

DAVID Y. IGE  
Governor

JOSH GREEN  
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER  
Acting Chairperson  
Board of Agriculture

State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF THE DEPARTMENT OF AGRICULTURE  
BEFORE THE HOUSE COMMITTEE ON JUDICIARY

FEBRUARY 12, 2019  
4:00 P.M.  
CONFERENCE ROOM 325

HOUSE BILL NO. 929 HD1  
RELATING TO PESTICIDE USE

Chairpersons Lee and Members of the Committee:

Thank you for the opportunity to testify on House Bill 929 HD1. This bill seeks to (1) require the department of agriculture to submit an annual report to the legislature detailing the scope of its pesticide inspections and compliance investigations, (2) require the issuance of a warning notice for first time pesticide violators, and (3) increase the penalties for pesticide violations. The Department provides comments.

The reporting from HDOA requires (1) the number of complaints received during previous years, including a brief description of the nature and location, (2) the number of compliance investigations conducted during the previous year, including the Department's findings, conclusions, and any enforcement action taken, (3) the number of inspections conducted during the previous year and outcome of inspections, and (4) the total number and type of violations found during the previous year, including the location for each pesticide use violation, and the active ingredient or product name involved in each pesticide use violation. The Department strongly supports transparency of all inspections and their outcomes. Quarterly reports to EPA summarize the first 3 items and these reports could be made available to the public. However, the detailed reporting in the 4<sup>th</sup> item is not how we currently maintain data and would require an overhaul of our current database or manual reporting from a staff member. Staff is already doing extra reporting requirements for Act 45, passed in 2018. This level of



reporting will put an additional workload level to a staff that will be stretched thinly performing the duties passed in Act 45, SLH 2018. We ask the committee to consider delaying this effort as we work to implement the large undertaking of Act 45, SLH 2018.

The bill also revises HRS 149A-41 requiring the issuance of a Warning Notice to all first-time violators. The Department already issues Warning Notices to the vast majority of first-time violators and needs to maintain the ability to consider mitigating circumstances and not issue a warning notice if there is insufficient evidence or other mitigating factors. Currently, in these circumstances, when the case development team is not able to prove the violations beyond any reasonable doubt but does have strong reason to believe a violation took place, or a violation took place but more than 5 years ago, the case developers will send an advisory letter. The Department opposes this part of the bill and feels that case development staff should use their expertise to determine if a warning notice is warranted.

The final part of the bill seeks to increase the penalties for pesticide violations. The Department strongly supports this portion of the bill. Currently, the Department begins issuing fines at the low end of the penalty scale. Most violators comply with enforcement action after one civil penalty. However, there are chronic violators who believe that a small penalty is just the “cost of doing business” and continue to repeatedly violate the Pesticides Law even after receiving the maximum allowable penalty. The Department currently refers these repeat violators to EPA to persuade the violators into compliance. However, EPA is not able to take all cases, and cases taken by EPA take substantially longer to resolve than the Department typically does due to the additional steps EPA needs to take. Because of this, the Department would rather keep these cases within the State. Additionally, any penalties received from the Department now go into the Pesticide Use Revolving fund which is used to support the education of farmers and other users of pesticides, as well as fund local environmental studies such as groundwater and surface water studies. The Department would use these funds to help educate farmers, pest control operators, and other users of pesticides on pesticide safety, laws, and rules.

Thank you for the opportunity to testify on this measure.

Love Life!



HB 929 HD1 RELATING TO PESTICIDES  
House Committee on Judiciary  
February 12, 2019, 4:00pm State Capitol

Corporate Office  
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kahului@downtoearth.org

Aloha Rep. Chris Lee, Chair, Rep. Joy A. San Buenaventura, Vice Chair, and Committee Members,

**Down to Earth Organic and Natural testifies in support of HB 929 HD 1.**

Down to Earth *Organic and Natural* has six locations on Oahu and Maui. Since we opened in 1977, we have supported healthy lifestyles and preservation of the environment by selling local, fresh, organic and natural food, and by promoting a vegetarian lifestyle.

The real and persistent danger that many pesticides pose to individual health, the development of our children, and the sustainability of our land cannot be denied, as we have witnessed through recent media reports and the conclusions of scientific studies. We often don't understand the impact of pesticides until after widespread use for many years, as they affect much more than just the crops they are intended for.

Better tracking, complaint documentation, and general oversight over pesticide use on our islands is imperative to provide a complete picture of the chemicals that are being used and their affects, as we all strive for a healthier environment and community.

Thank you for the opportunity to comment on this bill.

Alison Riggs  
Public Policy & Government Relations Manager  
Down to Earth

2525 S. King St., Suite 309  
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# HAWAII CROP IMPROVEMENT ASSOCIATION

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Executive Director  
Bennette Misalucha

## TESTIMONY FROM BENNETTE MISALUCHA, EXECUTIVE DIRECTOR

Comments on HB929  
RELATING TO PESTICIDES

HOUSE COMMITTEE ON JUDICIARY  
Tuesday, 02-12-19 4:00PM in House conference room 325

Chair Lee and Members of the Committee:

The Hawaii Crop Improvement Association (HCIA) has concerns regarding HB929 Relating to Pesticides.

In 2018 this Legislature passed SB3095 SD1 HB1 CD1 Relating to Environmental Protection, which was signed into law by Governor Ige as Act 45 (2018). The Department of Agriculture is in the process of completing the Chapter 91 rule-making process for implementation. Many community members throughout the State were allowed to participate and provide input in the rule-making process. We believe that that this legislature should allow the rule-making process to continue and allow the Department of Agriculture the ability to implement the rules without intervention. Passage of HB929 circumvents the rule-making process and goes beyond the intent of Act 45 (2018).

We strongly believe that the current rules should have an opportunity to work themselves out through the process before this Legislature steps in to further regulate.

Thank you for this opportunity to testify.

Respectfully,

Bennette Misalucha  
Executive Director, Hawaii Crop Improvement Association

*HCIA is a Hawaii-based non-profit organization that promotes modern agriculture to help farms and communities succeed. Through education, collaboration and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy economy.*





HAWAII

AMERICANS FOR DEMOCRATIC ACTION

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OFFICERS	DIRECTORS		MAILING ADDRESS
John Bickel, President	Melodie Aduja	Stephen O'Harrow	P.O. Box 23404
Alan Burdick, Vice President	Guy Archer	Chuck Huxel	Honolulu
Marsha Schweitzer, Treasurer	Juliet Begley	Jan Lubin	Hawai'i
96823			
Dylan Armstrong, Secretary	Gloria Borland	Jenny Nomura	

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Feb 10, 2018

TO: Honorable Chair Lee & JUD Committee Members

RE: HB 929 HD1 RELATING TO PESTICIDES.

Support for hearing on Feb. 12

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support HB 929 HD1 as it would ensure greater accountability and improve pesticide incident response. I would also deter future misuse by increasing penalties for pesticide use violations.

According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neuro-developmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the State's own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

Protect our health, support this bill.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President





**Chair Lee**  
**Vice Chair San Buenaventura**  
**House Committee on Judiciary**

**Tuesday, February 12, 2019**  
**4:00 PM**

**TESTIMONY IN SUPPORT OF HB929 HD1 RELATING TO PESTICIDES**

Aloha Chair Lee, Vice Chair San Buenaventura, Members of the House Committee on Judiciary,

My name is Jun Shin, and I serve as the Environmental Justice Action Committee Chair for the Young Progressives Demanding Action (YPDA). YPDA represents about 1,000 Hawai'i residents, mostly of Honolulu who seek to build a Hawai'i that is just, equitable, and sustainable. YPDA is in **support of HB929 HD1 relating to pesticides.**

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations. We need to insure that misuse doesn't happen.

