

SB 590

Testimony

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
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**TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE
TUESDAY, FEBRUARY 12, 2013
2:55 P.M.
Room 229**

**SENATE BILL NO. 590
RELATING TO AGRICULTURE**

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 590. The Department of Agriculture supports the intent of this measure and offers comments. The purpose and intent of this measure is to clarify the State's policy to promote and foster an atmosphere of acceptance for agricultural practices and guaranteeing the rights of farmers and ranchers to engage in farming and ranching practices. We believe the proposed language establishing the right of farmers to engage in farming and ranching practices (page 6, lines 2-6) would be more appropriately placed within Chapter 226, Hawaii Revised Statutes (Hawaii State Plan) rather than Chapter 165, the Hawaii Right-to-Farm Law which is focused on limiting the circumstances under which farming operations may be deemed to be a nuisance.

Thank you, again, for the opportunity to testify on this measure.



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Tim Bynum
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 4, 2013

TESTIMONY OF JAY FURFARO
COUNCIL CHAIR, KAUAI COUNTY COUNCIL
ON
S.B. NO. 590, RELATING TO AGRICULTURE
Senate Committee on Agriculture

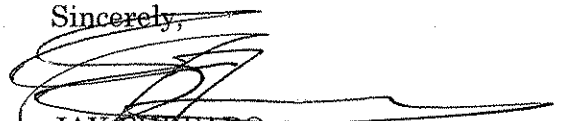
Dear Chair Nishihara and Members of the Senate Committee on Agriculture:

Thank you for this opportunity to submit testimony regarding S.B. No. 590, Relating to Agriculture. I would like to voice my serious concerns regarding this Bill. My testimony is submitted in my individual capacity as Council Chair of the Kaua'i County Council.

I have a few concerns regarding the language contained in this Bill. I am particularly concerned with the language in the Bill which states, "No court, official, public servant, or public employee shall declare any farming operation a nuisance for any reason if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices." This statement preempts individual Counties to have little or no recourse to protect our constituents from action done by any and all agricultural businesses or individuals should the health and safety of our community be compromised. As we have all followed the raging debate and criticism related to farming practices and operations, including but not limited to chemical and pesticide use, genetically modified organism (GMO) farming practices, etc., I find myself wanting to approach these types of Legislation with caution. I am cautious knowing that much of the "generally accepted agricultural and management practices" involved with the larger biotechnical companies are continuing to evolve and the safety of its practices are being called into question. This "moving target" is an area of concern to me and the uncertainty has led to my need to express these concerns with your Committee regarding this "Right to Farm" initiative, especially when it prevents any and all government entities to protect the people should questionable practices be deemed unsafe and hazardous.

Again, thank you for this opportunity to submit testimony and for allowing me to express my concerns relating to S.B. No. 590.

Sincerely,


JAY FURFARO
Council Chair, Kaua'i County Council

COUNTY COUNCIL
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February 11, 2013

**TESTIMONY OF TIM BYNUM
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
S.B. NO. 590, RELATING TO AGRICULTURE
Committee on Agriculture
Tuesday, February 12, 2013
2:55 p.m.
Conference Room 229**

Dear Chair Nishihara and Members of the Senate Committee on Agriculture:

Thank you for this opportunity to submit testimony in opposition of S.B. No. 590, Relating to Agriculture. My testimony is submitted in my capacity as an individual member of the Kaua'i County Council.

S.B. No. 590 amends the Hawai'i Right To Farm Act by adding language that protects the right of farmers and ranchers who employ all forms of agricultural practices and operations that are "generally accepted as legitimate and appropriate within our nation." As we all have followed the debate and criticism relating to farming practices and operations, including but not limited to chemical and pesticide use, genetically modified organism (GMO) farming practices, etc., I encourage the Legislature to approach these types of Legislation with caution.

Citizens on Kaua'i have been increasingly expressing concerns regarding the expanding activities of seed research companies using a large portion of the former sugar lands on our island. The response from the industry and, with all due respect, the State Legislature has been inadequate. A previous Bill (H.B. No. 1387) was introduced two (2) years ago by Kaua'i Representative Dee Morikawa and then Kaua'i Representative Mina Morita. It did not receive serious consideration. This Bill was intended to disclose to the public the level of pesticide use near their homes. This unwillingness to provide information and transparency leads to increased suspicion and concern. If there is "generally accepted agricultural and management practices" occurring then why the secrecy?

Another area of concern is the language that states, "No court, official, public servant, or public employee shall declare any farming operation a nuisance for any reason if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices." This statement preempts individual Counties who will be left with little or no recourse to protect

Committee on Agriculture
February 11, 2013
RE: S.B. No. 590

our constituents from action done by any and all agricultural businesses or individuals should the health and safety of our community be compromised. Many believe it already has been.

Much of the “generally accepted agricultural and management practices” involved with the larger biotech companies are continuing to evolve and the safety of its practices are being called into question. An open dialog and disclosure of pertinent information so citizens can make informed judgments is how we should respond to sincere questions from our community. Supporting a Bill that protects an industry from legitimate scrutiny and at the same time restricts local Elected Officials from fulfilling their responsibility for the health and safety of our people is wrong.

For the reasons stated above, I respectfully request the deferral of this item indefinitely. Again, thank you for this opportunity to submit testimony in opposition of S.B. No. 590.

Sincerely,

A handwritten signature in blue ink that reads "Tim Bynum" with a stylized flourish at the end.

TIM BYNUM
Councilmember, Kaua'i County Council

AB:aa

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: afrancoaupo@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 3:13:11 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

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

Comments: We support Counties ability to have home rule, but are concerned when counties adopt ordinances that conflict with accepted Federal and State laws, rules, and regulations. A lot of times misinformations can lead to an oridance that can negatively affect agriculture.

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Hawaii Cattlemen's Council, Inc.

P O Box 437199 Kamuela HI 96743
Phone (808) 885-5599 • Fax (808) 887-1607
e-mail: HCattlemens@hawaii.rr.com

SENATE COMMITTEE ON AGRICULTURE

FEBRUARY 12, 2013 2:55 p.m. Room 229

SB 590 RELATING TO AGRICULTURE

Clarifies the State's policy to promote and foster an atmosphere of acceptance for agricultural practices.
Guarantees the rights of farmers and ranchers to engage in farming and ranching practices.

Chair Nishihara, Vice Chair Kouchi and Members of the Committee:

My name is Alan Gottlieb, and I am a rancher and the Government Affairs Chair for the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **strongly supports SB 590.**

While we agree that counties should have strong "home rule", we also believe that when Counties adopt ordinances that conflict with accepted Federal and State laws, rules or regulations, this adds an additional level of bureaucracy which is redundant and burdensome. Imagine businesses which operate in more than one county in our State having to follow separate rules for their business. In this era of activism and misinformation rampant in social media and on the internet, generally accepted farming practices are especially susceptible to folks who simply don't like what you do, even though those practices are regulated and perhaps even endorsed by Federal Agencies and/or State Departments.

Thank you for giving me the opportunity to testify in favor of this very important issue.

From: [Louisa](#)
To: [AGL Testimony](#)
Subject: Testimony against the passage of SB 590
Date: Wednesday, February 06, 2013 8:38:49 AM

Dear Senators:

My family operates a certified organic family farm on Kauai and we have farmed here since 1979. I have read and re-read this legislation and find the language very disturbing and ill-conceived.

Yes, we want the right to farm. But what is farming? Is it performing field trials for a plethora of pesticides, herbicides, and other chemicals in order to see how much a crop can tolerate after the seed DNA has been altered to tolerate these materials? Is farming poisoning, plundering, depleting, diminishing, and destroying the natural fertility and life of the soil to the extent that when the experiments cease, the soil is no longer useful for growing food? Is farming allowing these deadly chemicals to seep into our aquifers and run-off into the ocean? Is this abuse of the land to be protected by this legislation to the extent that any protest by the populace is to be classified as "nuisance" ?

This year, our family was fortunate (as a result of hard work) to purchase an additional 6.25 acres of land in the Moloa'a district on the north shore of Kaua'i. This land was previously planted in pineapple and papaya. The "generally acceptable" practice of cultivating these crops was to spread polyethylene plastic sheeting and irrigation tubing to grow these crops. At the end of harvest, this plastic waste was left in the ground. I told my son the other day, as we were clearing plastic from the tines of our tiller, that my grandchildren and his would be tormented by this plastic until the day they died. Worse yet, it was "generally accepted" by the plantations, to burn the crop residue when harvest was done. This left the soil bare and bleak and infertile. But it was "generally acceptable".

If the seed/chemical companies cared about Hawaii, they would be growing food on the land that they occupy here. It can be done. Hawaii does not have to import its food. It will take courage from you, our elected leaders, to regulate this awful industry...don't protect it! Stop calling this farming!! IT IS NOT FARMING!!! It is chemical experimentation in one of the most fragile ecosystems on earth.

On Kaua'i, we have seen our school children poisoned right in their classrooms. Our water wells have toxic chemicals and the perpetrators are buying us off with meager settlements and we are giving in and giving up our rights to clean water. Our coral reefs are dying and the ocean currents that flow around our entire island are bringing run-off from these CHEMICAL KILLING FIELDS to every shore. Is this really an industry that you want to protect? Really?

Mahalo,
Louisa Wooton
Kauai Kunana Dairy
Kilauea, HI

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: bernard@islandartcards.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 3:23:37 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bernard Fickert	Pacifica Island Art, Inc.	Oppose	No

Comments: It is unacceptable in this day and age to indemnify polluters! Anybody, and that includes corporations needs to take responsibility and be held accountable for their acts! Thank you for opposing this ill conceived bill, Bernard Fickert Pres., Pacifica Island Art, Inc., Maui

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Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

Testimony by Alicia Maluafiti

SB 590– Relating to Agriculture
The Senate Committee on Agriculture

Tuesday, February 12, 2013
2:55 p.m., Room 229

Position: Support

Aloha Chair Nishihara, Vice Chair Kouchi, and members of the Committee:

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, a nonprofit trade association representing Hawaii seed farmers. We are in strong support of SB 590 which strengthens Hawaii's right to farm statute.

James Madison, one of our founding forefathers, said,

Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction....by a faction I understand a number of citizens whether amounting to a majority or minority of the whole who are united and actuated by some common impulse or passion, or of interest adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

This bill simply reinforces what is already deemed an appropriate balance between federal, state and local policies that impact the viability of agriculture in Hawaii. The state has jurisdiction over right to farm. Decisions made the Dept. of Agriculture appropriately take into account scientific fact and best management practices when regulating agriculture. They have the expertise and resources to research, investigate and enforce agricultural policy. The counties do not.

Yet some county officials have demonstrated that they are easily swayed by a small but vocal group of people with a NIMBY (not in my back yard) attitude of self-interest and total disregard for the best interests of the community, the island, or the state. As more and more affluent mainland transplants buy up our revered agricultural land to become "gentlemen farmers" in their 5,000 sf. mansion with a goat and a coffee tree, the inevitable encroachment and conflict with real farmers occurs. Farmers need assurances that Hawaii's State Right to Farm statute will stand the test of time and not be prone to the whim of people who have easily bought up their piece of paradise.

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From: [Felicia Alongi Cowden](#)
To: [Sen. Ronald D. Kouchi](#); [Sen. Donna Mercado Kim](#); [Sen. Clarence Nishihara](#); [senthielen@capitol.gov](#); [All Senators](#); [All Reps](#); [Rep. Jessica Wooley](#); [Sen. Russell Ruderman](#); [Sen. Malama Solomon](#); [Sen. Roz Baker](#); [Sen. Glenn Wakai](#); [Rep. Richard Onishi](#); [Sen. Clayton Hee](#); [Sen. Maile Shimabukuro](#); [Sen. Gilbert Keith-Agaran](#); [Mayor](#); [County Council](#); [AGL Testimony](#)
Cc: [Elijah Frank](#); [hawaiiseed@hawaiiseed.org](#); [myoshioka@kedb.com](#); [mstiglic@hvcb.org](#); [info@kauaichamber.org](#); [smenor-mcnamara@cochawaii.org](#); [kauai@hvcb.org](#); [info@poipubeach.org](#); [KauaiRising](#); [htf@lava.net](#); [Rep. James Tokioka](#); [dmorikawa@hawaiiink.net](#); [Rep. Derek Kawakami](#); [Rep. Clifton K. Tsuji](#); [gcosta@kauai.gov](#); [garylhooser@hotmail.com](#); [jfurfarokauai.gov](#); [jymf@hawaiiantel.net](#); [Ross Kagawa](#); [andyparx@yahoo.com](#); [joanconrow@hawaiiantel.net](#); [juanwilson@mac.com](#); [keone@malamakauai.org](#); [ofstone@aol.com](#); [rittew@hotmail.com](#); [editor@thegardenisland.com](#); [letters@staradvertiser.com](#); [neagle@civilbeat.com](#); [usmaui@hotmail.com](#); [dalton@aloha.net](#); [tracydubose@yahoo.com](#); [naldajw@gmail.com](#); [rayneregush@aol.com](#); [may11nineteen71@gmail.com](#); [wisevalentine@gmail.com](#); [Dustin Barca](#); [Felicia Cowden](#); [Joel Guy](#); [skano@gmail.com](#); [Andrea Brower](#); [Hayley HamYoung-Giorgio](#); [Jerry L Ornellas](#)
Subject: Oppose Senate Bill 590
Date: Sunday, February 03, 2013 7:51:26 PM

I strongly request that Senate Bill 590 be denied. This **Right to Farm** bill looks like it is designed to protect the bio-tech companies from the people. It is reckless legislation that protects this industry even from local government. The passage of this bill would escalate the precedent that government can not question big business. This will need to be challenged as unconstitutional. The bill reads:

"No court, official, public servant, or public employee shall declare any farming operation a nuisance for any reason if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices."

"Generally accepted agricultural and management practices" is a moving target.

Contaminating the land, air, water and sea, as well as all life in the proximity of the bio-tech industry has been occurring for a number of years now. This is what needs to stop! Clearly, they could say this is a **"generally accepted agricultural practice."** This SB590 appears to be designed to protect this industry which is preempting future food production capacity that could be fit to eat on these contaminated lands. A growing number of citizens are rising against this industry which does not produce food for Hawaii.

I do agree that ag subdivisions should not have CC&R's that pre-empt ag practices like raising pigs and other animals, as well as small-scale tilling, etc. This is ag land that is being re-purposed into estates. Protection for true food production has value with an irritated neighbor. To write law that does not even allow the government, the very people charged with oversight, to not be allowed to even **"declare any farming operation a nuisance for any reason"** is egregious. I hope many folks on Oahu can turn out to Monday morning's legislative session for public comment at 11 a.m. Most of us on the highly affected neighbor islands cannot afford to fly over and testify. Please stop SB590.

Felicia Cowden
Kilauea, Kauai

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: mkelley323@gmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Friday, February 08, 2013 11:22:54 AM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lu Kelley	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: Karen@RedwoodGames.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 1:35:04 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices. This bill should be called "The Right to Farm Irresponsibly" bill.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: davidbrowne85@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:01:36 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David	Individual	Oppose	No

Comments: Please stop the cane burning on Maui! It's bad for health, and bad for business. It is a loose loose....

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: gypsyleigh412@yahoo.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:03:17 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Leigh Ann Gray	Individual	Oppose	No

Comments: The burning of cane destroys the air quality here on this island and has sickened many people including myself. You are killing us with the cane burn. Please end your reckless, careless and irresponsible behavior. Care about the earth and it's inhabitants more than the money for once. I beg you and pray you will listen to your conscience.

