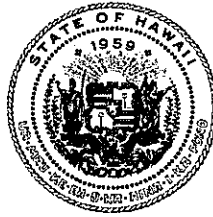


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
ECONOMIC REVITALIZATION & BUSINESS**

**Thursday, February 16, 2012
8:30AM**

State Capitol, Conference Room 312

**In consideration of
HOUSE BILL 2260, HOUSE DRAFT 1
RELATING TO ENVIRONMENTAL PROTECTION**

House Bill 2260 House Draft 1 requires the collection of a 10 cent fee on single-use checkout bags. A percentage of the revenues generated would be deposited into the Natural Area Reserve Fund for watershed protection. The Department of Land and Natural Resources (Department) supports this measure.

Fortunately there are cost-effective and long-term solutions to reverse the trend of forest degradation. The Department's Watershed Program supports public-private partnerships to leverage state funds and provide a diverse range of local jobs. However, funding for these efforts is not sufficient and forest losses continue. In 2000, the State Legislature directed the Department to identify additional funding sources to protect Hawaii's watershed forests. But a decade later, the only dedicated funding source for watershed partnerships is the Natural Area Reserve Fund (NAR Fund), which receives a percentage of the State Conveyance Tax from the sale of real property. With recent cuts to the State general funds, a variety of natural resource programs have increasingly relied on the NAR Fund. This has significantly compromised the funds allocated to watershed protection. In Fiscal Year 2011, 11 partnerships split \$1.25 million, and the five island-based committees that control invasive species and contribute to watershed protection have no authorized dedicated funding whatsoever. Their general fund allocation was eliminated, and they now receive annual legislative allocations from the NAR Fund. In recent years, the NAR Fund has become the funding source for a variety of worthy natural resource programs. But its capacity is stretched to the limit as it is carved up into smaller and smaller shares. While watershed partnerships have typically been able to leverage dedicated state funds with at least

1:1 matching funds, declining state revenues have reduced their ability to find matching contributions. This significantly compromises their ability to protect and maintain priority watershed areas into the future.

An October 2011 statewide poll demonstrated Hawaii's residents' willingness to support increased funding of watershed protection. In addition to a high rating of urgency to protect upland forests for water supplies, 78% of respondents were supportive of increasing funding of watershed protection from \$1 million to \$11 million. When respondents were presented with various means by which the increased funds could be raised, a majority supported the use of environment-related taxes (7.4 out of 10, with 10 indicating "Strong Support"). While the proposed bag fee is not a tax, these results suggest that the public recognizes the immediate need to significantly increase investments in watershed protection.

This measure reduces and mitigates damage from single-use checkout bags while providing wide-ranging benefits to Hawaii's environmental and economic health for current and future generations. Funds deposited in the natural area reserve fund would implement the Department's *The Rain Follows the Forest* plan (available online at <http://Hawaii.gov/dlnr/rain>) to protect Hawaii's sources of water, which are threatened from hotter and drier conditions from climate change, as well as loss of watershed forests.

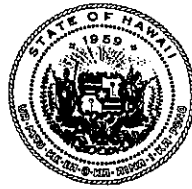
The actions proposed in the plan protect the natural resources threatened by the consumption of single-use checkout bags from deforestation, fossil fuel use, and marine debris pollution. In addition to increasing fresh water supplies, forests prevent erosion that muddies beaches, coral reefs, and fisheries. Forests reduce Hawaii's greenhouse gas emissions, and mitigate many damaging impacts from climate change. Protection sustains the native wildlife and plants unique to our islands and sacred to the Hawaiian culture. The Department's goal is to double the level of forest protection in the next ten years, requiring approximately \$11 million per year. This initiative will create over 150 local jobs. Projects are ready in each county to begin reaching job creation and accomplishment targets. Funds would be allocated in a statewide competitive process to maximize effectiveness and accountability.

Forests are enormous economic assets in Hawaii. In addition to protecting the coral reefs, beaches, and wildlife that make Hawaii a desirable visitor destination, forests are essential to provide water at affordable rates. Hawaii's native forests absorb moisture from rainfall and passing clouds that condense on the thick vegetation and can increase groundwater supply by up to 50%. However, over half of forests have already been lost to invasive species, causing extensive water loss across landscapes. Even a small percentage reduction in groundwater recharge can cost millions per year in increased pumping to transport water for human use. When groundwater levels decline to a point that they cannot be pumped, expensive alternative water sources are needed - long transport pipes, new wells, and even desalination plants. With forest degradation ongoing and accelerating, the longer Hawai'i waits to take significant action to halt this destruction, the higher the costs will be to reverse the damage and ensure Hawaii's water supply and natural beauty for current and future generations.

House Bill 2260, House Draft 1 is a responsible measure that would both reduce damage from bag consumption while providing dedicated funding for essential environmental programs.

Included below are proposed amendments to Section 342H-C(d)(1), Hawaii Revised Statutes:

Sixty per cent of the fee collected from January 1, 2012, until December 31, 2013, and seventy per cent of the fees collected annually thereafter, shall be deposited into the natural area reserve fund established by section 195-9 to be expended by the department of land and natural resources for watershed protection, restoration, and ~~[reacquisition,]~~ acquisition;



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

In reply, please refer to:
File:

HOUSE COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

H.B. 2260 H.D.1, RELATING TO ENVIRONMENTAL PROTECTION

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

February 16, 2012
8:30 a.m.

1 **Department's Position:** The department supports the intent of this measure and proposes some
2 amendments.

3 **Fiscal Implications:** This measure requires the department to undertake substantial administrative
4 duties and to make an annual budget request from the general fund to implement the single-use checkout
5 bag fee program. The annual added cost to the department is estimated to be as high as \$1,400,000. This
6 bill allows businesses to retain up to twenty percent of single-use checkout bag fees collected as revenue
7 subject to both income tax and excise tax. Any remaining fees, less a major allocation for the natural
8 area reserve fund are to go to the general fund. Paying the handling fee and reporting to the department
9 monthly is an additional responsibility for stores.

10 **Purpose and Justification:** This measure requires all businesses in the state to charge a 10-cent fee for
11 each single-use checkout bag provided to their customers. The fee may increase to 25 cents in 2017 if a
12 single-use checkout bag reduction goal is not met. Exemptions remain for bags used for food items, bulk
13 food purchases, fresh produce, prepared food for take-out, live animals, newspapers, and laundry/dry
14 cleaning uses.

1 The department generally supports the reduction of solid waste, litter, and the use of petroleum
2 resources. We believe that a fee of 10 or 25 cents will provide an effective disincentive to reduce plastic
3 bag use.

4 This measure sets a minimum statewide fee-based standard for single-use checkout bags. Plastic
5 bag reduction ordinances for both the County of Kauai and County of Maui County took effect in early
6 January 2011, and the County of Hawaii just enacted its own plastic bag ordinance this year. The City
7 and County of Honolulu is presently considering its own ban on non-biodegradable bags.

8 We offer the following comments. First, the \$800,000 earmarked for the department to run the
9 program may be insufficient to reach the bag reduction goal of 75 percent by July 1, 2016. To reach this
10 goal, we need to undertake more aggressive public education and outreach. So our annual estimated cost
11 to run the program may increase to \$1,400,000 from \$800,000.

12 Second, in lieu of making an annual budget request from the general fund, we request a
13 modification to Section 342H-C so that annual collections provide for a fixed dollar amount of \$800,000
14 to a special account in the environmental management special fund for administrative, compliance and
15 enforcement of this program, with the remaining balance of fees distributed as follows:

16 80 percent to the natural area reserve fund for watershed protection; and

17 20 percent to the environmental response revolving fund for educational outreach on the bag
18 program, and for expenses related to clean water and environment protection.