YPDA is deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study that cite several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of

pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. YPDA is concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users. Our people and our environment need to be put over profit.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement. YPDA **supports HB929 HD1 and urges you to pass it through your committee.** Please continue to build on the progress we’ve made as a state when we passed Act 45 into law. Please protect our keiki, let’s make the world they’ll be growing up in safer for them.

Thank you for the opportunity to testify,

Jun Shin  
Environmental Justice Action Committee Chair  
Young Progressives Demanding Action (YPDA)  
1561 Kanunu St.  
Cell: 808-255-6663  
Email: junshinbusiness729@gmail.com



Testimony from Jeff Case, Senior Director Government Affairs, CropLife America

In opposition to HB 929 HD 1 – Relating to Pesticides

Tuesday, Feb. 12, 4 pm, room 325

House Committee on Judiciary

Aloha Chair Lee and members of the committee,

CropLife America (CLA) is the national association representing manufacturers, formulators, and distributors of pesticides products used in agriculture production. We support and promote scientific-based policy in the regulation of pesticide products at both the state and federal level.

While CLA would defer to the State Department of Agriculture (DOA) on their capacity to comply with the reporting mandates in HB 929, we are concerned that this would be burdensome and time consuming, and would take away valuable resources from the actual work needed to investigate and evaluate results.

We also believe and trust in the DOA and their staff to ensure public health and safety and especially the health and safety of farmers. But we are additionally concerned about the increase in fines and the potential for unintended consequences on small farmers. Farmers face a number of challenges and struggle economically to stay in business. We fear HB 929 is too heavy of a hammer on their livelihoods and their ability to address Hawaii's food security issues.

Thank you very much for your consideration.

**HB-929-HD-1**

Submitted on: 2/11/2019 8:07:55 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Koerner	Greener Hawaii	Support	No

Comments:

Pesticide use in itself is dangerous to our health and the health of our ecosystem. When used, pesticides must be contained to the target area and not pollute organic crops or innocent people, children, pets and wildlife who may pay with serious health damages. Please increase oversight and penalties when warranted.

Mahalo,

Diane Koerner, Steering Committee Member, Greener Hawaii

420 Molo St., Kapaa, HI 96746



**HB-929-HD-1**

Submitted on: 2/11/2019 3:25:56 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Reba O'Day	Birds With Arms Farms	Support	No

Comments:

As a Farmer in Maui, I ask that you support this bill.



## HB 929, HD 1, RELATING TO PESTICIDES

FEBRUARY 12, 2019 · HOUSE JUDICIARY  
COMMITTEE · CHAIR REP. CHRIS LEE

**POSITION:** Support.

**RATIONALE:** IMUAlliance supports HB 929, HD 1, relating to pesticides, which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations. Increases fines for pesticide use violations.

In the debate over regulating local agriculture, there is one thing that everyone should agree to condemn: causing harm to other people. Unfortunately, Hawai'i's pesticide code allows chemical abuse to go unchecked. Today, the State Department of Agriculture must warn pesticide abusers before investigating potential legal violations. A farm that fails to take caution when using harmful chemicals, then, may suffer no consequences for its actions, since the warning gives owners time to hide evidence of their crimes. Even when caught, chemical criminals face minimal penalties. State law currently grades pesticide abuse as a merely a misdemeanor offense, meaning farm operators who apply dangerous doses of chemicals face a maximum one-year prison sentence.

In the islands, pesticide abuse poses major health risks. According to an investigation conducted by the *Cascadia Times*, pesticide application by four large agrichemical companies on Kaua'i—Syngenta, BASF Plant Science, DuPont Pioneer, and Dow AgroSciences—is ten times the national average. In their report, *Cascadia* found that a number of restricted use pesticides were overused, including chlorpyrifos, atrazine, and paraquat. A study published in the medical journal *The Lancet Neurology*, in March of 2014, found that the neurotoxin chlorpyrifos led to developmental disabilities in children. Similarly, atrazine and paraquat are banned in the European Union. Atrazine is known to contaminate groundwater supplies, while

paraquat has been linked to the onset of Parkinson's disease. Yet, both herbicides remain widely popular in the United States, where the Environmental Protection Agency prematurely declared with “reasonable certainty” that neither carry a significant risk of harm.

Pesticide abuse is not limited to the outer islands. On O'ahu, IMUAlliance has provided services to cancer-stricken sprayers of restricted use pesticides, some of whom have are also victims of labor trafficking. Not only were our clients provided with little to no information about the health risks of pesticides placed in their hands, they were also not given equipment to protect themselves from harm. To protect against pesticide drift impacting sensitive educational areas and making children ill—as happened in 2007 at Kahuku High and Intermediate, in which a dozen students fell ill when a nearby sod farmer ignored windy weather while applying pesticides, and in 2008 in Waimea on Kaua'i, where dozens of students got sick after farmers applied pesticide on a nearby seed corn plot—it is incumbent upon lawmakers to pass legislation establishing buffer zones around schools from which the application of pesticides is restricted.

We urge local lawmakers to pass legislation eliminating warning notice requirements from the state's pesticide code, allowing investigators to probe allegations of noncompliance without tipping off their targets. Policymakers should simultaneously raise penalties for restricted use pesticide violations, crimes that often cause bodily harm and should not be excused simply because industrial chemicals are the culprit. Finally, elected officials should ensure that the DOA has the clear capability to refer pesticide violations to law enforcement. It's time we started prosecuting those who sacrifice people's health to personal profit.

Last year, elected officials passed SB 3095, banning chlorpyrifos and establishing increased disclosure requirements for pesticide applications. It is imperative that political leaders stand up for safety again during this year's legislative session, given recent court rulings curtailing county jurisdiction over pesticide use and land management. If you wait, our children will breathe in the fallout for generations to come.

**HB-929-HD-1**

Submitted on: 2/10/2019 2:23:20 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

There is no rational reason to pollute our own environment or destroy ecosystems.  
[www.WeAreOne.cc](http://www.WeAreOne.cc)

**HB-929-HD-1**

Submitted on: 2/11/2019 3:49:45 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



HAWAI'I  
CENTER FOR  
FOOD SAFETY

**House Committee on Judiciary**  
**Hawai'i Center for Food Safety strongly supports: HB929**

Dea Chair Lee, Vice-Chair Buenaventura, and members of the committee,

My name is Autumn Ness and I am the Co-Director of the Hawai'i Center for Food Safety. HCFS is a nationwide public interest, sustainable agriculture nonprofit organization whose mission centers on supporting the increase of sustainable local food production, and increasing public transparency in food production. We have over 1 million farmer and consumer members across the country, including nearing 10,000 in Hawai'i.

I am writing in support of HB 929, as I believe that Hawai'i Pesticide Law is sound and written in the interest of protecting our community from exposure, but that there are serious flaws in it's enforcement, resulting in the chronic misuse of pesticides.

HRS 149A-41(a) where it reads "Any person who violates this chapter or any rule issued under this chapter MAY upon first violation be issued a written warning notice" has been particularly problematic, and we fully support changing MAY to SHALL. This is important because the Department of Agriculture, Pesticides Branch, has been negligent on issuing notices of violation over the years, which has resulted in a general acceptance among many pesticide users, even our own State and County agencies, that violations of our existing pesticide law are not to be taken seriously.

I offer the following example:

**§149A-31 Prohibited acts.** No person shall:

(1) Use any pesticide in a manner inconsistent with its label

Commonly stated as "the label is the law."

