



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

In reply, please refer to:
File:

HOUSE COMMITTEE ON HEALTH

H.B. 903, H.D. 1, RELATING TO WATER POLLUTION

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

February 22, 2013
9:30 AM

- 1 **Department's Position:** The Department of Health **STRONGLY SUPPORTS** this bill.
- 2 **Fiscal Implications:** This bill calls for the establishment of a fee collection system and a separate water
3 pollution control account within the department's water pollution control revolving fund.
- 4 **Purpose and Justification:** The purpose of this bill is to improve the state's ability to manage and
5 reduce nonpoint source and individual wastewater system pollution by authorizing the Director of
6 Health to charge fees for nonpoint source pollution management plan applications and from owners of
7 individual wastewater systems. The department currently has insufficient staff and programs to address
8 water pollution from nonpoint sources and individual wastewater systems. These funds will enable the
9 department to control and reduce these pollution sources by preparing generally applicable rules and
10 guidelines, inspecting individual wastewater systems and nonpoint pollution sources, and monitoring
11 discharges. The department believes this bill is important because these pollution sources harm
12 Hawaii's fresh, marine, and ground waters.

13 Nonpoint source pollution, such as stormwater runoff from agriculture and other lands, contains
14 soil, fertilizers, pesticides, and other wastes, which harm state waters, coral reefs, and public recreation.

1 Nonpoint source pollution potentially imbalances delicate local ecosystems and contaminates food
2 sources. It can also contribute to turbidity, which causes a loss of recreational waters for residents and
3 visitors. Stormwater runoff harms Hawaii’s agriculture by carrying away precious topsoil. Without
4 proper attention, nonpoint source pollution will continue to threaten the rich environmental resources on
5 which Hawaii’s economy depends. This proposed bill establishes a nonpoint source pollution
6 management plan program, which will help the state more effectively and comprehensively mitigate the
7 harmful effects of nonpoint source pollution.

8 Individual wastewater systems, such as cesspools and septic systems, pollute the public’s surface
9 waters and groundwater, and pose a threat to public health and safety. Pollution from individual
10 wastewater systems harms water quality with bacterial pathogens and excess nutrient loadings, and
11 threatens public health and safety with cave-ins, asphyxiation from septic fumes, and possible contact
12 with raw sewage through surfacing or back-ups. Since individual wastewater systems are not connected
13 to a sewer system, owners of individual wastewater systems do not pay the substantial fees charged to
14 those who are served by sewers that treat and mitigate wastewater pollution. Under this proposed bill,
15 operators of individual wastewater systems will also be required to pay fees necessary to help ensure
16 pollution from their systems is reduced and properly managed.

17 **Relation to the New Day Plan:** Environment and Natural Resources – prepare for the impacts of
18 climate change.

19 **Relation to the Department of Health Strategic Plan:** Foundation 4: Clean & Sustainable
20 Environments. Goal: Create social and physical environments that promote and support good health for
21 all.

22 Thank you for the opportunity to testify.

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

KIRK CALDWELL
MAYOR



LORI M.K. KAHIKINA, P.E.
DIRECTOR

EDUARDO P. MANGLALLAN
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 13-38

February 21, 2013

The Honorable Della Au Belatti, Chair
and Members of the Committee on Health
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Belatti and Members:

Subject: House Bill 903, HD1, Relating To Water Pollution

The City and County of Honolulu's Department of Environmental Services (ENV) applauds this effort to address nonpoint source pollution as indicated in House Bill (HB) 903, HD1, Relating To Water Pollution.

Runoff from nonpoint sources, including agriculture, forested conservation areas, and other lands, are major causes of sediment and other pollutants discharging to our streams and coastal waters. Additionally, our upland forests face serious threats from feral pigs and alien plant species, such as Miconia and Strawberry Guava. The Department of Land and Natural Resources has pointed to an alarming statistic: one feral pig can damage one acre of forest floor in one week. A hundred pigs can damage 5,000 acres of forested upland, our principal source of drinking water, in a year and the uprooting of vegetation by the pigs causes soil erosion and exacerbates the potential for brown water advisories.