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To: [AGL Testimony](#)
Cc: joannstokes1@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:04:16 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

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

Comments: this is a bad bill and needs to be killed

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: goya.alejandro@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:08:41 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alejandro Goya		Oppose	No

Comments: I lived in Paia for 7 years because it is a lovely town and close to my business. After putting out with the sugar cane burning and their pollution, I had to leave my nice beach house because the smoke and dust from the sugar cane fields was affecting my health and my girl friend's as well. But I still have my business in Paia, and it is such a problem to be there on burning days. Not just because what goes into my lungs and the ashes that land inside and outside of my gallery plus the sidewalk and plants, but it drives my customers away and affects my team. Please stop cane burning!!!!

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“Right to Farm Irresponsibly Act”

This bill, while attempting to address the abuses of gentlemen’s farming fails to address the generally negligent activities that the large ranches and farms have continued to utilize without any restraint from government regulations. The large farms continue poor agricultural practices and are completely unregulated when it comes to introduction of species and poor farming practices. Adding language that unilaterally protects the large farms and ranchers to ‘.....employ generally accepted agricultural technology, livestock production, and ranching practices’ is far too broad and is in serious need of improvement of said practices (which, if written, should be to a higher or highest standards, not ‘generally acceptable’ standards, which is license to continue their poor unregulated practices. If the large organizations can employ wasteful, polluting, and environmentally unsound practices that have been dragged along from decade’s old poor standards, then how are we to improve land regulation at all. Please don’t miss this opportunity to address potentially far more serious environmental offenses by essentially grandfathering the large farms and ranchers to do (essentially) whatever they damn well please!!

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: davidbal4@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:29:19 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
david balfour	Individual	Oppose	No

Comments: This household opposes cane burning for the consequences to people who have asthma ,seniors and others who need clean air.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: lou@maui.net
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:32:32 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Diliberto	Individual	Oppose	No

Comments: This bill is too broad and although i understand the motivation behind it, We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: mike@msinvestments.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:33:01 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Szymanski	Individual	Oppose	No

Comments: I strongly oppose SB590. Please do NOT pass it. Cane burning should NOT be allowed on Maui, especially NOT by HC&S and/or Alexander & Baldwin, Inc. (A&B). Cane burning is harmful to the environment and to Hawaii residents, especially on Maui. A&B makes over \$50 million net income annually. It can easily afford NOT to cane burn. Please do NOT let it continue this pernicious and harmful practice! Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: dave@cain.net
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Friday, February 08, 2013 2:35:23 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David Cain	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 2:36:13 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn L Knoll	Individual	Oppose	No

Comments: The following language must NOT be added to this bill: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." This language would prevent us from passing laws controlling Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. Leave the above language from this bill.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Manny	Individual	Oppose	No

Comments: The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Pace	Individual	Oppose	No

Comments: The proposed law is vague in its statement of "Acceptable agricultural practices." There is no definition of this term nor is there any manner stated as to who determines what is acceptable. Research changes the way we do almost anything these days. Let's not give anyone a blank check that could hurt us later.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Raphiell Nolin	Individual	Oppose	No

Comments: While I support the intent of the bill to prevent gentrification of ag land, I am opposed to the new wording added to the bill that would allow farming practices which would negatively impact the health and well being of the community (such as cane burning, pesticide overspray and planting and cross contamination by GMO crops).

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Gardner	Individual	Oppose	No

Comments: Cane burning is archaic and unnecessary.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Dwire	Individual	Oppose	No

Comments: Agricultural practices need to be monitored to ensure that there are no unsafe or environmentally harmful practices that occur.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mika Ashley-Hollinger	Individual	Oppose	No

Comments: Honorable Representatives: Please do not support this Bill. It does not represent the best interest of the small sustainable farming community. This Bill will only give more power to the major Agribusinesses ie; Monstanto, Pioneer Hybrid, Syngenta. These corporations are not sustaining our land or providing food and jobs for local residents. Please do not give them more power!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Don O'Reilly	Individual	Oppose	No

Comments: We should approach the problem of "gentlemen's estates" eating up our ag land by better land use laws - not by giving ag a free pass on bad practices as this bill does

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Oppose	No

Comments: While I agree with the intent of this law, it is imperative that the health of our residents be protected. Please remove the following language: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices."

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David B.Gardner	Individual	Oppose	No

Comments: Smoke is bad....I have breathing problems...breathing smoke is harming me....stop the burning

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Nimul	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Krumpe	Individual	Oppose	No

Comments: I am AGAINST cane burning. My daughter and I suffer greatly every time cane is burned with headaches and sinus congestion. This is an unnecessary health hazard

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Fiorentino	Individual	Oppose	No

Comments: Let's do what's pono for the state of Hawaii's whole population, not just the farmers and ranchers interest.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Debra Parzych	Individual	Oppose	No

Comments: Do not pass this bill!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Oshiro	Individual	Comments Only	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices. This bill should be called "The Right to Farm Irresponsibly" bill.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Douglas	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
mark klemen	Individual	Oppose	No

Comments: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs are important issues to Maui citizens. Laws should protect the people, animals and the aina from harmful farming practices. The open wording and what it would allow is not acceptable. Mahalo!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Richard mealey	Individual	Oppose	No

Comments: I strongly oppose SB590. It will hamper us in regulating herbicide overspray, GMO's, cane burning, pesticides and humane treatment of farm animals. Please vote this bill down! Thank you.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tom & Pat Couris	Individual	Oppose	No

Comments: The language in SB590 is too broad and in essence will give cane burning a free ticket to do as they please. When is someone in the legislature going to stand up to the subsidized sugarcane industry??

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tom & Pat Couris	Individual	Oppose	No

Comments: The language in SB590 is too broad and in essence will give cane burning a free ticket to do as they please. When is someone in the legislature going to stand up to the subsidized sugarcane industry??

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Surman	Individual	Oppose	No

Comments: The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Wildberger	Individual	Oppose	No

Comments: I oppose this bill due to language that protects big-ag practices that are not in our community's best interest. Mahalo.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eddy Robello	Individual	Oppose	No

Comments: Eddy Robello Waihee, Hawaii Aloha my name is Eddy Robello My family has been in Hawaii since the monarchy days. A couple years ago I moved to Waihee, and since then I have been exposed to agricultural pollution also known as cane smoke. I have had pneumonia and chest pains from exposure to cane smoke. Yesterday I was diagnosed with emphysema. HC&S gets permits to pollute our air and in my case cause disease. I am supposed to lose work and I am supposed to pay for my medical bills because enemies of the aina, sell out the health and beauty of of Hawaii. Then I am supposed to die for stock dividends. HC&S has turned Maui into a polluted dump. HC&S and the elected representative that take the bribes to look the other way as American citizens choke to death in their sleep are murderers. We smell the pollution of their blackened immortal souls burning in hell. You are not part of our culture, you are an old dirty technology that causes suffering and disease. As I write this my lungs are filled with fluid. Next to me is a bucket of flem and snot that I cough up every day. I used to be healthy, but now I am not. Because of irresponsible unregulated farming tactics, I now have emphysema. SB590 is a dangerous bill and I urge you to kill the bill, before you kill me. Mahalo Eddy Robello Waihee, Hawaii

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Mark & Christine Lamore	Individual	Oppose	No

Comments: "No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." Way too broad of a statement to give any one cart blanch when it comes to burning cane or using dangerous pesticides or other chemicals. Kill this bill or re word it.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Mark & Christine Lamore	Individual	Oppose	No

Comments: "No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." Way too broad of a statement to give any one cart blanch when it comes to burning cane or using dangerous pesticides or other chemicals. Kill this bill or re word it.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher M. Profio	Individual	Oppose	No

Comments: The language of this bill is unacceptable as it would prevent regulation of such OUTDATED and UNHEALTHY agricultural practices like the torching of sugar cane fields as part of the regular cultivation process. Cane burning is dirty and unhealthy and needs to end in the near future, not be protected. Thank you.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Oppose	No

Comments: The use of language in this bill can allow all sorts of abuse plus feeding animals antibiotics to fattening them & no grass to graze, gmo feed and seed and pesticide use. Laws are here to protect-not allow more abuse.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
pascale Ielan	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cheri Clark	Individual	Oppose	No

Comments: Please STOP the cane burning!!! There are other ways to harvest the cane without causing health risks to the Maui residence. My 4 children suffer severely from the cane smoke. They have very bad asthma due to the burning. They take steroid medication daily, the have to use a breathing machine when cane burns, and sometimes they have to take 3 medications at a time and have to get steroid shots just so they can breath. They loose out on school days and sports, and have a hard time living here on Maui. Besides the asthma, my family and I also suffer headaches, itchy eyes, sinus issues, and we are secluded to our house with windows and doors closed on days cane is being burned. This is AWFUL!!!! PLEASE STOP THE BURNING!!!!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Rice	Individual	Comments Only	No

Comments: I OPPOSE this bill - because of this sentence: "No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices."

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bethann McVicker	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Hodel	Individual	Oppose	No

Comments: This seemingly innocent bill contains language allowing farmers and ranchers to overuse pesticides and degrade the environment if it conforms to "generally accepted ... technology ... and practices." Generally accepted by whom? Monsanto? Dow? Union Carbide? Fix this pig in a poke or defeat it.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kim K Young	Individual	Oppose	No

Comments: The intent of SB590 may be good but it is very vague, poorly worded and horribly broad. It would not allow ANY future problems to be addressed that might arise from ANY farm and ranch operations. It allows for NO new laws or statutes that may become necessary to protect the rights of ALL citizens concerned. While I support farmers and ranchers, please abandon this ill conceived idea. Thank you.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rachael Chisom	Individual	Oppose	No

Comments: NO to SB590 . I plan to have agriculture farm land and I want to have the opportunity to farm without herbicide, overspray pesticides or GMO. GMO's are a threat to not only our health but our islands and our beloved Hawai'i and our animals and our Earth. PLEASE EVICT MONSANTO FROM HAWAII!! SAVE THE AINA.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Taylor	Individual	Oppose	No

Comments: STOP CANE BURNING, THE USE OF DANGEROUS TOXIC HERBICIDES, PESTICIDES and INHUMANE FARMING PRACTICES. THESE ACTIONS HURT ALL OF US,INCLUDING THOSE TRYING TO PASS THIS SHORT-SIGHTED BILL.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Travis	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. Fix the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices.

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From: julian.miller
To: julian.miller
Subject: SB 590 (Right to Farm Using GE Foods Irresponsibly)
Date: Friday, February 08, 2013 4:21:08 PM

Aloha,

While I am all for the rights of farmers this bill (SB 590) will be used by the GE plant and animal, pesticide and herbicide companies to avoid lawsuits. I see Senators getting contributions which I am hoping does not influence their vote to do the right thing.

GE plants and animals contaminate the genome of normal plants and animals that we eat. This is shown in the research below and its been documented elsewhere:

<http://www.agbioforum.org/v4n2/v4n2a02-jemison.htm>

The GMO industry has no reply to this. For example they are putting pesticides and/or pharmaceuticals in GMO corn. This GMO corn cross pollinates with regular corn growing on Oahu miles away. So the regular corn is a mix of the GMO and regular corn. Do you want corn with pharmaceuticals or pesticides? This contamination cannot be retrieved.

Just like industries that threw their waste in rivers these GMO plants and animals are changing the landscape again here in Hawaii. Instead of invasive species this time its invasive genes and these invasive genes are much more insidious. These companies and what they want to do should be banned from the islands. I am all for science but what they are doing is not scientific. Unfortunately GE foods at this time are too little science, a tiny bit of technical knowledge, and a lot of profit motive.

These companies oppose labeling but all for patenting these genetic food experiments they create. How is it that in the one case they make a change in corn and can patent it by saying its different from regular corn but in the other case when the people want labeling of GE foods then they oppose labeling by claiming that their GE corn is not at all different. That doesn't make logical sense, they can't have it both ways, right?

Why is it they claim that these GMO crops will require less pesticides and herbicides but the use each year climbs higher and higher?

<http://www.motherjones.com/tom-philpott/2013/02/report-spread-monsantos-superweeds-speeds-12-0>

I could go on but I oppose anything that helps these companies pour more pesticide, herbicides, experimental plants and animals on the islands especially without recourse to lawsuits. Lets not let them make some massive mistake and let them get away with saying oops sorry we permanently screwed up your state. Remember Monsanto is the same company that brought the world PCB's, dioxin, rGBH, Agent Orange and claimed all those were safe.

Why on earth would anyone trust this companies with doing GE on foods, with no policing, no need to research, no transparency, no oversight, no labeling and they can just let their creations fly off anywhere and cross pollinate with anything.

Plus, because the wind blows, Monsanto actually sues people who are found to have Monsanto patented corn growing on their property thru this contamination drift. My feeling is the famers should be suing Monsanto for the contamination of their fields. We should be suing Monsanto, DOW and Syngenta for contaminating our food supply. The famous geneticist Dr. David Suzuki spells it out: <http://thebovine.wordpress.com/2011/02/03/the-trouble-with-monsanto-and-gmos-dr-david-suzuki-spells-it-out/>

Another scientist describes the 7 problems with GMO science:

<http://www.soilassociation.org/motherearth/viewarticle/articleid/4752/the-pro-gm-lobbys-seven-sins-against-science>

Once you let the GE foods out of the lab its a Pandora's box. It starts to alter the plant world that has existed for thousands of years. Don't let this happen in Hawaii. Don't be one of those that let it happen.

This bill and ones like in small steps these little bills erode our rights. Its not just Kauai that is the garden island. All our islands are a gardens of eden. Lets not turn it into a place where people need hazmat suits to work in their gardens. Lets make sure less pesticides and herbicides each year get to our reefs and fish. Lets not pollute the genome of the plants here with pesticides and pharmaceuticals that we eat and enjoy. Lets grow better plants each year based on a real understanding of genetics and ecology not by tinkering.

Yes, I am against this bill and hope all politicians, Democrats and Republicans, will see that anything GE is a mistake for this state and oppose it fully and completely in every form it may take to sneak into Hawaii.

Mahalo

Julian

PS A couple more papers about GE foods and the damage they cause to the environment and people:
http://www.testbiotech.de/sites/default/files/TESTBIOTECH%20Cultivation_GE_%20plants_US.pdf

<http://independentsciencenews.org/commentaries/regulators-discover-a-hidden-viral-gene-in-commercial-gmo-crops/>

<http://www.ncbi.nlm.nih.gov/pubmed/23215020>

This is a good overview of the myths about GMO's by 3 scientists:
<http://is.gd/mWZwHI>

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Oppose	No

Comments: Its We the People! Not We The Corporation! Create a Family Farmer Bill that helps the small Family Farmer!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rachael Peterson	Individual	Oppose	No

Comments: This measure is not good for the farming community on Maui because it will limit our future choices and accepts the idea of perpetuating environmentally neglectful practices such as herbicide use and cane burning. We need more choices and I oppose this measure.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michele Nihipali	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas McGregor	Individual	Oppose	No

Comments: The protection of farmland is very important, it is only important if it comes with effective measures for controlling herbicide overspray (and reduction), cane burning, humane treatment of food animals, pesticide use (and reduction), and legitimate third-party research and public education concerning Genetically Modified Organisms (GMOs). Thank you for including my comments in your deliberations. Please consider the well-being of the next seven generations and prevent ecologically harmful land-use.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ane Takaha	Individual	Oppose	No

Comments: this is not the right approach.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John T Gelert	Individual	Oppose	No

Comments: I am opposed to sugarcane burning as long as there are plastic pipes being burned along with the sugarcane. Please revert back to labor intensive process to dig ditches instead, and then I will approve. The toxic fumes from burning plastic are causing health problems for many people.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
eva roberts	Individual	Oppose	No

Comments: I oppose this bill. I oppose the use of pesticides, GMO's and other unhealthy chemicals on Maui's land. Let's make the Valley Isle the breadbasket of Hawaii with organic and biodynamic sustainable practices, producing healthy food and healthy citizens.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Hunt Decker	Individual	Oppose	No

Comments: Stop the madness. Cut the cane! The smoke is killing us and our pets. Filthy black rain in our swimming pool, decks and cars. No one else does this in the world. Please stop the burning!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Heidi Erhardt	Individual	Oppose	No

Comments: Although the intention behind this bill may be to prevent the gentrification of Hawaii's agricultural land (a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. Therefore, a more effective approach would be better land use laws. We cannot justify, or even trust, giving Industrial Farmers and large agricultural producers a free pass on bad practices. It's dangerous...