Please see the attached Warning Notice issued by the Department of Agriculture, Pesticides Branch to the Hawaii Department of Transportation Highways Division, Maui District Office on September 3, 2015. The warning was issued to an employee of the DOT for applying pesticides "in a manner inconsistent with their label directions and in violation of Section 149A-31(1) of the





Hawai'i Pesticides Law.” You can see from the warning letter that the applicator sprayed Roundup and Element 3A along the Mokulele and Pi'ilani Highways, including an area adjacent to Kamali'i Elementary, and then left the area of application without taking measures to keep people or animals off of the treated area until the spray had dried.

The label requirements for both Roundup and Element 3A herbicides clearly state that people and pets must be kept off sprayed areas until dry. Failing to take measures to do so is a violation of the label requirements, and of Hawai'i Pesticide Law.

Since this warning notice was issued, I am aware of numerous complaints made to the Department of Agriculture Pesticides Branch, the Department of Transportation, and various County Public Works and Parks Departments, about pesticide application in public spaces, when the applicator did not take measures to keep people or animals off the treated area. In most of these cases, there has been little or no action taken by any of the offending agencies to amend their pesticide use, or by Department of Agriculture Pesticide Branch to enforce HRS **149A-31**. In fact, the regular practice of our County and State agencies to apply pesticides to a public roadway, park or other open space, and then leave the area is a chronic and regular violation of Hawai'i Pesticide Law.

Please note that violation of Hawai'i Pesticide Law may result in civil and/or criminal penalties, pursuant to HRS149A-41, and our State and County agencies are asking their hardworking staff to do just that, as part of their scope of work, on a daily basis.

Those same State and County agencies are using these pesticides in public spaces, in a manner inconsistent with labeling requirements, often setting the public up for exposure to Roundup, while a court recently awarded \$289 million to a gentleman for cancer linked to his Roundup exposure.



HAWAI'I  
CENTER FOR  
FOOD SAFETY

I am concerned that not only are we allowing our state and county agencies to expose the public to these pesticides, while clearly prohibited by our own pesticide law, but that we are also liable for claims from our own agency-employed applicators, and the public who is being exposed because of the Department of Agriculture's negligence in enforcing those laws.

Hawai'i Pesticide Law should be enforced uniformly and consistently. HB 929 will encourage just that. In changing the "may" to "shall," the DOA will be required to issue a warning notice when pesticide law is violated, and when written records exist we can identify the chronic violators of Hawai'i Pesticide Law. Raising the fine for chronic violators means that large-scale industrial agriculture and chemical companies are less likely to write it off as a "cost of doing business."

**In response to comments from the Department of Agriculture that the annual reporting requirements in HB929 would be too burdensome, in light of last year's passage of Act 45, the Hawai'i Center for Food Safety would support the removal of the annual report section, if the section 149A-41 about increased fines and warning notices is kept intact.**

Mahalo nui loa for your support.

Autumn Ness, Co-Director  
Center for Food Safety, Hawai'i Program

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
Pesticides Branch  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9401 Fax: (808) 973-9418

September 3, 2015

**WARNING NOTICE**

Certified Mail No. 7012 0470 0002 3965 6688  
Return Receipt Requested

Mr. Ferdinand Cajigal  
Hawaii Department of Transportation  
Highways Division  
Maui District Office  
650 Palapala Dr.  
Kahului, HI 96732

Dear Mr. Cajigal:

On May 22, 2015, Glen Fevella, an employee of the Hawaii Department of Transportation, Highways Division, Maui District Office, used the pesticides ROUNDUP PROMAX HERBICIDE (EPA Reg. No. 524-579) and ELEMENT 3A SPECIALTY HERBICIDE (EPA Reg. No. 62719-37) in a manner inconsistent with their label directions and in violation of Section 149A-31(1) of the Hawaii Pesticides Law. The following are the factual circumstances of the violations:

1. On May 22, 2015, Glen Fevella applied a tank mix dilution of ROUNDUP PROMAX HERBICIDE and ELEMENT 3A SPECIALTY HERBICIDE to guardrails and sign posts along Mokulele and Piilani Highway in Kihei, Hawaii. One of the application sites was adjacent to Kamalii Elementary School located at 180 Alanui Ke'ali'i Drive in Kihei, Hawaii. The area adjacent to the guardrails was being used for parking by visitors to Kamalii Elementary School where a school event was taking place this day.
2. After Glen Fevella and the spray crew left the area of application, no measures were taken to keep people or animals off the treated areas until the spray solutions had dried.
3. The ROUNDUP PROMAX HERBICIDE label states: "**DIRECTIONS FOR USE . . . Non-Agricultural Use Requirements . . . Keep people and pets off treated areas until spray solution has dried.**"

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DOT-HWY'S  
MAUI DISTRICT OFFICE  
2015 SEP -8 PM 2: 30



Mr. Ferdinand Cajigal  
September 3, 2015  
Page 2


4. The ELEMENT 3A SPECIALTY HERBICIDE label states: “**DIRECTIONS FOR USE . . . Non-Agricultural Use Requirements . . . Entry Restrictions for Non-WPS Uses:** For applications to non-cropland areas, do not allow entry into areas until sprays have dried, unless applicator and other handler PPE is worn.”
5. On May 22, 2015 Glen Fevella mixed 3.34 gallons of ROUNDUP PROMAX HERBICIDE and 2.8 gallons of ELEMENT 3A SPECIALTY HERBICIDE into 300 gallons of water. No agriculturally labeled non-ionic surfactant was used in the tank mix.
6. The ELEMENT 3A SPECIALTY HERBICIDE label states: “**Directions for Use . . . Application Methods . . .** Use an agriculturally labeled non-ionic surfactant for all foliar applications. . . .”

This warning notice is issued to you pursuant to Section 149A-41(a) of the Hawaii Pesticides Law. You should ascertain that any further use of the pesticides ROUNDUP PROMAX HERBICIDE and ELEMENT 3A SPECIALTY HERBICIDE is in full compliance with the provisions of the Hawaii Pesticides Law.

Any further violation of the provisions of the Hawaii Pesticides Law may result in administrative action (monetary fine), pursuant to Section 149A-41 of the Hawaii Pesticides Law. Any violation by persons who knowingly violate any provision of the Hawaii Pesticides Law may result in criminal action pursuant to Section 149A-41 of the Hawaii Pesticides Law.

If you have any questions, please call Victoria Matsumura at (808) 973-9405.

Sincerely,

  
THOMAS K. MATSUDA  
Pesticides Program Manager

TKM:vm  
[K:SOHDOTHDMD]

c: U. S. EPA, Region IX  
Ray McCormick, Highways Administration

**HB-929-HD-1**

Submitted on: 2/11/2019 5:17:28 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hanalei Fergerstrom	Na Kupuna Moku O Keawe	Support	No

Comments:

Na Kupuna supports all bill that caution on the side of the public when it come to use of pesticides in and around all public area. Hanalei Fergerstrom Spokesperson for Na Kupuna Moku O Keawe

**HB-929-HD-1**

Submitted on: 2/11/2019 5:24:20 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Helmut Klauer	A'a Li'i Farm	Support	No

Comments:



## sanbuenaventura2 - Kevin

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**From:** Nina Puhipau <pensandpencils@runbox.com>  
**Sent:** Tuesday, February 12, 2019 10:52 AM  
**To:** JUDtestimony  
**Subject:** SUPPORT HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

"Pesticides pose risks of short- and long- term illness to farmworkers and their families. Acute (immediate) health effects of pesticide exposure include rash, eye irritation, dizziness, nausea and vomiting, and headaches. More serious acute effects include difficulty breathing, seizures, loss of consciousness and death. Chronic (long-term) effects can result in cancer, neurological disorders, hormonal and reproductive health problems, birth defects and infertility. Even low levels of pesticide exposure over time can lead to these chronic health effects.

