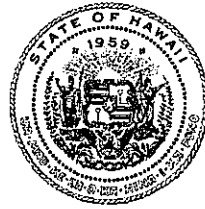


SB 2511

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

**Before the Senate Committees on
ENERGY & ENVIRONMENTAL PROTECTION
and
ECONOMIC DEVELOPMENT & TECHNOLOGY
and
WATER, LAND & HOUSING**

**Thursday, February 9, 2012
2:45 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 2511
RELATING TO ENVIRONMENTAL PROTECTION**

Senate Bill 2511 requires the collection of a 10 cent fee on single-use checkout bags. Among other recipients, \$11,000,000 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

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

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.

Senate Bill 2511 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, Hawaii Revised Statutes, to incorporate changes discussed with the Department of Health in case the fee generates less than \$11 million and the cost of administration, audit, compliance, and enforcement of the program.

§342H-C Remittance of fees. (a) Not later than the last day of each month, each business subject to the requirements of this part shall remit to the department the fees collected pursuant to section 342H-B(a), less the amount retained pursuant to section 342H-B(d), 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.

(b) Payments and receipts of fees shall be reported on forms prescribed by the director. Any proprietary information obtained by the department shall be kept confidential and shall not be disclosed to any other person.

(c) Businesses shall be subject to penalties and interest for late or underpaid fees.

~~(d) All fees collected by the department pursuant to this part shall be deposited as follows:~~

~~(1) \$800,000 of the fees collected annually shall be deposited into a special account in the general fund to be expended by the department for administrative, audit, compliance, and enforcement activities associated with collection of the single use checkout bag fee; provided that any funds in excess of those expenses shall be expended by the department to conduct educational outreach to retailers regarding the single use checkout bag fee program;~~

~~(2) \$11,000,000 of the fees collected annually shall be deposited into the natural area reserve fund to be expended by the department of land and natural resources for watershed protection, restoration, and acquisition; and~~

~~(3) Any remaining fees collected shall be deposited in the general fund.~~

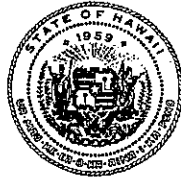
(d) The department shall deposit all fees collected under this part into a special account in the environmental management special fund under section 342G-63, provided that \$800,000 per year shall be expended by the department for administrative, audit, compliance, and enforcement activities associated with collection of the single-use checkout bag fee;

(e) Any remaining balance of fees collected under this part shall be distributed as follows:

(1) Twenty per cent shall be deposited into the emergency response revolving fund under section 128D-2, to be expended by the department of health for expenses related to conduct educational outreach regarding the single-use checkout bag fee program and for expenses related to clean water and environment protection; and

(2) Eighty per cent shall be deposited into the natural area reserve fund under section 195-9 to be expended by the department of land and natural resources for watershed protection, restoration, and acquisition.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

COMMITTEE ON ENERGY AND ENVIRONMENT
COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY
COMMITTEE ON WATER, LAND, AND HOUSING
S.B. 2511, RELATING TO ENVIRONMENTAL PROTECTION

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

February 9, 2012
2:45 p.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 to implement the checkout bag fee program. The annual added cost to the department is estimated
5 to be \$1,400,000. This bill allows businesses to retain up to twenty percent of single-use checkout bag
6 fees collected as revenue subject to both income tax and excise tax. Any remaining fees, less a major
7 allocation for the natural area reserve fund are to go to the general fund. Paying the handling fee and
8 reporting to the department monthly is an additional responsibility for stores.

9 **Purpose and Justification:** This measure requires all businesses in the state to charge a 10-cent fee for
10 each single-use checkout bag provided to their customers. The fee may increase to 25 cents in 2017 if a
11 single-use checkout bag reduction goal is not met. Exemptions remain for bags used for food items, bulk

1 food purchases, fresh produce, prepared food for take-out, live animals, newspapers, and laundry/dry
2 cleaning uses.

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

6 This measure sets a minimum statewide fee-based standard for single-use checkout bags. Plastic
7 bag reduction ordinances for both the County of Kauai and County of Maui County took effect in early
8 January 2011, and the County of Hawaii just enacted its own plastic bag ordinance. The City and
9 County of Honolulu has opposed similar measures in the past on the basis that plastic bags are a
10 valuable component of H-POWER feedstock.

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

15 Second, creating a special account in the general fund is not workable. We request a
16 modification to Section 342H-C so that annual collections provide for a fixed dollar amount of \$800,000
17 to a special account in the environmental management special fund for administrative, compliance and
18 enforcement of this program, with the remaining balance of fees distributed as follows:

19 80 percent to the natural area reserve fund for watershed protection; and

20 20 percent to the emergency response revolving fund for educational outreach on the bag
21 program, and for environmental protection.

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

23

24

WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEES ON ENERGY AND ENVIRONMENT,
ECONOMIC DEVELOPMENT AND TECHNOLOGY, AND
WATER, LAND, AND HOUSING
ON
SENATE BILL NO. 2511

February 9, 2012

RELATING TO ENVIRONMENTAL PROTECTION

Senate Bill No. 2511 establishes a fee of 10 cents for each disposable checkout bag that is provided to customers. A portion of the fee is to be deposited into a special account in the State general fund to be expended by the Department of Health for administrative, audit, compliance, and enforcement activities associated with collection of the single-use checkout bag fee; provided that any funds in excess of those expenses shall be expended to conduct education outreach to retailers regarding the program.

As a matter of general policy, the Department of Budget and Finance does not support the creation of any special account within the general fund of the State for specific purposes. This is an inconsistent application and use of the general fund. The department strongly believes that general fund program requirements should be reviewed on a statewide basis and allocated to programs based on statewide priorities within available resources. Conventional application of the general fund would entail, any and all, expenditures via direct appropriations authorized by the Legislature, where each appropriation is weighed against the affordability of statewide requirements of the general fund.

NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
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FREDERICK D. PABLO
DIRECTOR OF TAXATION

RANDOLF L. M. BALDEMOR
DEPUTY DIRECTOR

To: The Honorable Mike Gabbard, Chair,
and Members of the Senate Committee on Energy & Environment

The Honorable Carol Fukunaga, Chair,
and Members of the Senate Committee on Economic Development & Technology

The Honorable Donovan M. Dela Cruz, Chair,
and Members of the Senate Committee on Water, Land, & Housing

Date: Thursday, February 9, 2012
Time: 2:45 P.M.
Place: Conference Room 225, State Capitol

From: Frederick D. Pablo, Director
Department of Taxation

Re: S. B. 2511, Relating to Environmental Protection

The Department of Taxation (Department) appreciates the intent of S. B. No. 2511 and offers the following information and comments for your consideration.

This measure requires all businesses in the State to collect a fee of \$0.10 on each single-use checkout bag provided to a customer of that business, and to remit the fees collected to the Department of Health, for distribution as described in the measure. The business is allowed to retain up to twenty percent of the fee in 2013 and up to ten percent of the fee thereafter. The measure provides that the business will be subject to Hawaii income tax under Chapter 235 and general excise tax under Chapter 237 on the amount retained by the business.

Thank you for the opportunity to provide comments.

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: Senate Committee on Energy & Environment
Senate Committee on Economic Development & Technology
Senate Committee on Water, Land, & Housing

From: Cheryl Kakazu Park, Director

Date: February 9, 2012, 2:45 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 2511
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

Senate Committees on Energy & Environment,
on Economic Development & Technology, and
on Water, Land, and Housing
February 9, 2012
Page 2 of 2

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 Committees 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.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843



February 6, 2012

PETER B. CARLISLE, MAYOR

RANDALL Y. S. CHUNG, Chairman
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GLENN M. OKIMOTO, Ex-Officio

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

DEAN A. NAKANO
Deputy Manager

The Honorable Mike Gabbard
Chair and Members
The Senate
Committee on Energy and Environment

and

The Honorable Carol Fukunaga
Chair and Members
Committee on Economic Development and Technology

and

The Honorable Donovan M. Dela Cruz
Chair and Members
Committee on Water, Land and Housing
State Capitol, Conference Room 225
Honolulu, Hawaii 96813

Dear Chairs and Members:

Subject: Senate Bill 2511, Relating to Environmental Protection

The Board of Water Supply, City and County of Honolulu (BWS), supports Senate Bill 2511, relating to environmental protection which provides the State Department of Land and Natural Resources (DLNR) with needed funding to sustain its watershed protection programs that protect and conserve priority forests and groundwater aquifers.

The BWS is participating in several watershed protection partnerships with DLNR, landowners, organizations and community groups to implement forestry management projects that improve the health of Oahu's forest reserves and groundwater aquifers. A stable source of funds will ensure partnership programs and projects are sustained and expanded for future generations.

Thank you for your consideration of our testimony in support of Senate Bill 2511.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.maulwater.org

Testimony of the Maui County Department of Water Supply

Supporting S.B. 2782 Relating to Environmental Protection

Senate Committee on Water, Land and Housing

Senate Committee on Energy and Environment

Thursday, February 9, 2012, 2:45 p.m., Room 225

The Maui County Department of Water Supply supports S.B. 2782 and S.B. 2511 to provide funding to the Department of Land and Natural Resources' statewide watershed management initiative "Rain Follows the Forest." Funding this initiative will direct revenues toward comprehensive and sustained protection of Hawai'i's forest watersheds, a critical natural resource needed to secure our finite supply of fresh water.