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James McDonald	Individual	Comments Only	No

Comments: I oppose cane burning in Hawaii. I support ag wholeheartedly when done with respect for the residents and the land.

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Cc: catherine_velasquez@yahoo.com
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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Velasquez	Individual	Comments Only	No

Comments: There is no need to harvest cane by burning. The air is polluted, ashes fly, people cannot breathe, it yucks up our blue skies. Harvest without burning !!!! Maui is the ONLY PLACE in the world that continues this practice. STOP NOW

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Steele	Individual	Oppose	No

Comments: The people must retain the right to regulate any agricultural practices on agricultural lands that may be found to be detrimental to the public's health and welfare (i.e.: large-scale burning and GMO experimentation).

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
R Susan Rubenstein	Individual	Oppose	No

Comments: The desire to protect agricultural land is important. However, the bill contains no definition of accepted agricultural practices. I am strongly opposed to cane burning for health and environmental reasons and do not wish to see this bill used to preserve the status quo in that regard. Please consider recording this measure to eliminate that possibility. MAHALO.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Kulesa	Individual	Oppose	No

Comments: If you're considering this bill, I'd like to submit one that favors my business. If I'm a contractor, that means I should be allowed to engage in any accepted practice, whether safe for the public or not, and endanger residents in nearby neighborhoods. This would appear to support big business ONLY and not individual rights. I am a retired farmer from Kailua and would be embarrassed to ever admit that if this was passed. Where in the world does a law like this fit into a civilized society? And, why is a bill such as this needed? Don't we want our tourist to trust that when they visit our beautiful islands that they will NOT be poisoned or otherwise put in harms way? Isn't that what laws are for? Mahalo for your common sense in NOT supporting this bill.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
William Navran	Individual	Oppose	No

Comments: The wording of this bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. Please kill the bill. Thank you, William Navran

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Schmidt	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. Therefore I oppose this bill and would like it defeated and a more appropriate bill to replace it.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Arthur Salsbury	Individual	Oppose	No

Comments: I have been living here in Hawaii full time since 1983 and I OPPOSE this bill giving agriculture full rights to plant gmo's, spray poisons how they please and continue to burn cane fields, poisoning the air and aina, which needs strict contol to preserve our beautiful islands for now and future generations, not for quick profits and poisoning the land corporations.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
mark sheehan	Haiku Springs Permaculture	Comments Only	No

Comments: Dear Chairman and committee members We oppose this bill and urge you to kill it. We have a 14 acre organic farm and avoid pesticide and herbicide use, which this bill allows. It also allows other unhealthy practices that favor big farms and poor farming practices including cane burning, fugitive dust and other measures. Thank you for stopping this bad bill.

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Date: Friday, February 08, 2013 6:23:17 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Don V Lax	Individual	Oppose	No

Comments: Please do not allow this bill to pass. The sugar cane industry must be controlled!

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Date: Friday, February 08, 2013 6:28:38 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Mylenek Sr	Individual	Oppose	No

Comments: Cane burning needs to stop.

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 6:48:29 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Bronfman	Aurora Foundation	Oppose	No

Comments: Our organization has invested heavily in sustainable organic small scale farming and water conservation on Maui. This irresponsible bill presumes to put beyond legislative reach farming practices which are dangerous, toxic, outdated, no longer viable, and represent a grave threat to the public health and the quality of life of island residents. This bill should be immediately and permanently discarded.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Arnold	Individual	Oppose	No

Comments: The WORDING of this bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. The underlying idea behind this bill is a good thing, but the wording is such that much damage may be done to the land and its creatures. Thank you.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Lopez	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Arbour	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ernest Jepson	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff wayman	Individual	Oppose	No

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
john NAYLOR	Individual	Oppose	No

Comments: Aloha! Although I agree we must keep ag land from a sustainability point of view, we cannot give big ag a free pass. The use of pesticides , herbicides ,humane treatment of animals, and uncontrolled and under tested expansion of GMO's must be carefully studied and laws formed which protect the people and the environment. Therefore I strongly oppose SB 590! Mahalo, John Naylor Makawao

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Hess	Individual	Oppose	No

Comments: This is a BAD bill; cane burning is extremely detrimental to air quality (as a nurse, I see many people who are adversely affected by it. It also give carte blanche to those who would abuse animals and to GMO's--there is suppressed research showing just how bad they are. PLEASE KILL THIS BILL!

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Marks	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed.

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This bill is totally unacceptable! the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. It will NOT protect farming.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Yana Koporski	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices. This bill should be called "The Right to Farm Irresponsibly" bill.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Harriet Collopy	Individual	Oppose	No

Comments: I oppose this bill because the wording will prevent passing laws controlling herbicides, cane burning, humane treatment of food animals, pesticides and gmo's

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Macey	Individual	Oppose	Yes

Comments: Strongly oppose this bill. This bill is worded so that chemical farmers can't be held accountable for the damages their poison pesticides and herbicides do to our water, land, and children. We need to start focusing our support to organic healthy farming and not poison chemical farming. We need to get these chemical farmers like Monsanto out of Hawaii before they completely genocide our entire state.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Cooney	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 9:36:42 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brandi Wilkins	Individual	Oppose	No

Comments: Please stop the burning, we as well as our kids are being affected this harmful act!

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I don't want SB590 to pass because I am against GMO Foods & Cane Burning in Hawaii!!!!

It is the worst thing happening to the people of Hawaii.

It is not acceptable to me.

It is ruining our Island Paradise and must be stopped Now!!!

There are many other ways to manage our lands that will benefit the people of Hawaii

GMO food should be banned altogether and at a minimum be labeled as such.

Cane burning is an archaic practice and is harmful to the people and animals living In Hawaii.

Stop Monsanto and HCS from destroying our lives!!!

Aloha,

Dave Stein

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Date: Friday, February 08, 2013 9:53:57 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
randal uehara	Individual	Oppose	No

Comments: I understand that the intention of the bill may be good but that the wording is such that it may undermine other important considerations, such as the use of herbicides, cane burning, pesticides, etc. and for that reason, I oppose this bill.

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Date: Friday, February 08, 2013 10:12:05 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Romanchuk	Individual	Comments Only	No

Comments: This sentence is offensive: No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices. To prevent gentrification of Ag land is good, but we need to take into account other things re: healthy practices, non-GMO, diversified Agriculture, cane burning, harmful effects of pesticides and herbicides long term and short term, which this bill does not address. This bill goes ahead for all these practices without further discussion. Please rewrite this bill to allow changes for these concerns, thank you, Katie Romanchuk

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rexann Dubiel	Individual	Oppose	No

Comments: Please, do not support this bill. You must do what's right for the future and the children of Hawaii. Protect us, it's your duty.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Fields	Individual	Comments Only	No

Comments: I am totally opposed to the cane burn. Just the damage it does to our lungs is bad enough. If I am driving and I see a cane burn up ahead. I will do anything I have to to avoid driving through that cloud. I have learned the hard way and come out of the other end of cane smoke with terrible flu like symptoms. Every friend I have ever had with asthma is horrified at being caught in a burn zone.

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Date: Friday, February 08, 2013 10:46:53 PM

SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Victor Pellegrino	Noho`ana Farm LCC	Oppose	No

Comments: Stop cane burning on Maui. HC&S burns cane, HC&S burns coal, HC&S uses chemicals and fertilizers that harm the earth, the sky, and our bodies. Sugar is outdated. Smoke is unhealthy for our planet, our lungs, and our animals, too. If we know what pollution is, we should be smart enough to end it.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John Nix	Individual	Oppose	No

Comments: This bill is deceptive and unnecessary. Farmers do not need to be protected with immunity from doing harm to the people and the 'Aina. This is a corporate give away. Individuals need protection from greed for profit.

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SB590

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Silver	Individual	Oppose	No

Comments:

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Date: Saturday, February 09, 2013 1:44:09 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Crawford	Individual	Oppose	No

Comments: The intention behind this bill to prevent the gentrification of our ag land is a worthwhile goal, but the working of this bill is counterproductive, and would prevent the state and counties from passing laws regulating herbicide overspray, cane burning, humane treatment of food animals, fugitive dust, pesticides and GMOs. Because of that, it needs to be tabled. We should approach the very real problem of "gentlemen's estates" using up our precious agricultural land by better land use laws - not by giving ag a free pass for irresponsible practices.

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Hooper	Individual	Oppose	No

Comments: This bill would allow cane burning, GMO's and other unhealthy practices.

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
didem coban	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dee Cook	Individual	Comments Only	No

Comments: The right to farm irresponsibly should not be permitted to take place! Misuse of land for massive gain for huge corporations should not be permitted to occur. Remove such wording as "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices."

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 7:11:46 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Charles W. Kulesa	Individual	Oppose	No

Comments: At times in the past some generally accepted agricultural practices have proven to be harmful to the public. It would be nice if the law could be rewritten to state the real intent. It would be excellent if our lawmakers would not hide behind vague language. No industry should have the legal right to do business at the expense of the peoples good health.

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Date: Saturday, February 09, 2013 7:34:17 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lloyd Fischel	Maui Ranch Estates	Oppose	No

Comments: The intention behind this bill is to prevent the gentrification of our ag land, but we the people already have the right to farm land. The people to day and those in the future new regulations to prevent poor use of herbicide, pesticides and GMOs.

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
richard waxman	Individual	Oppose	No

Comments: I am a small farmer on Kauai. The large GMO companies are ruining the Aina. They misuse the water resources, introduce contaminates to the aquafer, and produce no food benefits to the people of Kauai. They spray herbicides that are killing off our bees, and with lobbying, pay off any dissent at the county level. Please think hard before you give blanket immunity to corporate Ag companies whose board of directors do not even live locally

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From: mailinglist@capitol.hawaii.gov
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Cc: kassiamarie@yahoo.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 8:19:58 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kassia Gann	Individual	Oppose	No

Comments: I think some of the intent behind this bill is positive. However the wording in this part: "No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." is too general and vague. It might deter our ability to pass future much needed legislation on things like herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. There is no reason to give a free pass to bad farming practices that might currently be generally accepted but are still detrimental. Think of all the examples in our history of things that were once generally accepted but that we have since realized were negatives.

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Cc: jashana2travel@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 8:20:26 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
jacqueline kippert	Individual	Oppose	No

Comments: The wording of this bill protects practices that actually need to change for the health of the island. I am in support of all healthy farm activities.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: denisehayashi@hawaii.rr.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 8:29:01 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Hayashi Yamaguchi	Individual	Support	No

Comments:

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Cc: drrimerdo@yahoo.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 8:30:43 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Richard A. Rimer D.O.	Individual	Oppose	No

Comments: The wording on the bill would prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs.

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Cc: bcraven@lanihau.net
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 8:32:35 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
britt craven	Hawaii Cattleman's Council	Support	No

Comments:

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Cc: Priorityearth@aol.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 8:40:02 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Yudis	Individual	Oppose	No

Comments: I oppose this because the wording in the bill will allow ah land to practice irresponsible and unhealthy methods on our aina

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Cc: kiheibaby@aol.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 8:57:19 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy B	Individual	Comments Only	No

Comments: Stop the Bruning Now !!!!!!!!!!!!!!! It makes me sick and gives me a very large headache. The ash is awful!!!

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Cc: hawaiiifish@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 9:05:10 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Weidenbach	Hawaii Aquaculture & Aquaponic Association	Support	No

Comments: The HAAA strongly supports this measure to help ensure the continuation of Hawaii's diverse agriculture industry and associated farming, ranching, and aquaculture practices.

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Cc: vegan808@gmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 9:26:13 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David M. Johnston	Individual	Oppose	No

Comments:

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Cc: zoewhitney@mac.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 9:55:54 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe Whitney	Individual	Oppose	No

Comments: The lines, "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." would inhibit regulations preventing herbicide overspray, cane burning, inhumane treatment of animals, pesticides and GMOs.

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Cc: inunyabus@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 10:00:07 AM
Attachments: [SB590-'right' to farm](#)

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine D.	Individual	Oppose	No

Comments:

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Cc: markheindr@yahoo.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 10:14:50 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Hein	Individual	Comments Only	No

Comments: I support the intent of this bill -- to prevent the gentrification of our agricultural lands. But the bill's proposed wording would prevent the legislature from passing needed laws to control cane burning, herbicide overspraying, the use of pesticides and GMOs, and the mistreatment of food animals. All of these "accepted practices" need vigilant review and regulation. If SB 590 cannot be revised to protect the people's right to exercise due oversight, it must be killed. We must approach the problem of "gentlemen's estates" eating up our rare agricultural land by writing better land use laws - not by giving farmers and agribusiness corporations a free pass on bad practices.

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Cc: fpvisconti@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 10:44:09 AM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Visconti	Individual	Oppose	No

Comments: Current cane burning and subsequent field turnover methods produces toxic air quality that exceed EPA requirement for both upcountry residents as well as central Maui neighborhoods. Just driving thru this toxic cloud of dust and chemicals floating thru the wind cannot be ignored any longer. If we cannot complain of these practices then solutions will not be found.

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To whom it should concern,

Myself and our corporation (based here on Maui) oppose measure SB590 because it is poorly written, non-specific, and potentially gives any agricultural business a free pass on bad practices and the right for such businesses to be irresponsible until proven guilty. That's bad for Maui's economy and hazardous to the environment.

Case in point:

Who is to decide what "**generally accepted agricultural technology, livestock production, and ranching practices**" are? Further, once those practices are identified, how hard will it be to enforce this kind of measure upon people who abuse the law?

This measure's language is similar to saying, "let's just let anyone purchase an assault weapon who can generally be accepted as a responsible person." And I think that we all know where that can lead.

I strongly oppose measure SB590 and I respectfully ask that you do as well.

Sincerely,

Jedediah Gildersleeve

President

Gildersleeve Investment Group

Re: SB590

Please remove the following statement: “No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices.”

You should be aware that there is virtually constant protest against sugar cane burning here on Maui. Citizen groups and environmental groups have been fighting it for decades. This statement in SB590 would prevent us from enacting legislation to protect our health from the archaic practice of burning sugar cane. Please remove this statement so we are allowed to protect the lungs of our keiki and those of us with respiratory problems.

Marc Drehsen

Air Quality Chair, Sierra Club, Maui Chapter

Former Staff Specialist and AQ Inspector, South Coast Air Quality Management District

Former member, Maui Clean Air Coalition

Former consultant, American Lung Association of Hawaii

From: [Lucrezia Oddie](#)
To: [AGL Testimony](#)
Subject: SB590
Date: Saturday, February 09, 2013 11:54:25 AM

I am deeply concerned that SB590 exists at all. If passed, this bill would allow pesticide overspray, GMO contamination and cane burning to continue to plague the people of Maui. Life is precious, and we have a right to protect it. Help protect us from this poisonous bill.