The U.S. Environmental Protection Agency (EPA) estimates that up to 3,000 farmworkers suffer acute pesticide poisoning every year through occupational exposures. A study of acute pesticide poisonings between 1998 and 2005 among farmworkers in the U.S. found that an average of 57.6 out of every 100,000 agricultural workers experience acute pesticide poisoning, illness or injury each year. However, for a variety of reasons, the number of pesticide poisonings among farmworkers is much larger than that actually reported. There is no national surveillance system for acute pesticide illness reporting and no surveillance system for tracking chronic illness related to pesticide exposure."

-FARMWORKERJUSTICE.ORG

"In light of these gaps in America's regulatory process, researchers at UC Davis and UCLA in Cancer and non-cancer health effects from food contaminant exposures for children and adults in California: a risk assessment conducted an analysis of the toxics children and adults are exposed to through a normal diet. Rainbow Vogt, Ph.D., lead author of the study published in the journal Environmental Health, explains, "We focused on children because early exposure can have long-term effects on disease outcomes."

Researchers performed their risk assessment by estimating exposure to food contaminants based on self-reported food frequency data for eleven toxic compounds- acrylamide, arsenic, lead, mercury, chlorpyrifos, permethrin, endosulfan, dieldrin, chlordane, DDE, and dioxin. Data was drawn from the 2007 Study of the Use of Products and Exposure-Related Behavior, which examines behaviors that influence exposure to toxicants in the home environment. Normal consumption patterns were then measured against established benchmarks for cancer risks and other non-cancer health risks.

Results of the study are of particular concern for parents with young children. Every child in the study exceeded the cancer benchmarks for arsenic, dieldrin, DDE and dioxin. Moreover, children exceeded the non-cancer and cancer benchmarks by a greater margin than adults for all compounds. In fact, preschool-age children (years 2-4) were significantly more likely to have higher dietary intakes relative to their body weight for acrylamide, lead, chlordane, dieldrin, DDE, and dioxins compared to older children (years 5-7). As co-author of the study, Irva Hertz-Picciotto, Ph.D. notes, "We need to be especially careful about children, because they tend to be more vulnerable to many of these chemicals and their effects on the developing brain." -BEYOND PESTICIDES.ORG

Points of Interest:

PESTICIDE ACTION NETWORK (aka PAN, North America) <http://www.panna.org/pesticides-big-picture/myths-facts>

<http://www.panna.org/blog/midwest-drift-catchers-are-ready-spring>

COMMUNITY ENVIRONMENTAL LEGAL DEFENSE FUND <https://celfd.org>

`E ola ka`āina, `e ola ke kanaka, `e ola ke kaiāulu, Nina Kai Puhipau

"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and She has more votes, a longer memory, and a sterner sense of justice than we do." -Wendell Berry



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## **House Judiciary Committee**

### **Hawaii Alliance for Progressive Action (HAPA) strongly supports: HB 929**

Tuesday, February 12, 2019, 4:00 p.m., Conference Room 325

Aloha Chair Lee, Vice Chair Buenaventura and Members of the Committee,

The Hawaii Alliance for Progressive Action (HAPA) is in strong support of SB 929 which will 1) require the department of agriculture to submit an annual report to the legislature detailing the scope of its pesticide inspections and compliance investigations; 2) require the issuance of a warning notice for first time pesticide violators; and 3) increase the penalties for pesticide violations.

HAPA is a statewide environmental, social and economic justice organization. We engage over 10,000 local residents annually through our work.

HAPA is committed to working to protect our communities and local environment from the impacts of pesticide drift. Over the last few years we have worked consistently on these efforts, focusing on areas surrounded by heavy pesticide use. We have seen the concern of families and watched as potential pesticide misuse complaints went unheard.

There is a need to establish a reliable investigation and reporting procedure around pesticide misuse incidents. We have seen first hand the lenient fines given to violators. These lenient fines perpetuate the lack of accountability and discourage changes that will lead to better practices that reduce misuse.

We are deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to

Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma.[1]

Additionally, the state sponsored Joint Fact Finding Study Group Report (JFFG), tasked with studying pesticide use by large agribusiness on Kauai cites several incidents of pesticides illegally migrating into our land, air and water on Kauai, yet a lack of sufficient data to determine how pesticides have migrated.[2] The JFFG makes several recommendations for greater oversight, data collection and more expedited review of drift complaints[3]. HB 929 will help the state implement recommendations from its own report.

The Waimea Canyon Middle School on Kauai was evacuated in 2006 and again in 2008 possibly due to pesticide drift. It is unacceptable that the framework was not in place for the immediate thorough investigation of this incident. In the JFFG the Waimea school incidents were highlighted as an example of why we need improved incident response practices.

While no investigation was immediately conducted the potential pesticide drift issue was largely dismissed by the DOA as a result of a toxin found in naturally occurring “stinkweed”. However, in Appendix 2 Attachment 7 of the JFFG the sequence of events surrounding the incidents and the Memo from Dr. Milton Clark, a former EPA official tasked with investigating pesticide violations, clearly suggests that the incidents were not caused by “stinkweed” but likely due to pesticide drift. According to Dr. Clark’s memo the air sampling in Waimea Canyon Middle School occurred two years after the poisoning incident.

Furthermore, no blood or urine sampling was taken at the time of the incident to determine causality. Due to the regulatory oversight on the part of the DOA no conclusive finding determining the cause of the poisoning could be attributed.[4] This kind of regulatory oversight is unacceptable and is one example of why communities have mobilized for years to demand greater protections.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting our communities and local environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. We are concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large-scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration. I urge you to support HB 929.

Respectfully,



Anne Frederick,  
Executive Director

---

[1] American Academy of Pediatrics, Pesticide Exposure in Children, December 2012, vol. 130, issue 6.

[2] <https://jffkauai.files.wordpress.com/2015/10/jff-kauai-final-report1.pdf>

[3] *ibid.*

[4] *ibid.*

**HB-929-HD-1**

Submitted on: 2/11/2019 11:19:13 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dale Sandlin	Hawaii Cattlemens Council	Oppose	No

Comments:





P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 12, 2019

HEARING BEFORE THE  
HOUSE COMMITTEE ON JUDICIARY

**TESTIMONY ON HB 929, HD1**  
RELATING TO PESTICIDES

Room 325  
4:00 PM

Aloha Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

**The Hawaii Farm Bureau opposes HB 929, HD1**, which would require the department of agriculture to submit a detailed annual report to the legislature on each of its pesticide inspections and compliance investigations; require the issuance of a warning notice for first time pesticide violators; and increase the penalties for pesticide violations.

HFB is concerned that this bill will be counterproductive to the goals of an efficient and effective pesticide regulatory program. We agree that timely and routine inspections and compliance investigations are an important component of enforcement of the very stringent federal and state pesticide laws and regulations. In fact, in the last few years, the department of agriculture pesticide branch has worked diligently to fill its open staff positions and eliminate the backlog of enforcement cases. Pesticide use complaints are investigated promptly, and violations are addressed appropriately.

HFB believes that in order to ensure that public health is protected from improper pesticide use, the department's focus should continue to be on prevention through outreach, education, and enforcement rather than further administrative paperwork burdens that take staff time away from compliance investigations, inspections, and training.