The Maui County Department of Water Supply's mission is to provide clean water efficiently to approximately 35,600 services on Maui and Molokai. Supplying fresh potable water is critical to meeting the demand of diverse sectors throughout the County including agriculture, commercial, residential, economic development which includes hotels and resorts. Maintaining the supply of efficient quantities is a challenge based on numerous threats to water supply including population increase, climatic conditions such as declining rainfall and the loss of habitats and upland forests linked to water recharge, fog water supply and source availability. In the past 40 years, Maui's population has increased on average by 45%. The draft Maui Island Plan projects Maui's population to increase by 42% by 2030. Increased populations (i.e. residential, non-residential, visitor) will have an impact on resources such as land, water and the natural environment resulting in a negative impact upon our quality of life. In addition to the trend of increased population, one of the greatest threats to Maui's native forest is the destruction caused by non-native, invasive animals and plants. According to the report "Watershed Threats" produced by the East Maui Watershed Partnership, nearly two-thirds of Maui's original forests have already been lost. Many other landscape transformations such as agricultural practices of clearing native vegetation and the introduction of invasive species through horticulture and

"By Water All Things Find Life"

1



agricultural industries in the past have all severely reduced the capacity of the forest ecosystem to recharge Maui's aquifers.

In concert with the objectives of the "Rain Follows the Forest" our Department has provided financial support to seven Watershed Partnerships on Maui and Molokai to ensure upland watersheds are fully functioning so fresh water resources can be utilized and enjoyed by the people of Hawai'i in perpetuity. Since 1995, we have provided \$7.07 million dollars of funding to seven Watershed Partnerships comprised of a total of partners. The 54 partners represent ranchers, federal, state, county and local government, water utilities, large landholders, fire task forces, non-profits, non-government associations, public land trusts, the King Kamehameha schools and many representatives from the private business sector.

The Watershed Partnerships address a variety of threats to the watershed including through their collective activities such as: ungulate control through fencing and targeted hunting practices; eradication of invasive weeds and plants; reforestation and vegetation of upland areas and other habitats critical to the recharge and protection of water supply; and suppression and management of wild land fires resulting in the loss of forests. These efforts have successfully resulted in essential tangible outcomes and deliverables and include: fence installation, maintenance and monitoring resulting in a reduction in the feral animal populations; eradication of invasive weeds and plants (nearly 35,000 acres); hunting programs to increase access for hunters and reduce feral animal populations; restoration of forests with native species of plants and trees; documentation, protection and research of rare species; establishment of volunteer programs in all watersheds; interpretive hikes and field studies; resource monitoring and mapping; installations of trails, camps and helicopter landing zones; educational presentations and displays at public events and schools; and landscape level watershed protection through the protection and out planting of native plant species and Countywide community garden projects.

In addition to these positive outcomes, funding the watersheds has resulted in innovative research and development of technology and best management practices that address greater cost efficiency of watershed management and protection of our water supply. Best management practices include the ability to conduct thermal surveys to monitor feral animal control; detailed high resolution aerial GIS resource mapping to illustrate the effectiveness of invasive plant and ungulate control and revegetation/reforestation efforts; resource monitoring to analyze trends with regard to cost efficiency of various management methods; and the development of pest pollution prevention protocols, to name a few examples.

Sustaining these successful achievements will be challenging. State financial support through the funding of the statewide watershed management initiative "Rain Follows the Forest" is a critical factor necessary to maintaining these efforts. Through a dedicated funding source of state dollars, greater leverage can be achieved by matching funds with existing support. In Maui, it is estimated that for each dollar of State funding, the watershed partnerships are able to match it with three dollars from County and community based contributions, private and non-profit entities. Additionally, with a dedicated source of funding from the State greater match opportunities can be also provided with new organizations and additional sources of private funding. Is it worth it? Consider the economic value of the forests and water recharge from a University of Hawaii study which states:

- \$4.6 to 8.5 billion for the recharge to our aquifers alone. That's according to a study of the Ko'olau forest on 'Oahu, prepared by the University of Hawai'i Economic Research Organization in 1999.
- When aesthetic values, water quality, climate control, biodiversity, and other forest services were calculated, the total value is estimated at \$7.4 to 14 billion. (Excerpted from "Last Stand - The Vanishing Hawaiian Forest" prepared by The Nature Conservancy, Hawaii.)

The Department of Land and Natural Resource's initiative to provide a dedicated state funding source to ensure that the mauka watersheds are fully functioning so fresh water resources can be enjoyed by the residents and visitors of Hawai'i is important for the provision of a sustainable water supply. Despite all of the successful achievements accomplished by Maui's Watershed Partnerships, long term sustainable funding would bolster the capacity of the Partnerships to not only sustain their ongoing efforts, but to also implement activities they have not been able to address due to the limited availability of resources. Outreach, education and volunteer programs could be expanded to accomplish more and garner more support for the issues that face our water supply. More invasive weed control and biological control efforts could be implemented for the highest priority native rainforest species that threaten vital watershed functions for Maui's population. Fire suppression and prevention management practices to prevent loss of forest acreage needs additional long term financial support. Additional State funding will provide long term, sustainable leverage to implement a holistic approach toward an on-going Island wide collaborative effort.

Respectfully Submitted,



David Taylor, P.E.
Director of Water Supply

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: SB 2511; HB 2260 (Identical)

INTRODUCED BY: SB by Gabbard, Chun Oakland, Kidani and 7 Democrats; HB by Coffman

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 that is provided to customers. 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.

No later than the last day of each month, 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) \$800,000 of the fees collected annually shall be deposited into a special account in the general fund to be expended by the department of health for administrative, audit, compliance, and enforcement activities associated with collection of the single-use checkout bag fee; provided that any funds in excess of those expenses shall be expended to conduct educational outreach to retailers regarding the single-use checkout bag fee program; (2) \$11,000,000 of the fees collected annually shall be deposited into the natural area reserve fund to be expended by the department of land and natural resources for watershed protection, restoration, and acquisition; and (3) 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.

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 the 2012 calendar year.

Defines "single-use checkout bag," as: (1) 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. Note well that only \$800,000 is earmarked to run the program and any moneys not needed for that purpose are to be used for "public education" for retailers regarding the program. It borders on the ridiculous that the education is for retailers who already will have experienced the impact of the program and not the customers or consumers who expect the single-use bags as opposed to encouraging the customers to use reusable bags. Of the revenues in excess of this initial amount, \$11 million is earmarked for the natural area reserve fund which is already the recipient of a portion of the conveyance tax while the rest of the revenues are designated for the state general fund.

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 are probably returned school groups, nonprofits and the homeless who scavenged 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 customer 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 1/25/12



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)

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

DATE: Thursday, February 9, 2012
TIME: 2:45 p.m.
PLACE: Conference Room 225

TO: COMMITTEE ON ENERGY AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY
Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON WATER, LAND, AND HOUSING
Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

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

RE: SB 2511 RELATING TO ENVIRONMENTAL PROTECTION

Chairs & Committee Members:

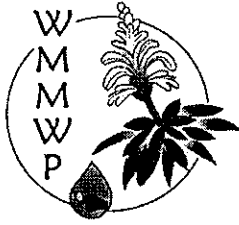
HFIA **strongly supports** this measure, as a means of encouraging consumers to **reduce the use of both paper and plastic single use bags**. This bill ensures that our environmental protection bills relating to single use plastic bags are consistent and effective.

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.



West Maui Mountains
Watershed Partnership
P.O. Box 13240
Lahaina, Hawai'i
96761
Phone (808) 661-6600
Fax: (808) 661-6604

**Watershed
Partners**

County of Maui
Dept. of Land &
Natural Resources
Ka'anapali Land
Company, LLC
Kahoma Land, LLC
Kamehameha Schools
Makila Land Co., LLC
Maui County
Department of Water
Supply
Maui Land &
Pineapple
Company Inc
Wailuku Water Co.
LLC
The Nature
Conservancy

West Maui Mountains Watershed Partnership

February 3, 2011

RE: Supporting S.B. 2782 & S.B. 2511

Relating to Environmental Protection
Senate Committee on Water, Land and Housing
Senate Committee on Energy and Environment
Tuesday, February 7, 2012, 2:45PM, Room 225

Aloha Legislators,

The West Maui Mountains Watershed Partnership Supports SB 2782 and 2511 to provide funding to the Department of Land and Natural Resources for watershed protection programs. Identifying funding sources for the DLNR's "Rain Follows the Forest" watershed protection initiative is a highly worthy cause.

The proposed bill would allow for resource management to be increased, reverse the degradation of additional forests resources, and further secure the water resources that our state depends on for residential, agricultural and commercial use. Funding will also be leveraged with federal, county, or private grant sources to further stimulate local economies, **bring in millions of outside dollars and provide more jobs.**

As a partnership and as individual entities, we understand that the roots of our success has been built upon the waters which flow from our forests. Without the forest we cannot depend on the water which nourishes our personal and economic interests and understand the necessity of natural resource stewardship even during challenging financial times. Our forefathers recognized this need and we need to echo that wisdom now that the demand for water resources is increasing and supply is decreasing.