Lucrezia Oddie
Maui longterm resident

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: janestoller@hotmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 12:05:22 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jane	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 12:20:37 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
gyan bohannon	Individual	Oppose	No

Comments: I suffer from respiratory distress every time the sugar cane is burned. My eyes water and burn, my nose runs and I cough. It has a negative impact on tourism as well, creating distress for visitors with respiratory issues, as well as highly detracting from the appeal of Maui, our beautiful island home. Please find other methods to harvest the cane that support the healthy quality of the air we all breathe, methods that support and sustains Hawaiian agricultural traditions that honor the Aina. Thank you. Gyan Bohannon, local Maui resident

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To: [AGL Testimony](#)
Cc: marsu22@hotmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 12:23:23 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Martin Abel	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of ag land (and that is a laudable goal) the WORDING of the bill will prevent the passing of laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason I believe this bill needs to be killed. Mahalo for your consideration.

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Cc: cinthiairene@msn.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 12:23:42 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Albers	Individual	Oppose	No

Comments: I am asthmatic as many people on the islands are. Cane burning affects my health directly. I am concerned about GMOs and the practice of companies placing their profits above the good of the people and the future of our state. I am concerned the wording of this bill would allow these companies free reign to do whatever they wish. Please rewrite the bill to protect us all for a long time.

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Cc: johnnieclark@ymail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 12:25:52 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Johnnie Clark	Individual	Oppose	No

Comments: Please kill this bill. We need laws that promote better land use, not laws that give ag a free pass on bad practices. Thank you, Johnnie Clark

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Cc: svickery@hawaii.rr.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 12:40:21 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Vickery	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 12:44:09 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanice Barcelo	Individual	Oppose	No

Comments: This bill needs to be trashed. If you give farmers and ranchers the right to work with "...generally accepted agricultural technology, livestock production, and ranching practices..." you are given them license to destroy the aina and all of life! Just because it is "generally accepted" for the cane industry to BURN their crops and poison everything around them, or for Monsanto to plant their poisonous seeds and grow their mutant plants in Hawaii does not make it ok. Nor is it ok for pesticides, herbicides, fungicides and other neurotoxic products to be used regularly in "agriculture" -- despite the fact that it is generally accepted. Ranchers are poisoning their animals with GMO feed and this is all completely insane. Of course, it is equally insane for me to be writing to an organization that is completely illegal to ask them to do the right thing. It's all criminal. Everyone who works for the fake state of hawaii is involved in criminal activity. It's a huge farce.

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Cc: hparkerhope@yahoo.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 12:55:18 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Hope Parker	Individual	Oppose	No

Comments:

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Committee on Agriculture
Tues. 2/12/13 2:55pm
Conf. Room 229
RE: Opposition to SB 590 relating to agriculture

Aloha Senators,

I am writing to express my strong opposition to SB 590 which “clarifies” the State’s policies on agricultural practices. I work on a small organic farm on the North Shore of Oahu and I believe the “right-to-farm” should not trump the right to clean air, water and aina.

SB 590 is deliberately written to strip the public of the right to protect our health and the health of the aina. The public will have no legal recourse to question or oppose “generally accepted agricultural and management practices”. Heavy spraying of poisonous chemicals is a “generally accepted” agricultural practice, and it can make people – especially children and the elderly - very sick! We need legal recourse against agricultural chemicals sprayed near our homes, schools, parks, and businesses.

HB 590 purports to protect agricultural resources by “limiting the circumstances under which farming operations may be deemed a nuisance”

‘Farming operation’ includes but shall not be limited to:

- (1) Agricultural-based commercial operations as described in section 205-2(d) (15);
- (2) Noises, odors, dust, and fumes emanating from a commercial agricultural or an aquacultural facility or pursuit;
- (3) Operation of machinery
- (4) Ground and aerial seeding and spraying;
- **(5) The application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides.”**

According to data collected and published by Dr. Hector Valenzuela of UH CTAR over 28 chemicals used currently in Hawaii by Dupont/Pioneer, Monsanto, Syngenta, BASF, Bayer and Dow include known cancer causing agents and hormone disruptors that are banned in the European Union like Atrazine and Lorsban. (Please read the list on second page).

HB 590 glaringly does not specify what type of agriculture is protected in “right-to-farm”. HB 590 is a sneaky way for Dupont/Pioneer, Monsanto, Syngenta, BASF, Bayer and Dow chemical companies to continue poisoning the people, land and waters of Hawaii with their destructive and chemically intensive agricultural practices. These companies

don't even grow food nor do they pay taxes on the experimental seeds they grow and export.

I urge you to stop HB 590!

Mahalo,
Angela Breene

angelavideotron@gmail.com

Halewila, HI 96712

5.0. Partial List of Pesticides used by the GM Seed Industry in Hawaii

Note: Pesticides listed in the complaint include [Lorsban](#), [Atrazine](#), [Princep](#), [Dual II Magnum](#), & [Warrior](#). The list below provides only a partial list of the pesticides used by the GM seed industry in Hawaii. If you have additional information about pesticides used in Hawaii, or about potential health or environmental risks please send to: hector@hawaii.edu.

Note: The chemical active ingredient, and the manufacturer are listed below in parenthesis.

Note: Of the 28 pesticides listed below, used for the production of GM seed crops in Hawaii, 75% are manufactured and sold by the GM seed companies (Dupont/Pioneer, Monsanto, Syngenta, BASF, Bayer, and Dow).

Note: For a list of pesticides used by the GM seed industry in Hawaii, that have been been detected in surface waters, based on national surveys see Section 4.4.

[Accent](#), (Nicosulfuron, produced by DuPont, parent of Pioneer Seed)
[Aquamaster](#), open (Roundup, Glyphosate, produced by Monsanto)
[Atrazine](#) herbicide, Triazine family (Syngenta)
[Asana XL](#) rice, soybean (Esfenvalerate, produced by DuPont)
[Banvel](#) herbicide, (dicamba, dimethylamine salt of dicamba)
[Basagran](#), nutsedge/broadleaf, corn (sodium salt of Bentazon, also produced by BASF)
[Baythroid XL](#), Hoppers, earworm, corn (beta-cyfluthrin, restricted use pesticide, extremely toxic to fish and aquatic invertebrates, produced by Bayer)
[Bicep II Magnum](#), herbicide, weeds, corn (Metolachlor & Atrazine, Syngenta)
[Buctril](#), herbicide (bromoxinil, Bayer),
[Callisto](#), herbicide, nutsedge, corn (Mesotrione, Syngenta)
[Carbaryl](#), insecticide (Sevin)
[Dimethoate](#), insecticide
[Dual II Magnum](#), herbicide, corn (S-metolachlor, produced by Syngenta)
[Ignite 280SL + AMS](#), herbicide, corn, open (Glufosinate-ammonium, Bayer)
[Lasso](#) (alachlor, produced by Monsanto)
[Laudis](#), herbicide broadleaf, corn (tembotrione, Bayer)
[Liberty](#) herbicide (glufosinate-ammonium, Bayer)
[Lorsban advanced](#), cutworm, thrips, worms, corn (chlorpyrifos, Dow Chemical)
[Oberon 2SC](#), whiteflies, rice (Spiromesifen, Bayer)
[PennCap-M](#), cutworms, corn (methyl parathion)
[Permethrin](#), insecticide, leaf hoppers, corn (Pounce)
[Phostoxin Pellets](#), insects, rice, soybean, corn (aluminum phosphide, restricted use pesticide)
[Princep](#), triazine herbicide (Simazine, Syngenta)
[Prowl](#) herbicide (Pendimethalin, BASF)
[Quadris](#) fungicide, rice, soybean (azoxystrobin, Syngenta)
[Roundup Powermax](#), screening, open, corn (Monsanto)
[Tilt](#) fungicide, blights, corn (Propiconazole, Syngenta)

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: amstokes@hawaii.edu
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 1:15:48 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley M. Stokes	Individual	Support	No

Comments: This bill is a very positive thing for agriculture in Hawaii and should be supported.

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Cc: gandolfsea@hotmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 1:54:12 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eduardo Gandolfo	Individual	Oppose	No

Comments:

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Cc: helenaberg.maui@gmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 1:57:07 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Helena Berg	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Saturday, February 09, 2013 2:29:36 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James L Tyree II	Individual	Oppose	No

Comments: The wording of this bill allows for cane burning, herbicide overspray and other harmful practices which need to be banned rather than enshrined as a right. Reword this bill and delete the sentence which is so vague regarding generally accepted agricultural practices as many of them are dubious at best and harmful to health at worst.

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S AGL has scheduled a public hearing on 02-12-13 2:55PM
in Senate conference room 229.

Aloha, Chairman and Committee members

SB590 OPPOSE THIS BILL for the following reasons for valid reasons.

The problem here is the overreaching arm of "generally accepted agricultural practices."

OPPOSE THIS LINE PARTICULARLY: The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices."

Problem with the far too liberally construed definitions of "nuisances." Generally accepted practices has been abused quite frankly in the area of public and environmental health at all levels of government. Without clearer definitions and political will, there still remains far liberal interpretations that frankly go beyond even nuisance to hazardous. Because something is an accepted agricultural practice in technology, livestock production and general ranching practice does not mean its not abusive and shouldn't be challenged or changed!

There are numerous challenges that are recognizable coming to light of these practices that need to be updated and assessed, whether existing or in the future. Temple Grandin is well known to have changed the abusive practices of cattle handling. There is countless evidence of continued misuse of hormones and drugs to animals, plants, and experimentation of crops and subsequent products, such as genetically engineered crops with widespread challenges as we speak on genetically engineered crops and subsequent products-- and a rising up in our nation to at the very least label them as such--these are toxins injected into our food, not just put on them--affecting not just our immune health, but our genetic lines without our consent. See enclosed article! Having done the research personally on the implications on this, request you hold the line! Our HI Health Dept. (via HB174 testimony) is in total denial of harms from GMO harms despite 216 studies presented by Naomi Carmona and even books, articles, CDs on such I personally sent to Dept of Health Director in 2006 and testified on in front of the Senate AGL in 2003! Handy on the internet at a click of the mouse.

I want to speak to the breadth of interpretation of the word "nuisance" which is the intent of the Right to Farm HRS Chapter 165 of which this

SB590 would be linked in some way. The word "nuisance" is defined in state law. However, this is not well addressed for agriculture on "harms."

We need levels of nuisance in agriculture defined related to "harms," and the words added to HRS165 document with the additional words "hazard" and "hazardous" defined related to the right to farm. This would limit the way too broad interpretation of the right to farm that oversteps real safety protections, and frankly liberally abused term nuisance or lack there of. Request adding the word "hazard", hazardous, and harms into HRS on the right to farm, and define them so the liberally abused end of "nuisance" is properly addressed, as well as so much ridiculous power granted to "generally accepted agricultural and ranch practices" which can be easily manipulated and influenced by myths of safety and propaganda, rather than looking to the facts.

Case in point: Genetical engineering applies a toxin "within" the organism or seed. This has additional ramifications addressed in the new 1/21/13 article "Regulators Discover a Hidden Viral Gene in Commercial GMO Crops" which is beyond nuisance. This is affecting our autoimmune systems and our genetic rights to not have our genes manipulated without our consent or forced upon us in agriculture or hidden or imbedded in our foods without public knowledge. **1/21/13 Article:**

Discovery Relates to the importance of GMO Labeling & Environmental exposure in

cropEnclosed: <http://independentsciencenews.org/commentaries/regulators-discover-a-hidden-viral-gene-in-commercial-gmo-crops/> It's time to deal square one with this!!!! Even if buffer zones were required on AG land adjacent subdivisions it can't touch the implications of this article.

Thank you for the opportunity to testify. Respectfully submitted,

Unmani Cynthia Groves

Health Care Practice Management Consultant to Professionals

Member: Kihei Community Association Planning Committee, Alliance of Maui Community Associations, SW Maui Watershed Advisory, and Halau Ke'alaokamaile

Kihei, HI

[Regulators Discover a Hidden Viral Gene in Commercial GMO Crops](#)

January 21, 2013 [Biotechnology](#), [Commentaries](#) 124 Comments

by Jonathan Latham and Allison Wilson

How should a regulatory agency announce they have discovered something potentially very important about the safety of products they have been approving for over twenty years?

In the course of analysis to identify potential allergens in GMO crops, the European Food Safety Authority (EFSA) has belatedly discovered that the most common genetic regulatory sequence in commercial GMOs also encodes a significant fragment of a viral gene ([Podevin and du Jardin 2012](#)). This finding has serious ramifications for crop biotechnology and its regulation, but possibly even greater ones for consumers and farmers. This is because there are clear indications that this viral gene (called Gene VI) might not be safe for human consumption. It also may disturb the normal functioning of crops, including their natural pest resistance.

Cauliflower Mosaic Virus

What Podevin and du Jardin discovered is that of the 86 different transgenic events (unique insertions of foreign DNA) commercialized to-date in the United States 54 contain portions of Gene VI within them. They include any with a widely used gene regulatory sequence called the CaMV 35S promoter (from the cauliflower mosaic virus; CaMV). Among the affected transgenic events are some of the most widely grown GMOs, including Roundup Ready soybeans (40-3-2) and MON810 maize. They include the controversial NK603 maize recently reported as causing tumors in rats ([Seralini et al. 2012](#)).

The researchers themselves concluded that the presence of segments of Gene VI “might result in unintended phenotypic changes”. They reached this conclusion because similar fragments of Gene VI have already been shown to be active on their own (e.g. De Tapia et al. 1993). In other words, the EFSA researchers were unable to rule out a hazard to public health or the environment.

In general, viral genes expressed in plants raise both agronomic and human health concerns (reviewed in [Latham and Wilson 2008](#)). This is because many viral genes function to disable their host in order to facilitate pathogen invasion. Often, this is achieved by incapacitating specific anti-pathogen defenses. Incorporating such genes could clearly lead to undesirable and unexpected outcomes in agriculture. Furthermore, viruses that infect plants are often not that different from viruses that infect humans. For example, sometimes the genes of human and plant viruses are interchangeable, while on other occasions inserting plant viral fragments as transgenes has caused the genetically altered plant to become susceptible to an animal virus (Dasgupta et al. 2001). Thus, in various ways, inserting viral genes accidentally into crop plants and the food supply confers a significant potential for harm.

The Choices for RegulatorsThe original discovery by Podevin and du Jardin (at EFSA) of Gene VI in commercial GMO crops must have presented regulators with sharply divergent procedural alternatives. They could 1) recall all CaMV Gene VI-containing crops (in Europe that would mean revoking importation and planting approvals) or, 2) undertake a retrospective risk assessment of the CaMV promoter and its Gene VI sequences and hope to give it a clean bill of health.

It is easy to see the attraction for EFSA of option two. Recall would be a massive political and financial decision and would also be a huge embarrassment to the regulators themselves. It would leave very few GMO crops on the market and might even mean the end of crop biotechnology.

Regulators, in principle at least, also have a third option to gauge the seriousness of any potential GMO hazard. GMO monitoring, which is required by EU regulations, ought to allow them to find out if deaths, illnesses, or crop failures have been reported by farmers or health officials and can be correlated with the Gene VI sequence. Unfortunately, this particular avenue of enquiry is a scientific dead end. Not one country has carried through on promises to officially and scientifically monitor any hazardous consequences of GMOs (1).