19 Thank you for the opportunity to testify on this measure.
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24

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Economic
Revitalization and Business

From: Cheryl Kakazu Park, Director

Date: February 16, 2012, 8:30 a.m.
State Capitol, Conference Room 312

Re: Testimony on H.B. No. 2260, H.D. 1
Relating to Environmental Protection

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (OIP) takes no position on the purpose and substance of this bill relating to single use checkout bags, but recommends an amendment to the bill's proposed confidentiality requirements for "proprietary information obtained by the department."

OIP administers and interprets the State's public records law, the Uniform Information Practices Act (Modified), HRS chapter 92F (UIPA). The UIPA requires that all government records are available for public inspection and copying, but provides exceptions to this public disclosure mandate. One exception is for government records that are protected from disclosure "pursuant to state or federal law." HRS section 92F-13(4) (1993).

This bill proposes to add a new part that includes proposed new sections 342H-C and 342H-H, HRS, both of which make confidential "proprietary information obtained by the department." OIP believes that it would be helpful for the term "proprietary information" to be defined for purposes of determining exactly

what types of records should be kept confidential, and thus, are exempt from public disclosure under the UIPA's exception for records protected pursuant to state law.

Therefore, OIP recommends that your Committee amend this bill by adding a definition of the term "proprietary information" to the other definitions of terms, as set forth in the bill's proposed new HRS section 342H-A. Specifically, OIP recommends that the term "proprietary information" be defined to mean "business information covered by any of the exceptions to public disclosure under chapter 92F." By defining "proprietary information" to refer to the UIPA's exceptions, this bill would be using the UIPA's already established standards for determining the types of records to be kept confidential.

For example, in addition to the above-discussed exception for information made confidential by state law, OIP has previously concluded in its advisory opinions that trade secrets and confidential commercial and financial information are exempt from disclosure under the UIPA's "frustration of a legitimate government function" exception (HRS Sec. 92F-13(3)). Proprietary records may also be protected from disclosure when so ordered by a state or federal court, pursuant to another UIPA exception (HRS 92F-13(4)). Government records pertaining to the prosecution or defense of any judicial or quasi-judicial action to which the state or any county is or may be a party would also be confidential, but only to the extent that such records would not be discoverable (HRS Sec. 92F-13(2)). Without the reference to clearly defined standards, such as those already found in the UIPA's exceptions to disclosure, it may be difficult to determine what types of "proprietary information" should be kept confidential.

Thank you for considering OIP's testimony.

TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Single-use checkout bag fee

BILL NUMBER: HB 2260, HD-1

INTRODUCED BY: House Committee on Energy and Environmental Protection

BRIEF SUMMARY: Adds a new part to HRS chapter 342H to establish a single-use checkout bag fee. On January 1, 2013 requires all businesses in the state to charge and collect a fee of 10 cents for each single-use checkout bag provided to customers. A business may provide single-use checkout bags free of charge to any customer participating in federally approved nutrition assistance programs, including the supplemental nutrition assistance program and the special supplemental nutrition program for women, infants, and children.

After July 1, 2016 if the department of health determines that the statewide distribution of single-use checkout bags has not decreased by at least 25% from the effective date of this act, then the fee shall increase to 25 cents on January 1, 2017. Each customer transaction receipt shall show the number of single-use checkout bags provided and the amount of the fee charged.

Allows a business to retain: (1) up to 20% of the bag fees collected between January 1, 2013, to December 31, 2013; and (2) up to 10% of the bag fees collected from January 1, 2014 and thereafter. All fees retained shall be subject to HRS chapters 235 and 237. Requires businesses subject to the single-use bag fee requirements to conduct educational outreach to their customers regarding the single-use checkout bag fee program.

Businesses subject to the single-use bag fee are to remit to the department the fees collected by the last day of each month, less the allowable amount retained, during the immediately preceding month; provided that a small business may remit the fees on a quarterly basis on the last day of the month following the end of a quarter. Businesses shall be subject to penalties and interest for late or underpaid fees. Fees collected shall be deposited as follows: (1) 60% of the fee collected from January 1, 2012, until December 31, 2013, and 70% of the fees collected annually thereafter, shall be deposited into the natural area reserve fund established by HRS section 195-9 to be expended by the department of land and natural resources for watershed protection, restoration, and reacquisition; and (2) any remaining fees collected shall be deposited in the general fund.

Violations of the single-use bag fee program shall be subject to a fine of no less than \$1,000 for each violation. Further establishes provisions relating to injunctive and other relief, interaction with any county ordinances, and business reporting of the number of single-use checkout bags provided to customers and the number of reusable bags provided to customers.

Requires the department of health to submit to the legislature an annual report, no later than twenty days prior to the convening of each regular session, delineating the department's efforts to effectuate the single-use bag fee program, the number of single-use bags distributed, the statewide reduction rate in the

amount of single-use bags distributed, and any recommended policy changes needed to better effectuate the single-use bag fee program. Requires the department to include in its annual budget request funding to administer the single-use checkout bag fee.

Appropriates \$ _____ in general funds for fiscal 2013 to the department of health to initiate and administer all components of the single-use checkout bag fee program.

No later than March 31, 2013, each business that is required to charge and collect the single-use checkout bag fee shall submit to the department of health a one-time report listing the number of single-use checkout bags and reusable bags provided to customers by that business for calendar year 2012.

Defines "single-use checkout bag," as a bag made of plastic that is less than 2.25 mils thick, or a paper package or sack, whether recyclable or non-recyclable, that is provided by a business to a customer, and is designed for one-time use to contain and transport merchandise. A single-use check out bag does not include: (1) bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, grains, or candies, or small hardware items; (2) bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other items to contain dampness; (3) bags used to protect or transport prepared foods or bakery goods; (4) bags provided by pharmacists to contain prescription medications; (5) newspaper bags for home newspaper delivery; (6) door-hanger bags; (7) laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing; (8) bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags; or (9) bags used to contain live animals, such as fish or insects sold in pet stores. Defines "reusable bag" as a bag with handles that is specifically designed and manufactured for multiple reuse and is made of: (1) cloth or other machine-washable fabric; or (2) durable material suitable for reuse, including plastic that is at least 2.25 mils thick.

EFFECTIVE DATE: July 1, 2012

STAFF COMMENTS: While the legislature has acknowledged that the excessive use of single-use checkout bags is a hazard to the environment, rather than a ban or limitation on the use of such check out bags, this measure proposes a single-use checkout bag fee on each single-use checkout bag that is provided to customers with the revenues derived from the fee deposited into the natural area reserve fund to be expended by the department of land and natural resources for watershed protection, restoration, and acquisition. While each single-use checkout bag provided to customers may cost customers 10 or 15 cents per bag, it is questionable whether: (1) the fee imposed would encourage customers to use reusable bags; or (2) the amount derived from this program is sufficient to address the requirements of the stated programs of the department of land and natural resources.

That said, lawmakers and taxpayers should recognize this proposal for what it is, that is, it is nothing more than another way to raise more money to fund questionable state programs. While proponents may argue that such a fee will discourage consumers from using single-use check-out bags, the real reason for this measure is to merely to raise more money to fund government programs. This year the department of health is on the warpath to raise all sorts of funds for its programs and overhead. It is about time that the State Auditor initiate a review of the health department and its rampant abuse of taxpayer dollars through the guise of fees. So like it or not, taxpayers should realize that this is a new tax merely to shore up the state general fund.

Taxpayers need only to recall the fiasco of the “bottle tax” on beverage containers. Instead of providing a financial incentive to consumers to recycle their beverage containers, the bottle tax merely created a surplus of funds because beverage containers were not being returned for the nickel deposit fee and for those that were returned and redeemed, the bulk is probably returned by school groups, nonprofits and the homeless who collect these cans from the parks and streets to provide a source of income. Despite the return of some of these containers, the balance in the beverage container fund has soared to over \$30 million.

