

Sincerely,

Alex Aquino
Office Manager
Glad's Landscaping and Tree Trimming, Inc.

Bill No. SB 2356

Date 3/8

Time 1633

Cat. AF AS AX (B)

Type 1 (2) WI



Pua Lani

Landscape Design, Inc.

Bill No. SB2356

Date 3/8

To: REP. DENNY COFFMAN, VICE CHAIRMAN
Energy and Environmental Committee

SUBJECT: BILL #SB 2356

Time 1658

Cat AF AS AX (B)

Type 1 (2) WI

My name is Gregory A. Culver. I am President of Pua Lani Landscape Design, Inc., a licensed landscape contracting company that has been in business for over 30 years in Hawaii and employs 46 people.

I am responding to Bill #SB 2356.

In putting this Bill together, the Legislature has not looked at all of the ramifications it will create.

At a time when Hawaii's economy is struggling, this Bill will increase the cost of maintaining hotels, condominiums, shopping centers, office buildings and residences throughout the state.

If there is an issue with the noise during non-business hours, that would be one thing. However, to ban these versatile and time/labor saving machines is unfair to the reputable landscape business community that works to help keep Hawaii a tropical paradise for both residents and visitors.

If you think about it, all machinery makes noise. What is next? No lawn mowers, chainsaws, bulldozers, backhoes, large trucks, delivery vans, etc.? Where in the world will you stop?

The Bill's alternative to use electric blowers instead of gas blowers is not feasible. This would be time consuming as they are not as efficient, and staff would have to run around plugging in extension cords at project sites. In addition, the potential for someone being electrocuted or tripping on a cord creates more liability.

Instead of a ban, just allow the machines to be run between work hours, as they are now. If people use these machines outside of normal work hours have a citation system in-place for them. **DO NOT PENALIZE EVERYONE FOR THE ACTIONS OF A FEW.**

In looking at recent testimony for this Bill, it appears, like always, there is a small vocal minority that tends to sway our elected officials to make laws that are not beneficial to the population at-large.

PLEASE VOTE TO KILL BILL #SB 2356.

Thank you for your attention to this matter.

P.O. Box 1769 Kailua, Hawaii 96734 Telephone: (808) 261-7517 Fax: (808) 261-8024
Contractor's License #C-11634 and #C-14868

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 5:04 PM
To: EEPtestimony
Cc: mrbillcasey@yahoo.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB 2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Date 3/8

Time 1704

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Bill Casey
Organization: Island Lawn Equipment
Address: 600 Kailua Road Kailua HI
Phone: 808-261-2600
E-mail: mrbillcasey@yahoo.com
Submitted on: 3/8/2010

Cat-AF AS AX (B)

Type 1 (2) WI

Comments:

As a dealer of power equipment, I am hardly impartial, but banning the most efficient tool for most many types of clean-up does not seem logical. If certain communities dislike them, they should hire crews that don't use blowers. The increase in time that would be needed to accomplish an inferior job would be quite costly. Switching to a lawn vacuum will produce similar noise and increase labor.

I don't have a problem with banning blowers on Sunday or moving the time for use to after 8am but a total ban is not realistic or necessary. Many things produce annoying noise. What will be next?

Sincerely,
Bill Casey

Bill No. SB2356**HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

Representative Hermina Morita, Chair
 Representative Denny Coffman, Vice Chair
 Tuesday, March 9, 2010
 House Conference Room 325
 9:00 AM

Date 3/8Time 11:04

SENATE BILL 2356, SD2
Relating to Leaf Blowers
 Testimony from Michelle S. Matson
 96815-4502

Cat-AF AS AX **(B)**Type 1 **(2)** WI

Aloha Chair Morita, Vice Chair Coffman and Committee Members:

Please make the 2010 Legislative Session count. Year after year Hawaii's citizens plead with the State Legislature to seriously consider and act upon legislation to restore the peace in their homes constantly besieged by the incessant weekend and weekday 74-decibel noise and air pollution of fossil-fuel powered yard maintenance equipment. Gas powered leaf blowers are the most egregious and I am therefore in *full support* of the intent and purpose of SB 2356, SD2.

Hawaii's residents live in homes that require cross ventilation, but are precluded from this natural comfort within their own homes by having to ensure that their windows are tightly closed - or face the consequences of deafening extended noise impacts, stagnant exhaust fumes and layers of dirt settling on their furnishings and belongings.

Leaf-blowing crews scour the landscape on weekends and weekdays, many with two or three of these machines blasting away at the same location. Their handlers appear to derive a sense of power and importance from wielding whackers and blowers that tumble debris around and erode the soil, creating clouds of dust and dirt as they permeate the air with toxic fuel emissions. Studies that have timed these actions and compared them with traditional methods have concluded that no time is saved by blowing leaves and dirt into piles to be scooped into plastic bags. See <http://www.nonoise.org/quietnet/cqs/leafblow.htm>.

Many of our homes are surrounded by several residential properties, all with their own yard crews of up to three-to-four maintenance workers with up to 2-to-3 whackers and blowers whining, grinding and blasting at once. This cumulatively amounts to 7 hours or more of direct high-decibel noise and air pollution each week.

Recommended amendments:

- Section 2 (a) (1) line 2: Distance should be increased from 'ten feet' to 'fifty feet' as consistent with other urban jurisdictions. Ten feet is only a few steps away.
- Section 2 (a) (4), line 12: The maximum noise level should be reduced from the 70 dB gas blower noise level. Every ten decibels doubles the noise level. Electric 65dB leaf blowers are readily available.