Unsurprisingly, EFSA chose option two. However, their investigation resulted only in the vague and un reassuring conclusion that Gene VI “might result in unintended phenotypic changes” (Podevin and du Jardin 2012). This means literally, that changes of an unknown number, nature, or magnitude may (or may not) occur. It falls well short of the solid scientific reassurance of public safety needed to explain why EFSA has not ordered a recall.

Can the presence of a fragment of virus DNA really be that significant? Below is an independent analysis of Gene VI and its known properties and their safety implications. This analysis clearly illustrates the regulators’ dilemma.

The Many Functions of Gene VIGene VI, like most plant viral genes, produces a protein that is multifunctional. It has four (so far) known roles in the viral infection cycle. The first is to participate in the assembly of virus particles. There is no current data to suggest this function has any implications for biosafety. The second known function is to suppress anti-pathogen defenses by inhibiting a general cellular system called RNA silencing (Haas et al. 2008). Thirdly, Gene VI has the highly unusual function of transactivating (described below) the long RNA (the 35S RNA) produced by CaMV (Park et al. 2001). Fourthly, unconnected to these

other mechanisms, Gene VI has very recently been shown to make plants highly susceptible to a bacterial pathogen (Love et al. 2012). Gene VI does this by interfering with a common anti-pathogen defense mechanism possessed by plants. These latter three functions of Gene VI (and their risk implications) are explained further below:

1) Gene VI Is an Inhibitor of RNA Silencing RNA silencing is a mechanism for the control of gene expression at the level of RNA abundance (Bartel 2004). It is also an important antiviral defense mechanism in both plants and animals, and therefore most viruses have evolved genes (like Gene VI) that disable it (Dunoyer and Voinnet 2006).

Gene VI (upper left) precedes the start of the 35S RNA

This attribute of Gene VI raises two obvious biosafety concerns: 1) Gene VI will lead to aberrant gene expression in GMO crop plants, with unknown consequences and, 2) Gene VI will interfere with the ability of plants to defend themselves against viral pathogens. There are numerous experiments showing that, in general, viral proteins that disable gene silencing enhance infection by a wide spectrum of viruses (Latham and Wilson 2008).

2) Gene VI Is a Unique Transactivator of Gene Expression Multicellular organisms make proteins by a mechanism in which only one protein is produced by each passage of a ribosome along a messenger RNA (mRNA). Once that protein is completed the ribosome dissociates from the mRNA. However, in a CaMV-infected plant cell, or as a transgene, Gene VI intervenes in this process and directs the ribosome to get back on an mRNA (reinitiate) and produce the next protein in line on the mRNA, if there is one. This property of Gene VI enables Cauliflower Mosaic Virus to produce multiple proteins from a single long RNA (the 35S RNA). Importantly, this function of Gene VI (which is called transactivation) is not limited to the 35S RNA. Gene VI seems able to transactivate *any* cellular mRNA (Futterer and Hohn 1991; Ryabova et al. 2002). There are likely to be thousands of mRNA molecules having a short or long protein coding sequence following the primary one. These secondary coding sequences could be expressed in cells where Gene VI is expressed. The result will presumably be production of numerous random proteins within cells. The biosafety implications of this are difficult to assess. These proteins could be allergens, plant or human toxins, or they could be harmless. Moreover, the answer will differ for each commercial crop species into which Gene VI has been inserted.

3) Gene VI Interferes with Host DefensesA very recent finding, not known by Podevin and du Jardin, is that Gene VI has a second mechanism by which it interferes with plant anti-pathogen defenses (Love et al. 2012). It is too early to be sure about the mechanistic details, but the result is to make plants carrying Gene VI more susceptible to certain pathogens, and less susceptible to others. Obviously, this could impact farmers, however the discovery of an entirely new function for gene VI while EFSA's paper was in press, also makes clear that a full appraisal of all the likely effects of Gene VI is not currently achievable.

Is There a Direct Human Toxicity Issue?When Gene VI is intentionally expressed in transgenic plants, it causes them to become chlorotic (yellow), to have growth deformities, and to have reduced fertility in a dose-dependent manner (Ziljstra et al 1996). Plants expressing Gene VI also show gene expression abnormalities. These results indicate that, not unexpectedly given its known functions, the protein produced by Gene VI is functioning as a toxin and is harmful to plants (Takahashi et al 1989). Since the known targets of Gene VI activity (ribosomes and gene silencing) are also found in human cells, a reasonable concern is that the protein produced by Gene VI might be a human toxin. This is a question that can only be answered by future experiments.

Is Gene VI Protein Produced in GMO Crops?Given that expression of Gene VI is likely to cause harm, a crucial issue is whether the actual inserted transgene sequences found in commercial GMO crops will produce any functional protein from the fragment of Gene VI present within the CaMV sequence.

There are two aspects to this question. One is the length of Gene VI accidentally introduced by developers. This appears to vary but most of the 54 approved transgenes contain the same 528 base pairs of the CaMV 35S promoter sequence. This corresponds to approximately the final third of Gene VI. Deleted fragments of Gene VI are active when expressed in plant cells and functions of Gene VI are believed to reside in this final third. Therefore, there is clear potential for unintended effects if this fragment is expressed (e.g. De Tapia et al. 1993; Ryabova et al. 2002; Kobayashi and Hohn 2003).

The second aspect of this question is what quantity of Gene VI could be produced in GMO crops? Once again, this can ultimately only be resolved by direct quantitative experiments. Nevertheless, we can theorize that the amount of Gene VI produced will be specific to each independent insertion event. This is because significant Gene VI expression probably would require specific sequences (such as the presence of a gene promoter and an ATG [a protein start codon]) to precede it and so is likely

to be heavily dependent on variables such as the details of the inserted transgenic DNA and where in the plant genome the transgene inserted.

Commercial transgenic crop varieties can also contain superfluous copies of the transgene, including those that are incomplete or rearranged ([Wilson et al 2006](#)). These could be important additional sources of Gene VI protein. The decision of regulators to allow such multiple and complex insertion events was always highly questionable, but the realization that the CaMV 35S promoter contains Gene VI sequences provides yet another reason to believe that complex insertion events increase the likelihood of a biosafety problem.

Even direct quantitative measurements of Gene VI protein in individual crop authorizations would not fully resolve the scientific questions, however. No-one knows, for example, what quantity, location or timing of protein production would be of significance for risk assessment, and so answers necessary to perform science-based risk assessment are unlikely to emerge soon.

Big Lessons for Biotechnology It is perhaps the most basic assumption in all of risk assessment that the developer of a new product provides regulators with accurate information about what is being assessed. Perhaps the next most basic assumption is that regulators independently verify this information. We now know, however, that for over twenty years neither of those simple expectations have been met. Major public universities, biotech multinationals, and government regulators everywhere, seemingly did not appreciate the relatively simple possibility that the DNA constructs they were responsible for encoded a viral gene.

This lapse occurred despite the fact that Gene VI was not truly hidden; the relevant information on the existence of Gene VI has been freely available in the scientific literature since well before the first biotech approval (Franck et al 1980). We ourselves have offered specific warnings that viral sequences could contain unsuspected genes ([Latham and Wilson 2008](#)). The inability of risk assessment processes to incorporate longstanding and repeated scientific findings is every bit as worrisome as the failure to intellectually anticipate the possibility of overlapping genes when manipulating viral sequences.

This sense of a generic failure is reinforced by the fact that this is not an isolated event. There exist other examples of commercially approved viral sequences having overlapping genes that were never subjected to risk assessment. These include numerous commercial GMOs containing promoter regions of the closely related virus figwort mosaic virus (FMV) which were not considered by Podevin and du Jardin. Inspection of

commercial sequence data shows that the commonly used FMV promoter overlaps its own Gene VI (Richins et al 1987). A third example is the virus-resistant potato NewLeaf Plus (RBMT-22-82). This transgene contains approximately 90% of the P0 gene of potato leaf roll virus. The known function of this gene, whose existence was discovered only after US approval, is to inhibit the anti-pathogen defenses of its host (Pfeffer et al 2002). Fortunately, this potato variety was never actively marketed.

A further key point relates to the biotech industry and their campaign to secure public approval and a permissive regulatory environment. This has led them to repeatedly claim, firstly, that GMO technology is precise and predictable; and secondly, that their own competence and self-interest would prevent them from ever bringing potentially harmful products to the market; and thirdly, to assert that only well studied and fully understood transgenes are commercialized. It is hard to imagine a finding more damaging to these claims than the revelations surrounding Gene VI.

Biotechnology, it is often forgotten, is not just a technology. It is an experiment in the proposition that human institutions can perform adequate risk assessments on novel living organisms. Rather than treat that question as primarily a daunting scientific one, we should for now consider that the primary obstacle will be overcoming the much more mundane trap of human complacency and incompetence. We are not there yet, and therefore this incident will serve to reinforce the demands for GMO labeling in places where it is absent.

What Regulators Should Do Now This summary of the scientific risk issues shows that a segment of a poorly characterized viral gene never subjected to any risk assessment (until now) was allowed onto the market. This gene is currently present in commercial crops and growing on a large scale. It is also widespread in the food supply.

Even now that EFSA's own researchers have belatedly considered the risk issues, no one can say whether the public has been harmed, though harm appears a clear scientific possibility. Considered from the perspective of professional and scientific risk assessment, this situation represents a complete and catastrophic system failure.

But the saga of Gene VI is not yet over. There is no certainty that further scientific analysis will resolve the remaining uncertainties, or provide reassurance. Future research may in fact increase the level of concern or uncertainty, and this is a possibility that regulators should weigh heavily in their deliberations.

To return to the original choices before EFSA, these were either to recall all CaMV 35S promoter-containing GMOs, or to perform a retrospective risk assessment. This retrospective risk assessment has now been carried out and the data clearly indicate a potential for significant harm. The only course of action consistent with protecting the public and respecting the science is for EFSA, and other jurisdictions, to order a total recall. This recall should also include GMOs containing the FMV promoter and its own overlapping Gene VI.

Footnotes1) EFSA regulators might now be regretting their failure to implement meaningful GMO monitoring. It would be a good question for European politicians to ask EFSA and for the board of EFSA to ask the GMO panel, whose job it is to implement monitoring.

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[85-103.](#)

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Vaughn Paul Manley	Individual	Oppose	No

Comments: We need to explore other cash crops that can still be viable but that they do not pollute our land, air and respiratory systems!

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SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
lenora shrewsbury	Individual	Oppose	No

Comments: I oppose all cane burning. It puts many pollutants in the air and causes many health problems. I suffer as a result of it's affects.

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Date: Saturday, February 09, 2013 4:51:41 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Amara Karuna	Individual	Oppose	No

Comments: Keep the air clear on Maui! We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices.

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 5:11:10 PM

SB590

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Kornblatt	Individual	Oppose	No

Comments:

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To the Honorable Members of the Senate Committee on Agriculture:

This testimony is in opposition to SB590. In the broadest sense this bill is in support of farming practices that are currently viewed as nuisance, noxious, invasive or unhealthful.

Agriculture will grow in Hawaii as a result of the need to grow food here rather than import it. Surveys of communities surrounding commercial agriculture fields need to be done before such a bill can be written with any knowledge about the real harm some agriculture practices, especially newer ones, can cause. Surveying studies of current agriculture practices around the world which are wreaking havoc on surrounding communities has to be completed and studied by members of this committee before an informed bill can be written.

For instance, when a biotech company plants the land with many successive crops in one year, that land becomes void of organic matter because this sort of chemical agriculture is not scientific in terms of caring for the soil health and long term viability. When the soil then becomes easily airborne as on Molokai as a result of years of farming in the above-stated manner, will this be addressed by any bill since it is generally accepted as a legitimate commercial agriculture practice. When that happens there is no other place to go on the limited `aina of Hawaii. This state cannot be thought about in the same manner as those on larger continents.

New products being developed for the control of pests and weeds are being made stronger, and one biotech company is developing plants which will tolerate spraying with Agent Orange because weeds are now resistant to RoundUp. How will newer developments such as this be addressed by such a broad bill which seeks to promote and foster an atmosphere of acceptance of agricultural practices generally accepted within the United States and would block any laws to regulate anything to the contrary? Hawaii's environment is fragile and practices that support the health of the aina should be considered instead of shielding corporations which make money using up the soil and poisoning it.

This bill shields biotech and chemical corporations and prevents the examination of unknown future agriculture hazards and it is dangerous. Thank you for allowing my testimony.

Merle Inouye Hayward

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Date: Saturday, February 09, 2013 6:18:03 PM

SB590

Submitted on: 2/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Graham Hensser	Individual	Oppose	No

Comments: NO TO SB590. Please consider the facts about pesticides, insecticides and herbicides that are poisoning our farm land. I have interest in becoming an certified organic farmer someday and do not want Monsanto to contaminate anymore land of Hawai'i than they already have. Please read this article from Natural News that clearly states the contamination is serious from Monsonto's chemicals. Mahalo. <http://naturalsociety.com/monsantos-infertility-linked-roundup-found-in-all-urine-samples-tested/>

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SB590

Submitted on: 2/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Mae Nakahata	Individual	Support	No

Comments:

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SB590

Submitted on: 2/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Oppose	No

Comments: While in principle I appreciate the intention behind this bill to prevent the gentrification of our ag land, the wording of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, inhumane treatment of food animals, fugitive dust, pesticides and GMOs. We must not give ag a free pass on bad practices. The following sentences in the bill must not be allowed to become law: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices. There are many "generally accepted" practices in modern industrial farming that are unacceptable. We must protect Hawaii, the environment and fellow citizens.

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 5:21:58 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
suzanne ion	Individual	Comments Only	No

Comments: I am 5th generation Maui born, i hope to return to Maui to live full time, we must change & protect our land, not using known & accepted practices but the best practices for the future of our aina & ohana to come. When you know better you do better

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Cc: PSGmikilua@aol.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 6:30:37 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Phyllis Shimabukuro-Geiser	Mikilua Poultry Farm Inc	Support	No

Comments: We strongly support this bill. There is no egg production on all neighbor islands. We are the only producer that distribute eggs statewide. This bill gives protection of uniform acceptable farming practices for us to provide food security and sustainability. Mahalo

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Cc: j.small.wsu@gmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Sunday, February 10, 2013 7:17:08 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Small	Individual	Support	No

Comments:

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Cc: Sandrella77@aol.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 8:10:34 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

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

Comments: PLease KILL this bill, not good for the Aina!

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Nolette	Individual	Oppose	No

Comments: Please oppose this bill. It will not be good farming or ranching practices. We need to take better care of our land.

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Rokovitz	Individual	Oppose	No

Comments:

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To: [AGL Testimony](#)
Cc: valeriesapourn@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 11:11:51 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Sapourn	Individual	Oppose	No

Comments: Aloha- Do not pass this bill as it gives big corporations too much power to farm irresponsibly. I do not support anyone's right to pollute the air we breathe with toxic crop burning. Nor do I support GMO's that contaminate other organic farmer's fields. I support humane animal treatment. I do not support the ability of any farmer to overspray pesticide and herbicide that pollute the soil and water sources. Please do not allow this bill to pass as it is written to protect big corporations from practicing common sense sustainable farming practices and it protects their profits before it protects the actual farmers and the wonderful land of Hawaii. Mahalo. Do what is pono please.

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To: [AGL Testimony](#)
Cc: lila@loveshackmaui.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 11:20:00 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lila Sherman	Individual	Oppose	No

Comments: WHEN WILL COMMON SENSE PREVAIL?

