

thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 8:37 AM
To: EEPtestimony
Cc: djr@teamdeluz.com
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

Submitted on: 2/7/2013

Testimony for EEP on Feb 7, 2013 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David S De Luz Jr	Kukaiiau Ranch	Oppose	No

Comments: Although the intention of this bill is most likely well meaning: additional laws and/or rules to regulate these circumstance can and most likely WILL have erroneous consequences. Government should NOT continue to address concerns as outlined in this bill: government should assist us in working with us on solutions-NOT creating MORE regulation! Please DO NOT allow this bill to pass-lets work together to explore more reasonable ways to mitigate this problem. Thank you for allowing me to submit this testimony and expressing my view and concerns in opposition. MAHALO!

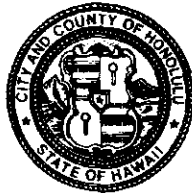
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DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
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KIRK CALDWELL
MAYOR



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

EDUARDO P. MANGLALLAN
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
SWQ 13-065

February 7, 2013

The Honorable Chris Lee, Chair
and Members of the Committee on Energy and
Environmental Protection
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Lee and Members:

Subject: House Bill 903, 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, 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.

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

First, the requirement for management plan in "§342E-A Management plans; procedures for" needs to be defined more narrowly. This might be accomplished by limiting the requirement for a management plan to properties over a threshold of, say 10 or more acres.

The Honorable Chris Lee, Chair
February 7, 2013
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Second, 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.

Third, 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 until these issues can be clarified and further discussed with the counties.

Sincerely,



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

thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 7:27 AM
To: EEPtestimony
Cc: kcfb@hawaiiintel.net
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

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Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Ornellas	Kauai County Farm Bureau	Oppose	No

Comments: Aloha, We oppose HB903 as unnecessary and harmful to farming on Kauai. 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 cover runoff from agriculture. The proposed new permit program is not appropriate for agriculture. Hawaii's farmers and ranchers, including our local food producers, cannot deal with more bureaucratic paperwork; this creates a whole new system WITH FEES that farmers and ranchers will have to pay to get a permit just to farm. * No matter how good farmers and ranchers practices are, if it rains hard enough, some soil will move off farm and ranch property-----the current DOH rules take this into account and already regulate it accordingly. Mahalo for the opportunity to provide comments.

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 9:13 AM
To: EEPtestimony
Cc: jimmygomes@hawaii.rr.com
Subject: *Submitted testimony for HB903 on Feb 7, 2013 09:00AM*

HB903

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

Comments:

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 7:46 AM
To: EEPtestimony
Cc: Imochida@whshipman.com
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

Submitted on: 2/7/2013

Testimony for EEP on Feb 7, 2013 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Loren Mochida	Puna Soil and Water Conservation District	Oppose	No

Comments: This will only increase costs for our farmers and ranchers.

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 9:23 AM
To: EEPtestimony
Cc: michael@mcengineer.com
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

Submitted on: 2/7/2013

Testimony for EEP on Feb 7, 2013 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael McNulty	Individual	Support	No

Comments: We fully support the measure as it will put more eyes on the ground making sure that the contractors are not cutting corners. Thank you, Michael McNulty, P.E.

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 1:00 PM
To: EEPtestimony
Cc: Risaoram@hotmail.com
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

Submitted on: 2/7/2013

Testimony for EEP on Feb 7, 2013 09:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Risa oram	Individual	Support	No

Comments: I support HB903 related to water pollution.

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 7:36 AM
To: EEPtestimony
Cc: mail@kealiaranch.com
Subject: Submitted testimony for HB903 on Feb 7, 2013 09:00AM

HB903

Submitted on: 2/7/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Sara Moore	Kealia Ranch	Oppose	No

Comments: 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 cover runoff from agriculture. The proposed new permit program is not appropriate for agriculture. Hawaii's farmers and ranchers, including our local food producers, cannot deal with more bureaucratic paperwork; this creates a whole new system WITH FEES that farmers and ranchers will have to pay to get a permit just to farm. No matter how good farmers and ranchers practices are, if it rains hard enough, some soil will move off farm and ranch property-----the current DOH rules take this into account and already regulate it accordingly. We cannot afford a new program and it is already regulated.

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