HFB is opposed to random significant increases in administrative (2 and 5 times current amounts) and criminal penalty amounts, because misuse in the islands is generally not intentional so higher fines are unlikely to result in fewer violations. Again, if the goal is to

ensure compliance with pesticide laws and regulations, more outreach and education is critical. After-the-fact penalties for unintentional misuse will not have the desired deterrent effect.

We hope you will take our concerns into consideration as you deliberate on this bill. Thank you very much for your support of Hawaii's farmers and ranchers.



**WPHA**  
Western Plant Health Association

**LATE**

February 12, 2019

The Honorable Chris Lee  
Chair, House Committee on Judiciary  
Hawaii State Capitol, Rm. 325  
Honolulu, HI 96813

**Re: HB 929, HD1 – Relating to Pesticides**

Dear Chair Lee:

On behalf of the Western Plant Health Association (WPHA), I am writing to express our **opposition** to HB 929, HD1, which would increase fines for pesticide violations. WPHA represents the interests of fertilizer and pesticide manufacturers, agricultural biotechnology providers, and agricultural retailers in Hawaii, California, and Arizona.

WPHA appreciates the author's interest in assuring the safe use of pesticides to protect the public and environment. We understand that while the intent of the bill is that by increasing fines for pesticide violations, growers and applicators will be more attentive in their use of pesticides. However, we believe this bill is unnecessary and will result in higher costs to farmers.

HB 929, HD1 would require the issuance of a warning notice for first time violators as well as dramatically increasing fines for pesticide violations, including increasing potential fines for misdemeanors to \$35,000. WPHA is concerned that requiring the Hawaii Department of Agriculture (HDOA) to issue warning notices for any first-time violation will result in fewer individuals contacting HDOA for guidance on the use of a product. We believe that one of the strengths of regulatory agencies like HDOA is their ability to act as an educational tool for the regulated community. If growers believe they could be putting themselves at risk of being cited or being placed on a "list" for a warning notice, they will be less willing to reach out for the educational expertise that HDOA can provide.

HB 929, HD1 will also increase the maximum fines for any pesticide violation. WPHA could understand the rationale for increased fines there were any indicators of a growing trend of violations by applicators or agricultural users. WPHA is unaware of any increase in the number of violations by agricultural users, or failures by growers or applicators to observe pesticide rules. WPHA is opposed to increasing fines without a justification of need. We believe increasing fines without a demonstration of need sends a false message about compliance by growers and applicators of pesticide use rules. For these reasons we ask that you vote **no** on HB 929, HD1. WPHA thanks you for your consideration of our comments and welcomes any questions you may have.

Sincerely,

Renee Pinel  
President/CEO

**HB-929-HD-1**

Submitted on: 2/10/2019 9:20:42 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dawn Morais Webster Ph.D.	Individual	Support	Yes

Comments:

Without effective reporting requirements and without enforcement of fines to hold companies accountable, the scourge of indiscriminate pesticide application and drift to the detriment of the land and its people will continue. Please move this bill forward so we can protect our people, the air we breathe, and the land we depend on for our food. Thank you for taking action to address pesticide drift and its harmful effects.

**HB-929-HD-1**

Submitted on: 2/8/2019 5:52:03 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/9/2019 5:02:04 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sherry Pollack	Individual	Support	No

Comments:

I am very concerned with the effects long-term pesticide application and pesticide drift are having on our children, farmworkers, and communities. Better tracking, complaint documentation, and general oversight over pesticide use on our islands is needed to provide a complete picture of the chemicals that are being used and their affects. This bill is a move in the right direction. Thank you for hearing this important bill and please support it!

**HB-929-HD-1**

Submitted on: 2/10/2019 6:40:04 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Klayton Kubo	Individual	Support	No

Comments:

Aloha,

Can you consider making HB929 into higher fines for violators only. Because the department of agriculture has a higher work load because of Act 45. Please consider this. Mahalo Klayton Kubo Waimea, Kaua'i

**HB-929-HD-1**

Submitted on: 2/10/2019 8:10:29 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dave Kisor	Individual	Support	No

Comments:

Big corporations are accustomed to agreeing to pay a fine, which is a joke, albeit not a very good one. If we do something to get fined, we get hammered, but they get away with most of that. If they want to be a person, then they should get hammered, just like us. As for reporting, those requirements should come down to the part per billion and there should be weather stations and particulate collection points all throughout the reporting area. The weather station / collection points should be connected to an alarm to let schools, hospitals and other facilities know they are about to be poisoned.



**HB-929-HD-1**

Submitted on: 2/10/2019 7:39:50 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
denise woods	Individual	Support	No

Comments:

Aloha,

Please support this bill, in this day and age we cannot be irresponsible about inadvertently poisoning people. We have the responsibility to protect our children, and in fact, the lives and health of all our population.

Thank You,

Denise Woods , RN

Kauai

**HB-929-HD-1**

Submitted on: 2/10/2019 10:00:56 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden	Individual	Support	No

Comments:

Aloha legislators,

Please vote to prevent pesticide drift and other abuses!

mahalo,

Cory Harden, Hilo

**HB-929-HD-1**

Submitted on: 2/10/2019 10:01:38 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glennie	Individual	Support	No

Comments:

aloha,

i've been active in hawaii's ag industry for over 30 years.

it's unhealthy and unfair to allow the spread of potentially deadly pesticides to areas where they are not being specifically used. it's worse to use them at all when there are less toxic alternatives to treating ag and landscape pests.

Mahalo for supporting this bill. sincerely,

janice palma-glennie

kailua-kona

**HB-929-HD-1**

Submitted on: 2/11/2019 12:00:02 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B.A. McClintock	Individual	Support	No

Comments:

There are too many incidences of pesticide drift harming people down wind. Too many times have we seen schools being evacuated and people sent to hospitals. This is a common sense bill. Please support.

**HB-929-HD-1**

Submitted on: 2/10/2019 10:31:25 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Aitken	Individual	Support	No

Comments:

I support HB929 Relating to Pesticides. Strict oversight of poisons is a crucial issue.

**HB-929-HD-1**

Submitted on: 2/11/2019 1:04:01 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suellen Barton	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 1:33:46 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kim Coco Iwamoto	Individual	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura and Members of the Committee,

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "cost of doing business", especially for large scale pesticide users. The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration,

Kim Coco Iwamoto





**HB-929-HD-1**

Submitted on: 2/11/2019 3:04:09 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Berrett	Individual	Support	No

Comments:

Aloha,

Responsible use of Ag chemicals of all types must be assured. Please legislate accordingly.

Mahalo,

Richard Berrett

**HB-929-HD-1**

Submitted on: 2/11/2019 7:24:05 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
alex beers	Individual	Support	No

Comments:

To whom it may concern,

We absolutely need this bill to pass. I am in strong support of HB929 HD1.

Mahalo,

Alex Beers

20 Kaikai st.

Wailuku, HI

96793

**HB-929-HD-1**

Submitted on: 2/11/2019 9:24:06 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Culbertson	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 9:26:18 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sunny Savage-Luskin	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 10:19:07 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nathan Yuen	Individual	Support	No

Comments:

Dear Chair Lee, Vice Chair San Buenaventura and members of the House Committee on Agriculture,

I strongly support HB929 which requires the Department of Agriculture to provide annual reports on pesticide inspection and compliance, and increases fines for pesticide use violations.