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: Joseph@WeAreOne.cc
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 11:43:39 AM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Individual	Oppose	No

Comments: There is no rational reason to pollute our own environment or destroy other species. What is the right amount of hormones, antibiotics, pesticides, chemicals, and gmo's that a human should eat? www.WeAreOne.cc

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Harry von Holt	Ponoholo Ranch, Ltd.	Support	No

Comments:

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Tokishi	Individual	Oppose	No

Comments: I understand the intention of this bill but the current wording concerns me in regards to the allowance of agricultural burning and chemical spraying. As a voting citizen I am asking that you please kill this bill in it's current state of wording

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Beth Irikura	Individual	Oppose	No

Comments: Oppose the inclusion of the sentence: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." This added statement is unnecessary, and could prevent discussion or legislation to address deleterious and/or hazardous production practices including pesticide/herbicide drift, cane burning, spread of disease through animal waste, and noise pollution.

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Cc: Kwood@parkerranch.com
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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
George wood	Individual	Support	No

Comments:

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Eurton	Individual	Oppose	No

Comments: The WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. PLEASE DO NOT ADD THE WORDING: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices."

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James S. Greenwell	Palani Ranch Company Inc	Support	No

Comments:

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Holz	Individual	Oppose	No

Comments: Removes ability for state to control/ban/modify cane burning practices in the future.

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February 11, 2013

TESTIMONY

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SENATE COMMITTEE ON AGRICULTURE

SB 590: RELATING TO AGRICULTURE.

Room 229

2:55 PM

Chair Nishihara, Vice Chair Kouchi, and Members of the Committee:

Maui County Farm Bureau on behalf of our commercial farm and ranch families and organizations is in **STRONG SUPPORT of SB590 as written**, updating the Hawaii Right to Farm Act to reflect the original intent of the measure.

MCFB appreciates the leadership by members of the Senate by introducing this measure.

The Right to Farm Act came into place as boundaries between farmers/ranchers and the non-ag community became increasingly fuzzy and tolerance of agricultural activities reduced. Farmers and ranchers found themselves defending their ability to conduct business. In Hawaii, this issue is exacerbated as agriculture undergoes a transition with lands temporarily fallow as farmers retire or seek other employment. Others move into agricultural areas with images of an idyllic setting and suddenly find themselves facing the realities of farm life. Complaints rather than tolerance have become the norm resulting in measures before the County Council and Legislature with threats of lawsuits.

As Hawaii seeks to increase its' level of self sufficiency and sustainability, policymakers face a pragmatic decision. A decision must be made to support the industry that provides the basis for sustainability and self sufficiency. Unlike many other measures before this body, there is no budgetary implication with this bill. However, to farmers and ranchers it provides assurance that the State of Hawaii understands what it takes to conduct an agricultural operation in the State and will stand by them to farm and ranch in manners that is generally recognized as legitimate farming practices across the country. This becomes increasingly important as many feel they must dictate how farmers and ranchers must conduct their business, restricting their Right to Farm. We also see cases where individuals feel the right to farm applies to others but not themselves ... that they are special and should have the right to object to farming practices. The Right to Farm does not seek to exempt ag operations from health and environmental laws. It seeks to protect farms and ranches from unreasonable complaints based on unscientific claims.

Maui County Farm Bureau respectfully requests your **strong support of this measure as written**. A bold and clear statement by policymakers that the hard work of farmers and ranchers is recognized and supported is needed. If there are questions, please contact Warren Watanabe at 2819718. Thank you.

Dear Chair Nishihara and Senate Committee on Agriculture,

I have read the current version of SB590, A Bill for an Act Regarding Agriculture, and was drawn to "SECTION 1. The legislature finds that Hawaii's agricultural industry is one of the State's most important economic sectors. Article XI, section 3, of the Hawaii State Constitution mandates that 'The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self sufficiency and assure the availability of agriculturally suitable lands.' This policy sets forth the State's responsibility to oversee and implement laws and rules to guide the success and development of Hawaii's agricultural industry."

The mandate stated above says it all, and if those involved with carrying out our state's laws and writing bills would follow this mandate, many of us would be in support of it, and life in Hawaii would be improved. I invite the Senate Committee on Agriculture to step back and really study and understand what the first phrase means: "The State shall conserve and protect agricultural lands".

To conserve and protect, one would not be allowing and supporting the use of chemical toxins, exfoliates, herbicides, and pesticides, particularly those used in "generally accepted agricultural practices". Anyone who has participated in farming in the past 60 years (or even just read about current accepted practices) is aware that the use of chemicals is simply a corporate money making scheme. The chemical companies had made so much money during World War 2 they couldn't bear the thought of losing their profits, and thus the corporate agriculture industry was born.

To conserve and protect, one would want to insure that a non-toxic-chemical based agriculture industry be allowed to grow and yes, be supported, here in Hawaii. It has been proven repeatedly that organic agriculture methods produce as much or more money when compared to chemical methods (especially in a drought situation), and the bonus is, you haven't ruined the land, the air or the water, or poisoned your workers and neighbors in the process! Chemical farming practices are doing just that: who was there to conserve and protect the water sheds on Oahu and Maui that were destroyed as a result of "generally accepted agricultural practices" by some of the largest agriculture companies in the U.S.?

I am extremely concerned that SB 590 supports business as usual for the agriculture industry in HI. I am also concerned that if one were to become aware that a neighboring farm's "generally accepted agricultural practices" were poisoning one's family, pets, and land, one would not be able to lodge a complaint (In the bill it would be termed a "nuisance" complaint; if it was your family and your home, you'd be the first one on the phone to your lawyer.) Yes, it was a nuisance that one recently established farm on Oahu had to be abandoned because the workers were being poisoned by the "generally accepted agricultural practices" of the surrounding farms, again operated by some of the largest agriculture companies in the U.S.. Those farmers had a right to practice their farming methods and not lose their livelihood or become ill in the process.

If we have noise level limits, curfews, burn day regulations, etc., we need to be able to restrict the use of "generally accepted agricultural practices", and redefine what is safe for all of us. No one in Hawaii should be getting ill inside or outside their homes because of toxic drift, or when they eat produce grown on our farms. Hawaii residents should be free of the threat of disease due to the increased use of chemical herbicides and pesticides, causing higher cancer and asthma rates in their neighborhood than elsewhere in the state or the nation.

This bill needs further work, and definitions, and should not be passed. Do your homework Agriculture Committee: today's chemical agriculture creates multiple hazards to public health, causes toxic run-off into our rivers, streams, and the ocean, and ultimately does not conserve and protect agricultural lands.

Sincerely,

Patti Valentine
PO Box 194

Kapaa, HI 96746

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Cc: maumarysue@hawaii.rr.com
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Date: Sunday, February 10, 2013 5:21:33 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Sue Matthews	Individual	Oppose	No

Comments: I have lived in North Kihei for 5 years. The smoke from the burning cane fields is terrible. I can smell it even with all my windows closed. Tourists I have met also say they hate smelling the smoke and even notice it when they are snorkeling or boating. I have read this bill. The language insures that the citizens of Maui can do nothing to stop the cane burning if this bill passes. Please do not pass it!!!! I love Maui but can't understand how you can allow A and B to jeopardize the health of the people of Maui. Tourism is the biggest industry in Maui. We need to keep the tourists coming.

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Palencia	Individual	Oppose	No

Comments: Kill the Bill Mahalo

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Rose Slater	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices. This bill should be called "The Right to Farm Irresponsibly" bill.

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dayne Watson	Individual	Support	No

Comments:

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Groode	Individual	Oppose	No

Comments: Please do not pass a bill that will keep citizens from being able to stop sugar cane burning and gmo farming. Our health and future is at stake.

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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Lowry	Individual	Oppose	No

Comments:

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Date: Sunday, February 10, 2013 8:13:05 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Hegi	Individual	Oppose	No

Comments: Although the intention behind this bill is to prevent the gentrification of our ag land (and that is a laudable goal) the WORDING of the bill will prevent us from passing laws controlling: Herbicide overspray, cane burning, humane treatment of food animals, pesticides and GMOs. For that reason it needs to be killed. We should approach the problem of "gentlemen's estates" etc eating up our ag land by better land use laws - not by giving ag a free pass on bad practices. This bill should be called "The Right to Farm Irresponsibly" bill.

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To: [AGL Testimony](#)
Cc: stephaniebrill@me.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 8:39:21 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
stephanie brill	Individual	Oppose	No

Comments: I am very concerned about this bill as the following sentence "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." Allows room for practices that I feel are dangerous to the health and welfare of Maui's citizens. These practice include cane burning, pesticide use, geneteically modified foods and other 'generally accepted' practices that are harmful to our keiki and our waters. This wording is too vague and therefore dangerous in the unlimited potential of undesired consequences. Thank you for you consideration, Stephanie Brill Olinda

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Cc: jasonmoniz73@gmail.com
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SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jason and Jeri Ann Moniz/KK Ranch	Individual	Support	No

Comments: Strongly support SB590

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Cc: jasonmoniz73@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 8:47:56 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jason and Jeri Ann Moniz/KK Ranch	Individual	Support	No

Comments: Strongly support SB590

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To: [AGL Testimony](#)
Cc: dhyan_sandhya@hotmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 9:05:16 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
dhyan sandhya	Individual	Oppose	No

Comments: I want accountability in farming.....

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To: [AGL Testimony](#)
Cc: Karenleachdesign@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Sunday, February 10, 2013 10:11:33 PM

SB590

Submitted on: 2/10/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Leach	Individual	Support	No

Comments: My entire life has been disabled due to the cane burning. Safe other methods are available and not being able to breathe is the scariest feeling. To fight for a breath and the ER see kids to elderly people all suffering is a traumatic way to live. Our health cannot go on like this. There are alternative ways to process the sugar.

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Feb. 9, 2013

This is the second "Agricultural Bill" this month which has clauses that can greatly compromise the few gains the public has gotten insuring the right to clean air, water and sustainable natural surroundings.

I can only speak from my experience on Maui. Agriculture is a 'Fixed' game. People like myself have no chance to farm for profit. Why I cannot even buy the water that flows from irrigation ditches, collecting water from State owned land. Not even at residential water rates, not at any rate. We grow what we can with the rainfall we have. Even the stream through our 4 acre parcel is dry because all the water is taken before it reaches our land. That water, over 80% of the Island's water flows to the Corporate owned fields. When droughts happen, which they do more and more, small farmers have to let their crops die, to conserve their portion of the less than 20% of water that is not 'leased' to the Corporations.

Proposals like those contained in this bill are truly shameful. We don't need to limit the protection of the public in the name of agriculture. We need to come to equitable compromises that allow nutritious food to be grown by people who live in Hawaii, for the people of Hawaii.

The public has the right to know, what do the various forms of agriculture actually contribute to Hawaii's well being. How much taxes are actually paid? How much subsidies are the various Ag businesses getting? How much pollution are they creating? How many EPA exemptions do they already have? What effect are their actions having on our most precious resource our Ocean Ecosystems? This information is not available to the public.

No more exemptions, no more wasting time considering bills that circumvent the real issues that keep innovative young entrepreneurs from creating new positive agriculture.

Having lived over 30 years, full time in rural Maui, I can also assure you that there are plenty of people who will abuse agricultural exemptions to burn their trash, both green waste and plastics, while claiming that their two cows makes them ag. Over the years, many neighbors have burned garbage, just to save the \$150 a year in County Refuse fees. Finally we have the law on the side of a healthier environment, don't let these attempts to go backwards continue.

Steve Slater, Haiku, Maui, Hawaii.

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
William G. Jacintho	Maui Cattlemen's Association	Support	No

Comments:

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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Unger	McCandless Ranch	Support	No

Comments:

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Monday, February 11, 2013 7:34:26 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jimmy Gomes	Ulupalakua Ranch Inc.	Support	No

Comments:

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Monday, February 11, 2013 8:22:57 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Strong	Individual	Oppose	No

Comments:

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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Perkins	Individual	Oppose	No

Comments: I have a problem with this sentence in the bill: "The right of farmers and ranchers to engage in farming and ranching practices shall be guaranteed in this State. No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." We must protect the health and vitality of the land by limiting or outlawing abusing agricultural practices that do not benefit residents or the land, air, and water which sustains them. The only winner here is big agricultural corporations.

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 9:26:16 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy hynes	Individual	Oppose	No

Comments: This is a feeble attempt to curtail restrictions on cane burning, not about farmers right to farm. Do what's right. Make a bill prohibiting cane burning and protect the health of Hawaii residents.

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Cc: fatinamaui@hotmail.com
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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Fatina Francis	Individual	Oppose	No

Comments: Kill this bill. Agriculture should not be given a free pass on bad practices. This bill if allowed to pass will do just that. I oppose this bill on that ground.

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Cc: psolomonlcsw@gamil.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 9:41:36 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Solomon	Individual	Oppose	No

Comments: "No law shall be enacted that abridges the right of farmers and ranchers to employ generally accepted agricultural technology, livestock production, and ranching practices." This sentence should be removed. It is too general and vague. It does not define what is "generally accepted practices" and the wording of the bill will prevent us from passing laws controlling: Herbicide overspraying, cane burning, humane treatment of food animals, pesticides and GMOs. Please remove this sentence or vote no on this bill and pass a better one.

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Date: Monday, February 11, 2013 9:48:41 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Whalen	Individual	Support	No

Comments: I STRONGLY supports this measure. It is important to keep as level a playing field as possible for our multi-island agricultural businesses. Agriculture creates nuisances which can be defined differently by persons of different cultural and philosophical backgrounds. Legislation on the Right to Farm Act through the years has tried to be sensitive to the needs of agriculture and the encroaching urbanization of our islands. These pressures are different in each region depending on the neighborhoods. However, if Hawaii wants to have thriving agricultural operations throughout the state, then the playing field needs to be as level as possible and not dictated by any particular area. Agriculture is being encroached upon; not the other way around.

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Cc: drmikecolson@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 10:02:09 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Mike Colson	Mankaiana Cattle Agency	Support	No

Comments: Farming and ranching is a complicated business venture that requires the normal process of events/experiences to be successful...and even then nit is a high overhead low margin of profit enterprise. In carrying out this necessary work there are many - with neither the knowledge or experience - who attempt to circumvent what we do for some nefarious or otherwise illogical rationale. This bill protects us in carrying on our ranching way of life without being subject to commentary and regulations that attempt to disturb time tested and well known aspects of raising beef cattle, shipping to market, slaughtering, and processing for human consumption per extant USDA and other federal and state mandates. This protection is necessary as their are virulent agencies/individuals whose sole claim is that they disagree or misunderstand how our business is carried out. They do have means to execute their biased interests often leaving farmers and ranchers exposed to circumstances and threats heretofore underheard of. Protect Hawaii farmers and ranchers.