We recognize that the Department of Health faces serious staff shortages. Staffing was severely curtailed during the economic downturn of the past several years.

The requirement for management plan in "§342E-A Management plans; procedures for" needs to be defined more narrowly. The Committee on Energy and the Environment's recommendation to limit the requirement for a management plan to properties over a threshold of 10 or more acres is an encouraging step.

The Honorable Della Au Belatti, Chair
February 21, 2013
Page 2

However, we still have concerns regarding some of the specifics in the bill.

First, we have concerns regarding the proposal for the counties to collect fees on their real property tax bill. The counties do not have information regarding what specific properties to be billed and do not have information regarding which properties have approved individual wastewater treatment systems. Additionally, it is unclear whether such fees would be appropriately paid by the property owner or by the permit applicant who may be a lessee.

Second, as written, "nonpoint source" is not defined within the bill. It is unclear if individual wastewater systems are included within the "non-point" source definition and if the requirement for management plans would extend to those with individual wastewater systems. Extending the management plan concept to properties with individual wastewater systems would be significantly burdensome on individual homeowners.

In summary, we applaud this effort to address nonpoint source pollution and support additional funding for the Department of Health for that purpose. However, we have concerns over who will be covered, the proposal to have the counties to collect fees through property taxes, and whether individual wastewater systems are defined as nonpoint sources.

We urge the committee to defer HB 903, HD1, until these issues can be clarified and further discussed with the counties.

Sincerely,



 Lori M.K. Kahikina, P.E.
Director

morikawa2 - Shaun

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 22, 2013 5:35 AM
To: HLTtestimony
Cc: afrancokaupo@gmail.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Franco	Hawaii Cattlemen's Council	Oppose	No

Comments:

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Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street • Honolulu, Hawaii 96819
Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272
Fax: (808) 848-1921 • Email: info@hfbf.org
www.hfbf.org

FEBRUARY 22, 2013
HOUSE COMMITTEE ON HEALTH

TESTIMONY ON HB 903 HD1
RELATING TO WATER POLLUTION
Room 329
9:30 AM

Chair Belatti, Vice Chair Morikawa, and Members of the Committee:

I am Dean Okimoto, President of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is composed of 1,950 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

HFBF strongly opposes HB 903 HD1 and respectfully requests that you hold this bill, which would put yet another bureaucratic hurdle in the way of food production in the islands.

Increased food and energy self-sufficiency is a priority in the State, supported by the Governor's New Day initiative, policymakers, and citizens island-wide. Minimizing excessive farming expenses is a basic requirement to enable our farmers and ranchers to remain viable and provide food, fiber, and energy that is a cornerstone to self-sufficiency.

Although we appreciate the need to protect streams from nonpoint pollutants, this bill is not the way to accomplish that goal. The bill requires that anyone who has runoff from his property pay fees to obtain a permit from the Department of Health and comply with a management plan developed by the agency.

The proposed new permitting system is unnecessary, inappropriate, and will be extremely costly and burdensome for our local farmers.

This draft exempts properties under 10 acres, however; 98% of Hawaii's farm land would still be burdened by this bill. Thirty-five percent of farms in the state are over 10 acres.

Not feasible

Preventing all nonpoint “water pollution,” defined to include sand and soil particles, is impossible. Due to the pervasive and unrelenting forces of erosion, the Hawaiian islands are undergoing a natural process that will eventually transform them from high islands to low islands, atolls, and ultimately to submerged seamounts. **Farmers have no control over high winds and heavy rains and no amount of regulation or fees will stop this natural process.**

Unnecessary

Existing water quality standards regulations already require farmers and other landowners to comply with strict requirements to prevent and control polluted runoff. In addition, DOH recently promulgated a new and extremely complicated pollutant discharge permit program that farmers and others statewide are still struggling to understand and get assistance with. To make matters worse, DOH itself does not appear to have the means to help the regulated community comply with this new regulation. Another layer of laws and regulations will add to the confusion and burden.