The long term effects of prolonged pesticide use and drift to schools is damaging to our children. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Nathan Yuen

**HB-929-HD-1**

Submitted on: 2/11/2019 10:29:14 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John NAYLOR	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 11:04:43 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Wildberger	Individual	Support	No

Comments:

A report listing all pesticide violations is a start



**HB-929-HD-1**

Submitted on: 2/11/2019 11:05:44 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Support	No

Comments:

Please Support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

35 year Hawai'i resident very concerned about the massive & sloppy use of pesticides in Hawai'i - ESPECIALLY by large corporate users who care more about shareholders bottomline than the toxic legacy they are leaving us & our kids. We need to start taking this very seriously!

**HB-929-HD-1**

Submitted on: 2/11/2019 10:27:19 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hattie Gerrish	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 11:42:22 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion McHenry	Individual	Support	No

Comments:

I strongly support this bill.

**HB-929-HD-1**

Submitted on: 2/11/2019 11:28:55 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Stover	Individual	Support	No

**Comments:**

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled “Pesticide Exposure in Children,” children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

**HB-929-HD-1**

Submitted on: 2/11/2019 12:01:53 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle K.	Individual	Support	No

Comments:

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

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Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

**HB-929-HD-1**

Submitted on: 2/11/2019 12:48:32 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marjorie erway	Individual	Support	No

Comments:

Pesticide drift simply must NOT happen. Please vote YES on this bill to increase fines and make reporting requirements demanding.

Mahalo for your consideraiton.

**HB-929-HD-1**

Submitted on: 2/11/2019 12:51:17 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

**HB-929-HD-1**

Submitted on: 2/11/2019 12:52:36 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann Strong	Individual	Support	No

Comments:

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.



**HB-929-HD-1**

Submitted on: 2/11/2019 1:11:39 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
K. McGlone	Individual	Support	No

Comments:

Support. More needs to be done to protect the public's health related to these harmful chemicals.

**HB-929-HD-1**

Submitted on: 2/11/2019 1:55:35 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Barry	Individual	Support	No

Comments:

Aloha Lawmakers,

I strongly support this Bill. We cannot gamble with the health of humand, especially the youngest and most vulnerable of our families.

Mahalo,

Ms. Barbara Barry

**HB-929-HD-1**

Submitted on: 2/11/2019 2:25:35 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alison Lewis	Individual	Support	No

Comments:

I live in Hanapepe, Kaua'i, and I support HB 929. I have many neices, nephews, and cousins in Waimea and Kekaha. These towns are surrounded by crown lands that have been rented out to big Agriculture corporations, by DLNR. The people are directly affected by the use of pesticides by "big Ag." Whenever spraying happens, many people experience headaches and shortness of breath, and sometimes even dizziness and fainting. I feel ALL laboratory-made pesticides should be banned, and that only natural deterrents like mint oil, clove oil, and geranium oil should be used to discourage insects from eating crops.

Until such legislation can finally be passed, which would outlaw the use of lab-made chemicals as pesticides, I fully support HB 929, which at least attempts to mitigate the effects of these horrible pesticides on the community.

Alison Lewis

**HB-929-HD-1**

Submitted on: 2/11/2019 2:02:43 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elif Beall	Individual	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

My name is Elif Beall. I am an attorney and concerned citizen on Kauai. I'm writing to express my strong support for HB929, which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations. These are small, but important steps.

I am deeply concerned with the effects long-term pesticide application and possible pesticide drift are having on our communities and the natural systems of Hawai'i. The push back against regulation has mostly been based on "there is no proof of harm." Yet, all efforts at collecting data to provide the foundation for future legislation has been resisted. This Bill is an important data gathering tool.

There are numerous, well-regarded long terms studies that have looked at pesticide exposure risks related to Agriculture. The important study published in October 2018 by leading toxics experts provides an up-to-date review of the science available on risks to children from low-level prenatal exposures to the full class of organophosphate pesticides. These experts found that exposure to organophosphate pesticides, even at low levels previously considered safe, can lead to cognitive problems in children, like reduced IQ, developmental delays and increased risk of learning disabilities. (I was not able to attach the study to my testimony, but it can be found at: <https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002671> )

According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma.

Additionally, the state-funded Kauai Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Elif Beall  
Kilauea, Hawaii

**HB-929-HD-1**

Submitted on: 2/11/2019 4:09:00 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ramona Hussey	Individual	Support	No

Comments:

I fully support HB929 to provide data and information about pesticide use. Data is important for making any future decisions on pesticide use in our islands.

**sanbuenaventura2 - Kevin**

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**From:** Me D <xi.su@live.com>  
**Sent:** Monday, February 11, 2019 10:49 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Dear Committee Members:

Honestly, this bill simply makes sense. Pesticides for one crop kill plants in a neighbor's field; pesticides in the lungs of our keiki and our kupuna, not to mention the lungs of people who are struggling and facing health issues, is a health issue that could easily be mitigated by the provisions of this bill. Please pass HB929 and support the residents of Hawaii.

Susan Dils  
Lahaina resident

## sanbuenaventura2 - Kevin

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**From:** Chauncey & Nikki <mauibrownfamily@gmail.com>  
**Sent:** Monday, February 11, 2019 10:50 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

Please support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Nikki Brown, Kihei

Sent from my iPhone



## sanbuenaventura2 - Kevin

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**From:** Jonathan Boyne <boyne@hawaii.edu>  
**Sent:** Monday, February 11, 2019 10:52 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

I work in child mental health and see many children with ADHD and autism, conditions which pesticide exposure has been proven to cause.

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities.

According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma.

Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Sincerely,

Jonathan Boyne

## sanbuenaventura2 - Kevin

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**From:** Lorna Cummings Poe <1bagpoe@gmail.com>  
**Sent:** Monday, February 11, 2019 11:21 AM  
**To:** AGRtestimony; JUDtestimony  
**Subject:** "Testimony in SUPPORT of HB 929"

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,  
*Aloha, my name is Lorna Cummings Poe. I reside on the westside of Kaua'i Island. I am asking that you please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection, compliance investigations, and increases fines for pesticide use violations. The people on the island of Kaua'i have been asking for your concern with respect to a very serious need to protect the health of island residents being at risk from pesticide spray. Many states have successfully moved toward enforcement of this critical need.*

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Lorna Cummings Poe  
Hanapepe, Kaua'i

## sanbuenaventura2 - Kevin

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**From:** Lorraine Zane <kulazane@hawaii.rr.com>  
**Sent:** Monday, February 11, 2019 1:29 PM  
**To:** JUDtestimony  
**Cc:** Lorraine Zane  
**Subject:** Support of HB929

HB 929 will provide greater accountability around pesticide drift incidents, by ensuring timely reporting and deter future misuse by increasing penalties for pesticide use violations.

HB 929 will:

1. Require the department of agriculture to submit an annual report to the legislature detailing the scope of its pesticide inspections and compliance investigations;
2. Require the issuance of a warning notice for first time pesticide violators; and
3. Increase the penalties for pesticide violations.

Violations of pesticide laws, especially by large-scale regular users of Restricted Use Pesticides, should be timely and thoroughly investigated and reported on. This applies not only to agriculture, but any violation of pesticide laws by applicators whether that includes roadside spraying, sports fields, etc.

When major violations occur that do or could impact our keiki and communities there should be an appropriately high price to pay. Fines should not be so low that they are considered a “cost of doing business”.

The deadline for testimony is today at 4:00pm (late testimony is also accepted). Email testimony to: [JUDtestimony@capitol.hawaii.gov](mailto:JUDtestimony@capitol.hawaii.gov)

### SAMPLE TESTIMONY

Subject line: “Testimony in SUPPORT of HB 929”

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

[Please include an introduction that says who you are, where you are from and why this matters to you specifically, especially if you or your community have been impacted by drift. Feel free to customize the following sample testimony as you see fit.]