The DLNR's watershed initiative proposes a sound investment in our forests. We hope that you can join us in lending your support for watershed protection.

By unanimous consent and on behalf of our partners,

Mahalo nui loa,

Christopher N. Brosius
Watershed Coordinator



February 7, 2012

Sen. Mike Gabbard, Chair
Senate Committee on Energy and Environment
Hawaii State Capitol, Room 201

Dear Chair Gabbard:

The Renewable Bag Council¹ appreciates the opportunity to share our perspective on S.B. 2511, legislation that would impose a fee on both plastic and paper bags offered at retail check-out. We respectfully oppose inclusion of paper in this proposal as it wrongfully penalizes our product—a commodity that is highly recycled, recyclable, compostable, and renewable.

To begin, we wish to highlight the fact that the paper bag is a recycling success story. Many paper bags contain more than 30 percent recycled material, and in some cases, retailers use paper bags made of 100 percent recycled paper. Not only are paper bags made from recycled paper, they are highly recycled themselves and are a fixture in community recycling programs throughout Hawaii. In fact, Hawaiian residents frequently use paper bags as their containers when recycling other paper products such as newspapers, magazines, envelopes, juice and milk cartons, and printer paper—all items that are accepted at the curb in this City. According to the U.S. Environmental Protection Agency, the paper bag boasts a national recycling rate of almost 50 percent. In 2010, 63.5 percent of the paper and paper-based packaging used in the U.S. was recovered for recycling – that's 334 pounds for every man, woman, and child.

The legislation contains a number of inaccurate statements about paper production and our industry's raw material and energy usage. A little known fact is that paper mills on average fulfill about two-thirds of their energy needs through carbon neutral, renewable biomass energy that is generated and consumed on site at these facilities. This is power that would otherwise need to be sourced from the electricity grid. Moreover, pulp and paper mills are also highly efficient operations, utilizing the thermal energy generated at our facilities for space heating and drying applications, as well as the production of steam used to drive turbines and produce power.

From a raw material perspective, paper bags are made from a renewable resource. Our member companies alone plant 1.7 million trees each day in North America. In fact, according to the U.S. Forest Service, the country has more forested acres today in 2011 than we did in 1953. Demand for forest products—whether it be paper bags, envelopes, newsprint, or lumber—is the engine that drives the forest growing cycle. Since most of the forestland in the U.S. is privately held, these landowners—mainly families with parcels of 300 acres or fewer—depend on an economic return on their investment to keep their forested acres forested. Without markets for forest fiber, these landowners will inevitably find alternatives for recouping their investment. These alternatives are typically either conversion to row crop agriculture or sale of the property for development, resulting in permanent deforestation.

Despite the tremendous progress that has already been made, the paper industry has no intention of resting on its laurels. Last year we announced a new, voluntary industry fiber recovery goal to exceed 70 percent by 2020. This goal is part of the most extensive set of quantifiable sustainability goals set by a major U.S. manufacturing industry. This new initiative, *Better Practices, Better Planet 2020* is the next phase in the forest products industry's efforts building on our legacy as a leader in sustainability – from raw materials and product manufacturing to the health and safety for our workforce and economic contributions to our communities.

Within *Better Practices, Better Planet 2020*, we have set specific, challenging goals for increasing paper recovery for recycling, increasing our energy efficiency by 10 percent, reducing our greenhouse gas emissions by 15 percent and promoting sustainable forestry practices, while continuing to strive for the safest workplaces possible for our employees.

The Renewable Bag Council respectfully opposes S.B. 2511 in its current form. The legislation treats plastic and paper equally despite the fact that the environmental impact of the two products is completely different. We are proud of the paper bag's environmental attributes and the commitment of our industry to paper recovery and recycling. We believe that efforts to tax paper bags as a means to reduce litter are misguided and could have negative unintended consequences. Given the environmental bona fides of our product, we encourage the legislature to avoid measures that penalize paper and, as always, we stand ready to assist you and offer our expertise as a resource as you begin to shape policy on this important issue.

Contact: Patrick Rita
202/261-1324

ⁱ The Renewable Bag Council (RBC) is comprised of manufacturers and converters of renewable, recycled, recyclable, and compostable Kraft paper used for checkout bags at grocery and retail outlets throughout Los Angeles and across the United States. The group is affiliated with the American Forest & Paper Association (AF&PA), which is the national trade association of the forest products industry, representing pulp, paper, packaging and wood products manufacturers, and forest landowners. AF&PA companies make products essential for everyday life from renewable and recyclable resources that sustain the environment. The forest products industry accounts for approximately 5 percent of the total U.S. manufacturing GDP, putting it on par with the automotive and plastics industries. Industry companies produce about \$190 billion in products annually and employ nearly 900,000 people earning \$50 billion in annual payroll. The industry is among the top 10 manufacturing sector employers in 47 states. The annual payroll for paper industry employees in Hawaii is \$4.6 million.

Cc: Sen. J. Kalani English, Vice Chair
Sen. Josh Green, M.D.
Sen. Sam Slom
Sen. Les Ihara, Jr.
Sen. Carol Fukunaga
Sen. Glenn Wakai
Sen. Rosalyn Baker
Sen. Malama Solomon
Sen. Donovan Dela Cruz
Sen. Jill Tokuda

Sen. Pohai Ryan
Sen. Maile Shimabukuro



The Senate
Committee on Energy and Environment
Committee on Economic Development and Technology
Committee on Water, Land, and Housing
Thursday, February 9, 2012
2:45 p.m., Conference Room 225
State Capitol

Testimony in Support of SB 2511

Aloha Chairs Gabbard, Fukunaga, and Dela Cruz, and Members of the Committees,
The Coordinating Group on Alien Pest Species (CGAPS) **supports SB 2511**, *Relating to 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 The Nature Conservancy of Hawai'i
Supporting S.B. 2511 Relating to Environmental Protection
Senate Committee on Energy and Environment
Senate Committee on Economic Development and Technology
Senate Committee on Water, Land and Housing
Thursday, February 9, 2012, 2:45PM, Room 225

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawai'i'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 S.B. 2511, 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 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. We also support the allocation of revenue for program management by the State and affected businesses.

BOARD OF TRUSTEES

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SB2511

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



Sierra Club

Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON ENERGY & ENVIRONMENT SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY SENATE COMMITTEE ON WATER, LAND, AND HOUSING

February 9, 2012, 2:45 P.M.
(*Testimony is 3 pages long*)

TESTIMONY IN STRONG SUPPORT OF SB 2511

Aloha Chairs Gabbard, Fukunaga, Dela Cruz, and Committee Members -

The Sierra Club, Hawai'i Chapter, with 9,000 dues-paying members and supporters, ***strongly supports*** HB 2260. This bill creates an offset fee for most single-use bags (whether paper or plastic) and incentivizes retail stores to encourage the use of less-harmful bags. An offset fee smartly places a fee on one of our environmental problems to fund clean water for our keiki.

I. Reducing Our Opala Problem.

Single use bags simply are not in our sustainable future and strong efforts should be made to discourage their continued use.

Hawai'i is faced with a solid waste crisis. The proliferation of single use bags directly contributes to this problem. They tax our economy and environment when they are littered or placed in our overflowing landfills. For example, a recent study conducted in Seattle concluded -- even with a high 13% recycling rate (greater than the national average of 3-5%) -- approximately 1,650 tons of plastic bags were put into the landfill annually.¹ The net cost to Seattle and ratepayers of collecting, transferring and disposing of waste was calculated to be approximately \$121 per ton or approximately \$200,000 for plastic grocery bags.

Even if these bags are burned at H-POWER (only on O'ahu), they are essentially converted to greenhouse gasses, further hastening global climate change, and ultimately not addressing the root of the problem. Similarly, with nearly 40% of the State's solid waste-stream able to be

¹ See Alternatives to Disposable Shopping Bags and Food Service Items, available at <http://www.ci.seattle.wa.us/util/Services/Recycling/Reduce, Reuse & Exchange/ProposedGreenFee/index.htm>

diverted from disposal at the landfill, plastic bags pose the single-most significant challenge to composting facilities, contaminating the compost, getting wrapped in the splines of processing equipment, and reducing the value of the compost product.

II. Consumers Already Indirectly Pay for Single Use Bags.

“Free” single use bags are an expense that is typically not directly visible by customers. Retailers spend hundreds of millions of dollars annually to provide single-use bags to customers. For example, supermarkets can spend up to \$1,500 to \$6,000 a month just to provide single-use bags to their customers at the check-out.² Even major retailers such as Target and CVS are realizing this significant cost burden and are offering discount incentives to customers who bring their own bags.³

The cost of purchasing tens of millions of bags in Hawai`i annually is most certainly passed on to local consumers, but it is not a visible cost and, thus, normal market controls do not take place. As with anything “free,” we tend to take advantage of the ready supply plastic bags without considering the indirect costs.

It should be noted that two highly successful businesses in Hawai`i -- Costco and Wholefoods -- do not offer its customers plastic bags. These businesses are flourishing. The switch by Wholefoods alone kept 100 million plastic bags out of the environment between April 22, 2008 and the end of 2008.