Inappropriate

HFBF was one of the dozens of stakeholders and other participants that worked for years to formulate a plan to control polluted runoff in Hawaii. The result of those efforts was “Hawaii’s Implementation Plan for Polluted Runoff Control,” a plan that integrated polluted runoff implementation activities under both the federal Clean Water Act and the Coastal Zone Reauthorization Act. The State engaged this broad group of stakeholders to develop a policy that would ensure that all polluted runoff control provisions were **effective and economically feasible**. The focus was on the development of a **voluntary, non-regulatory program**, the Pollution Prevention Plan (PPP) program.

The State promised stakeholders that “The State is committed to working with the agricultural community to develop a PPP program that is appropriate to Hawaii’s environmental and economic conditions and that meets water quality goals.” HB 903 HD1 does not work *with* the agricultural community, it works against us.

Nonpoint source pollution is defined very broadly and can come from any land anywhere. Rain water flooding off a farm should not be regulated in the same way as a “point source” of pollution, such as raw sewage coming from a toilet pipe discharging into a stream. Furthermore, determining the source of nonpoint pollution may be difficult, if not impossible. Consider what happens throughout the islands during a heavy rain; even from areas without any human influence, soil runs off site and eventually ends up in the ocean, causing it to turn red or brown. Now picture the upper watershed, already eroded from feral animal activity, downstream a ranch that has been impacted for years by drought, further downstream a residential development including parks, schools, and roadways. Will all of these landowners or managers need to get a permit? How will DOH determine whether a particular particle of soil came from natural causes or man-made ones? Or will there be fines for both sources? How will DOH determine where the particle came from and who will be fined for violating his permit conditions?

Solution

Working with the USDA Natural Resource Conservation Service and the Hawaii Soil and Water Conservation Districts, farmers and rancher develop conservation plans to control nonpoint source pollution and comply with Department of Health Water Quality Standard regulations. This agency along with the Districts, have decades of experience and on-the-ground expertise to develop workable and customized plans for farmers.

HFBF respectfully suggests that this proven management program be seriously considered before launching into a new and complex DOH fee and fine-based regulatory program that threatens to regulate active farms and ranches in the same way raw sewage from toilets is regulated.

Thank you for the opportunity to testify in **strong opposition** to this measure and thank you for your support of Hawaii's farmers and ranchers.



Feb. 21, 2013

Committee Chairs & Members of Health Comm. (HLT)

RE: Strong Support for HB903 – Relating to Water Pollution

Hearing on Fri., Feb. 22, State Capitol, Conf. Rm. 329, 9:30am.

Dear Chair Au Belatti, Vice Chair and Committee Members,

My name is Stuart Coleman, and I am the Hawaii Coordinator of the Surfrider Foundation. With more than 5000 activists and members across the state, Surfrider's Hawaii Chapters strongly support passage of HB903. This bill is designed to address the issue of water pollution that is caused by leakage from cesspools and storm water runoff, which are the leading causes of contamination of our near-shore waters.

The Surfrider Foundation is an environmental non-profit dedicated to the protection of the world's oceans and beaches, and water quality has always been one of our top priorities since our inception in 1984. Our Blue Water Task Force does water quality monitoring in Hawaii and across the country, and we have often collaborated with the Dept. of Health's (DOH) Clean Water Branch. The Hawaii Chapters were working with other environmental groups to draft legislation to deal with leaking wastewater systems and non-point source pollution. That's when we learned about this bill and decided to give it our full support.

According to the EPA, Hawaii has the highest number of cesspools per capita in the entire country, and this has created many water quality problems in rural, agricultural and coastal areas across the state. This bill would address the issue by empowering the Dept. of Health to: 1. Identify and issue fees on businesses, homeowners and farmers whose wastewater treatment systems are leaking, dangerous and polluting state waters; 2. Work with these people to set up a management plan to deal with the problem by either upgrading to a septic system or hooking up to county sewer lines; 3. And finally, create a separate Water Pollution Control account to help fund efforts to mitigate the pollution from nonpoint sources and individual wastewater systems.