And while lawmakers may think that this is a penalty on those consumers who chose not to return their beverage containers, note well that this is more than \$30 million that is not circulating in the state’s economy, creating the jobs that Hawaii’s people so desperately need.

Under the proposed measure, a fee is imposed for each bag provided to the consumer. A business would have to bag a customer’s purchases, then complete the transaction after counting the number of single-use checkout bags it provided to the customer. Although the proposal would allow the business to retain a portion of the fees collected, the actual amount will depend on the number of bags “sold” to customers and, therefore, it is impossible to determine whether or not the fee amount retained will be sufficient or insufficient to cover the cost of compliance with the program. Note well that the amount of the retained fee will be subject to the state’s general excise and income taxes. Thus, as drafted, this fee merely adds to the cost of doing business in Hawaii. So much for lawmakers’ lofty promise not to affect the state’s fragile economy.

If the intent of this proposal is truly to protect the environment from the misuse and abuse of single-use bags, then just ban the use of such bags as the three Neighbor Islands have already done. This disingenuous attempt by lawmakers is so transparent in its attempt to raise new revenues that it is an insult to taxpayers who are already overburdened and who have had to endure the addition of more and more taxes in recent years as lawmakers try to close the budget gap. Retailers might just welcome such a ban as it would reduce their costs since they would not have to provide bags as a courtesy. Ah, but that would mean that there would not be another source of money for lawmakers to spend.

It should be noted that in an effort to reduce the use of single-use checkout bags, several businesses have their own programs to encourage consumers to utilize reusable bags and such programs have been successful in reducing the number of plastic or paper bags provided to customers. Others, like the big box stores, do not provide their customers any type of bags to take away their purchases and that system seems to work just as well.

To reiterate, this proposal is nothing more than a grab for money. It is one more measure that will increase the cost of living and doing business in Hawaii while truly not accomplishing the goal of “cleaning up the environment” that it seems to hide behind. Lawmakers may have been successful in tricking taxpayers once with the “bottle bill,” but a second time is truly reprehensible.

Digested 2/14/12



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

1050 Bishop St. Box 235
Honolulu, HI 96813
Fax : 808-791-0702
Telephone : 808-533-1292

DATE: Thursday, February 16, 2012

TIME: 8:30 a.m.

PLACE: Conference Room 312

TO: COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

Rep. Angus L.K. McKelvey, Chair

Rep. Isaac W. Choy, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Executive Director

RE: HB 1828 RELATING TO SINGLE-USE PLASTIC CHECKOUT BAGS

Chairs & Committee Members:

HFIA **strongly supports** HB 2260, as a means of encouraging consumers to **reduce the use of both paper and plastic single use bags. This bill ensures that our environmental protection bills relating to single use plastic bags are consistent and effective.**

Our stores are on track to spend \$30K-\$60K more per store annually on bag costs in counties where plastic is banned. In order to cover these costs retailers need part of the fee to go back to the retailer. Otherwise retailers will still be losing money due to the cost of paper and ultimately be forced to pass that cost on to the price of food.

Without a fee on paper, our current plastic bag ban bills will simply result in a shift to paper bags. **Paper bags are less environmentally friendly than plastic bags and cost as much as 10 times more than plastic bags. We appreciate that this bill allows the fee to be implemented on all islands, which ensures that all islands will see a reduction in the use of single use bags.** If we want to encourage reusable bag use, a fee is a good way to do so. A plastic bag ban does not accomplish this goal. Thank you for the opportunity to provide this testimony.



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

1050 Bishop St. Box 235
Honolulu, HI 96813
Fax : 808-791-0702
Telephone : 808-533-1292

DATE: Thursday, February 16, 2012

TIME: 8:30 a.m.

PLACE: Conference Room 312

TO: COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

Rep. Angus L.K. McKelvey, Chair

Rep. Isaac W. Choy, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Executive Director

RE: HB 1828 RELATING TO SINGLE-USE PLASTIC CHECKOUT BAGS

Chairs & Committee Members:

Please support **HB 2260** to encouraging consumers to use reusable bags and **reduce the use of both paper and plastic single use bags. This may be the most effective way of quickly changing customers' behavior.**

Monitoring bag consumption will cost retailers money so a portion of the fee is necessary to help offset some of those costs.

If we want to encourage reusable bag use, a fee is a good way to do so. A plastic bag ban does not accomplish this goal. Thank you for the opportunity to provide this testimony.

Thank you for your thoughtful support!

Alan Y. Nakamura

February 15, 2012



February 15, 2012

To: House Committee on Economic Revitalization & Business
The Honorable Angus McKelvey, Chair
The Honorable Isaac Choy, Vice Chair

From: Susan Houghton, Director of Public Affairs and Government Relations

Re: Safeway Support for HB 2260 HD1: Relating to Environmental Protection

I am writing to lend Safeway support for HB 2260 HD1. Our company operates 19 stores in Hawaii – of which 13 are on the island of Oahu.

We applaud your desire to tackle this important issue. We believe it is extremely important to encourage all consumers to reduce the use of both paper and plastic bags. Both have significant effects on the environment.

We are aware that Hawaii Island, Maui and Kauai have already adopted strict plastic bag bans; however, we believe a fee-based system on both plastic and paper is the preferred route. The city of San Francisco completely banned plastic bags several years ago – but did not address the issue of paper bag use. As a retailer with 15 stores in that city, we saw our costs for paper bags increase substantially – by more than \$1 million a year. This figure is in addition to the costs we were already absorbing to provide paper bags to our customers.

We believe consumers need a strong disincentive to truly change their behavior. By placing a fee on both plastic and paper, you are encouraging all consumers to think "reusable." Safeway provides a number of low-cost reusable bag options and we would be happy to participate in an initial reusable bag-giveaway program to promote this important concept. We would also be happy to provide free paper or plastic bags to any customer on such federally approved low-income programs as WIC or Food Stamps.

The key to HB 2260 HD1 is also retailer uniformity. In order to ensure there is no competitive advantage, the legislation must apply to all retailers - regardless of size or origin. While we would prefer a preemption clause that creates geographic uniformity as well, we also understand the need for local control and county-specific ordinances.

Thank you for the opportunity to share our views on this important legislation. Should you have additional questions, please do not hesitate to contact me at (925) 467-2212 or George Glukfeld, our Hawaii district manager at (808) 524-4554.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan", with a long horizontal flourish extending to the right.

Susan M. Houghton
Director of Public Affairs and Government Relations



3375 Koapaka Street, D-108
Honolulu, HI 96819

Phone: (808) 831-0811
Fax: (808) 831-0833

February 16, 2012

Representative Angus McKelvey, Chair
Representative Isaac Choy, Vice Chair
Members of the House Committee on Economic Revitalization & Business

Re: HB 2260 HD1: Relating to Environmental Protection

Dear Chair McKelvey, Vice Chair Choy, and Members of the House Committee on Economic Revitalization & Business,

We appreciate the opportunity to submit our testimony and express our support for HB 2260 HD1. As you may know Times Supermarket is based on O'ahu and operates 26 stores with locations in Maui, Kaua'i and O'ahu.

As an island base company, we understand the constraints of limited space and the preservation of the unique landscape of Hawai'i. It is for this reason that we support your efforts in mitigating challenging issues such as single use bags, and the disposal of bags in landfills.

Currently two island counties have implemented bag policies where we operate stores, and while we support the attempt to change consumer behavior, we believe that that best method for doing so is by implementing a fee. There are various models throughout the United States that address the use of single use bags, and while some are similar throughout states such as California, they lack a uniformed approach. Hawai'i would be the first state in the union to implement a statewide policy that holds all jurisdictions to the same standard.