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled “Pesticide Exposure in Children,” children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,

Lorraine Zane,

Kula, Maui, Hawaii

## sanbuenaventura2 - Kevin

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**From:** HWC <alana@hanaweddingco.com>  
**Sent:** Monday, February 11, 2019 1:41 PM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

Please support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Alana Ross  
Hana

Sent from my iPhone

## sanbuenaventura2 - Kevin

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**From:** sharon willeford / Live Peace Hawaii <slwsurfing@gmail.com>  
**Sent:** Monday, February 11, 2019 1:42 PM  
**To:** JUDtestimony  
**Subject:** Support HB 929

HB 929 will provide greater accountability around pesticide drift incidents, by ensuring timely reporting and deter future misuse by increasing penalties for pesticide use violations.

HB 929 will:

1. Require the department of agriculture to submit an annual report to the legislature detailing the scope of its pesticide inspections and compliance investigations;
2. Require the issuance of a warning notice for first time pesticide violators; and
3. Increase the penalties for pesticide violations.

Violations of pesticide laws, especially by large-scale regular users of Restricted Use Pesticides, should be timely and thoroughly investigated and reported on. This applies not only to agriculture, but any violation of pesticide laws by applicators whether that includes roadside spraying, sports fields, etc.

When major violations occur that do or could impact our keiki and communities there should be an appropriately high price to pay. Fines should not be so low that they are considered a "cost of doing business".

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee:

As a 'victim' Of Organophosphate/ pestiCIDE Poisoning I know the PAIN and suffering of a healthy life interrupted !!!

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Sharon Willeford  
Kailua-Kona, Hawai’i

Together, we can protect our communities and Hawai’i’s precious land and waters.

**HB-929-HD-1**

Submitted on: 2/11/2019 9:52:04 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Acasio	Individual	Support	No

Comments:



**HB-929-HD-1**

Submitted on: 2/12/2019 9:19:05 AM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raymond Catania	Individual	Support	No

Comments:

Aloha Chair and Committee members,

I strongly support HB929. As a resident of Kauai I'm very concerned about pesticide drift and disclosure to protect our communities that are close to the farms that are being sprayed.

mahalo,

Raymond Catania 4215 Kole Place Puhi may11nineteen71@gmail.com

**HB-929-HD-1**

Submitted on: 2/12/2019 4:03:48 PM

Testimony for JUD on 2/12/2019 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy Arbeit	Individual	Support	No

Comments:

This one's a no brainer. Of course we don't want pesticide drift. And those who violate this concept deserve to be fined heavily to the point that it exceeds the normal cost of doing business.

## sanbuenaventura2 - Kevin

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**From:** Laura Ramirez <lauraramirez87@hotmail.com>  
**Sent:** Tuesday, February 12, 2019 8:33 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

I am the aunty of a 2 year old who lives next to Kuhio highway, daily walks the bike path, and attends Keiki Steps at Kapa'a Elementary School. It is frightening to know that he could be poisoned by pesticides in so many ways by roadside spraying and regular maintenance at the parks and fields and playgrounds where he lives, plays, and learns.

Please support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Laura Ramirez and the Bettencourt family  
Kapa'a, Kauai

## sanbuenaventura2 - Kevin

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**From:** Karen Shishido <kshishido02@yahoo.com>  
**Sent:** Monday, February 11, 2019 8:45 PM  
**To:** JUDtestimony  
**Subject:** Strong support for HB929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

My name is Karen Shishido and I am a resident of Honolulu, and someone who is passionate about sustainable agriculture, environmental and public health and protecting our 'aina. Recently I was at Queens Medical Center for a procedure and in making conversation my ultrasound technician mentioned she recently came back from working at a Molokai clinic. She said she has, in her work, encountered so many grade-school aged children on Molokai who have thyroid abnormalities and nodules, at a rate much higher than would be expected in a normal population. Her theory? I quote... **"I think it's the pesticides."** It's not the first time I, or many members of this committee and other testifies have heard this type of anecdote. No long term, scientifically rigorous studies are available to study what's happening in hawaii. However the current bill contains only common sense measures, and unless we act, I fear that our children and vulnerable populations will continue to pay the price.

I urge you to support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Above I shared a disturbing personal anecdote on potential impacts on thyroid disease. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Karen Shishido

## sanbuenaventura2 - Kevin

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**From:** Erika Lechuga Disalvo <erika.lechugadisalvo@gmail.com>  
**Sent:** Monday, February 11, 2019 6:59 PM  
**To:** JUDtestimony  
**Subject:** Fwd: HB 929

- >
- > Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,
- >
- >
- > My name is Erika Lechuga DiSalvo and I live in Haiku Maui.
- >
- > I recently (2 weeks ago or so) witnessed spraying of round up along my road in Haiku by DOT (I believe but not sure- the truck was a state or county vehicle). I know that it was round up because I stopped and asked the man spraying. Directly below the area is a steam and pasture where cows graze. We know that glyphosate is dangerous and poisonous. In addition, many kupuna walk here. Our water, animals and all people should not be exposed to this type of spraying of toxic chemicals.
- >
- > Please support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.
- >
- > I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.
- >
- > The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.
- >
- > Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.
- >
- > When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.
- >
- > The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.
- >

> Thank you for your consideration! I urge you to support HB 929.

>

> Mahalo,

> Erika Lechuga DiSalvo

> Haiku Maui

>

## sanbuenaventura2 - Kevin

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**From:** Tlloc Tokuda <tllocct@hotmail.com>  
**Sent:** Monday, February 11, 2019 3:01 PM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

My name is Tlloc Tokuda, i live on the Big Island, i belong to HAPA and 350HI. I have been in the fight to get GMOs out of Hawaii. There are powerful economic, political and other interest that maintains the status quo in keeping GMO on island. This is not healthy for our population, our aina, and our economy in the long term.

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, communities and aina. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business and collateral damage", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929. I would like a letter from any of the members of the committee that vote against HB929, explaining why they do not support HB929.

Mahalo,  
Tlloc Tokuda  
Kailua Kona, 96740



## sanbuenaventura2 - Kevin

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**From:** donovan cabebe <donovan\_cabebe@yahoo.com>  
**Sent:** Monday, February 11, 2019 1:49 PM  
**To:** JUDtestimony  
**Subject:** estimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

My name is Donovan cabebe. I live on kauai and am very concerned that our children are at risk. Please support HB929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Donovan cabebe, Kilauea, kauai.

[Sent from Yahoo Mail on Android](#)

**sanbuenaventura2 - Kevin**

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**From:** Marty Martins <mauimanokane@gmail.com>  
**Sent:** Wednesday, February 13, 2019 9:51 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Please support HB929 which requires the Dept. of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift on us, but especially our keiki.

Stop bowing to the Big Ag lobbyists and protect the people who sent you there.

Respectfully,  
Marty Martins  
Kīhei

**sanbuenaventura2 - Kevin**

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**From:** John Teschner <johnteschner@gmail.com>  
**Sent:** Tuesday, February 12, 2019 9:22 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha,

I lived on Kauai and have friends in Waimea who have been affected by pesticide drift. Like thousands of others on Kauai, I have seen the health impacts of excessive pesticide use.