As most people know, DOH is tasked with some of the most important duties in the state to protect the health and well-being of the people and the environment, yet they are under-funded and under-staffed to do this work. By allowing the agency to assess fees on those polluting our waterways and near-shore waters (most of whom do not pay sewer fees), this bill would create a desperately needed Water Pollution Control account to hire new staff to deal with this increasing problem. We may have some of the world's most pristine beaches, but we also have very high rates of water quality contamination and brown-water advisories

The bill would also help homeowners, farmers and businesses come up with a wastewater management plan and mitigate the environmental and human health hazards associated with water pollution. Thanks for the opportunity to testify on this bill and feel free to contact me if you have any questions or concerns.

Sincerely,

Stuart H. Coleman
Hawaii Coordinator

morikawa2 - Shaun

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 21, 2013 8:29 PM
To: HLTtestimony
Cc: kahi@sustainablecoastlineshawaii.org
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
kahi pacarro	Sustainable Coastlines Hawaii	Support	No

Comments: Proper handling of our sewage is necessary to keep our coastlines and water clean. We support this bill.

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UNIVERSITY
of HAWAII®
MĀNOA

February 21, 2013
RL: 2301

HB 903 HD1
RELATING TO WATER POLLUTION

House Committee on Health
Public Hearing – Friday February 22, 2013
9:30 a.m., State Capitol, Conference Room 329

By
David Penn, Environmental Center
Roger Babcock, Water Resources Research Center
IN SUPPORT

Dear Chair Belatti, Vice Chair Morikawa, and committee members,

Nonpoint sources of water pollution are major causes of water quality degradation. However, the widespread and diffuse nature of nonpoint source problems makes for exceptional management challenges that demand greater government effort and public involvement. The Environmental Center and the Water Resources Research Center support the general intent of HB 903 to expand state resources for managing nonpoint sources of water pollution.

We agree in concept with proposals to (1) establish operating fees for individual wastewater systems, (2) require the preparation and implementation of nonpoint source pollution management plans, and (3) impose a range of related filing fees and penalties. The overall benefit of these provisions would be to boost funding and participation for state programs that help all kinds of landowners and land operators to better fulfill their responsibilities for sound environmental management practices which contribute to the overall protection and enhancement of watershed health. Research from around the world indicates that it can take decades of well-planned, consistent effort to achieve measurable improvements in water quality that are directly attributable to nonpoint source management measures. We encourage the legislature and the Department of Health to continue refining the details of HB 903 so that new sources of funding can emerge to move our state forward on this path.

Thank you for hearing this proposed legislation. Please note that this testimony is advisory only and does not represent the official position of the University of Hawaii.

morikawa2 - Shaun

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 22, 2013 6:39 AM
To: HLTtestimony
Cc: jimmygomes@hawaii.rr.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Gomes	Ulupalakua Ranch	Oppose	No

Comments:

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To: HLTtestimony
Cc: aknranch@aol.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Annette Niles	Individual	Oppose	No

Comments:

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Sent: Thursday, February 21, 2013 8:53 PM
To: HLTtestimony
Cc: amstokes@hawaii.edu
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Stokes	Individual	Oppose	No

Comments: We are opposed to this bill since it would significantly impact Hawaii's agriculture in a negative way. This bill is not necessary and adds another layer of fees and required permits for farmers and ranchers. Runoff from farms and ranches is already regulated under current Department of Health water quality standards regulations and the mechanism for enforcement already exists. The current program was devised to include runoff from agriculture. The proposed new permit program is not appropriate for agriculture.

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Cc: bjspence@hawaii.rr.com
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HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Betty Spence	Individual	Oppose	No

Comments:

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To: HLTtestimony
Cc: mazokurage@gmail.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Hashimoto	Individual	Oppose	No

Comments:

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Sent: Thursday, February 21, 2013 5:20 PM
To: HLTtestimony
Cc: creimann4@gmail.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Reimann	Individual	Oppose	No

Comments: This bill will make it impossible to for farmers and ranchers to operate. Please support agriculture, OPPOSE this bill. Mahalo!