In Maui and Kaua'i we don't have the ability to charge a fee to help consumers adapt to the ordinances currently in place. Tourists have shifted to paper which is considerably more expensive and environmentally damaging to produce than plastic. The statewide adoption of HB 2260 HD1 would provide the ability for Times Supermarket to better manage a bag policy and continue to promote higher environmental consciences to our consumers.

Having a fee for both plastic and paper given the model that is before us in HB 2260 HD1, with a few additions, should provide a more affective policy that creates a win for the state, consumers and retailers. Such additions would include providing a wavier of the fee to consumers that participate in low income programs such as WIC, EBT and other federal programs as well as the ability to create a uniformed approach for all retailers, large and small, throughout the state.

By providing a preemption of all currently implemented policies, the state of Hawai'i will be able to ensure better enforcement of the law and create additional revenue in jurisdictions that currently would be exempt from HB 2260 HD1. The idea is to maximize the revenues generated by the law to better educate consumers on conservation and re-useable product practices.

Please feel free to contact me should you have any questions regarding this matter at (209) 957-2555, ext 153 or Bob Stout, President of Time Supermarket at (808) 831-0811. We thank you in advance for your consideration and we look forward to continuing the dialogue.

Respectfully,

Bob Gutierrez
Director of Government Affairs,
Times Supermarket and Big Save Supermarket

**Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 2260 HD1 Relating to Environmental Protection
House Committee on Economic Revitalization and Business
Thursday, February 16, 2012, 8:30AM, Room 312**

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 10 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports H.B. 2260 HD1 and the proposed offset fee on single-use check out bags. The production, distribution, use and disposal of single-use check out bags are a significant contributor to litter in Hawai'i, are a threat to marine and bird life, and contribute to greenhouse gas emissions that exacerbate the effects climate change.

Climate change is an imminent and unprecedented threat to natural systems (e.g., forests, coastlines, coral reefs, wetlands) and to every person in Hawai'i that—whether they know it or not—depends on services from the natural environment for their livelihoods, health and welfare. Even if we drastically reduce CO2 emissions now, we will still feel the effects of climate change. In Hawai'i, science indicates that this may include:

- More frequent and more severe storms, and increased runoff and siltation;
- Overall, less rainfall and therefore less fresh water;
- Higher temperatures that may affect the health of forested watersheds;
- Climatic conditions even more conducive to invasive plants, insects and diseases;
- Sea level rise and high wave events that will harm coastal areas and groundwater systems; and
- Ocean acidification that will inhibit the growth of protective coral reefs.

We must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. One of the most effective tools we have to help address the effects of climate change in Hawai'i is to protect our forests. Healthy and diverse Hawaiian forests that are not overrun by invasive species act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events.

For these reasons, we support this measure and particularly favor the allocation of a portion of the revenue generated to protect Hawaii's forested watersheds.

BOARD OF TRUSTEES

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Eiichiro Kuwana Duncan MacNaughton Bonnie P. McCloskey Bill D. Mills Wayne K. Minami Michael T. Pfeffer James C. Polk
H. Monty Richards Chet A. Richardson Jean E. Rolles Scott C. Rolles Crystal K. Rose Dustin M. Shindo Nathan E. Smith Eric K. Yeaman

Chair: Kenton T. Eldridge *Chair Emeriti:* Samuel A. Cooke (co-founder; chair 1980-1991), Herbert C. Cornuelle (co-founder), Bill D. Mills (1991-1995), Jeffrey N. Watanabe (1995-2004), David C. Cole (2004-2008), Duncan MacNaughton (2008-2011)

THE TRUST *for* PUBLIC LAND

CONSERVING LAND FOR PEOPLE

**THE TRUST FOR PUBLIC LAND'S TESTIMONY
IN SUPPORT OF HB 2260 HD 1
RELATING TO ENVIRONMENTAL PROTECTION
House Committee on Economic Revitalization and Business
Thursday, February 16, 2012, 8:30 a.m., Room 312**

The Trust for Public Land's Hawaiian Islands Program supports HB 2260 HD relating to environmental protection, which charges a fee for single use plastic bags and allocates revenues from such fees to the Natural Area Reserve fund and watershed protection which could support the Department of Land and Natural Resources' "Hahai No Ka Ua i Ka Ulula'au" - "The Rain Follows the Forest" watershed protection initiative.

Watershed conservation has proved to be a cost-effective alternative to expensive water-treatment technology in keeping drinking water clean. Natural hydrological systems recharge and cleanse the watershed. Native forests increase the availability of water by absorbing it, storing it, and releasing it slowly during times of scarcity.

In 2001, the Trust for Public Land and the American Water Works Association conducted a study of 27 water suppliers and discovered that the more forest cover a watershed has, the fewer dollars water suppliers (e.g., county boards of water supply) must spend on treatment costs. According to the study, for every 10 percent increase in the source area's forest cover, treatment and chemical costs decreased approximately 20 percent, up to about 60 percent forest cover. For example, when 60 percent of the watershed is forested, average annual treatment costs are \$297,110. When only 10 percent is forested, average annual costs rise to \$923,450.

One of the clearest demonstrations of the economic value of watershed conservation came in 1989, after the Environmental Protection Agency (EPA) ordered New York City to build a \$6 billion to \$8 billion water-filtration plant that would cost \$300 million a year to operate. Instead, the city got EPA's permission to spend \$1.2 billion over the first ten years to restore and protect its watersheds, letting a 2,000 square-mile forest do the work of the water filtration plant. Similarly, the city of Auburn, Maine, saved \$30 million in capital costs and an additional \$750,000 in annual operating costs by spending \$570,000 to acquire and protect land in its watershed.

Offsetting the negative environmental impacts of single use plastic bags by investing in the health of our native forest watersheds is a wise one. It will pay off in avoided treatment costs, and clean drinking water for future generations.

Mahalo for this opportunity to testify -



Lea Hong
Hawaiian Islands Program Director
1136 Union Mall, Suite 202
524-8563 (office), 783-3653 (cell)



CONSERVATION COUNCIL FOR HAWAI'I

Testimony Submitted to the House Committee on Economic Revitalization and Business
Hearing: Thursday, February 16, 2012
8:30 a.m.
Conference Room 312

Support for HB 2260 HD 1 Relating to Environmental Protection

Aloha. The Conservation Council for Hawai'i supports HB 2260 HD 1, which establishes a fee for single-use checkout bags provided to customers. This bill will encourage people to use reusable bags when shopping. It will reduce solid waste in our landfills as well as litter on the land and in the ocean. It will protect marine life from harm caused by plastic bags. HB 2260 HD 1 is also consistent with local policies to reduce single-use disposal bags in Kaua'i and Maui counties.

CCH is dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations, and we are very concerned about the harm to seabirds, sea turtles, monk seals, dolphins, and whales caused by plastic bags and other marine debris. We also appreciate the energy savings that would be realized by reducing the number of single-use checkout bags manufactured for, and shipped to Hawai'i.

We support the proposal in HB 2260 HD 1 to allocate 60% of revenues from the fee to the Natural Area reserve Fund for watershed protection in the first year and 70% in subsequent years.

Please invest in Hawai'i's natural environment, its people, and our future by supporting HB 2260 HD 1. Mahalo for the opportunity to testify.