III. Single Use Bags Tax Our Environment.

Single use bags contribute to litter and pose a threat to avian and marine life in Hawai`i. As noted by NOAA,⁴ plastic photo-degrades -- breaking down into smaller and smaller pieces due to exposure to solar UV radiation. However, when in water plastic does not get direct sunlight exposure, therefore breakdown happens much more slowly in the aquatic environment. So far as we know, plastics do not ever fully “go away,” but rather break down into smaller and smaller pieces, sometimes referred to as microplastics.

Plastics also have the potential to adsorb contaminants from the marine environment and carry these contaminants through the food chain. Plastic debris attracts and accumulates hydrophobic organic toxins such as PCBs (polychlorinated biphenyls) up to 100,000-1,000,000 times ambient

² Downing, J. “Free Grocery Bags Targeted for Extinction in California,” *Sacramento Bee*, Aug. 25, 2008. Estimates from bag manufacturers and the Food Marketing Institute. Available at [http://www.roplast.com/documents/Free_grocery_bags_targeted_for_extinction_in_California - Sacramento Politics - California Politics Sacramento Bee.pdf](http://www.roplast.com/documents/Free_grocery_bags_targeted_for_extinction_in_California_-_Sacramento_Politics_-_California_Politics_Sacramento_Bee.pdf).

³ Horovitz, B. “Target, CVS Put Plastic Bags in the Bull’s-Eye, Pay for Reusables,” *USA Today*, Oct. 19, 2009.

⁴ See <http://marinedebris.noaa.gov/info/plastic.html>

seawater concentrations. These toxins can then bioaccumulate up the food chain, where they directly impact human health.

IV. The Importance of Protecting Hawai'i's Water Resources

Regardless of what happens on the international front, we know that climate change is going to impact in Hawai'i in significant and detrimental ways. This is the new reality of today and tomorrow. We have to foresee these changes and adapt to a changing world.

The funding provided by this bill could provide a significant, long-lasting, and vital contribution to addressing one of the critical impacts of climate change and ensure Hawai'i has water for future generations.

Further, enhancing efforts to protect Hawai'i's watersheds would have the additional benefit of protecting Hawai'i's cultural legacy from the destruction of invasive species. Hawai'i is home to more threatened and endangered species than anywhere in the country. In order to ensure future generations will have the opportunity to appreciate the diversity of Hawai'i, increased protections and funding are needed today.

We hope you will move this measure forward. Mahalo for the opportunity to testify.

Thursday, February 9, 2012 Time: 2:45 p.m.

State Capitol
Conference Room 225
415 South Beretania Street
Honolulu, HI 96813

RE: Senate Bill 2511 Relating to Environmental Protection – Strong Support

To: Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Committee on Economic Development and Technology
Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

Committee On Water, Land, and Housing
Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

Aloha Chairs, Vice Chairs and committees members,

My name is Tambry R. Young and I am President of Citizens for Equal Rights and past President of Na 'Ohana O Na Hui Wa'a, one of the largest canoe paddling associations here in Hawaii. I am also the head coach for Honolulu Waldorf's High School paddling team. I have paddled for more than 20 years, coached for over 10, and have crossed the Molokai channel in the Na Wahine O Ke Kai canoe race more than 15 times.

I speak in strong support of Senate Bill 2511 and encourage a full ban on plastic bags.

In the early 90's, I started paddling at a canoe club out of the Ala Wai Canal. For us, and I'm sure for those paddlers before I got started, it was seen as a normal occurrence to pick up garbage while paddling in the Ala Wai. We would throw it in the canoe and dump it in the trash after practice. We just accepted that the Ala Wai was the place that the run off garbage from upstream would end up. So, canoe paddlers saw themselves as being the last defense before the garbage ended up in the ocean.

Over my many years of paddling I have seen a huge increase in plastic bags floating in the canal and along ocean shore lines, as well as ending up on land. This season, every day at practice out at Maunaloa Bay, my team picked up at least 5 plastic bags out of the ocean and while coaching at Magic Island the average was 15 per day. We have seen ocean life with bags stuck on them, feeding on them and tangled up dead in them. I have taken people out to the ocean so they could spread the ashes of their loved ones and have had to pick up plastic bags.

What has become more disturbing is that no longer is this happening near to shore, it is now happening in the deep ocean. In the past few years I have begun picking up plastic bags while



CONSERVATION COUNCIL FOR HAWAI'I

Testimony Submitted to the Senate Committee on Energy and Environment,
Senate Committee on Economic Development and Technology, and
Senate Committee on Water, Land, and Housing

Hearing: Thursday, February 9, 2012 2:45 p.m.
Conference Room 225

Support for SB 2511 Relating to Environmental Protection

Aloha. Mahalo nui loa for introducing and hearing SB 2511. The Conservation Council for Hawai'i supports this bill, which establishes a fee for single-use checkout bags provided to customers. SB 2511 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. SB 2511 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 SB 2511 to allocate \$11 million from the bag fees to the Natural Area Reserve Fund, which supports so many important programs for the benefit of Hawai'i's people, including the Natural Area Reserves System, Forest Stewardship Program, Natural Area Partnership Program, Watershed Partnerships, and the Youth Conservation Corps.

Please invest in Hawai'i's natural environment, its people, and our future by supporting SB 2511. 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
P.O. Box 2923 • Honolulu, HI 96802 • Office: 250 Ward Ave., Suite 220 • Honolulu, HI 96814

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

February 7, 2012

Dear Sirs and Madams,

In reference to the "Bag Bill" SB2511 & HB 2260, we, the Student Council at Pearl City Highlands Elementary School support this bill.

Fish and other sea animals, if they eat the plastic bags that we use, the fish that we eat also eat the plastic bags and they become not safe to eat. We wouldn't want to eat fish any more, even though eating fish is supposed to be healthy for us. If the fish and other sea animals eat the fish, they might die. Then people who eat fish wouldn't have fish to eat, and even restaurants who serve fish wouldn't have them anymore.

People who shop can use recyclable bags so that one person doesn't go through 400 plastic bags a year, which could be equal to 100 billion bags a year for all of America.

Making people pay for their plastic bags would help protect Hawaii's sea life and preserve our environment, especially if the money is used for that cause.

Please consider passing the Bag Bill.

Sincerely Yours,

Pearl City Highlands Elementary School Student Council

Chanel Hunter

Chanel Hunter

Rhysa Lee

Nita Kichey

James Sewake

Maui Alijo

June Michael
Abad rjuh

Rhymes Lee

Cameron Thru

Dane Kaulukow - Chang

Madelyne Valencia

Jillian W

Aimee Komatsu

Piper Collato

Jade-Premee
Hokoi

Greenland

Sylus Fonoti
Buarnekuni

Joshua
Dabria Hoelin
Justice Gomes
Ogawa

Bradley Schmitz
Mark Yago

Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair
Committee on Energy & Environmental

Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair
Committee on Economic Development & Technology

Senator Donovan Dela Cruz, Chair
Senator Malama Solomon, Vice Chair
Committee on Water, Land & Housing

State Capitol, Honolulu, HI 96813

HEARING Thursday, February 09, 2012
 2:45 pm
 Conference Room 225



RE: **SB 2511, Relating to Environmental Protection**

Chairs Gabbard, Fukunaga and Dela Cruz, Vice Chairs English, Wakai, and Solomon and Members of the Committees:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

RMH supports SB2511, which requires businesses in the State to collect a fee for single-use checkout bags provided to a customer; allows businesses to keep twenty per cent of the fees for the first year of the program and ten per cent of the fees thereafter, subject to income and general excises taxes; requires fees to be collected on single-use checkout bags not prohibited by county ordinance; deposits \$800,000 annually of fees into a special account in the general fund for costs relating to the single-use checkout buy fee; \$11,000,000 into the natural area reserves fund, and the remainder into the general fund.

This measure is a practical and manageable option to an outright ban on plastic bags and places the responsibility for the careless discard and misuse, or the wise re-use and management, of these items on the consumer. Hawaii's retailers unquestionably support the broadest use of reusable tote bags as the ultimate solution for the environment. However, we do know that consumers' acceptance and use of reusable bags will not be universal, affordable or practical at all times. This measure allows us to provide options as demanded by our customers.

We would like to offer one comment: on page 7, subsection (b): Perhaps insert a sentence clarifying that the amount of the fee charged to the customer is not subject to the 4.5% general excise tax (4% on the Neighbor Islands). This will eliminate any misunderstanding or confusion for smaller businesses.

SB2511 represents an understanding of and consideration for the concerns and issues proffered by all the stakeholders over the past two years. We urge its passage. Thank you for the opportunity to testify.

Carol Pregill, President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202



February 8, 2012

To: Senate Committees on Energy and Environment; Economic Development & Technology; and Water, Land and Housing

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

Re: Safeway Support for SB 2511: Relating to Environmental Protection

I am writing to lend Safeway support for SB 2511. 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 SB 2511 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. We are concerned with the reduced allocation for businesses that collect the fee after the initial phase-in of the measure, but look forward to continued positive dialog with you about this measure.

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,

Susan M. Houghton
Director of Public Affairs and Government Relations



3375 Koapaka Street, D-108 • Honolulu, HI 96819 • (808) 831-0811

February 9, 2012

Senate Committee on Energy and Environment; Economic Development and Technology; and Water, Land and Housing

Re: SB 2511: Relating to Environmental Protection

Dear Chairs Gabbard, Fukunaga and Dela Cruz, and Members of the Committees,

We appreciate the opportunity to submit our testimony and express our support for SB 2511. As you may know Times Supermarket is based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu.