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Cc: floral@maui.net
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Carver Wilson	Individual	Oppose	No

Comments: I don't believe we need this and another tax and bureaucracy Thank you Carver

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Sent: Friday, February 22, 2013 3:46 AM
To: HLTtestimony
Cc: cfnihei@aol.com
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HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Nihei	Individual	Oppose	No

Comments: Please oppose this bill, it will harm my farm to the point where it would be affected financially. As it stands I have already put some measure to a reasonable degree to ensure some control to my farms run off. Did they even consider that it would affect homes next to the ocean or the farms next to streams. Unless the Dept. of Health can control the weather, I see no solution to the problem at this time. This SHOTGUN approach to this problem is not the solution. Please note that all chemicals whether organic or conventional will have to be taken off all of the islands to ensure that the drinking waters and the ocean around these islands are safe from contamination. What I am trying to say is that all chemicals, whether organic or conventional can affect the water source, and any amounts can be fatal to a certain degree. It is a matter of time that the water source will be affected, sooner or later. By the way contrary, to belief, all farms are not using chemicals for the fun of it. I myself, am trying to take more organic measures.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 22, 2013 6:57 AM
To: HLTtestimony
Cc: Dario.Bernacchi@monsanto.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dario Bernacchi	Individual	Oppose	No

Comments: This bill is very poorly conceived. Poor soil managements practices should be controlled penalized. And there are already controls for that! Soil is not a "contaminant"!!!!!!!!!!!!!!

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Cc: fett4paz@gmail.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Fetterly	Individual	Comments Only	No

Comments: Literally, nothing is more important to the well- being of our communities than clean water, clean air, and food. Even economics must take a back seat. Please vote in favor of this most important bill. Otherwise, what legacy do we leave our grandchildren, our keiki!

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Cc: eterwey@hotmail.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM
Attachments: HB903.txt

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Edith Terwey	Individual	Oppose	No

Comments: Government needs to support Agriculture, not continually make it harder for farmers and ranchers to operate otherwise the all food in Hawaii will have to be imported from the Mainland.

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HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth McDermott	Individual	Support	No

Comments: This bill will make an enormous difference in solving one of our states greatest environmental problems by providing DOH the resources and ability to better monitor non point source pollution and assist dischargers with finding solutions to it. No one benefits from uncontrolled runoff, including farmers. This is a positive, proactive approach that will encourage the sharing of best management practices among farmers and ranchers and those in various other industries. No responsible farmer should find it a burden to consider developing a management plan for preventing runoff. This bill simply helps DOH better manage what they do best, so farmers can get back to doing what they do best. From farm to range to reef, we should all be working together to keep Hawaii healthy.

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Cc: halina@hawaii.edu
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

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Submitted By	Organization	Testifier Position	Present at Hearing
Halina M Zaleski	Individual	Oppose	No

Comments: While the goal of reducing non-point source pollution is a worthy one, it requires a watershed based approach, not an individual by individual approach. This bill presumes that all landowners are guilty until proven innocent. It makes more sense to identify the problems and address them rather than use a shotgun approach. Years ago, the cottage owners on Lake Erie complained that agriculture was polluting the lake, but investigation showed that the source of the problems was not agriculture but the chemical s used by the cottage owners to maintain perfect lawns. This example shows that it is important to identify and address the real problems, and not to assume that adding another layer of bureaucratic regulation of farms of any size will magically resolve non-point source pollution.

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Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
James McCay	Individual	Support	No

Comments: Aloha, What a great idea! Sounds like a move forwards. Many thanks, James McCay
2957 Kalakaua Ave, Honolulu HI 96815

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morikawa2 - Shaun

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 21, 2013 11:59 AM
To: HLTtestimony
Cc: palmtree7@earthlink.net
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glenie	Individual	Support	No

Comments:

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Thank you for accepting my testimony on House Bill No. 903.

My name is Jason Moniz. I'm the fourth generation in my family to be involved in agriculture in Hawaii. I have been involved with agriculture for my entire life and have worked the past 30 years with the agriculture industry, in a regulatory capacity and with my family in livestock production.