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Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Monday, February 11, 2013 10:05:26 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dathan Bicoy	Individual	Support	No

Comments:

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Cc: mangomitch8@hawaii.rr.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 10:06:59 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mitch Skaggerberg	Individual	Oppose	No

Comments: I agree we need to encourage Ag growth but oppose the clauses that prohibit us to stop Ag practice like cane SMOKE IN CENTRAI MAUI AND KIHEI;GMO'S UPCOUNTRY, . WE NEED THE RIGHT TO SEEK RECOURSE IN OUR MAUI AND HAWAII COURTS TO INSURE SOUND PRATICES ON MAUI AND HAWAII. MAHALO FOR CHANGING THIS SECTION OF THE PROPOSED BILL

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Cc: stephelectra@hotmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 10:16:28 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Walkeapaa	Individual	Comments Only	No

Comments: Myself, my ohana and our community are in strong opposition to SB 590 (The Hawai'i Right to Farm Bill). We interpret the name of SB 590 to be very deceptive. 'Right to Farm' suggests that the bill supports; in some way, the people of Hawai'i in their right to farm. However, in reality SB 590 does the exact opposite. This bill prevents our people and farmers from being able to protect themselves from large industrial farming practices and agri-chemical corporations. We believe SB 590 to be in polar opposition to our state constitutional values and the basis of Ua Mau ke Ea o ka 'Āina i ka Pono. This bill attempts to direct the state in the direction that a large industrial corporations desire for it to go in; while disregarding environmental management concerns by exempting corporations of liability for their actions. I suggest that we remember that "maintaining agriculture as a major sector of Hawaii's economy", particularly with current controversial and highly impacting practices, is nowhere near as important as preserving Hawai'i farmlands and their soil, microbial life, and suitability for food grade farming into the future. I refer to the same Article as the bill, XI Section 3, where the Hawaii Constitution mandates "The state shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural sufficiency and assure availability of agriculturally suitable lands." We believe strongly that large-scale industrial agri-chemical corporate land management practices do not meet the above highlighted requirements in any form. In fact this bill prevents the people and the state from having the rights to fully conserve and protect agricultural lands and prevents them from obtaining justice for poor land management and the reducing availability of suitable lands due to industrial agri-chemical corporations. This bill allows a few leading corporations to more smoothly execute their experimental testing, which arguably does not meet farming definitions, without being held accountable for the impacts of their actions. This is further clarified in the definitions where practices that these corporations can conduct with lack of liability and accountability includes impacts associated with odours, dust and fumes emanating from facility, ground and aerial spraying and the application of chemical fertilizers, conditioners, insecticides, pesticides and herbicides. The timing of this bill is in no way a coincidence, as recently the social issues associated with industrial agri-chemical companies have been more and more in the spotlight and concerns regarding nuisances are arising throughout the state. Many stakeholders are voicing

concerns over poor land management practices, increased chemical use and controversial technology. A bill “limiting the circumstances under which farming operations may be deemed to be a nuisance” therefore clearly seems unreasonable and unjust.

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Date: Monday, February 11, 2013 10:39:09 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Carol H Best	Individual	Comments Only	No

Comments: PLEASE, stop cane burning ASAP!

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 11:03:05 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tiana Laranio	Kauai Rising	Oppose	No

Comments: Myself, my ohana and our community are in strong opposition to SB 590 (The Hawai'i Right to Farm Bill). We interpret the name of SB 590 to be very deceptive. 'Right to Farm' suggests that the bill supports; in some way, the people of Hawai'i in their right to farm. However, in reality SB 590 does the exact opposite. This bill prevents our people and farmers from being able to protect themselves from large industrial farming practices and agri-chemical corporations. We believe SB 590 to be in polar opposition to our state constitutional values and the basis of Ua Mau ke Ea o ka 'Āina i ka Pono. This bill attempts to direct the state in the direction that a large industrial corporations desire for it to go in; while disregarding environmental management concerns by exempting corporations of liability for their actions. I suggest that we remember that "maintaining agriculture as a major sector of Hawaii's economy", particularly with current controversial and highly impacting practices, is nowhere near as important as preserving Hawai'i farmlands and their soil, microbial life, and suitability for food grade farming into the future. I refer to the same Article as the bill, XI Section 3, where the Hawaii Constitution mandates "The state shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural sufficiency and assure availability of agriculturally suitable lands." We believe strongly that large-scale industrial agri-chemical corporate land management practices do not meet the above highlighted requirements in any form. In fact this bill prevents the people and the state from having the rights to fully conserve and protect agricultural lands and prevents them from obtaining justice for poor land management and the reducing availability of suitable lands due to industrial agri-chemical corporations. This bill allows a few leading corporations to more smoothly execute their experimental testing, which arguably does not meet farming definitions, without being held accountable for the impacts of their actions. This is further clarified in the definitions where practices that these corporations can conduct with lack of liability and accountability includes impacts associated with odours, dust and fumes emanating from facility, ground and aerial spraying and the application of chemical fertilizers, conditioners, insecticides, pesticides and herbicides. The timing of this bill is in no way a coincidence, as recently the social issues associated with industrial agri-chemical companies have been more and more in the spotlight and concerns regarding nuisances are arising throughout the state. Many stakeholders are voicing

concerns over poor land management practices, increased chemical use and controversial technology. A bill "limiting the circumstances under which farming operations may be deemed to be a nuisance" therefore clearly seems unreasonable and unjust. please do the right thing and think about your mo'opuna, oppose SB 590!!! Mahalo, Tiana Kaleokalani Laranio

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 11:28:29 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bonnyjean Manini	Individual	Oppose	Yes

Comments: Please oppose this bill. Having grown up in a rural community that was settled long before the introduction of large scale commercial agriculture, it concerns me that we would give priority to these operations over the health and welfare of our citizens. To suggest that we should give up our right to file claims that these operations are a public nuisance, if they become a nuisance, is extremely alarming. This bill is meant to protect the right to farm. I ask you humbly for the right to live in clean environments where large scale agricultural operations invests in controlling its use of chemicals, creation of dust and other actions that potentially harm citizens. Yes, individuals and companies have a right to farm. At the same time, citizens have a right to live and not be sickened by agriculture operations. We must find ways to coexist that does not include the silencing of our citizenry.

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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Vana		Oppose	No

Comments: I am a grower that believes in co-existence and a balanced approached within the agriculture industry and agree with the intent of a right to farm policy. However this bill is over reach and the policy seeks to protect and favor specifically one of its sectors that conflicts with other state policy. This bill will allow any bad actor in agriculture to come to our state and be protected to farm. It is true that "all crops are not equal nor is all agriculture equally healthy for ecology". During WWW II, my farming community in Waialua had to adapt to a new way to provide for itself. Sugar cane was not able to adhere to its scheduled planting plan and was displaced by low growing crops such as potatoes and carrots and other diversified crops. If the State wants to get serious about local food, for local consumption so that we may provide for ourselves and its people, given we are an island community with no intention to limit development or regulate the number of vehicles allowed, it seems to conflict with this bills proposed changes for a right to farm. This bill is deceptive and is bound to cause confusion among testifiers that want to support ag but oppose this bill evident in the content of their testimony. Oppose this bill.

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Date: Monday, February 11, 2013 11:43:30 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Darren Strand	maui gold pineapple company	Support	No

Comments:

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SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher English	Individual	Support	No

Comments: It is critical that agriculture is supported in both the political and regulatory arena for Hawaii to move towards greater self-reliance when it comes to food supply.

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Date: Monday, February 11, 2013 11:52:51 AM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Taniguchi	Individual	Oppose	No

Comments: I have no long pre written testimony to give... ONLY my definite opposition! My dad has recently started working for one of the "agricultural" planting co. in Waimea he works 5 days a week (overtime) and every weekend is in the E.R with asthma attacks... ONLY since he's been working there. He doesn't directly spray anything he mows, but just being in the field he is breathing all those chemicals.. I am opposed to poisoning our land/air/people!!!! They can plant all they want farm whatever they want! STOP THE POISONING, NO CHEMICALS!! Please re-define this bill protect out land/air/people!!

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To: [AGL Testimony](#)
Cc: ronniebfi@yahoo.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 12:40:17 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnie Castro	Individual	Oppose	No

Comments: As a former resident of Kauai, I oppose this bill, SB 590. I am for agriculture but not at the expense of our citizens. This bill does not protect anyone but those who are making money. Being that many family members and friends live in communities surrounding these big companies and are exposed to these chemicals, this bill will deny them rights to sue for the bad practices that are going on. This is absolutely wrong. Everyone has a right to live in a place that is clean and rid of toxins and chemicals that these companies use. This is poor management of our lands. Ua mau ke ea o ka aina i ka pono. If this is our state motto, then we need to protect our land so it can flourish. If not, our land and the people will be negatively impacted and then what, more problems will need to be fixed. Really look at the negative impact of what it could do and not what will it have done down the road. We need to stop this bill.

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To: [AGL Testimony](#)
Cc: lotuslover@hotmail.com
Subject: *Submitted testimony for SB590 on Feb 12, 2013 14:55PM*
Date: Monday, February 11, 2013 1:13:00 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
courtney Bruch	GMO Free Maui, GMO Free Oahu, GMO Free Big Island	Oppose	No

Comments:

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To: [AGL Testimony](#)
Cc: LoveYouniverse@gmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 1:20:31 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Olivia Banning	Individual	Oppose	No

Comments: NO MORE GMO/HARMFUL PESTICIDES.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: rad_he@hotmail.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 1:24:12 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Radha	Individual	Oppose	No

Comments: Dear Sir/ Madame, Aloha I am an individual requesting the right to good health for all people and our environment. We have rights to know what we eat. We have the RIGHT TO KNOW what our food is being sprayed with and how it is grown. Those companies who use chemicals or GMO seed need to do their part and be held accountable and responsible for the affects that their products may have on us the consumers, and on the environment. My mother always taught me that it is more important to be healthy than wealthy. I think the simplicity of this wisdom applies now. Passing this bill could impact and inhibit the general rights and well being of people now, and for our future generations. I strongly oppose SB590 and humbly request that you do your part and Oppose this bill!

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To: [AGL Testimony](#)
Cc: Hdoug@mac.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 1:28:53 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
H. Doug Matsuoka	Individual	Comments Only	No

Comments: Aloha Chair Nishihara and the Committee. I oppose this seemingly benign bill. The guarantee to use "generally accepted technology" might include use of toxins and other uses hazardous to the health and well being of the community.

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Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 1:46:23 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Luksic	Individual	Oppose	No

Comments: I strongly Oppose this bill, it obviously favors the profit making of a few corporations to the detriment of Hawaii citizens. Please stand up for the citizens of Hawaii and Oppose this bill vehemently. The fact that this bill was put forward now makes me fearful of Corporations who genetically modify our foods, I am fearful for my life and the life and well being of my family. Monsanto, Pioneer, and other companies I am learning about will say anything to make their profits and control our food. Please, Please help us and at least allow us the opportunity to protect ourselves.

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Cc: douglas@konahawk.com
Subject: Submitted testimony for SB590 on Feb 12, 2013 14:55PM
Date: Monday, February 11, 2013 1:54:30 PM

SB590

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Pittman	Individual	Oppose	No

Comments: Big Bio-tech companies are going to poison this state and then leave when the mess is too big to clean up. They have an one hundred year history of doing this with their chemicals and pesticides. Syngenta was found guilty of this and had to pay a paultry sum to communities they had poisoned with atrazine. You can't get the land and water back after this kind of poisoning. This bill is a cover for the bio-tech companies that want immunity from their environmental disasters! Get smart, Malama ka'aina.

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SB 709

Testimony

From: mailinglist@capitol.hawaii.gov
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Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB709 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:56:52 AM

SB709

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
235 S. Beretania Street, Room 205
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TESTIMONY OF JAMES J. NAKATANI
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEE
ON AGRICULTURE

Tuesday, February 12, 2013
2:55 p.m.
Conference Room 229

SENATE BILL NO. 709
RELATING TO AGRICULTURAL DEVELOPMENT

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 709. The purpose of this bill is to increase the agribusiness development corporation's (ADC) limit on investments in qualified securities of any one enterprise to \$3,000,000. ADC supports this bill.

The Hawaii Agricultural Development Revolving Fund allows ADC to make grants, loans, and provide other monetary forms of assistance and purchase qualified securities to carry out its mission which is to acquire, and manage in partnership with farmers, ranchers, and aquaculture groups, selected high-value lands, water systems, and infrastructure for commercial agricultural use and to direct research into areas that will lead to the development of new crops, markets, and lower production costs.

Currently, many of Hawaii's small farmers are struggling to stay in business due to the high cost of fuel, the inability to access land, high overhead cost of operations, and the lack of capital to improve and modernize their facilities to meet federal food safety standards.

Page 2 of 2

To help the State address these pressing issues, it is imperative to have the available capital to make the necessary investments.

Thank you for the opportunity to testify.

SB 752

Testimony

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
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TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE
TUESDAY, FEBRUARY 12, 2013
2:55 P.M.
Room 229

SENATE BILL NO. 752
RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 752. The Department of Agriculture supports the intent of this measure and offers comments. The purpose of this measure is to establish the agricultural land acquisition special fund for the purchase of agricultural land by the Agribusiness Development Corporation. Part of the funding for the special fund would be from the environmental response, energy and food security tax.

The Department is in full support of the protection of agricultural lands and the promotion of farm ownership and agricultural diversity. The Department would like to point out that past precedent has been for monies for large land acquisition to come from issuing general obligation bonds and not from special funds.

Thank you, again, for the opportunity to testify on this measure.





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TESTIMONY OF JAMES J. NAKATANI
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEE
ON AGRICULTURE

Tuesday, February 12, 2013
2:55 p.m.
Conference Room 229

SENATE BILL NO. 752
RELATING TO AGRIBUSINESS DEVELOPMENT CORPORATION

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 752. The purpose of this bill is to establish the agricultural land acquisition special fund for the purchase of agricultural land by the agribusiness development corporation (ADC). The bill also allocates an unspecified portion of the environmental response, energy, and food security tax to be deposited into the special fund. ADC supports the intent of this bill.

ADC mission is to acquire, and manage in partnership with farmers, ranchers, and aquaculture groups, selected high-value lands, water systems, and infrastructure for commercial agricultural use and to direct research into areas that will lead to the development of new crops, markets, and lower production costs.

One of the biggest challenges facing today's farmers is accessing arable land. With the recent acquisition of 1,723-acres of Galbraith land in Wahiawa, ADC has

been overwhelmed by interested farmers and ranchers seeking land for agricultural operations. Monies from this fund will go towards the purchase of real property for the protection of agricultural lands, land banking, promotion of farm ownership, and agricultural diversity which would essentially increase the corporation's available agricultural land under its control that the corporation may license to qualified farmers, businesses, and agencies.

Thank you for the opportunity to testify.

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Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB752 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:57:14 AM

SB752

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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SUBJECT: FUEL, Agricultural land acquisition special fund

BILL NUMBER: SB 752; HB 1018 (Identical)

INTRODUCED BY: SB by Dela Cruz and 4 Democrats; HB by Har, Aquino, Fale, Hashem, Ichiyama, Ito, Oshiro, Say, Takayama, Tsuji, Ward and 1 Republican

BRIEF SUMMARY: Amends HRS section 243-3.5 to provide that ___ cents on each barrel of imported oil collected through the environmental response tax shall be deposited into the agricultural land acquisition special fund.

Adds a new section to HRS section 163D to establish an agricultural land acquisition special fund which shall be used to acquire real property for the protection of agricultural land, public land banking, promotion of farm ownership, and agricultural diversification.

EFFECTIVE DATE: July 1, 2013

STAFF COMMENTS: The legislature by Act 300, SLH 1993, enacted an environmental response tax of 5 cents per barrel on petroleum products sold by a distributor to any retail dealer or end user. The intent of the original nickel per barrel was to build up an emergency fund so that the state would have the financial resources to address an oil spill that threatened to damage the Islands' shorelines. Over the years, the activities for which the funds could be used expanded such that the fund was prevented from ever reaching the \$7 million cap that had been imposed by the original legislation.

The legislature by Act 73, SLH 2010, increased the amount of the tax to \$1.05 per barrel and provided that 5 cents of the tax shall be deposited into the environmental response revolving fund; 15 cents to be deposited into the energy security special fund, 10 cents to be deposited into the energy systems development special fund; 15 cents to be deposited into the agricultural development and food security special fund; and the residual of 60 cents to be deposited into the general fund between 7/1/10 and 6/30/15. This measure proposes to tap a portion of the barrel tax to be deposited into the agricultural land acquisition special fund, resulting in less residual cents deposited into the general fund.