As an island based company, we understand the constraints of limited space and the preservation of the unique landscape of Hawaii. 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 the 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. Hawaii would be the first state in the union to implement a statewide policy that holds all jurisdictions to the same standard.

In Maui and Kauai 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 SB 2511 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 SB 2511, 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 waiver 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 Hawaii would be able to ensure better enforcement of the law and create additional revenue in jurisdictions that currently would be exempt from SB 2511. The idea is to maximize the revenues generated by the law to better address the purposes of this bill and educate consumers on conservation and re-useable product practices. We do have concerns about the reduction in fee allocation as currently worded, but look forward to continuing the positive dialog about this bill.

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

Love Life!



Mark Fergusson
Chief Executive &
Chief Financial Officer
Healthy's, Inc.
dba Down to Earth
P.O. Box 1166
Kailua, HI 96734
Phone: (808) 254-5111
Fax: (808) 254-5552
mark@downtoearth.org

www.downtoearth.org

Wednesday, February 08, 2012

Senators,

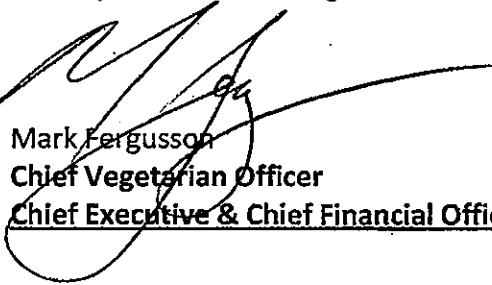
We support SB 2511 as it will significantly encourage the use of reusable bags which is the best thing for the environment.

In counties where plastic bags have been banned, the ban has merely led to a switch from plastic single use bags to single use paper bags with no reduction in the overall usage of wasteful single use bags.

The consumer switch to paper bags mandated by the counties has increased costs for businesses, increased the amount of trash going to landfills, and has not helped the environment as paper bags are, in reality, as damaging, or even more damaging, to the environment than plastic bags are. The production and use of paper bags is damaging to the environment due to the chemicals used, the contribution to deforestation, and the increased use of resources to produce and transport them.

SB2511 by charging fee on all single use bags will give consumers a motive to use reusable bags, thus helping the environment with no negative trade-offs.

Thank you for considering this testimony.



Mark Fergusson
Chief Vegetarian Officer
Chief Executive & Chief Financial Officer

Testimony of **Castle & Cooke Resorts, LLC**
Supporting S.B. 2511 Relating to Environmental Protection
Senate Committee on Energy and Environment
Senate Committee on Economic Development and Technology
Senate Committee on Water, Land and Housing
Thursday, February 9, 2012, 2:45PM, Room 225

Castle & Cooke Resorts support S.B. 2511, 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 company is a member of the **Lana'i Forest and 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 represent the single private majority landowner of the Island of Lana'i and recognize the critical nature of our watersheds and the need to protect and enhance our forests and watersheds to provide drinking water for future generations.

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.

Mahalo,

Bryan Plunkett

Manager, Conservation & Natural Resources
Castle & Cooke Resorts, LLC.
Cell 808-559-0444
Ofc 808-565-3218
Fax 565-3325



NATIONAL TROPICAL BOTANICAL GARDEN

Chartered by Congress to Create a National Resource in Conservation, Research, and Education

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

February 2, 2012

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON WATER, LAND, AND HOUSING

Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

Testimony Supporting SB 2511 RELATING TO ENVIRONMENTAL PROTECTION.

Dear Senators,

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 SB 2511 will provide funding for 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. SB2511 would provide the dedicated funding that would make this a reality. 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.

Please pass SB 2511 - our future depending on your actions.

Aloha,

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



Tamura Enterprises, Inc. 440 Kilani Avenue Wahiawa, HI 96786

February 6, 2012

To: Committee on Energy & Environment
Senators Gabbard & English
Committee on Economic Development & Technology
Senators Fukunaga, Wakai
Committee on Water, Land & Housing
Senators Dela Cruz, Solomon

From: Bruce Yokochi, Director of Sales

Re: SB 2511 Relating to Environmental Protection

Chairs & Committee Members:

Tamura Enterprises, Inc., supports SB 2511, as a means to “Protect the Environment” by encouraging our customers to reduce the use of BOTH paper & plastic single use bags. By placing a fee on both paper & plastic single use bags, this would provide our customers an “incentive” to start to use recyclable bags & any fees collected, will go towards assisting & improving our local environment.

We view this Bill, as a “win-win” for all...businesses, consumers, & Government.



**Testimony of Joyce Masamitsu
Associate Director of Public Policy for Verizon
Before the
Committee on Energy and Environment
Committee on Economic Development and Technology, and
Committee on Water, Land, and Housing
On S.B.2511
February 8, 2012**

The Honorable Senator Mike Gabbard, Chair
COMMITTEE ON ENERGY AND ENVIRONMENT

The Honorable Senator Carol Fukunaga, Chair
COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Senator Donovan M. Dela Cruz, Chair
COMMITTEE ON WATER, LAND, AND HOUSING

RE: Testimony Senate Bill 2511 – Single Use Check Out Bags

Dear Chairs, Gabbard, Fukunaga and Dela Cruz and the Members of the Committee,

This letter is written on behalf of Verizon Wireless to request an amendment to House Bill 2511, legislation that would create a special state fund and require retailers to collect a fee from their customers for every single use bag they are provided. While Verizon Wireless embraces the author's goals to encourage the use of reusable bags, we request the exclusion of bags that are made of materials that are made of recycled materials and are decomposable that also support green policies proactively adopted by many companies.

Verizon Wireless bags distributed nationally to our retail stores reflects our commitment to support green policies. The bags we provide our customers are biodegradable, made of 100% recycled materials and do not require the felling of trees in the manufacturing process. Verizon Wireless bags are made primarily from bamboo pulp and do not require the felling of trees in its production. This environmentally friendly policy therefore does not encourage clear-cutting deforestation practices of either old or new growth trees that could otherwise require decades for full environmental

recovery. Verizon Wireless bags carry the “Perf” logo that marks the endorsement of the Petroleum Environmental Research Forum. An international non-profit organization, whose members recognize the importance of a clean, healthy environment and are committed to supporting cooperative research in the manufacturing of products that include the use of petroleum.

Verizon Wireless works every day to protect our environment and to give our customers opportunities to do the same. Environmental stewardship is ingrained in our heritage, and we take pride on having a positive influence on the environment in which we operate. The state of Hawai’i should not adopt a policy to dictate what green initiatives companies may choose to adopt, but instead should encourage local business operators to embrace green policies of their choice that best fit their operational needs and cost structures.

In addition to adopting an enterprise wide policy to provide environmentally friendly bags to our customers, Verizon Wireless as a good corporate citizen has instituted voluntary recycling programs to promote environmentally friendly alternatives for electronic waste management. Verizon Wireless joined forces with HopeLine in 2001 to create a company wide recycling program that would aid victims of domestic violence. The *HopeLine® Phone Recycling and Reuse Program* collects no-longer-used wireless phones and equipment in any condition from any service provider. With the funds raised from the sale of the refurbished phones, Verizon Wireless donates wireless phones and airtime to victims, and provides funding and other contributions to non-profit domestic violence shelters and prevention programs across the country. In 2010 Verizon Wireless awarded \$10,000 in Domestic Violence Hopeline Grants; 75 wireless phones with 225,000 minutes of service (estimated value \$22,500) to shelters and domestic violence agencies throughout the state of Hawaii.

For the above stated reasons, Verizon Wireless does not feel that participation in a mandated, statewide requirement to impose a new fee on our customers for bags we provide is justified by the states interest in supporting green initiatives and instead penalizes companies who have proactively adopted alternative green policies.

SB 2511 would require Verizon Wireless to either abandon a national environmentally friendly policy to use bags made of 100% recycled, biodegradable materials and that do not require the felling of trees. It is in fact ironic that reusable bags as defined in this bill, are not particularly “green” because they do not have to be biodegradable and will eventually be disposed of by the user. Unlike large volume grocers who may provide hundreds or thousands of bags to their customers daily, and at multiple locations, Verizon Wireless does not see a cost-benefit to the imposition of a state mandated program to collect a fee at point of sale from our customers for every bag we provide them. The potential revenues generated from our ability as a retailer, to retain 10% - 20% of the single use bag fees we collect, does not offset the disruption to

national, environmentally friendly programs we have in place today and will drive unnecessary costs to our business.

In closing, Verizon Wireless asks Chairs, Gabbard, Fukunaga, Dela Cruz and Members of the Committees to amend SB 2511 to exclude bags that are made from recycled materials, are biodegradable and support alternative green initiatives.

Thank you for your consideration of this amendment to Senate Bill 2511.

February 5, 2012

Senate Committee on Energy and Environment
Senate Committee on Economic Development and Technology
Senate Committee on Water, Land, and Housing

Public Hearing: February 9, 2012, 2:45pm, Room 225

Re: SB 2511, Relating to Environmental Protection/single-use bag waste reduction

Dear Chair Gabbard, Fukunaga, Dela Cruz and members of the Committees,

I am writing in support of Senate Bill 2511.