Sincerely,

Marjorie Ziegler
Executive Director



Hawai'i's Voice for Wildlife – *Ko Leo Hawai'i no na holoholona lohiu*

Telephone/Fax 808.593.0255 • email: info@conservehi.org • web: www.conservehi.org
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President: Hannah Springer * Vice-President: Julie Leialoha * Treasurer: Rick Barboza * Secretary: Maka'ala Ka'aumoana
Directors: Lida Pigott Burney * Koalani Kaulukukui * Robin Kaye
Executive Director: Marjorie Ziegler



LANDSCAPE INDUSTRY COUNCIL OF HAWAII

February 14, 2012

TESTIMONY FOR HOUSE BILL N.O. 2260

House Committee on Economic Revitalization & Business

The Landscape Industry Council of Hawaii strongly supports the intent of House Bill 2260, which requires businesses in the State to collect a fee for single-use checkout bags provided to a customer to fund native habitat protection and restoration.

The Landscape Industry Council of Hawaii has led the state on recent landscape sustainability initiatives: Invasive Species Initiative (the most aggressive in the nation, 2008), Irrigation Water Conservation Initiative (saving over 50% of outdoor water use, 2010) and Native Plant Initiative (only initiative for reintroducing native species in a built environment, 2010).

Key Points to improve House Bill 2260

- Plastic bags are purchased in the built environment, disposed of in our landfills, pollute the built environment and have a greater impact in the built environment's ecosystems and watersheds.
- Plastic bags are one of the most prevalent types of litter in urban areas. Plastic bags pollute our cities, endanger urban wildlife & native flora, litter our streams, clog drainage systems and contribute to flooding. Some bags do reach the ocean.
- The landscape industry spends a considerable amount of effort on debris pickup and removal.
- The Natural Area Reserve System (NARS) protects the best remaining representatives of Hawai'i's native ecosystems, geological sites, and habitats. NARS does not include the built environment.
- The built environment is the vector for all invasive species impacting Hawai'i's native ecosystem.
- There should be a robust effort to plant native species in the built environment so the built environment provides a buffer against invasive species and so that the built environment is a vector for the spread of native species and help restore urban watershed native plant habitats.
- A mere 5% of the land below 1000-foot elevation is inhabited by native species¹ and the amount in the built environment is approximately 1-2%.
- Currently only 10 native plants are 'bulletproof' low maintenance and widely used plants in the built environment. Native plant horticultural knowledge is in its infancy. A minimum of 30 native plants providing viable alternatives to non-native plants is required to increase the use of native plants in the built environment.

- Substantial multi-year native plant horticultural research effort to develop 30 viable native plants and is estimated to cost approximately \$39 million.
- House Bill 2260 should fund all environments impacted by single-use checkout bags including the built environment.
- House Bill 2260 should fund native plant research at the University of Hawaii College of Tropical Agriculture and Human Resources and industry efforts to promote the use of native plants by the Landscape Industry Council of Hawaii with its Native Plant Initiative. House Bill 2260 should fund these efforts at \$3 million per fiscal year.

The Landscape Industry strongly supports HB 2260. House Bill 2260 should be revised to fund all environments impacted by single-use checkout bags including the built environment. House Bill 2260 should fund native plant horticultural research at \$3 million per fiscal year.

The Landscape Industry would like to work together to make House Bill 2260 provide funds for the areas that actually impacted – the built environment, please contact me at my email address: chris.dacus@gmail.com.

Chris Dacus
 President
 Landscape Industry Council of Hawai'i
 P. O. Box 22938, Honolulu, Hawai'i 96823-2938

Landscape Industry Council of Hawai'i

Hawaii's landscape industry is one of the fastest growing and largest segments of the green industry with an economic impact of over \$520 million annually and full time employment of over 11,000 landscape professionals. Since the landscape industry is mostly a service-based industry, the money stays local and has a multiplier effect on our economy.

Celebrating 26 years, LICH was formed in June 1986, the Landscape Industry Council of Hawai'i is a state wide alliance representing Hawaii's landscape trade associations: Aloha Arborist Association, American Society of Landscape Architects Hawaii Chapter, Hawaii Association of Nurserymen, Hawaii Island Landscape Association, Hawaii Landscape and Irrigation Contractors, Hawaii Society of Urban Forestry Professionals, Kauai Landscape Industry Council, Maui Association of Landscape Professionals, Professional Grounds Management Society, Big Island Association of Nurserymen, and the Hawaii Professional Gardeners Association.

Online at www.landscapehawaii.org

References

1. Ecosystem Status for 2008. Percentage of terrestrial ecosystems surviving as native plant communities, Hawaii Conservation Alliance, 2008.

Testimony of Hawaii Endangered Bird Conservation Program
Supporting H.B. 2260 HD1 Relating to Environmental Protection
House Committee on Economic Revitalization and Business
Thursday, February 16, 2012, 8:30AM, Room 312

The HEBCP supports H.B. 2260 HD1, particularly its proposal to use revenue from a small fee on single-use checkout bags to support watershed protection programs. This bill provides a good opportunity to turn something that can be harmful to the environment into revenue that supports a healthy environment.

We support the DLNR's "Rain Follows the Forest" watershed protection initiative. We recognize the necessity of natural resource stewardship even during challenging financial times. Generations of Hawaii's ranchers, farmers and land managers have always understood the close connection between a healthy natural environment, land protection, stewardship, water supply, agricultural self-sufficiency, and the economy. *[Include some specific information about yourself or your company and why you are a member of the watershed partnership.]*

Business and government often measure our economy by the number of tourism and construction jobs in operation. That's understandable, but doesn't account for vast natural assets (forests, fresh water, beaches, coral reefs, agricultural land) that support every person in Hawai'i — residents and visitors — who depend on services from the environment for their livelihoods, health and welfare.

The DLNR's watershed initiative proposes a sound investment in our forests, which are the source of nearly all the islands' supply of fresh water. The watershed protection and invasive species programs supported with state funds and leveraged several times over with matching funds from county, federal and private sources help to ensure healthy, managed natural resources that permit our survival in the middle of the vast Pacific.

Signed,

Joshua Kramer
Research Coordinator
Hawaii Endangered Bird Conservation Program



Princeville Utilities Company, Inc.

February 14, 2012

House Committee on Economic Revitalization and Business
House of Representatives
Hawaii State Legislature
Honolulu, Hawaii 96813

RE: H.B. 2260HD1 Relating to Environmental Protection

Ladies and Gentlemen:

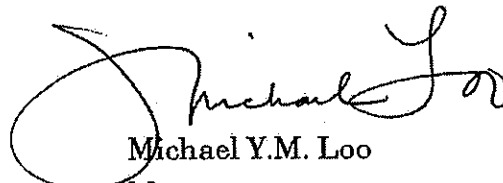
Princeville Utilities Company supports H.B. 2260 HD1, and in particular, the proposal to use revenue from single-use checkout bag fee collections to support watershed protection programs. This bill provides a good opportunity to turn something that can be harmful to the environment into revenue that supports a healthy environment.

Our company is a member of the Kauai Watershed Alliance and we support the DLNR's "Rain Follows the Forest" watershed protection initiative. It is important that we recognize the necessity of natural resource stewardship. As a water utility, we know how vital it is to preserve our watersheds for current and future generations, and watershed protection programs will benefit from this bill.

The DLNR's watershed initiative proposes a sound investment in our forests, which are the source of nearly all the islands' supply of fresh water. The watershed protection and invasive species programs supported with state funds and leveraged several times over with matching funds from county, federal and private sources help to ensure healthy, managed natural resources that permit our survival in the middle of the vast Pacific.

On this St. Valentines day, we urge you to pass this bill.

Very truly yours,



Michael Y.M. Loo
Manager



COORDINATING GROUP ON
ALIEN PEST SPECIES

House of Representatives
Committee on Economic Revitalization & Business
Thursday, February 16, 2012
8:30 a.m., Conference Room 312
State Capitol

Testimony in Support of HB 2260 HD1

Aloha Chair McKelvey and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports HB 2260 HD1, *Relating environmental protection***, which would require businesses to collect a fee for single-use bags at checkout. Part of the fee would provide critical funding for the Natural Area Reserves Fund (NARF) for watershed protection, which has been chronically underfunded for decades.