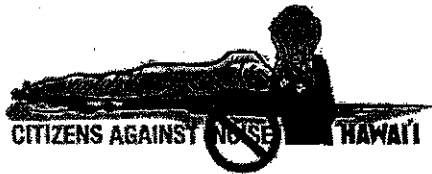
Given Hawaii's warm climate and open living environment, the State Legislature should be a frontrunner in banning this gas-powered equipment from residential areas. With this example yard crews will return to traditional, less expensive and eco-friendly maintenance techniques, and manufacturers taking heed will find ways to develop better, quieter and cleaner maintenance equipment in the greater public interest, health and welfare.

Please return the right of peace and quiet and cleaner air to our neighborhoods.

Citizens Against Noise of Hawaii

P. O. Box 270705

Honolulu, HI 96827



Bill No. SB2356

Date 3/8

Time 1803

Cat-AF AS AX (B)

Type 1 (2) WI

March 9, 2010, 9:00 a.m., room 325

Rep. Hermina M. Morita, Chair
Rep. Denny Coffman, Vice-Chair

SB 2356, SD2: Testimony Relating to Leaf Blowers

Chair Morita, Vice Chair Coffman, and Members of the Committee
My name is Mark Smith and I am testifying on behalf of the Citizens Against Noise of Hawaii, a local organization made up of private citizens who want to promote the quiet and peaceful enjoyment of these wonderful Hawaiian Islands.

I'm fortunate, my condo association wisely decided to ban leaf blowers from our property as did the management of other buildings and hotels in Waikiki. Instead of the loud whining sound of a leaf blower I only hear palm fronds scratching against the surface as our groundskeeper sweeps away leaf and other debris.

Others are not so fortunate so I ask that you offer a sympathetic ear to those who have had their lives disrupted by this particularly intrusive and offensive noise.

Gas powered leaf blowers are pervasive in our residential neighborhoods because they are favored by professional landscapers for their power and portability. These leaf blowers create an unacceptable level of noise in the same areas that people seek the quiet enjoyment of their homes and gardens, in areas where children go to school, in areas where night workers and the bedridden must sleep or rest during daylight hours.

If gas powered leaf blowers are banned professional landscapers will not go out of business.

This law will not automatically make it more expensive for consumers to use the services of landscape maintenance professionals as they themselves would argue. In the past, today, and in the future they will charge what the market will bear, no more, no less. They may work longer, or harder, but they will not go out of business unless they decide they don't want to work longer or harder. And if they do decide to go out of business, someone else, more entrepreneurial and energetic will come along to fill the gap.

As a result of this law, our neighborhoods will become more enjoyable places to live. People will be able to use their lanais, open windows, have a conversation with a neighbor over the fence, or just hear the tradewinds rustle through palm leaves.

Please don't let the economic considerations of a few override the well being of the many. Our ability to live peacefully and enjoy these islands from our homes and neighborhoods will otherwise continue being degraded by an industry that doesn't really care about what they do to neighborhoods outside of clipping plants and grass, blowing away leaves and getting paid.

Respectfully,

Mark C. Smith
President

Address: 300 Wai Nani Way #2002. Honolulu, HI 96815

Email address: kg6hrx@gmail.com

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 7:02 PM
To: EEPtestimony
Cc: scoleman@surfrider.org
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Bill No. SB2356

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Stuart Coleman
Organization: Surfrider Foundation
Address: 2121 Algaroba St., #1107 Honolulu, HI
Phone: 808 942-3841
E-mail: scoleman@surfrider.org
Submitted on: 3/8/2010

Date 3/8

Time 1902

Cat-AF AS AX

Type 1 WI

Comments:

My name is Stuart Coleman, and I am a writer, teacher and environmental activist in Moiliili. I support the ban on gas-powered leaf blowers and the limited use of electric-powered ones because this bill would reduce noise pollution in our neighborhoods dramatically. Almost all of us have been woken up and disturbed by these unnecessarily loud machines, which are grossly inefficient. Thanks for your consideration of this matter.

Aloha, Stuart

Cyndi Apana

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 10:02 PM
To: EEPtestimony
Cc: eagerbeavers808@yahoo.com
Subject: Testimony for SB2356 on 3/9/2010 9:00:00 AM

Testimony for EEP 3/9/2010 9:00:00 AM SB2356

Conference room: 325
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Wayne Hu, President, Eager Beavers, LLC
Organization: Individual
Address: 91-201 Miki'ala Place Ewa Beach, Hawaii
Phone: (808)368-0664
E-mail: eagerbeavers808@yahoo.com
Submitted on: 3/8/2010

Comments:

Bill No. SB 2356

Date 3/8

Time 2202

Cat AF AS AX (B)

Type 1 (2) WI

coffman2-David

From: James C Deputy [deputy@hawaii.edu]
Sent: Tuesday, March 09, 2010 3:38 PM
To: coffman2-David
Subject: SB 466

My name is Jay Deputy. I appeared this morning to testify on SB 2356, SB 466.

For the past 10 years, I have served as Administrator of the Landscape Certification & Training Program sponsored by the Landscape Industry Council of Hawaii. This program has trained over 900 local landscape professionals and officially certified (Certified Landscape Technician) 250 in Hawaii during that time.

The Landscape Industry Council of Hawaii (LICH) represents the approximately 10,000 professionals that compose the Green Industry in Hawaii. I have worked in close association with the leadership of LICH during the past 10 years.

Our position on SB 466 is as follows:

There are no objections to SB 466 in its current form

However we will strongly object to any changes, additions or modifications to the current bill

We will oppose any changes specifically including but not limited to

1. prohibition of gas powered landscape equipment (mandating electric equipment)
2. inclusion of any other piece of gas powered equipment other than power blowers

Thank you very much

Jay Deputy
Administrator, Hawaii CLT Program