I have a MBA at the University of Hawaii where I focused on renewable energy and preserving natural resources through business opportunities. I have and continue to work on projects related to renewable energy, waste reduction, recycling, conservation and sustainable transportation. I am an avid nature enthusiast and have coordinated several beach cleanups over the past four years witnessing first-hand some of the problems single-use plastics have caused to our environment.

This bill does not require much reinforcement on the benefits it will have on our environment from the reduction of use of single-use plastic and paper bags and the complimentary benefits the revenue will provide to watershed protection and education.

There are, however, some concerns on the intention of the Bill and the results of its enactment that I will try to address. The end goal is to reduce the number of single use plastic and paper bags that are consumed in the state of Hawaii. This Bill is a good compromise between the objectives of the State and single-use bag problem. A ban only on plastic bags has caused an increase in the use of paper bags in other places such as Maui and San Francisco, which also have a negative environmental impact. A ban on both plastic and paper bags may be ideal to the environment, but does not allow for consumers to have the option to use them if they are willing to pay for the waste it creates; instead this Bill provides a disincentive.

While this Bill will raise money for watershed conservation, it does not mean that that is its greatest intention, but if citizens are going to pay in to environment related funds, it should be directly paid by those who consume things that cause some of the damage instead of everyone paying through other tax measures.

Should the fees collected not be enough to cover the programs, the law can be later modified such as going to a ban. Washington D.C. had an 80% reduction in bag use from 2009 to 2010 from the enactment of a \$.05 fee. Similar results in Hawaii would still leaving enough revenue to support the programs. Since the relative values and costs in Hawaii are

much higher, \$0.10 is more likely to have a similar impact. When Alice Ferguson Foundation completed a survey for the results in D.C., it was found that 78% of businesses experienced a zero or positive impact on business. But a lack of fees collected indicates great success of reducing the use of the bags, the most important goal so again; these programs or the law can be modified in the future. In order to get to that point, I strongly support passing SB 2511 into law now.

Thank you for considering my comments in support of this Bill,

Steven Mazur
(808) 469-5022
steven.mazur@gmail.com
3258 Catherine St.,
Honolulu, HI 96815

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Alan Y. Nakamura
Organization: Individual
E-mail: alan.y.nakamura@tsocorp.com
Submitted on: 1/31/2012
Comments:
DATE:Thursday, February 9, 2012
TIME:2:45 p.m.
PLACE:Conference Room 225

TO: COMMITTEE ON ENERGY AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY Senator Carol Fukunaga, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON WATER, LAND, AND HOUSING
Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

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

RE: SB 2511 RELATING TO ENVIRONMENTAL PROTECTION Chairs & Committee Members:

HFIA strongly supports this measure, 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.

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 and will increase the tonnage of paper waste going into our landfills.

Thank you for the opportunity to provide this testimony.

Alan Y. Nakamura
Vice-Chair
Hawaii Food Industry Association

January 31, 2012

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Allison Wiest
Organization: Individual
E-mail: pr@eastmauiwatershed.org
Submitted on: 2/1/2012

Comments:

Testimony of Allison Wiest
Supporting S.B. 2782 Relating to Environmental Protection Senate Committee on Water, Land and Housing Senate Committee on Energy and Environment Tuesday, February 7, 2012, 2:45PM, Room 225

I support S.B. 2782 to provide funding to the Department of Land and Natural Resources for watershed protection programs. I am an employee of the East Maui Watershed Partnership and I support the DLNR's "Rain Follows the Forest" watershed protection initiative. I hope you will too.

I 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.

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.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position:
Testifier will be present: No
Submitted by: James Loomis
Organization: Individual
E-mail: jploomis@maui.net
Submitted on: 2/3/2012

Comments:

Aloha,

I would like to add my voice in support of SB2511. Too often, no relevant prior experience exists when it comes to proposed legislation and proponents can only promise success. But here on Maui we have had a bill that prohibits the use of disposable plastic bags by retailers for some time now and it has proven to be popular as well as successful. I urge favorable consideration of SB2511 and know that you can be confident that its benefits will become apparent from the moment it takes effect. Thank you!

Support for SB 2511, Relating to Environmental Protection

I am a concerned citizen on Oahu and I strongly support SB 2511, Relating to Environmental Protection, which would require businesses in the State of Hawaii to charge their customers ten cents for each non-reusable bag provided to their customers. \$800,000 of the offset fees collected would be given to the general fund to administer the program and provide educational outreach. \$11,000 of the offset fees collected annually would be given to the Department of Land and Natural Resources, Natural Area Reserve fund for watershed focused projects.

Americans produce an average of 243 million tons of municipal solid waste per year, or 4.3 pounds per person. In the State of Hawaii, where land is a very limited resource, most of that waste goes to landfills. Besides taking up precious space in these landfills, single-use plastic bags and other plastic debris that ends up in the ocean as a result of non-point source pollution, threatens our precious marine life through ingestion and entanglement.

Our solid waste management in Hawaii should be based on source reduction methods such as the program that would be implemented by this bill. A single-use bag offset fee program would discourage the public from using the bags. Similar programs have been established successfully in other cities, including the Nation's capitol.

I also support this bill because of my personal experience with waste reduction. In 2011, I lived an entire year mindful of my consumer habits to determine how difficult or easy it would be to live "trash-free." After 12 months I had accrued less than one pound of trash. Although it would be a bit challenging at times, with the right guidance and resources, I believe that everyone can reduce their trash impact considerably. This bill would move the State in this more mindful and sustainable direction.

Hawaii is a special place abundant with plant, animal, land and ocean resources, and a rich, cultural history. It is time to change our mindset about how we deal with solid waste before we look back and realize that we were too late and our beautiful home has been left to suffer the impacts of our shortsighted decisions. All it takes is one step in the right direction and S.B. 2511 is that step. I urge the committee to pass S.B. 2511. Mahalo for the opportunity to testify on this matter.

Jennifer Metz
Kailua, HI 96734
jenniferkmetz@gmail.com
trashfreeyear.wordpress.com

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: zachary judd
Organization: Individual
E-mail: zjudd@hawaii.edu
Submitted on: 2/3/2012

Comments:

SB2511 (strong support)

Senate Committees on Energy and Environment; Water, Land and Housing; Economic Development and Technology

Hearing on Thursday, February 9 at 2:45 p.m. in conference room 225

Aloha Chair Gabbard, Vice Chair English, Chair DelaCruz, Vice Chair Solomon, Chair Fukunaga, Vice Chair Wakai, and members of the committees,

I strongly support SB2511. The single-use bag fee will generate funds to protect our watersheds. \$11M a year is a small price to pay to safeguard our drinking water for future generations. This bill will also reduce opala and divert plastic and paper bags from our landfills. A win-win.

Please pass this bill. Mahalo.

Sincerely,

Randy Ching
Honolulu

oahurandy@yahoo.com

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Joylin Domingo
Organization: Individual
E-mail: kailieha@hotmail.com
Submitted on: 2/4/2012

Comments:

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Carolyn L Knoll
Organization: Individual
E-mail: clk@quixnet.net
Submitted on: 2/5/2012

Comments:

The average consumer uses 400 plastic bags a year. Where do those bags go after they are put in the trash? We all know there are plastic bags wherever one looks, no matter how remote the area. They are ruining the our natural resources and the environment as a whole. They are killing fish and other animals that eat them by mistake or because they smell food. We must do something about this and this bill is a good start.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Wynnie Hee
Organization: Individual
E-mail: anthuriumz@hotmail.com
Submitted on: 2/5/2012

Comments:

Something has to be done urgently! The bags fly all over choking our ocean, storm drains, sea life and landscape.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Nola Buffins
Organization: Individual
E-mail: nolastb@yahoo.com
Submitted on: 2/5/2012

Comments:

Hawai'i can no longer rest on its image as a pristine paradise. Reducing the use of plastic - bags, bottles, etc. - will be forward-looking and productive. Such a bill is overdue.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Nancy Davlantes
Organization: Individual
E-mail: ndavlantes@aol.com
Submitted on: 2/4/2012

Comments:

We came so close to passing this bill last session only to see it die in the last hours of the horse-trading at the end. A state-wide bill is what is needed and this one should benefit retailers as well as the environment and the environment. Maui, Kauai and the Big Island are way ahead of Oahu in addressing this problem. Better to have a law that applies statewide and it's about time Oahu got on the bandwagon.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Jennifer Homcy
Organization: Individual
E-mail: jenhomcy@aol.com
Submitted on: 2/4/2012

Comments:

Its time to move forward on this. I support this bill and subsequent measures to allocate funding to DLNR for watershed protection measures.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Jody Domingo
Organization: Individual
E-mail: jodydomingo@gmail.com
Submitted on: 2/4/2012

Comments:

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: Kimo Falconer

Organization: Individual

E-mail: jkimof@msn.com

Submitted on: 2/6/2012

Comments:

Chair Gabbard and members of the ENE committee:

As a working partner of a watershed partnership, I have first hand knowledge of the challenges to meet our annual funding to protect our native forests and water supply. This is a creative vehicle to assist in raising solid funding for a statewide need. Please count this testimony as one in support of this measure.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Andrea Hamblin
Organization: Individual
E-mail: Pandiorama@yahoo.com
Submitted on: 2/7/2012

Comments:

I would prefer a total ban on single-use plastic bags and a fee for paper bags offered instead. We need to move everyone away from these environmentally, problematic bags, and it seems a full ban or a fee per use is the only way to truly encourage people to change their shopping habits.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Miyuki Hirano-Hollingworth
Organization: Centerscale Automation Hawaii Inc.
E-mail: miyukih@centerscale.com
Submitted on: 2/7/2012

Comments:

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Annette Kaohelaulii
Organization: Individual
E-mail: annettesadventures@juno.com
Submitted on: 2/7/2012

Comments:

We haven't always had plastic bags. We need to remember that we live on an island, we need to be more sustainable and we need to stop supporting the oil industry. Plastic bags are made from fossil fuels.