CGAPS appreciates this initiative as a source of funds for watershed protection, restoration, and acquisition, and we encourage DLNR to take a landscape view of priority actions. Mahalo for your consideration.

Aloha,

Christy Martin
Coordinating Group on Alien Pest Species (CGAPS)
Ph: (808) 722-0995

Testimony of Namahana Farms/Ben Dyre Family Limited Partnership
Supporting H.B. 2260 HD1 Relating to Environmental Protection
House Committee on Economic Revitalization and Business
Thursday, February 16, 2012, 8:30AM, Room 312

As General Partner of the Ben Dyre Family Limited Partnership, I support H.B. 2260 HD1, particularly its proposal to use revenue from a small fee on single-use checkout bags to support watershed protection programs. This bill provides a good opportunity to turn something that can be harmful to the environment into revenue that supports a healthy environment.

Our family partnership is a member of the Kauai Watershed Partnership and we support the DLNR's "Rain Follows the Forest" watershed protection initiative. We recognize the necessity of natural resource stewardship even during challenging financial times. Generations of Hawaii's ranchers, farmers and land managers have always understood the close connection between a healthy natural environment, land protection, stewardship, water supply, agricultural self-sufficiency, and the economy. We are very grateful of the work that both the KWA and the DLNR has been able to accomplish in the past several years. We are proud to call ourselves members of the Kauai Watershed Alliance.

Business and government often measure our economy by the number of tourism and construction jobs in operation. That's understandable, but doesn't account for vast natural assets (forests, fresh water, beaches, coral reefs, agricultural land) that support every person in Hawaii — residents and visitors — who depend on services from the environment for their livelihoods, health and welfare.

The DLNR's watershed initiative proposes a sound investment in our forests, which are the source of nearly all the islands' supply of fresh water. The watershed protection and invasive species programs supported with state funds and leveraged several times over with matching funds from county, federal and private sources help to ensure healthy, managed natural resources that permit our survival in the middle of the vast Pacific.

Holly Dyre
General Partner of
Ben Dyre Family Limited Partnership
(Namahana Farms, Kauai, HI)



NATIONAL TROPICAL BOTANICAL GARDEN
Chartered by Congress to Create a National Resource in Conservation, Research, and Education

House Committee on Economic Revitalization and Business
Rep. Angus L.K. McKelvey, Chair
Rep. Isaac W. Choy, Vice Chair

Hearing on: HB 2260 HD1 Relating to Environmental Protection
Thursday, February 16, 2012, 8:30AM, Room 312

Testimony of Chipper Wichman, National Tropical Botanical Garden Supporting HB 2260 HD1 Relating to Environmental Protection

Dear Representatives,

As the Chair of the Kaua'i Watershed Alliance (KWA) and the Director and CEO of the National Tropical Botanical Garden (NTBG), I am writing to you to express my STRONG support for HB 2260 HD1 which will use revenue from a small fee on single-use checkout bags to support watershed protection programs in particularly the Department of Land and Natural Resources' "Rain Follows the Forest" watershed protection initiative.

The health of our watershed is the key to providing clean water for our native plants and animals and ultimately for the health and well being of our communities. We have made some important progress on Kaua'i over the past several years, and the "Rain Follows the Forest" initiative represents an opportunity to take a proactive position on watershed health - one that will benefit the 'āina as well as our communities and economy.

Currently only about ten percent of the priority watersheds in the State are protected from feral ungulates and ecosystem transforming invasive weeds. We need to undertake large-scale watershed protection, and I sincerely believe that the goal of doubling the number of acres of protected area is achievable if a minimum of \$11,000,000 annually is dedicated to this initiative. HB 2260 HD1 is an important step in this direction as it directs revenue from a small fee on single-use checkout bags to large scale watershed protection. The KWA stands ready to help DLNR implement this visionary plan across property lines on the island of Kaua'i - the difference it could make in our lifetimes will be remarkable.

Aloha,

Chipper Wichman,
Director and CEO - National Tropical Botanical Garden
Chair of the Kauai Watershed Alliance

To The Hawai'i State Legislature; Conference Committee Reviewing HB 2260:

I believe that this conference committee has the obligation to the citizens of the State of Hawai'i to approve HB 2260. By passing this bill it will make Hawai'i one-step closer to becoming the first **plastic bag free state** in the U.S. It will prove our commitment to sustainability and to the Clean Energy Initiative 2030. It will also demonstrate to the nation that Hawai'i continues to be a forerunner in becoming a sustainable state.

The implementation of this HB 2260 it will still give consumers a choice. They can either pay \$0.10 for a paper/plastic bag or bring their own reusable one. Even though this is not the answer to becoming fully sustainable, it's a start. With this bill we can begin to make an effective contribution to a sustainable future.

However, to actually become a sustainable state we must BAN single-use plastic bags in every county of Hawai'i. Consider these facts on single-use plastic bags when contemplating your vote on HB 2260.

Most people are not aware that a plastic bag is only utilized for an average of 15 minutes, but takes an estimate 1000 years to biodegrade. Most Americans will accrue between 300-400 plastic bags a year, and only 8% of those are recycled. Think of how many bags in Hawai'i are used yearly, not just by the residents but include the 7.3 million yearly visitors.

Our definition of recycling plastic bags in Hawai'i is to ship them to either California or Asia. We ship these bags to our islands to be used for 15 minutes, only to ship 8% of them back to be recycled. However, this is merely 8% of all the bags that we consume. Where does the other 92% go? Into our over crowded landfills? Into our ocean? Do they actually make it to H-Power? In 2007 the EPA acknowledged that despite recent tightening of emission standards for waste incineration power plants, the waste-to-energy process still "create significant emissions, including trace amounts of hazardous air pollutants."

Once a plastic bag enters our landfill it photo-degrades into smaller particles, then finds its way into our water. Our fish ingests these smaller particles that are known as “plastic dust”. Plastic dust is ingested by filter feeding marine animals. The dust and the bio-toxins, such as polychlorinated biphenyls (PCBs) that the plastic dust accumulates, are passed up the food chain to fish and humans. We are eating toxins when we consume fish from our ocean. How do these toxins affect our keiki, their bodies are not as strong or developed as adults to handle these poisons.

What happens if the plastic bags do not make it to our landfill but goes straight into our ocean? The study by C.J. Moore, “A Comparison of Plastic and Plankton in the Pacific Central Gyre.” Concludes that the most identifiable plastics found in the Pacific Gyre were thin films, otherwise known as plastic bags.” What are we doing to our ocean and its inhabitants?

It has been proven that implementing a tax on single use bags creates revenue. The “Plas Tax” implemented in Ireland during 2002, raised approximate revenue of \$9.6 million in the first 12 months, and slashed consumption by over 94%. The first year that Washington DC implemented its \$0.05 tax, they raised 2 million in tax revenue and dropped consumption by at least 80%.

Testimony has overwhelmingly shown that our community and businesses support HB 2260, with only a small minority objecting. Hawai‘i, Maui and Kauai Counties have passed bills to ***BAN plastic bags***.

Our tourists come from areas that have similar progressive legislation in effect: China, Philippines, Samoa, selective states in Australia, South Korea, most of the E.U. and selective cities on the continental US. Many people around this planet carry their own bags now; it has become a habit and a trend.

It is time for us, the people of Hawai‘i to become responsible stewards of these islands we call home and the ocean that surrounds us. Let us pass on to our keiki a better Hawai‘i, a sustainable Hawai‘i.

By passing HB 2260 today, you as our leaders will be taking the first step in establishing a legacy of transformation to create a more sustainable Hawai'i. With this bill you will implement methods that do not harm the environment but improve it.

I urge you to pass HB 2260, making Hawai'i one-step closer to becoming the first state to be **plastic bag free**. This committee has the power to make this historic change.

Approve HB 2260

Thank you,

Dorothy M. Clegg

Rachel Harvey
316 Keaniani St.
Kailua, HI 96734,
racheharvey@gmail.com
808-429-2000

ERB Public Hearing
House Conference Room 312
February 16th, 2012, 8:30am
Testimony of Rachel Harvey
In Support of House Bill 2260

Aloha Representatives,

I am writing to comment in support of House Bill 2260. Regulating single-use plastic and paper bags with a fee will help make Hawaii a model state for sustainable change. Further, I appreciate that revenues from bag fees will support the natural area reserves fund and the watershed initiative.

Hawaii, especially Oahu, is at a crucial moment for waste management. Despite the efforts of the H-Power waste-to-energy program, our facilities and landfills are overwhelmed. According to an article in the Honolulu Advertiser (March 8, 2010), people on Oahu use an estimated "300 million bags or more annually." Legislating source reduction and behavior changing regulation is the targeted solution.

The harmful cost of single-use plastics stretches from the oil it takes to produce it, to the health of the consumer, to the cost of disposal, and finally to the marine ecosystems it wrecks. Plastic is a material that the Earth cannot digest. Once discarded in the environment, plastic breaks down into smaller and smaller particles. Patches of plastic pollution cover millions of square miles of ocean near Hawaii. Tragically, this plastic also ends up in the stomachs of marine birds and animals. Moreover, the creation and distribution of plastic products increases our polluting carbon emissions and dependence on fossil fuels. The U.S. goes through 100 billion plastic bags each year, requiring 12 million barrels of oil to produce, and less than 5% are ever recycled.

It is equally important to regulate the use of single-use paper bags. Not only do paper bags use far more fossil fuel in production and manufacturing, but they also require twenty times as much fresh water as plastic bags. Additionally, most paper comes from tree pulp, so the impact of paper bag production on forests is enormous. A 2008 article from the National Cooperative Grocers Association states that each year the United States consumes 10 billion paper grocery bags, requiring 14 million trees. Paper bag production delivers a negative blow to the fight against climate change and global warming. Forests (major absorbers of greenhouse gases) have to be cut down, and then the subsequent manufacturing of bags produces greenhouse gases.

Reusable bags allow new avenues for marketing and save the retailer and consumer money. Reusable cloth and nylon bags can be purchased for a dollar (or are sometimes free) and used for years and years. Consumers actually pay hidden costs for so-called free bags. Further, reducing the consumption of single-use plastic bags will bring in money for our state and save money in

clean-up costs. The taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags is often more than the cost of the bag.

Our taxpayer dollars are being used to subsidize the cost of waste. Much of this money could be redirected to benefit our state. Similar laws have been passed worldwide and have proven to be successful. For example, when Washington D.C. instituted its recent five-cent fee, bag use declined from an average of 22.5 million per month to 3 million in the very first month, and fees generated about \$150,000 for use by the city.

This bill effectively addresses the issue of single-use check out bag plastic pollution by positively changing consumer behavior, decreasing external costs, and decreasing the amount of waste Hawaii produces.

I am a community coordinator for Plastic Free Hawaii (Kailua Chapter) by the Kokua Hawaii Foundation. We are a coalition of community members and businesses striving to educate the stores, restaurants, residents, and visitors of Kailua on the environmental and health benefits of going plastic free. <http://plasticfreekailua.blogspot.com/>

Mahalo for the opportunity to testify on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Harvey".

Rachel Harvey

From: randy bartlett (emwp) [coordinator@eastmauiwatershed.org]
Sent: Wednesday, February 15, 2012 12:19 PM
To: ERBtestimony
Cc: rtb@hawaii.rr.com; Dawn@olomanaloomisisc.com; mfox@TNC.ORG
Subject: HB 2260 HD1 Environmental Protection

Aloha kakou, Chair McKelvey, Vice Chair Choy & ERB Committee Members:

As an `O`ahu-born kama`aina and conservation professional on Maui for nearly 25 years, I ask for your support for HB 2260 HD1 Relating to Environmental Protection. Hawaii's forested watersheds are increasingly threatened by losses of our endangered native biodiversity and watershed capacity by invasive species when demand for both potable and agricultural water is at an all-time high and projected to grow in-step with our population. Increasing funding to protect the watershed statewide is urgently needed to provide water supplies for current and future generations of residents and visitors alike.

`Ua Mau Ke Ea O Ka `Aina I Ka Pono!!!

Mahalo nui loa no kou kokua,

Randy Bartlett
POB 11197
Lahaina, HI 96761
808.870.6443 cell
www.eastmauiwatershed.org

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 1:31 AM
To: ERBtestimony
Cc: psgegen@hotmail.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Pat Gegen
Organization: Zero Waste Kauai
E-mail: psgegen@hotmail.com
Submitted on: 2/15/2012

Comments:

Testimony – ZWK – Fees / Bans on Single Use Disposable Bags

I write this letter on behalf of Zero Waste Kauai (ZWK) in support of legislation that would impose a fee upon the use of single-use, point-of-sale shopping bags.

There are a number of approaches to reducing the use of single use, point of sale shopping bags before the Legislature. ZWK supports these efforts to reduce the use of single use bags, especially those made from non-renewable, petroleum -based resources.

We do feel that the proposals that target a portion of the funds for environmental programs such as Watershed Protection and the promotion of County recycling efforts have special merit, and that that language be included.

We also feel that it is important that the bills contain language making it clear that the state law will not preempt existing County laws banning plastic bags. We strongly object to the bills that do not contain explicit language disavowing preemption. We do not object to imposing fees on disposable paper bags that are not banned under county law, but we ask that the merchants on neighbor islands be allowed to keep five cents to cover their costs for the following reasons: the wholesale cost of paper bags is higher on neighbor islands; because of the ban, the neighbor island merchants do not have the choice of using plastic bags for their customers; the owners should be given the right to cover an average cost. If this means that less will go to the state from neighbor island merchants, this is reasonable to us, based on the three foregoing reasons.

There is one area where we would suggest improvement, and that is removing any exemptions for bags used for the sale of prepared foods. Many of us participate in highway and beach clean-up efforts around the island and it was unmistakably evident that the vast majority plastic bags found on our roads and beaches had come from fast food providers.

Over the past year, as Kaua'i's ban on plastic bags has been implemented, the amount of plastic bags recovered in litter clean-up programs has been significantly reduced.

Last year, the Kaua'i County Council, reviewed the impacts of the ban on prepared food retailers, evaluated scientific research on the possible health issues stemming from leaking fast food containers, and concluded

that the health risks were minimal, and rejected the attempt to modify our ban to allow the use of plastic bags by the prepared food industry. We strongly recommend that you examine this issue and remove that exemption.

Sincerely,

Pat Gegen
Chair, Zero Waste Kauai

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 8:31 AM
To: ERBtestimony
Cc: lfabrey@gmail.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Laura Stevens
Organization: Individual
E-mail: lfabrey@gmail.com
Submitted on: 2/15/2012

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 8:32 AM
To: ERBtestimony
Cc: scotchglenn@gmail.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Scott Glenn
Organization: Individual
E-mail: scotchglenn@gmail.com
Submitted on: 2/15/2012

Comments:
Chair McKelvey, Vice Chair Choy, and Members of the Committee,

Please support this bill. As others have noted:

Keep bags out of the environment, restore Hawaii's essential watershed, and keep the cost of business lower?
It's a win win win!

Thank you,
Scott Glenn

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 10:41 AM
To: ERBtestimony
Cc: dcotter@hawaii.edu
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM
Attachments: HB2260 support.doc

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: dana cotter
Organization: Individual
E-mail: dcotter@hawaii.edu
Submitted on: 2/15/2012

Comments:

I am fully in support of the proposed HB 2260. As a college student at UH Manoa I believe that it is of the outmost importance to our academic community as well as the future of our society to be concerned and aware of our environmental impact. Single-use paper and plastic bags are used on average for a total of 15 minutes. These substances often find themselves in nature, especially the ocean where they are continuously broken down into smaller pieces; these pieces are then digested by the fish that we later consume. Right now there are samples taken from the Pacific Gyre that count a 40:1 plastic particles to plankton ratio. This number is absurd and completely avoidable. By placing this tax on bags people are more likely to think twice about the 'convenience' of these items. Such taxes are proven to be effective in other countries such as Ireland, where the use of plastics dropped 94%. These are small but significant steps that we need to take in order to preserve and protect our environment.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 1:29 PM
To: ERBtestimony
Cc: rezentesc@aol.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Cynthia K.L. Rezendes
Organization: Individual
E-mail: rezentesc@aol.com
Submitted on: 2/14/2012

Comments:

I am in STRONG SUPPORT of this bill as it helps to guide our habits to taking care of our limited natural resources and providing needed funding for DLNR to pursue its' mandate and mission which is to protect and preserve our natural resources for current and future generations.

It has been shown that proper care and management of our watersheds has a tremendously positive impact on the watershed and also in the health of the land and water associated with that watershed.

Please support this bill to help remove plastic bags from our environment and to help allow DLNR to meet its' mandate.

Mahalo,

Cynthia K.L. Rezendes
Wai`anae resident

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 2:35 PM
To: ERBtestimony
Cc: Kauaimichelle@gmail.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Michelle Clark
Organization: Individual
E-mail: Kauaimichelle@gmail.com
Submitted on: 2/14/2012

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 3:03 PM
To: ERBtestimony
Cc: rachel_neville@yahoo.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Rachel Neville
Organization: Individual
E-mail: rachel_neville@yahoo.com
Submitted on: 2/14/2012

Comments:

I support this bill. Hawaii's watersheds will not be able to continue to provide water for us if we do not protect them. And it is a big job that requires long-term stable funding. This bill would help provide that funding without taking from other programs or raising income taxes. It will also provide an economic incentive for people to remember to bring their re-usable bags. Please pass this bill, Aloha, Rachel Neville

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 3:56 PM
To: ERBtestimony
Cc: tshigemoto@abprop.com
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Tom H. Shigemoto
Organization: Kauai Watershed Alliance
E-mail: tshigemoto@abprop.com
Submitted on: 2/14/2012

Comments:

Testimony of Tom H. Shigemoto, V.P. A&B Properties, Inc.
Supporting H.B. 2260 HD1 Relating to Environmental Protection House Committee on Economic Revitalization and Business Thursday, February 16, 2012, 8:30AM, Room 312

I support H.B. 2260 HD1, particularly its proposal to use revenue from a small fee on single-use checkout bags to support watershed protection programs. This bill provides an opportunity to create a mechanism to provide much needed revenue to protect and preserve our precious watersheds.

Our company is a member of the Kauai Watershed Partnership and we support the DLNR's "Rain Follows the Forest" watershed protection initiative. We recognize the necessity of natural resource stewardship even during challenging financial times. Generations of Hawaii's ranchers, farmers and land managers have always understood the close connection between a healthy natural environment, land protection, stewardship, water supply, agricultural self-sufficiency, and the economy. Alexander and Baldwin, Inc. owns approximately 13,000 acres of State classified conservation district lands on Kauai. 10,000 acres are situated in Wainiha Valley and a portion of this acreage is actually part of the Alaka`i swamp, the primary watershed for the Island of Kauai. Due the strategic location of our conservation property and our agricultural pursuits our company understands and supports the concepts contained in the "Rain Follows the Forest" initiative.

Business and government often measure our economy by the number of tourism and construction jobs in operation. That's understandable, but doesn't account for vast natural assets (forests, fresh water, beaches, coral reefs, agricultural land) that support every person in Hawai'i — residents and visitors — who depend on services from the environment for their livelihoods, health and welfare.

The DLNR's watershed initiative proposes a sound investment in our forests, which are the source of nearly all the islands' supply of fresh water. The watershed protection and invasive species programs supported with state funds and leveraged several times over with matching funds from county, federal and private sources help to ensure healthy, managed natural resources that permit our survival in the middle of the vast Pacific.

Your consideration in adopting H.B. 2260 is greatly appreciated.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 11:41 AM
To: ERBtestimony
Cc: walle@maui.net
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: walle landenberger
Organization: Individual
E-mail: walle@maui.net
Submitted on: 2/15/2012

Comments:

If the intent of this bill is to end the use of plastic bags as stated in the bill then all the discussion regarding fees and percentages of monies is not necessary. The legislature would follow the counties and just ban the use. If the intent of the bill is to use a good idea in order to generate more state revenues and not solve a problem, then this is the bill. This bill should be stopped right now. It is nothing but a sham.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 12:09 PM
To: ERBtestimony
Cc: jwebster@chaminade.edu
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: John Webster
Organization: Individual
E-mail: jwebster@chaminade.edu
Submitted on: 2/15/2012

Comments:

This bill is essential to getting our coastal waters cleaned up. I am a regular (from-shore) fisherman and the plight on our marine life from plastic bags is so significant that tourism will undoubtedly suffer.

It is with enthusiasm that I now carry my own re-usable bag for groceries and I believe that most people will happily do so if asked to by passage of this bill.

Aloha,

John Webster

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 1:00 PM
To: ERBtestimony
Cc: acasiah@hawaii.edu
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM
Attachments: bill_testimony.doc

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Acasia Hokama
Organization: Individual
E-mail: acasiah@hawaii.edu
Submitted on: 2/15/2012

Comments:

As a life-long resident of Hawaii, I understand the importance of taking care of the land and ocean. Here in Hawaii, we are dependant on the land and ocean to help us sustain our way of life. For hundreds of years, Native Hawaiians were living on these islands and showed great respect for the `aina. They understood that if they put hard work and care into taking care of the lands, then the lands would in turn take care of them. In today's modern society, we have lost that sense of respect for the land. In return, the lands and ocean are slowly becoming an inhabitable place for people and for animals as well. We may not see most of the effects today, but in time, if we continue our bad habits, we will surely see a great deterioration of our lovely home. This bill is not for us. It is for our children, our grandchildren, and our great-grandchildren. It is also for the beautiful plants and animals that inhabit our islands and make Hawaii as beautiful as it is. This bill works towards making sure that our islands stay beautiful and inhabitable for generations to come. It is a small, selfless step I believe that we should take in order to keep Hawaii's environment the same or even improve it for the future.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 1:11 PM
To: ERBtestimony
Cc: tmatus@hawaii.edu
Subject: Testimony for HB2260 on 2/16/2012 8:30:00 AM
Attachments: bill_testimony.doc

Testimony for ERB 2/16/2012 8:30:00 AM HB2260

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Thomas Matus
Organization: Individual
E-mail: tmatus@hawaii.edu
Submitted on: 2/15/2012

Comments:

My name is Thomas Matus, and I am offering testimony in support of HB 2260. Although I am a student at UH Manoa, I travel to Maui many times throughout the year to visit my family. Maui County has already enacted legislation banning single-use plastic bags entirely, and in experiencing the hardships of daily life, both with and without access to single-use plastics bags, I can safely say that these bags are NOT a necessity to our daily lives. The society that has developed in Hawaii is one of unsustainability. The 'mainland-US' way of life that has been established here is not financially viable and is taking a massive toll on the environment. In light of this, I would like to reiterate my support of HB 2260 to end the excesses our daily lives that are devastating our environment.