I have to oppose HB 903 even though I am not in opposition to the environmental protection it proposes to accomplish. In particular in the case of non-point sources pollution I believe that environmental protection can be achieved with conservation plans and measures currently being implemented. These programs should be fully supported and fully implemented. Conservation plans that are in place are effective and costly enough without new regulations, fees and penalties being imposed on top of them. Without the implementation of similar programs in other States or some measure to tax/tariff imported food and agricultural products this measure will quickly put local agriculture at a significant economic disadvantage and out of business. Unfortunately I don't believe that State of Hawaii has the authority to tax or tariff interstate commerce. This is exactly how the US protects its own agriculture while implementation stronger environmental laws than its trading partners. Without similar actions this Bill will put our local agricultural producers on an uneven playing field and very soon out of business. And if you are thinking there is no way Hawaii's residents can pay higher food bills, you are right, just as right as agriculture producers are, knowing they can't withstand the higher production costs from the regulatory action this Bill is proposing.

I strongly support the HDOA testimony provided by Russell Kokubun, it is practical, level headed and spot on. I strongly recommend that this Bill be deferred until a task force made up of DOH, HDOA, USDA-NRCS and stakeholders have at least a year to come up with a plan to accomplish the goals of this Bill without the damaging effects to agriculture it currently possess.

Thank you again for taking my testimony, I hope you give it serious consideration.

morikawa2 - Shaun

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 21, 2013 11:35 PM
To: HLTtestimony
Cc: joe.a.mcclure@monsanto.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Joe McClure	Individual	Oppose	No

Comments: This bill is just a veiled attempt to levy another tax. This tax, or penalty, is aimed at a segment of the population that provides jobs, goods, and services to support the people and the viability of State of Hawaii. Farmers and ranchers are, by their nature, good stewards of their land because it is what their livelihood is based on. Farmers and ranchers are not cavalier with their land and expecting a farmer or rancher to submit a water pollution plan prior to rain events is ludicrous. Will this be required of the state and national parks? Erosion occurs in our parks. Erosion is the cause of the streams turning brown during flash flooding in the upcountry. Erosion is a natural event that has been the major force in shaping the islands. All logical and feasible steps should be made to prevent the erosion from careless acts and the NRCS should be enabled and staffed to continue this work. I wholly oppose this bill as it is a bureaucratic mess that would be impossible to regulate and would duplicate the efforts of other governmental agencies. This bill would hurt small and large farmers alike and hurt job creation. Please stop this bill.

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To: HLTtestimony
Cc: jfpuna@earthlink.net
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Flanders	Individual	Support	No

Comments: This is a painful (to those that will need to make the switch) but absolutely necessary step we the people must take to protect our waters both kai and wai!

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To: HLTtestimony
Cc: merway@hawaii.rr.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/21/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Erway	Individual	Support	No

Comments:

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Sent: Thursday, February 21, 2013 3:55 PM
To: HLTtestimony
Cc: mhesketts@mac.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Heskett	Individual	Support	No

Comments: Aloha Honorable Legislator, Please support this bill to both ensure Hawaii continues to improve currently tainted water quality along our beaches, where we swim, surf and fish and to do so by providing support to those who must bear the burden of the improvements. The Hawaii Department of Health Clean Water Branch has documented several locations along Oahu's coast that are clearly compromised by existing cesspools. Several of these locations are at popular surfing beaches. This bill is an excellent way to ameliorate this problem. Thank you, Marvin Heskett

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Sent: Thursday, February 21, 2013 9:35 PM
To: HLTtestimony
Cc: mcblivestock@gmail.com
Subject: Submitted testimony for HB903 on Feb 22, 2013 09:30AM

HB903

Submitted on: 2/21/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Michael Bryan	Individual	Oppose	No

Comments: There are already enough laws and regulations that cover this subject. Continued legislation that restricts agricultural enterprises is contrary to the statements made by both the legislature and governor to preserve and assist agriculture in Hawaii.

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Sent: Friday, February 22, 2013 1:06 AM
To: HLTtestimony
Cc: Psgmikilua@gmail.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/22/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Phyllis S. Geiser	Individual	Oppose	No

Comments:

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To: HLTtestimony
Cc: wislts@hotmail.com
Subject: *Submitted testimony for HB903 on Feb 22, 2013 09:30AM*

HB903

Submitted on: 2/21/2013

Testimony for HLT on Feb 22, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Shimokawa	Individual	Oppose	No

Comments:

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