Not only would this proposal expand the use of the environmental response tax, but it also creates another program that will be funded automatically by this earmark. It should be noted that since this earmarking of revenue is automatic and will not be subject to legislative scrutiny, it is questionable whether the amount of funds deposited into the agricultural land acquisition special fund will be sufficient for the stated purposes. If there is insufficient revenue from the proposed earmark, there is no doubt that the amount earmarked will be increased to generate additional monies. If the legislature deems this particular program to be a priority, then a direct appropriation of general funds would be preferable to the earmarking proposed in this measure.

It should be remembered that the environmental response tax was initially adopted for the purpose of setting up a reserve should an oil spill occur on the ocean waters that would affect Hawaii's shoreline.

The nexus was between the oil importers and the possibility that a spill might occur as the oil product was being imported into the state. Now that the fund has become a cash cow, lawmakers have placed other responsibilities on the fund, including environmental protection and natural resource protection programs, such as energy conservation and alternative energy development, to address concerns related to air quality, global warming, clean water, polluted runoff, solid and hazardous waste, drinking water, and underground storage tanks, including support for the underground storage tank program of the department of health.

It should be noted that the enactment of the barrel tax for the environmental response revolving fund is the classic effort of getting one's foot in the door as it was initially enacted with a palatable and acceptable tax rate of 5 cents and subsequently increasing the tax rate once it was enacted which is what it has morphed into as evidenced by the \$1.05 tax rate. Because the tax is imposed at the front end of the product chain, the final consumer does not know that the higher cost of the product is due to the tax. Thus, there is little, if any, accountability between the lawmakers who enacted the tax and the vast majority of the public that ends up paying the tax albeit indirectly. Proponents ought to be ashamed that they are promoting a less than transparent tax increase in the burden on families all in the name of environmental protection and food security.

It should be remembered that the State Auditor has singled out the environmental response revolving fund as not meeting the criteria established and recommended that it be repealed. The Auditor criticized the use of such funds as they hide various sums of money from policymakers as they are not available for any other use and tend to be tacitly acknowledged in the budget process. More importantly, it should be recognized that it is not only the users of petroleum products who benefit from a cleaner environment, but it is the public who benefits. If this point can be accepted, then the public, as a whole, should be asked to pay for the clean up and preservation of the environment.

Funds deposited into a special fund are not subject to close scrutiny as an assumption is made that such funds are self-sustaining. It should be remembered that earmarking of funds for a specific program represents poor public finance policy as it is difficult to determine the adequacy of the revenue source for the purposes of the program. To the extent that earmarking carves out revenues before policymakers can evaluate the appropriateness of the amount earmarked and spent, it removes the accountability for those funds. There is no reason why such programs should not compete for general funds like all other programs which benefit the community as a whole.

Rather than perpetuating the problems of the barrel tax, it should be repealed and all programs that are funded out of the environmental response fund should be funded through the general fund. At least program managers would then have to justify their need for these funds. By continuing to special fund these programs, it makes a statement that such programs are not a high priority for state government. This sort of proliferation of public programs needs to be checked as it appears to be growing out of hand and at the expense of the taxpayer.

For those lawmakers who promoted the dollar increase for energy self-sufficiency and food security, taxpayers should recognize that they deliberately misled the public and should be held accountable for their lack of integrity as the dollar increase went largely for shoring up the state general fund.

SB 753

Testimony

NEIL ABERCROMBIE
Governor



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RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE
ON
AGRICULTURE

FEBRUARY 12, 2013
2:55 P.M.
ROOM 229

SENATE BILL NO. 753
RELATING TO AGRICULTURE

Chair Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 753. The purpose of this bill is to allow the department of agriculture (department) to enter into leases with the agribusiness development corporation. The department supports the intent of this bill.

The promotion and growth of agriculture in the state is a key component to reduce our reliance on imported food. The department believes that this bill will provide another tool to reach our food security goals.

Thank you for the opportunity to testify.



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Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB753 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:58:18 AM

SB753

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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SB 754

Testimony

NEIL ABERCROMBIE
Governor



JAMES J. NAKATANI
Executive Director

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TESTIMONY OF JAMES J. NAKATANI
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE
COMMITTEE ON AGRICULTURE

Tuesday, February 12, 2013
2:55 p.m.
Conference Room 229

SENATE BILL NO. 754
RELATING TO AGRICULTURAL LAND ACQUISITION

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 754. This bill makes an appropriation for the agribusiness development corporation (ADC) to purchase agricultural land. ADC supports the intent of this bill.

ADC's primary mission is to transition former plantation land and water systems for diversified agriculture. Dole Foods Company has recently announced that it plans to sell over 16,000-acres of agricultural lands in Central Oahu and North Shore. Funding from this bill would go towards acquiring these lands to ensure that it is kept in agriculture for perpetuity. In addition, ADC can provide opportunities for farmers to access agricultural land by offering a long term lease through its licensing process pursuant to chapter 163D. The ability to enter a long term lease allows the farmer to obtain the necessary capital to make investments and achieve the

economies of scale. In addition, ADC's comprehensive plan that leverages existing infrastructure and proximity to resources such as support services and workforce housing, can drastically reduce the overhead cost for the farmer and provide greater opportunities for the integration and development of new and diversified agricultural products.

ADC wants to emphasize the necessity of acquiring arable lands for agricultural operations. While some initial steps have been taken towards acquiring the Dole properties for agricultural uses, it is simply not enough to satisfy the growing demand.

Thank you for the opportunity to testify.

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Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB754 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:58:43 AM

SB754

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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To: [AGL Testimony](#)
Cc: inunvabus@gmail.com
Subject: Submitted testimony for SB754 on Feb 12, 2013 14:55PM
Date: Friday, February 08, 2013 1:19:29 PM

SB754

Submitted on: 2/8/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine D.	Individual	Oppose	No

Comments: Surely this bill has a typo: it should read 'lease' or 'rent' because most of the Ag Lands are former Government Lands or Crown. Since you left the specific TMK #'s out of this bill, how will you determine the lands' legal status? This bill blankets all lands as acceptable purchases. That is unacceptable. What is even more UNacceptable is that these lands are intended for GMO field laboratories.

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SB 937

Testimony

NEIL ABERCROMBIE
Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
TUESDAY, FEBRUARY 12, 2013
2:55 P.M.
CONFERENCE ROOM 229

SENATE BILL NO. 937
RELATING TO HAWAII FOOD RESILIENCY

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to comment on SB 937. The purpose of this bill is to develop a new branch within the Department and a task force headed by the Department to address the issue of food resiliency within Hawaii. The Department supports the intent of the bill but believes that creating a new branch within the Department will not be necessary to achieve the stated purpose of food resiliency.

The Department, through its existing branches and divisions, currently carries out the functions outlined in this piece of legislation. Given increased resources, the Department would be able to coordinate and report back to the legislature regarding the various efforts as outlined by the bill. Rather than creating a new branch, increasing the overall resources available to the Department through an increase in the revenues to the Agricultural Development and Food Security Special Fund as outlined in SB 1088 would greatly support the goal of food resiliency.

Thank you for the opportunity to testify on this measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

OFFICE OF PLANNING

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DEPUTY DIRECTOR
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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
SENATE COMMITTEE ON AGRICULTURE
Tuesday, February 12, 2013
2:55 PM
State Capitol, Conference Room 229

in consideration of
SB 937
RELATING TO HAWAII FOOD RESILIENCY.

Chair Nishihara, Vice Chair Kouchi and Members of the Senate Committee on Agriculture.

The Office of Planning has the following comments on S.B. 937 Relating to Hawaii Food Resiliency. S.B. 937 proposes a food resiliency initiative program to reduce Hawaii's dependence on imported foods.

The *Increased Food Security and Food Self-Sufficiency Strategy* prepared by the Office of Planning (OP) in cooperation with the Department of Agriculture seeks to increase the amount of locally grown food consumed by Hawaii residents, increase the production of locally grown food and recommends policy and organizational support toward food self-sufficiency. OP agrees that increasing food self-sufficiency will support the growth of Hawaii's economy.

OP defers to the Department of Agriculture on the establishment of a program and positions and the appropriation of funds for a food resiliency initiative program.

Thank you for the opportunity to testify.

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Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB937 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:59:09 AM

SB937

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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Committee on Agriculture
Senator Clarence K. Nishihara Chair; Senator Ronald D. Kouchi, Vice Chair

Tuesday, February 12, 2013, 2:55 P.M.

SB937 RELATING TO HAWAII FOOD RESILIENCY

TESTIMONY

Nancy Davlantes, Legislative Committee Member, League of Women Voters of Hawaii

Chair Nishihara, Vice-Chair Kouchi, and Committee Members:

The League of Women Voters of Hawaii supports SB937 which develops a food resiliency initiative program, including a new branch in the department of agriculture, a task force, and would appropriate the necessary funds to accomplish this.

As we have testified on other bills on this issue, League of Women Voters has long supported a system of sustainable, regenerative agricultural production that moves toward an environmentally sound agricultural sector which includes promoting stewardship to preserve and protect human and natural agricultural resources.

The League believes that if agriculture is to be sustainable and regenerative in Hawaii, given its isolation from the Mainland, it must include increasing production of locally grown foods; encouraging the marketing, purchasing, and consumption of locally grown foods; and supporting an agricultural workforce and infrastructure.

Having a dedicated branch in the Department of Agriculture to oversee this initiative and a task force to set forth specific benchmarks, together with a timeline to achieve them, would provide the impetus needed for a coordinated effort with all governmental and non-governmental agencies and programs having similar goals. This would move the state to agriculture sustainability while improving the economic viability of Hawaii's agriculture industry.

We urge you to pass this bill. Thank you for the opportunity to submit testimony.

ICE OF HEARING



LEAGUE OF
WOMEN VOTERS®

League of Women Voters of Hawaii

49 South Hotel Street, Room 314 | Honolulu, HI 96813

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DATE: Thursday, January 31, 2013

TIME: 2:45 p.m.

PLACE: Conference Room 229

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: tbrahim08@gmail.com
Subject: *Submitted testimony for SB937 on Feb 12, 2013 14:55PM*
Date: Monday, February 11, 2013 7:08:41 AM

SB937

Submitted on: 2/11/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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SB 992

Testimony

NEIL ABERCROMBIE
Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE
TUESDAY, MARCH 16, 2013
2:55 P.M.
CONFERENCE ROOM 229

SENATE BILL NO. 992
RELATING TO LIVESTOCK BIOSECURITY

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to comment on SB992. The Department strongly supports this bill.

Hawaii's livestock industry is faced with increased federal regulations to ensure that their facilities meet biosecurity standards. These regulations are required to minimize the spread of livestock and zoonotic diseases among wild animals, herds and humans as well as to ensure a safe food supply for Hawaii's citizens. Many of Hawaii's livestock operations are struggling to make a profit and complying with the increased regulations are costly.

The proposed bill will create a low interest loan program under the Agricultural Loan Program to assist the livestock and poultry industry renovate their existing structure or construct new infrastructure to ensure that they are bio-secure and meet all federal standards. This will prevent feral and domestic animals from intermingling with the herd and spreading disease such as west nile virus, hoof and mouth disease or bovine tuberculosis.

The improved biosecurity infrastructure will result in a safer food supply and help to ensure that fresh eggs, beef and pork remain available to Hawaii's citizens.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: gottlieb@hawaii.rr.com
Subject: *Submitted testimony for SB992 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 7:59:41 AM

SB992

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Hawaii Cattlemen's Council	Support	No

Comments:

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Email: communications@uluponoinitiative.com

SENATE COMMITTEE ON AGRICULTURE
Tuesday, February 12, 2013 — 2:55 p.m. — Room 229

UluPono Initiative Supports SB 992, Relating to Livestock Biosecurity

Dear Chairs Nishihara, Vice Chair Kouchi, and Members of the Committee:

My name is Kyle Datta and I am General Partner of the UluPono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally grown food, increase renewable energy, and reduce/recycle waste. UluPono invests in projects that have the potential to create large-scale, innovative change.

UluPono supports SB 992, which allows for agricultural loans to assist the livestock industry with biosecurity measures that help protect livestock operations from the introduction of pests and diseases. These pests and disease can affect the health and welfare of the animals and, in some cases, may affect the health and well-being of people who come in contact with the animals or farm products. Installing biosecurity measures protects the health of poultry and livestock from diseases, pests, and pathogens by reducing their introduction into farm operations as well as limiting the spread of risk to other farms. These measures are increasingly being required by federal programs to ensure a safe food supply. While these measures help protect the farm and consumers, they often add costs without additional profits for the operation. To help install these vital measures, a low-interest biosecurity loan program is being proposed to assist the livestock industry.

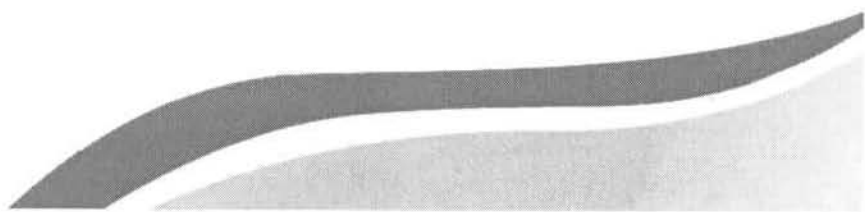
UluPono is happy to support this proposal requested by the Hawai'i Department of Agriculture as another way to help our community grow more fresh, healthy local food. UluPono sees that putting more local food on local plates can best be accomplished by bringing people and organizations together who can work on the entire food value chain in a systematic way. We believe that working together we can help produce more local food, support an economically strong homegrown agriculture industry, which strengthens our community. Thank you for this opportunity to testify.

Respectfully,
Kyle Datta
General Partner

Kyle Datta, General Partner, UluPono Initiative
UluPono Initiative, 1000 Kalia Road, Suite 1000, Honolulu, HI 96813

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: 0e5ba473@opayq.com
Subject: *Submitted testimony for SB992 on Feb 12, 2013 14:55PM*
Date: Saturday, February 09, 2013 12:12:55 PM

SB992

Submitted on: 2/9/2013

Testimony for AGL on Feb 12, 2013 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Troy	Individual	Support	No

Comments:

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SB 993

Testimony

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

SCOTT E. ENRIGHT
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
TUESDAY, FEBRUARY 12, 2013
2:55 P.M.
CONFERENCE ROOM 229

SENATE BILL NO. 993
RELATING TO AGRICULTURAL LOANS

Chairperson Nishihara and Members of the Committee:

Thank you for the opportunity to comment on SB 993. The Department strongly supports this bill.

The purpose of this bill is to enhance the new farmer loan program by including farm innovation loans to encourage development of new crops and use of technology and innovation to keep Hawaii's farmers competitive with growing worldwide competition. The bill also broadens the program to include graduates from farm trainee programs and reduces the equity contributions to encourage young entrepreneurs to enter the agricultural field.

New farm technologies are constantly being developed and the proposed bill will encourage existing farmers to take advantage of these innovations to increase productivity and become cost effective producers. Commercial development of new crops will also diversify Hawaii's agricultural industry and hopefully create new export opportunities.

Many recent college and farm trainee graduates lack the financial strength and resources to qualify for larger loans and meet the required 15% equity contribution. The bill will create a new tier of loans for smaller projects for recent college and farm trainee graduates with a limit of \$100,000. The lowered contribution amount of 5% it will make it easier for these recent graduates to qualify for a loan to start their own operations.

Thank you for the opportunity to testify on this measure.