I have used cloth bags for years because I deplore plastic bags that fly around create untold problems for solid waste management and in particular for the marine resources.

This legislation is long past due. I urge this committee to pass it on.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Stacey Fineran
Organization: Individual
E-mail: s.fineran@gmail.com
Submitted on: 2/7/2012

Comments:

Dear Hawaii Legislature-

I would urge you to support the SB2511 and place a fee on single use plastic bags to disuade the average consumer from using these environmentally irresponsible bags.

As a avid diver and paddler, I treasure our natural resources and hate to see them dimished by discarded single use plastic bags or "hawaiian jellyfish". The bags blown into the trees and fences make our city look trashey. Not only can Turtles and birds consume these bags, but they are making Honolulu and our ocean unattractive to tourists.

I personally have used reusable grocery bags in Honolulu for 4.5 years whenever possible and have had no negative repercussions.

I think Hawaii is ready to switch away from these environmentally harmful bags.

Mahalo,
Stacey Fineran

February 6, 2012

To: Senators Mike Gabbard, Chair and J. Kalani English Vice Chair,
Committee on Energy and Environment
Senators Donovan Dela Cruz, Chair and Malama Solomon, Vice Chair
Committee on Water Land and Housing
Senators Carol Fukunaga, Chair and Glenn Wakai, Vice Chair,
Committee on Economic Development and Housing

From: Patrick Conant

Regarding: Testimony supporting SB 2511

I am very much in support of this much needed measure. This bill is an excellent "companion bill" to SB2782 since this bill can help provide funding for the goals outlined in SB2782, i.e. protection of our native forests and watersheds. The directing of those funds to the Natural Area Reserve **Special** Fund is the logical action since that fund has done more for watershed protection than any other entity since it was created. It funds the Natural Area Reserve System, the Natural Area Partnership Program, the Watershed Partnership Program and the Youth Conservation Corps. All of these organizations are dedicated to protection of native forests and watersheds. A major part of this work is alien weed control and alien ungulate control in our forests. These organizations have accomplished much in the relatively small fenced areas we have (small in comparison to all our native forests and watersheds on all non-private islands), thanks to efforts by the Division of Forestry and Wildlife and NGO's like The Nature Conservancy, Maui Land and Pineapple, Kamehameha Schools, Ulupalakua and Haleakala Ranches and others . But on the whole we have not done nearly enough. Our forests are not only under siege by alien weeds, but by alien wild ungulates, including game animals. If we don't support serious control of these aliens, we won't have the water to support our growing population. It takes money, and that is what this Bill is about. The funds are needed to get those alien weeds and fence wild ungulates out of our mauka native forests and protect our only source of pure water.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: John Stallings

Organization: Individual

E-mail: john@oahusbesthomes.com

Submitted on: 2/6/2012

Comments:

It's time for our state to help take control of our waste, and protect our environment. Please pass this bill!

February 9, 2011
2:45 p.m.

**Senate Committees on
Energy & Environment,
Economic Development & Technology,
Water, Land and Housing**

SB 2511, Relating to Environmental Protection

Good afternoon, my name is Kelsey Silva and I am a student at the University of Hawaii at Manoa. I am testifying in support of Senate Bill 2511, relating to environmental protection.

This bill acknowledges the importance of the environment and watershed protection and takes important steps to implement a watershed protection plan. It also imposes a fee on the use of paper and plastic bags at grocery stores.

I support this bill because people will have to pay a fee if they use paper or plastic bags and the fee will help protect the environment. Either way, the environment benefits. If people decide not to use a bag, that is good for the environment. But if they decide to use a bag and pay the fee, that money will be used to help protect the environment by funding the watershed protection plan.

Please support Senate Bill 2511.

February 9, 2011

Senate Committees on
Energy & Environment,
Economic Development & Technology,
Water, Land and Housing

SB 2511, Relating to Environmental Protection

My name is Christopher Teves and I am in 4th Grade at Cathedral Catholic Academy. I support Senate Bill 2511 because it will protect the environment.

I am studying to be a meteorologist. I have a rain gauge to measure rain at my house and another rain gauge at my school. I study storms and weather online and with the help of Ray Tanabe at the National Weather Service.

I know that clean water is important for Hawaii and I want to protect the environment.

I support this bill because people will have to pay a fee if they use paper or plastic bags.

- If they decide not to use a bag, that is good for the environment.
- If they decide to use a bag and pay the fee, that money will help protect the environment.

Please support Senate Bill 2511.

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

ENE/EDT/WLH Public Hearing
Room 225
February 9th, 2012, 2:45pm
Testimony of Rachel Harvey
In Support of Senate House Bill 2511

Aloha Representatives,

I am writing to comment in support of Senate Bill 2511. 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.

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

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: Ronnie Perry

Organization: Individual

E-mail: babyjean@hotmail.com

Submitted on: 2/8/2012

Comments:

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Lisa Kreitzer
Organization: Ocean Devotion Hawaii
E-mail: oceandevotionhawaii@gmail.com
Submitted on: 2/8/2012

Comments:

Aloha,

I am writing to comment in support of Bill SB2511. Regulating single-use plastic bags will help make Hawaii a model state for sustainable change.

Hawaii, especially Oahu, is at a crucial moment for waste management. Despite the efforts of the H-Power waste-to-energy program, high rates of recycling, and a high landfill diversion rate, our facilities and landfills are overwhelmed. Legislating source reduction and behavior changing regulation is the targeted solution.

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

I have personally picked up hundreds of single-use plastic bags off of our beaches on the Windward side of Oahu. These bags can be seen caught in trees, up against fences and in our canals. Single-use plastic bags are especially dangerous once they land in our ocean. They pose a danger to the wildlife that we have present off our shores. I have collected many single-use plastic bags in the ocean off of Kailua, Waimanalo and Lanikai. There is simply no need for this type of pollution in our environment. I believe that this bill is an important first step in curbing this issue.

Mahalo for the opportunity to testify on this matter.

Lisa Kreitzer
Ocean Devotion Hawai'i

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Lindsey Allred
Organization: Individual
E-mail: allred2@hawaii.edu
Submitted on: 2/8/2012

Comments:

If you were in a hurry and you dropped a dime would you stop to pick it up? To charge a fee for a single use bag is a way to incentivize taking care of this diverse paradise we call home. Charging the consumer for the negative externalities of their consumption is a logical way to change behavior. Businesses providing the single use bags will benefit from the subsidization from fees collected. SB-2511 is a small incremental change needed to meet larger goals, it is simple to implement and benefits all affected. Thank you for your hard work and consideration on this matter.

Sincerely,
Lindsey Allred

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Lisa Kreitzer
Organization: Ocean Devotion Hawaii
E-mail: oceandevotionhawaii@gmail.com
Submitted on: 2/8/2012

Comments:

Aloha,

I am writing to comment in support of Bill SB2511. Regulating single-use plastic bags will help make Hawaii a model state for sustainable change.

Hawaii, especially Oahu, is at a crucial moment for waste management. Despite the efforts of the H-Power waste-to-energy program, high rates of recycling, and a high landfill diversion rate, our facilities and landfills are overwhelmed. Legislating source reduction and behavior changing regulation is the targeted solution.

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

I have personally picked up hundreds of single-use plastic bags off of our beaches on the Windward side of Oahu. These bags can be seen caught in trees, up against fences and in our canals. Single-use plastic bags are especially dangerous once they land in our ocean. They pose a danger to the wildlife that we have present off our shores. I have collected many single-use plastic bags in the ocean off of Kailua, Waimanalo and Lanikai. There is simply no need for this type of pollution in our environment. I believe that this bill is an important first step in curbing this issue.

Mahalo for the opportunity to testify on this matter.
Lisa Kreitzer
Ocean Devotion Hawai'i

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Phyllis Frus
Organization: Individual
E-mail: phylfrus@gmail.com
Submitted on: 2/8/2012

Comments:

SB 2511 is a bill whose time has come. Hawai'i needs to be the first state in the country to have a statewide policy to reduce plastic- and paper-bag pollution. Single-use plastic-bag pollution is not only an eyesore on our beautiful parks, beaches, and waters; the bags harms fresh water and marine animals, and may have human health implications. And it costs a lot to clean up this pollution. When opponents of these laws complain about the cost, they are not figuring the cost to taxpayers of the environmental damage and the tourists who don't come back because of the careless and wasteful image the thousands, even millions, of discarded bags present to visitors. As of now 25% of the world's communities have policies to address these issues, primarily plastic-bag bans or user fees. Ireland may be the biggest national success story; when a hefty fee was imposed, their use dropped 94% within weeks, and the government raised millions for recycling programs. According to a news feature, the environment minister told shopkeepers that if they changed from plastic to paper, he would tax paper bags, too. SB 2511 adds a fee on paper bags--the manufacture of which use scarce resources and energy and releases more greenhouse gases into the atmosphere--so it is the ideal bill to take care of several problems at once. Finally, this bill has the wonderful provision that it will produce revenue that goes toward ensuring compliance by shopkeepers and to restoring and protecting our natural areas, including the watershed. I strongly urge its passage.

