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February 12, 2014



**TESTIMONY OF GARY L. HOOSER
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

SB 2110, SD1 RELATING TO THE REGULATION OF PESTICIDES

Committee on Ways and Means
Thursday, February 13, 2014
9:30 a.m., Conference Room 211

Dear Chair Ige and Committee Members:

Thank you for this opportunity to submit testimony in support of SB 2110, SD1, relating to the Regulation of Pesticides. My testimony is submitted in my capacity as the Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee Chair and Councilmember of the Kaua'i County Council.

SB 2110, SD1 is part of the 2014 Kaua'i County Legislative Package, which supports the appropriation of five hundred fifty-five thousand dollars (\$555,000) for Fiscal Year 2014-2015 to the Department of Agriculture (DOA). I would like to clarify that the purpose of this Bill is to restore critical positions needed within the Department of Agriculture's Pesticide Branch, to ensure that the expected level of operations are achieved to properly regulate the Hawai'i Pesticides Law.

Additionally, the intent of SB 2110, SD1 is to support additional funding for the DOA Pesticide Branch and is NOT the County of Kaua'i requesting funding for the recently passed Ordinance No. 960. It is my understanding that some legislators have characterized the county of Kaua'i's support for SB 2110, SD1 as "Kaua'i is now coming to the state asking for money to support Ordinance No. 960." Please note that this is absolutely not the case.

SB 2110, SD1 was considered by the Kaua'i County Council at the same time Governor Neil Abercrombie released a statement on September 23, 2013, stating that he will work with the Legislature to restore positions and seek additional funding "to address pesticide compliance and conduct inspections regarding pesticide contamination." My support of SB 2110, SD1 is intended to support the Governor's position.

In my recent experience involving the passage of Bill No. 2491 (Ordinance No. 960) on Kaua'i, I was informed that it takes the DOA sometimes two (2) or three (3) years to complete investigations of cases relating to pesticide drift. I was also informed that the surrounding public is not notified of this situation (that pesticide drift occurs in their neighborhood) until the investigator completes their investigation and only if the public requests said notification.

On October 8, 2013, the Honolulu Civil Beat reported the following, which is attached hereto for your reference:

1. "The State Department of Agriculture has only one employee assigned to review pesticide inspection reports and follow up on possible violations. And she says she hasn't gotten around to reviewing most reports in several years so there's been little if any action against pesticide misuse."
2. "The State Department of Health has no program in place to regularly test for pesticide contamination in the soil, air, or water. The sole position on Kaua'i that is supposed to monitor dust under pesticide regulations has been vacant for more than a year."
3. "The Environmental Health Specialist in the Agriculture Department's Pesticides Branch who is supposed to review pesticide inspection reports to determine whether there have been violations and if fines need to be levied. She told Civil Beat last week she's been able to review only a handful of reports in the past few years. She finished just seven of 72 investigations into possible violations on Kaua'i alone for 2011 and 2012. An overall tally of backlogged reports — either for inspections or public complaints — wasn't available, according to department officials."
4. "The department doesn't track general-use pesticides that are being sprayed throughout the State, about 75 percent of all of the pesticides sprayed, according to the Federal Environmental Protection Agency."

In addition, inspector logs provided by the DOA show that forty-three percent (43%) of the information was "redacted" and apparently under further investigation. The inspection logs also indicate that extensive users applying large amounts of RUP two hundred fifty (250) times or more per year are only being inspected on a minimal basis, perhaps seven (7) to twelve (12) times per year. A copy of the inspection logs are attached for your reference as well.

To properly address the concerns raised by the public, and in the interest of the public's health, safety, and welfare, it is of utmost importance that the appropriate staffing levels are committed and restored to properly regulate RUPs. An appropriation of five hundred fifty-five thousand dollars (\$555,000), which

Senator David Y. Ige & Committee Members
RE: SB 2110, SD1 Relating to the Regulation of Pesticides
February 12, 2014
Page 3

includes the cost of fringe benefits, supports an additional three (3) inspector positions for the Department of Agriculture.

In conclusion, I ask this Committee to support this appropriation as requested and work with the DOA, Department of Health and the Counties in partnership to properly address the health and environmental impacts that occur due to the intensive use of pesticides around our State.

For the reasons stated above, I respectfully request that the Committee approve this measure. Again, thank you for this opportunity to submit testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Hooser", written over a horizontal line.

GARY L. HOOSER
Councilmember, Kaua'i County Council

AB:mn
Attachment



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: acthalmann@gmail.com
Subject: Submitted testimony for SB2110 on Feb 13, 2014 09:30AM
Date: Thursday, February 13, 2014 7:48:17 AM

SB2110

Submitted on: 2/13/2014

Testimony for WAM on Feb 13, 2014 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
alison thalmann	Individual	Support	No

Comments: There needs to be more regulations on these pesticides, especially the RUPs..they are hurting our children, people, air, environment and animals. So sad. So disappointing. People making chemicals that hurt people. Needs to end. I am also an Occupational Therapy Assistant that worked closely with patients in the hospital. I want the best for them, and all of us here on beautiful Kauai. Cleaner ways to grow food, organically! We are getting sick and need answers! This Bill will force more strict regulations for us here on Kauai. Please pass this Bill. We need your help! Mahalo!! Sincerely, Alison Thalmann COTA/L

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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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: gentlewave@hawaii.rr.com
Subject: *Submitted testimony for SB2110 on Feb 13, 2014 09:30AM*
Date: Wednesday, February 12, 2014 9:46:30 AM

SB2110

Submitted on: 2/12/2014

Testimony for WAM on Feb 13, 2014 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
David Dinner	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: mambler2002@yahoo.com
Subject: Submitted testimony for SB2110 on Feb 13, 2014 09:30AM
Date: Thursday, February 13, 2014 9:20:43 AM

SB2110

Submitted on: 2/13/2014

Testimony for WAM on Feb 13, 2014 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Ambler	Individual	Support	No

Comments: I support the bill as ammended identifying funding source as the Pesticide Use Revolving Fund which will financially tie the new regulatory staff positions to the industry being regulated.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: paikoman@yahoo.com
Subject: Submitted testimony for SB2110 on Feb 13, 2014 09:30AM
Date: Thursday, February 13, 2014 5:53:52 AM

SB2110

Submitted on: 2/13/2014

Testimony for WAM on Feb 13, 2014 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Hallett	Individual	Support	No

Comments: STRONGLY SUPPORT!!!

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: davidsher@juno.com
Subject: Submitted testimony for SB2110 on Feb 13, 2014 09:30AM
Date: Wednesday, February 12, 2014 8:47:27 PM

SB2110

Submitted on: 2/12/2014

Testimony for WAM on Feb 13, 2014 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack	Individual	Support	No

Comments: I strongly support this bill that would provide for oversight of agricultural pesticide use in Hawaii. Help protect our communities and pass this bill. Mahalo!

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