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

Sincerely,  
John Teschner

PO Box 449  
Anahola, HI 96703

## sanbuenaventura2 - Kevin

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**From:** nihipalim001@hawaii.rr.com  
**Sent:** Monday, February 11, 2019 8:36 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

*I live in Hauula and I am very concerned about pesticide drift.*

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,

Michele Nihipali  
54-074 A Kam Hwy.  
Hauula, HI 96717

## sanbuenaventura2 - Kevin

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**From:** fern@hapahi.org  
**Sent:** Monday, February 11, 2019 8:21 PM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Fern, Kapahi

### **Fern Ānuenue Holland BSc.**

Marine Biologist & Environmental Scientist  
Hawai'i Alliance for Progressive Action Program Associate  
Kapa'a Kaua'i Hawai'i  
Ph: (808) 634-6242

## sanbuenaventura2 - Kevin

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**From:** Maria Walker <maria.makaleha@gmail.com>  
**Sent:** Monday, February 11, 2019 8:13 PM  
**To:** JUDtestimony  
**Subject:** Support for HB 929

Aloha Committee Members,

I am a Kaua'i resident and our family keeps 16 beehives on the east side of our island. We strongly support HB 929 because our island has experienced many impacts over the years from pesticide and herbicide drift, and we have not seen any meaningful consequences thus far for the companies making use of substances. Serious birth defects and many unusual forms of cancer are commonplace here in the areas adjacent to the large tracts of ag land that are sprayed frequently. There needs to be real consequences for these dangerous occurrences of drift, and the penalties should be raised to reflect the seriousness of the effects on the victims.

I also support the bill's establishment of an annual report to the legislature so that our elected officials can be kept aware of the level of oversight and enforcement in their home districts.

Please support this important bill, and help to implement the important recommendations of the Joint Fact Finding Group, which still have not been acted upon.

Mahalo for hearing my testimony,

Maria Walker  
PO Box 33,  
Kapa'a, Hi 96746  
(808) 821 0732

## sanbuenaventura2 - Kevin

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**From:** Nicole Busto <maunutritionaltherapy@gmail.com>  
**Sent:** Monday, February 11, 2019 6:00 PM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable "a cost of doing business", especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture's increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Nicole Busto  
Kula, Maui

Maui Nutritional Therapy  
Nicole Busto NTP, CGP  
808-463-7783

## sanbuenaventura2 - Kevin

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**From:** J. D. <jdecosta820@gmail.com>  
**Sent:** Monday, February 11, 2019 3:35 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of HB 929



[20190204\\_115543.jpg](#)

Aloha Chair Lee, Vice Chair San Buenaventura and Members of the Committee,

My name is Jennifer De Costa, I was born and raised in Hawaii and plan on retiring in Hawaii as well. Graduating from the University of Hawaii in Theater and Dance, I had a good childhood growing up near the sugar cane fields. At our house in Aiea, the air was fresh, clean and our back yard was just across the acres and acres of cane fields. Fresh water canals surrounded the fields and the cane workers let us play in the fields; where there was scant risk of poison from long-term pesticides and drifts.

My daughter now lives here with her family, and along with the exhaust from so many cars on the roads, there is also much long-term pesticide drift, which is of much concern to us. She has a two-year old son, who was born in California. She has moved back to Hawaii, where she was born. She too notices the pesticide drift and is concerned about the risk to her son of neurodevelopmental disabilities.

He speaks in complete sentences, using a huge vocabulary for a two-year old. What the damage could be in the next few years if he is continually exposed to the poison from pesticides is revealed in recent reports and they are frightening. If what the several studies that have been done on this issue are correct, HB 929 could help regulate pesticides illegally migrating into our land, air, and water. Enforcement of existing regulation is critical as well to protect the communities not only in agriculture, but to all pesticide misuse during roadside, sports fields, and other location spraying.

Please support HB 929. After all, protecting the land is part of Hawaii's motto: "The life of the land is perpetuated in righteousness."

Regards,

Jennifer De Costa

Writer/Producer/Director

Meet the Grandson: Cody Mustard in Kalihi, with his Superman Boots! Behind him is the clean fresh air all children should be able to breathe.





## sanbuenaventura2 - Kevin

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**From:** Mary Lacques <hokuokekai50@msn.com>  
**Sent:** Monday, February 11, 2019 3:07 PM  
**To:** JUDtestimony  
**Subject:** Testimony in STRONG SUPPORT of HB 929

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee,

I am submitting testimony in strong support of HB 929 from Hale'iwa, where our town and schools are situated in close proximity to large agri-chemical and conventional farming operations.

I see HB 929 as legislation that simply strengthens and defines reporting procedures concerning pesticide misuse incidents as recommended in the state sponsored Joint Fact Finding Study Group Report.

The improved incident response practices to pesticide misuse with increases in fines for pesticide use violations, and requiring the Department of Agriculture to provide annual reports regarding compliance with investigations would help increase public confidence across the state.

Mahalo for your consideration and I urge you to support HB 929,

Mary Lacques

Hale'iwa



## sanbuenaventura2 - Kevin

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**From:** sharon willeford / Live Peace Hawaii <slwsurfing@gmail.com>  
**Sent:** Monday, February 11, 2019 1:42 PM  
**To:** JUDtestimony  
**Subject:** Support HB 929

HB 929 will provide greater accountability around pesticide drift incidents, by ensuring timely reporting and deter future misuse by increasing penalties for pesticide use violations.

HB 929 will:

1. Require the department of agriculture to submit an annual report to the legislature detailing the scope of its pesticide inspections and compliance investigations;
2. Require the issuance of a warning notice for first time pesticide violators; and
3. Increase the penalties for pesticide violations.

Violations of pesticide laws, especially by large-scale regular users of Restricted Use Pesticides, should be timely and thoroughly investigated and reported on. This applies not only to agriculture, but any violation of pesticide laws by applicators whether that includes roadside spraying, sports fields, etc.

When major violations occur that do or could impact our keiki and communities there should be an appropriately high price to pay. Fines should not be so low that they are considered a "cost of doing business".

Aloha Chair Lee, Vice Chair San Buenaventura and members of the committee:

As a 'victim' Of Organophosphate/ pestiCIDE Poisoning I know the PAIN and suffering of a healthy life interrupted !!!

Please support HB 929 which requires Department of Agriculture to provide annual reports on pesticide inspection and compliance investigations, and increases fines for pesticide use violations.

I am deeply concerned with the effects long-term pesticide application and pesticide drift are having on our keiki, and communities. According to a 2012 report by the American Academy of Pediatrics (AAP) entitled "Pesticide Exposure in Children," children exposed to chronic, low-level exposure to Restricted Use Pesticides are at a risk of neurodevelopmental disabilities like autism and ADHD, as well as leukemia and asthma. Additionally, the states own Joint Fact Finding Group Study cites several incidents of pesticides illegally migrating into our land, air and water just on Kauai alone.

The Joint Fact Finding Group Report also makes several recommendations for greater oversight, data collection and more expedited review of drift complaints. HB 929 will help the state implement recommendations from its own report.

Enforcement of existing regulations relating to pesticide misuse is crucial to protecting communities and our environment. Timely, routine inspections and compliance investigations relating to the misuse of pesticides are also crucial to protecting the public and ensuring public confidence in the state oversight of pesticide use. This applies not only to agriculture but to any pesticide misuse whether it be during roadside spraying, on sports fields or elsewhere.

When violations occur, fines should be appropriately set to deter future misuse. I am concerned that these fines at their current levels represent an acceptable “a cost of doing business”, especially for large scale pesticide users.

The fees that are collected through violations can serve as a source of revenue to support the Department of Agriculture’s increased capacity for oversight and enforcement.

Thank you for your consideration! I urge you to support HB 929.

Mahalo,  
Sharon Willeford  
Kailua-Kona, Hawai’i

Together, we can protect our communities and Hawai’i’s precious land and waters.