SB2511 (strong support)

Senate Committees on Energy and Environment; Water, Land and Housing; Economic Development and Technology

Hearing on Thursday, February 9 at 2:45 p.m. in conference room 225

Aloha Chair Gabbard, Vice Chair English, Chair Delacruz, Vice Chair Solomon, Chair Fukunaga, Vice Chair Wakai, and members of the committees,

I strongly support SB2511. The single-use bag fee will generate funds to protect our watersheds. \$11M a year is a small price to pay to safeguard our drinking water for future generations. This bill will also reduce opala and divert plastic and paper bags from our landfills. A win-win.

Please pass this bill. Mahalo.

Sincerely,

Colleen Soares, Ph.D.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: Yes
Submitted by: Kainoa Keaulii
Organization: Individual
E-mail: [mika keaulii@yahoo.com](mailto:mika.keaulii@yahoo.com)
Submitted on: 2/8/2012

Comments:

Dear Legislatures,

My name is Kainoa Keauli'i and I am ten years old. I support the bill SB2511 the bag bill. I think that the bag bill is a good idea because the fee would do us three favors. The first favor is that there would be a lot less plastic bags on highways, streets, oceans, landfills and trees. This will happen by people use more reusable bags. The second favor is that the fee would be used to clean up the beaches. Then once the beaches are cleaned the sea life animals will not get confused between trash and prey. For example, a seaturtle will not be confused by a plastic bag thinking it was a delicious jellyfish. The third favor is if the bill SB2511 gets passed there will be more trees because to make paper bags you need to cut down trees which make oxygen.

In conclusion, I am one thousand percent in support of the bag bill and I hope you are too!

Joy Leilei Shih, M.A.S.
3267 Mokihana Street
Honolulu, HI 96816
(650) 380-5482
joyshih@hawaii.edu

SENATE COMMITTEE ON ENERGY & ENVIRONMENT
SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY
SENATE COMMITTEE ON WATER, LAND, AND HOUSING

Feb 9, 2012, 2:45 am
(Testimony is 1 pages long)
TESTIMONY IN STRONG FAVOR OF SB 2511

Aloha Chair Gabbard, Chair Fukunaga, Chair Dela Cruz and Members of the Committee:

Forget what you have heard about the positive impact this bill will have on Hawaii's environment. Forget what you have heard about its positive impact on our small businesses who are paying higher costs to distribute paper bags.

This bill is about saving Hawaii's consumers money.

Individuals and families are currently forced to pay for plastic bags whether they wish to use them or not. The cost of these disposable bags is built into the price of the food and goods consumers purchase, increasing the cost of living for everyone.

Passing SB 2511 will give local consumers the freedom to choose whether they want to pay for disposable plastic bags, or whether they want to save their hard earned money for something else.

Thank you for the opportunity to testify on this important measure. While this bill will have far reaching positive impact on our state, the most important among them are not of merely environmental stewardship.

I am in strong support of SB 2511 and respectfully request that you advance the measure.

Mahalo,

Joy Leilei Shih

TO: Members of the Committees on Energy & Environment, Economic Development & Technology and Water, Land & Housing

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 2:45 p.m. Thursday, February 9, 2012

SUBJECT: SB 2511 Fees on Single-Use Bags - OPPOSED

Aloha Chairs and Committee Members,

Thank you for allowing me to provide testimony on SB2511, which would impose fees on checkout bags and require reporting by businesses and the Department of Taxation. This bill refers to checkout bags as "single-use," but our family, and many others we know, uses the typical plastic and paper bags many times over. I oppose this measure for various reasons, including the following.

Our family uses (and re-uses) plastic bags, paper bags and cloth bags, depending on the purpose. We've found that the typical cloth bags do not hold up as well as paper bags. Cloth bags also take up more space than plastic bags. We therefore often prefer plastic or paper bags.

The proposed fee is simply a new tax, and not only that, but the portion that is retained by the businesses who would be required to charge the fee would have to pay general excise tax on the portion kept. A TAX on a TAX!

Rather than imposing new taxes or fees, government should operate more efficiently. Please vote "no" on this bill.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: Yes
Submitted by: Zachary Albudri
Organization: Individual
E-mail: zakdvm@gmail.com
Submitted on: 2/8/2012

Comments:

My name is Zachary Albudri and I have been an Oahu resident for the past 4 years. I am in strong support for this bill as it will truly have a positive impact on Hawaii's environmental future. In addition to the positive societal impact locally, passing this bill will send a strong signal that will reverberate through our country. Numerous countries worldwide have shown that actions like these can have immediate and positive reactions through the community. We owe it to ourselves and our future generations to minimize our environmental impact while also reassessing our "single use" lifestyle. Nothing but good could come from this and generations later the citizens of the united states will remember Hawaii as the beacon for pro-environmentalism. Thank you.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: Yes
Submitted by: Jena Lee
Organization: Individual
E-mail: jenalee@hawaii.edu
Submitted on: 2/8/2012

Comments:

Hi my name is Jena Lee. I am a student at the University of Hawaii at Manoa studying natural resource management and environmental policy. I am supporting this bill because it will decrease the amount of plastic pollution into our environment. My main concern would be for the marine life because they mistakenly think that these plastic bags are food floating around for them to eat; especially for Hawaii where we have the endangered turtles. We need to protect our land and build for a more sustainable future.

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Brad Parsons
Organization: Aloha Analytics
E-mail: mauibrad@hotmail.com
Submitted on: 2/8/2012

Comments:
Aloha Senators:

Support the general concept of this bill. This bill, as does HB 2260, seeks to rectify the incomplete policy of banning plastic bags without also addressing the need for reduced use of paper bags with the goal being dramatically increased use by the consumer of reusable bags, for the benefits of a cleaner Hawaii environment and reduced waste stream costs to local governments. The fiscal benefits that this bill offers for Hawaii's environment are well conceived and should be appreciated. I believe this bill can be improved upon as has HB 2260, and I assume others will offer some of those points in their testimony. Look forward to hearing that this bill moved on in the process.

Brad Parsons
Aloha Analytics

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Carolyn L Knoll
Organization: Individual
E-mail: clk5356@gmail.com
Submitted on: 2/9/2012

Comments:

It is critical that we pass this bill. Isn't there enough evidence that plastic bags are ruining our environment, killing fish and animals and are just plain unnecessary and ugly. Don't hesitate; pass this bill!!

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Nicole Lowen
Organization: Individual
E-mail: nlowen@gmail.com
Submitted on: 2/9/2012

Comments:

Please pass this common-sense measure! It will reduce consumption of unneeded single-use bags, which can easily be replaced with reusable bags. In the meantime, while people adjust to the change, it will help to fund the watershed protection program.

Thank You,

Nicole Lowen

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Karin Gill
Organization: Individual
E-mail: karingill@yahoo.com
Submitted on: 2/9/2012

Comments:

Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225

Testifier position: Support

Testifier will be present: Yes

Submitted by: Samuel Chesser

Organization: Individual

E-mail: samuel.chesser@ml.com

Submitted on: 2/9/2012

Comments:

Plastic bags are destroying the environment of Hawaii and the globe. They kill marine mammals, birds, turtles and fish. they are a large part of the Great Pacific Garbage Patch. By charging a fee the State of Hawaii will eliminate hazardous waste (really toxic waste), raise revenues, save wildlife and make Hawaii more beautiful.

This is a bill that must pass.

Thank you.

Dane Wicker

From: Colleen Soares [csoares48@gmail.com]
Sent: Wednesday, February 08, 2012 4:12 PM
To: ENETestimony; WLH Testimony; EDTTestimony
Subject: Strong support for SB2511 -- relating to environmental protection

SB2511 (strong support)

Senate Committees on Energy and Environment; Water, Land and Housing; Economic Development and Technology

Hearing on Thursday, February 9 at 2:45 p.m. in conference room 225

Aloha Chair Gabbard, Vice Chair English, Chair DelaCruz, Vice Chair Solomon, Chair Fukunaga, Vice Chair Wakai, and members of the committees,

I strongly support SB2511. The single-use bag fee will generate funds to protect our watersheds. \$11M a year is a small price to pay to safeguard our drinking water for future generations. This bill will also reduce opala and divert plastic and paper bags from our landfills. A win-win.

Please pass this bill. Mahalo.

Sincerely,

Colleen Soares, Ph.D.



Testimony for ENE/EDT/WLH 2/9/2012 2:45:00 PM SB2511

Conference room: 225

Testifier position: Support

Testifier will be present: No

Submitted by: Brilana Silva

Organization: Individual

E-mail: brilana@gmail.com

Submitted on: 2/9/2012

Comments: