



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB 2617
RELATING TO VEGETATIVE BURNING**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 2/28/2022

Room Number: Videoconference

1 **Fiscal Implications:** There are probable economic and operational impacts on local farm
2 businesses throughout the State of Hawaii.

3 **Department Testimony:** The Department of Health (Department) offers comments on this
4 measure that proposes to prohibit permits for the burning of green waste in residential areas or
5 within one thousand feet of a residential property. Our comments are as follows:

6 While we recognize it is vital to mitigate the impacts of air pollution, including
7 particulate matter from smoke, this Bill restricts the existing agricultural burn program and will
8 likely impact many smaller scale farmers throughout Hawaii who are essential for food
9 production and sustainability in our state.

10 In Hawaii, open burning is generally prohibited with a few exceptions such as cooking,
11 fire training, and agricultural burning with a valid permit. The Department issues agricultural
12 burn permits (AGP) that are intended for legitimate agricultural operations to burn green waste
13 generated from their agricultural activities. Before issuing these permits, on-site evaluations are
14 conducted to inspect the burn locations and their possible smoke impacts, in an effort to mitigate
15 the effects of air pollution on the surrounding community. These permits contain conditions
16 such as: notification requirements, where and when burning is allowed, what materials can be

1 burned, and other limitations, as applicable, to minimize visible smoke impacts to schools and
2 other sensitive areas. Special conditions may be added to the permit, such as only allowing
3 burning during early morning hours or in certain wind conditions. The Department's agricultural
4 burning rules also state that a permit can be terminated or suspended if any condition of the
5 permit has been violated or if it is deemed to be not in the best interest of the public.

6 While we encourage farmers to seek alternatives to burning to reduce air pollution, the
7 Department is concerned that many of Hawaii's farmers rely on permitted burning as the most
8 efficient and cost-effective method to dispose of green waste and to control agricultural pests and
9 disease. Municipal green waste pick up is not available in some areas, where without burning as
10 an option, green waste may have to be periodically hauled away at cost to the farmer. Other
11 alternatives such as chipping and mulching would increase costs and composting may not be
12 feasible at large scales. The added cost from these alternative methods of disposal could be
13 substantial enough to prevent small farmers from continuing to operate their business, reduce
14 accessibility of locally grown produce to our communities, and conflict with Hawaii's
15 sustainability goals.

16 Our records show that approximately 80 of the 89 current AGPs issued may be located
17 with a residence nearby or within one thousand feet. Locations include Waimanalo, Waianae,
18 Kapolei, Ewa, and Kaneohe, as well as on the neighbor islands. Records also show that the
19 Department has received only two agricultural burn complaints over the last year, one of which
20 was withdrawn after the permittee worked with the Department to relocate its burn pile.

21 **Offered Amendments:** None

22 Thank you for the opportunity to testify on this measure.

SB-2617

Submitted on: 2/26/2022 4:34:03 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
brandon	Testifying for ILWU L-142 and Hawaii Longshore Division	Oppose	Yes

Comments:

SB2617 has inadvertent consequences. Hundreds of local middle class jobs will be negatively impacted and or ruined.

mahalo for the opportunity to testify.

Aloha Senators,

I am **in favor of SB 2617 w/ amendments**. I have lived in a stream valley of rural Waimanalo for 20 years. 2-3 times a week, our neighbors burn their house garbage- too lazy or unwilling to drive their trash down their bumpy, private road to where C&C will pick it up; OR the agricultural landowners burn their trash and green waste during no/low wind days. **All the smoke settles into the stream valley where we live.**

Burning trash and agricultural waste is toxic and has **caused my husband to DEVELOP ASTHMA**, which is a horrible thing to watch a once vibrant young man, be unable to breathe, require expensive heavy steroid medications, and **emergency inhalers wherever we go**. It also causes **me and my niece to develop allergies**, to be **nauseas, and to wake up choking from the smoke**, especially the toxic electrical burning waste vs. green waste. We have had to leave our house several times in the middle of the night. We have exhausted all measures with the fire dept., and the department of health with little improvement. Burners just get better at hiding their toxic burning late at night, or at 2:00am, or with very quick bursts during the day to avoid fines.

Please pass SB2617 w/ amendments: 1)make burning household trash illegal, and 2) no Agric. Burn Permits allowed on No & Low Wind Days to stop our declining health.

Sincerely,

Mary Tubbs, M.Ed.
Retired Teacher

Testimony Opposing SB2617: Relating to Vegetative Burning

Chair Rhoads and Members of the Senate Judiciary Committee,

My name is Thomas H. Daniel. I received a Ph.D. in Oceanography from UH Mānoa and retired from the State of Hawai'i after 25 years of service, 21 as the Scientific/Technical Director of the Natural Energy Laboratory of Hawai'i at Keahole Point and 3 ½ years as Facility Engineer for West Hawai'i Hospitals with HHSC. I initially moved to Hawai'i in 1967 and have resided on the Big Island and been involved in the West Hawai'i Community since 1982. As Technical Director of NELHA, I worked on many ocean energy initiatives, and I was awarded the 2020 Uehara Prize for my leadership in the development of Ocean Thermal Energy Conversion. I also served as interim director of the Puna Geothermal Facility and oversaw the closing of the HGP-A well.

I am submitting this testimony in opposition to SB 2617 for several reasons.

For example, the claim that commercial burning of organic materials is a special case deserving a special regulatory statute flies in the face of accepted best practices for regulating air quality. Regulations to protect the public from all types of air pollution already exist, not just those resulting from the commercial burning of organic materials.

These existing regulations are overseen by several regulatory agencies, including the U.S. Environmental Protection Agency, as well as state and county departments of health.

All harmful pollution should be regulated scientifically by determining the particulate size, types of gases and quantity of emissions. These characteristics are the basis for issuing air permits. Air permits issued by the state already evaluate the safety of all facilities by measuring the types and amounts of harmful substance in their emissions. It's not the type of facility, what is being combusted or process that determines its safety; it's the characteristics of its emissions.

The purpose of regulations is to ensure all commercial operations meet air quality standards consistently, instead of regulating each type of facilities producing emissions on a piecemeal basis.

The criteria are unscientific and arbitrary

Setting 1,000 feet as a setback for organic waste is completely arbitrary and has no basis in scientific fact. There are no studies cited to show the logic to this number and it will completely circumvent existing laws, rules and regulations at the federal, state and county level. Additionally an exception for coffee roasting is equally arbitrary and not based on science.

For these reasons, I strongly urge that this measure be held.

Mahalo for the opportunity to testify on this flawed piece of legislation.

SB-2617

Submitted on: 2/23/2022 8:01:04 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Testifying for Climate Protectors Hawai'i	Support	No

Comments:

To: The Honorable Karl Rhoads, Chair,

The Honorable Jarrett Keohokalole, Vice Chair, and Members of the

Senate Committee on Judiciary

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing **SB2617– RELATING TO VEGETATIVE BURNING**

Tuesday February 28, 2022, 1:00 p.m., by videoconference

Position: **STRONG SUPPORT!**

Aloha Chair Gabbard, Vice Chair Nishihara, and members of the Senate Committee on Agriculture and Environment, and

Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee on Judiciary:

The Climate Protectors Hawai'i is a group focused on reversing the climate crisis and encouraging Hawai'i to lead the world towards a safe and sustainable climate and future. **The Climate Protectors Hawai'i strongly supports SB2617!**

In order to mitigate the climate emergency, we need more composting and less burning of green waste. Green waste should be composted wherever feasible because that stores carbon and can enrich the soil for agriculture and greater sequestration by soil microbes. Burning green waste exacerbates the climate warming by releasing carbon up into the atmosphere; it should not occur, even outside of residential areas.

Burning green waste also releases fine particles that are inhaled deeply and are very harmful to human health. A recent study estimated that air pollution leads to 100,000 deaths per year in the U.S. Burning green waste should not be allowed anywhere near residences, certainly not within 1,000 feet.

Please pass this bill!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)

SB-2617

Submitted on: 2/27/2022 9:32:29 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
JON WHITE	Individual	Oppose	Yes

Comments:

I oppose

SB-2617

Submitted on: 2/27/2022 11:39:28 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
KAINALU PAIKAI	Individual	Oppose	Yes

Comments:

This is going to negatively affect farming.

SB-2617

Submitted on: 2/27/2022 9:33:15 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tyler Yuu	Individual	Oppose	Yes

Comments:

Oppose

SB-2617

Submitted on: 2/27/2022 10:57:17 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
richard gideon	Individual	Oppose	Yes

Comments:

SB2617 will negatively affect farming

SB-2617

Submitted on: 2/27/2022 11:14:00 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ka'ena Paikai	Individual	Oppose	Yes

Comments:

I will give a testimony via zoom call tomorrow.

SB-2617

Submitted on: 2/27/2022 11:00:08 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Walter Walker	Individual	Oppose	Yes

Comments:

Remotely testify

SB-2617

Submitted on: 2/27/2022 9:33:29 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
seth ilae	Individual	Oppose	Yes

Comments:

I Seth Ilae appose bill SB2617 For the reasons that this bill will negatively effect local farming and in the end eliminate good paying jobs for the people of Hawaii. Many local farmers burn their green waste on their property and it will make it extremely difficult to run their buisness of operation. Again I appose SB2617. Please take the local people and farmers in to consideration. Aloha

mahalo,

Seth Ilae

SB-2617

Submitted on: 2/27/2022 9:35:54 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
kodey saizon	Individual	Oppose	Yes

Comments:

Oppose

SB-2617

Submitted on: 2/27/2022 9:49:55 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Blair Nahale	Individual	Oppose	Yes

Comments:

I oppose SB2617

SB-2617

Submitted on: 2/27/2022 11:42:09 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Scott	Individual	Oppose	Yes

Comments:

Aloha Chair & Committee membership, I want to thank you for letting me testify. My name is Ted Scott. I strongly oppose SB 2617. The State and Department of Health already have strict rules in place to regulate air quality that comply with EPA laws. This bill will conflict with those existing laws.

Mahalo for the opportunity to speak - Aloha

SB-2617

Submitted on: 2/27/2022 10:04:46 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
chad Failma	Individual	Oppose	Yes

Comments:

This will make it extremely difficult for small local farmers to efficiently run their operations because many of them burn green waste on the same property they live & farm”

SB-2617

Submitted on: 2/27/2022 12:14:06 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cisco Valeho	Individual	Oppose	Yes

Comments:

My name is Cisco Valeho and I oppose this bill because it will make it difficult for small local farmers to efficiently run their operations because many of them burn their green waste on the same property they live and farm.

SB-2617

Submitted on: 2/27/2022 10:03:23 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
noah kassebeer	Individual	Oppose	Yes

Comments:

oppose

SB-2617

Submitted on: 2/27/2022 10:11:48 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Zorich Palimo'o	Individual	Oppose	Yes

Comments:

This Bill has UNINTENDED Consequences that will cause many local people to lose quality paying jobs. In todays economy, In Hawaii, local farmers cannot afford to lose their incomes.

This bill will negativly affect local farmers as many practices involve burning and reusing green waste on the same residence that this live and farm on.

SB-2617

Submitted on: 2/27/2022 10:21:48 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Noah Campbell	Individual	Oppose	Yes

Comments:

SB2617 will have a negative affect to the agriculture crops industry by limiting their ability

SB-2617

Submitted on: 2/27/2022 10:14:43 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
anthony padilla	Individual	Oppose	Yes

Comments:

Oppose

SB-2617

Submitted on: 2/27/2022 10:24:44 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gabriel Pieper	Individual	Oppose	Yes

Comments:

I oppose SB 2617 because it conflicts with Federal, State and County laws.

SB-2617

Submitted on: 2/27/2022 10:41:23 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Louis Mansanas jr	Individual	Oppose	Yes

Comments:

I wish to testify remotely

SB-2617

Submitted on: 2/27/2022 10:52:22 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Trey Ah Yuen	Individual	Oppose	Yes

Comments:

I Trey Ah Yuen oppose the SB2617 bill Hawaii laws and rules are currently in place for Department of Health to regulate air quality, therefore conflicting with other laws currently in place.

SB-2617

Submitted on: 2/27/2022 11:04:05 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brandon Parker	Individual	Oppose	Yes

Comments:

SB2617 conflicts with federal, state, and county laws.

SB-2617

Submitted on: 2/27/2022 10:44:51 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chaz Bajet	Individual	Oppose	Yes

Comments:

Department of Health already has permitting rules that strictly comply with EPA laws and this bill bypasses Federal EPA regulations regarding air quality.

SB-2617

Submitted on: 2/27/2022 11:52:28 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
joshua demello	Individual	Oppose	Yes

Comments:

I oppose this bill

SB-2617

Submitted on: 2/27/2022 11:52:07 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Burton Chun	Individual	Oppose	Yes

Comments:

I oppose this bill.

SB-2617

Submitted on: 2/27/2022 11:08:01 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Christopher Finau	Individual	Oppose	Yes

Comments:

Thank you Chair and members of the committee for letting me speak.

My name is Christopher Finau and I oppose this bill.

This is going to negatively affect farming.

Thank you for the opportunity to speak

Aloha

SB-2617

Submitted on: 2/27/2022 11:09:37 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Douglas Hiu	Individual	Oppose	Yes

Comments:

This is going to negatively affect farming. Air quality regulations should be based on existing science not location.

SB-2617

Submitted on: 2/27/2022 11:53:25 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Levi Archuleta	Individual	Oppose	Yes

Comments:

I oppose this bill

SB-2617

Submitted on: 2/28/2022 8:52:39 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Hubert Pruett	Individual	Oppose	No

Comments:

SB-2617

Submitted on: 2/28/2022 11:23:58 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keenan L	Individual	Oppose	No

Comments:

My name is Pomai Kalama and I oppose SB2617. I will be providing testimony.

Pomai



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

February 28, 2022

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON JUDICIARY

TESTIMONY ON SB 2617
RELATING TO VEGETATIVE BURNING

Conference Room 224 & Via Videoconference
1:00 PM

Aloha Chairs Gabbard and Rhoads, Vice Chair Nishihara and Keohokalole, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau recognizes the need to ensure that agricultural green waste burning is conducted in a safe and prudent manner and supports the well-established, rigorous permitting system required by the Hawai'i Department of Health. We respectfully oppose SB 2617.

We are concerned that the bill will negatively impact smaller farmers who may have no reasonable alternative to using burning as a tool, for example as a means of destroying devastating pests and diseases that can spread throughout the farm and to other properties.

We believe that there are other opportunities to address the goal of this measure without banning agricultural burning altogether for smaller farmers or farmers whose own residence near their fields would prohibit them from burning if this measure passes. The department has the authority to place conditions on the farmer to limit the effects of burning to the surrounding community. Each permit can be customized to restrict when, how, and where a burn can occur, and exactly what is allowed to be burned. Permits may be withdrawn if the conditions are not met or if smoke is not adequately controlled.

The Hawai'i Farm Bureau is willing to work with the legislature and the department to ensure that an agricultural burn permit remains available to farmers while also ensuring that neighbors are not unreasonably affected.

Thank you for the opportunity to provide our comments and thank you for your continued support of Hawai'i's agricultural community.

SB-2617

Submitted on: 2/25/2022 7:31:59 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
aulii fernandez	Individual	Oppose	No

Comments:

SB2617 hurts Hawaii's ability to get rid of invasive species like albizia, gorse and strawberry guava.

SB-2617

Submitted on: 2/25/2022 7:33:37 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
aulani hood	Individual	Oppose	No

Comments:

Bill is overly broad.

SB-2617

Submitted on: 2/25/2022 9:21:56 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alika Maikui	Individual	Oppose	No

Comments:

Counties already have regulations for burning of green waste.

SB-2617

Submitted on: 2/25/2022 10:13:15 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Miles Yoshioka	Individual	Oppose	No

Comments:

While the face value of the bill's intention seems commendable, it will have unintended consequences. The Department of Health already regulates air permits in strict compliance with EPA regulations and will conflict with laws already in place regulating air quality and Hawaii County regulations for the burning of green waste products.

SB-2617

Submitted on: 2/25/2022 10:16:04 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keoni Pikini	Individual	Oppose	No

Comments:

DOH regulations for air quality already consider scientific data not arbitrary location.

I also believe this bill has unintended consequences and will only hurt farmers.

This bill will would add to problems of fighting invasive species like strawberry guava in puna and hilo areas, albezia on the entire island and even the goss problem we have on mauna kea

I do not support this Bill SB2617

SB-2617

Submitted on: 2/25/2022 12:03:58 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Suterra Soares	Individual	Oppose	No

Comments:

Aloha,

I oppose this bill. This is negatively going to affect farming.

Mahalo,

Suterra Soares

SB-2617

Submitted on: 2/25/2022 12:53:24 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Meredith Stapp Ozbil	Individual	Oppose	No

Comments:

the counties already have regulations in place for the burning of green waste and this bill would bypass EPA regulations regarding air quality.

SB-2617

Submitted on: 2/25/2022 12:13:44 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ashley D.K McGuire	Individual	Oppose	No

Comments:

SB2617 hurts Hawaii's ability to get rid of invasive species like albizia, gorse and strawberry guava

SB-2617

Submitted on: 2/25/2022 12:56:52 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michael Carion	Individual	Oppose	No

Comments:

I oppose the bill.

SB-2617

Submitted on: 2/25/2022 4:48:10 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Felicia Graham	Individual	Oppose	No

Comments:

I do not support SB 2617 as a full time resident of the Big Island.

Sincerely,

Felicia Graham

SB-2617

Submitted on: 2/26/2022 5:56:43 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Joyce Barbarich	Individual	Oppose	No

Comments:

This bill will hurt small farmers.

SB-2617

Submitted on: 2/26/2022 6:54:13 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Georgette Nacis	Individual	Oppose	No

Comments:

Bill is overly broad.

SB-2617

Submitted on: 2/26/2022 10:22:55 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
William Wiebe	Individual	Oppose	No

Comments:

I opose SB2617 for several reasons and most of all it is in conflict with strict local, State and Federal Regulations that are already in place. It will negatively impact the farming and agriculteral industries and severely hinder the ability to eradicate invasive species like Albizia. Gorse and strawberr guava. Furthemore counties already have regulations for burning green waste.

Kill the bill

Mahalo

William Wiebe

SB-2617

Submitted on: 2/26/2022 8:02:14 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jessie Chambers	Individual	Oppose	No

Comments:

I oppose this bill.

Committee on Agriculture and Environment/ Committee on Judiciary
Monday, February 28, 2022
1 PM
Conference Room 224 and Videoconference
SB2617

Chair Gabbard, Chair Rhoads, Vice Chair Nishihara, Vice Chair Keohokalole

Members of the Senate Committees on Agriculture and the Environment and the Judiciary and members of the committees,

I am submitting this testimony in **opposition** to SB 2617 for several reasons.

My name is Scott Sevadjian, a 12-year resident of Ewa Beach, Hawaii. I have 18 years of professional experience in air-quality analysis, which includes academic research of greenhouse gasses, air emissions modeling, environmental impact assessment, and working with the Hawaii Department of Health, Clean Air Branch, to support clients in the preparation of air permit applications to ensure compliance with all applicable air quality regulations.

Flawed preamble and purpose of the bill

The premise for this measure, as set forth in Section 1, explaining the findings and purpose, is deeply flawed. For example, the claim that commercial burning of organic materials is an exceptional case deserving a special regulatory statute flies in the face of accepted best practices for regulating air quality. Regulations to protect the public from all types of air pollution already exist, not just those resulting from the commercial burning of organic materials.

Environmental Protection Agency and Dept of Health already have regulations

These existing regulations are overseen by several regulatory agencies, including the U.S. Environmental Protection Agency, as well as the State Department of Health and individual counties.

Science determines requirements for air emissions compliance

Harmful pollution is already regulated scientifically by determining the types of gases emitted, size fraction of particulates, and quantity of emissions. These characteristics are the basis for issuing air permits.

Air permits issued by the state already evaluate the environmental and human health impacts of all facilities by calculating and rigorously modeling the types and amounts of potentially harmful substances in their emissions. It's not the type of facility, what is being combusted, or process that determines its safety or environmental impact; it's the characteristics of its emissions.

The purpose of the extensive regulation is to ensure commercial operations meet air quality standards consistently, instead of regulating each type of facility producing emissions on a piecemeal indiscriminate basis.

The criteria in this bill are unscientific and arbitrary

Setting 1,000 feet as a setback for organic waste combustion is completely arbitrary and has no basis in scientific fact. There are no studies that show the rationale for selecting this number.

Adopting the provisions of this measure will circumvent existing laws, rules, and regulations at the federal, state and county level, which are based on science.

Unintended Consequences

There are numerous other completely legitimate activities, commercial and private, that would be precluded by this legislation. The unintended consequences of this legislation would be significant. There is no rationale to discriminate against organic waste, while providing a carveout for coffee roasting. Particulates are created when *any* substance is burned, including food, kiawe and hickory for barbeques, or fuel in cars, trucks, and airplanes. Any permits issued by government agencies follow strict EPA and DOH standards.

For these reasons, I strongly urge that this measure be held.

Mahalo for the opportunity to testify on this flawed piece of legislation.

Respectfully,

Scott Sevadjian
Ewa Beach, HI

SB-2617

Submitted on: 2/27/2022 9:17:01 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alana Kaili	Individual	Oppose	No

Comments:

I oppose

SB-2617

Submitted on: 2/27/2022 9:17:37 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Clinton Blackman	Individual	Oppose	No

Comments:

Oppose

SB-2617

Submitted on: 2/27/2022 9:26:31 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kelsey Beck	Individual	Oppose	No

Comments:

We oppose this bill

SB-2617

Submitted on: 2/27/2022 9:26:48 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dane Kaluhiwa	Individual	Oppose	No

Comments:

I oppose

SB-2617

Submitted on: 2/27/2022 9:30:11 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chauncey Dunhour	Individual	Oppose	No

Comments:

SB2617 conflicts with Federal, State and County laws.

SB-2617

Submitted on: 2/27/2022 9:31:14 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Robert Enriquez	Individual	Oppose	No

Comments:

SB-2617

Submitted on: 2/27/2022 9:32:10 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kekoa Masutani	Individual	Oppose	No

Comments:

I oppose bill SB2617.

SB-2617

Submitted on: 2/27/2022 9:39:04 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jay Amina III	Individual	Oppose	No

Comments:

I Opose to SB2617

SB-2617

Submitted on: 2/27/2022 9:46:35 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jonovan Tuinei	Individual	Oppose	No

Comments:

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SB-2617

Submitted on: 2/27/2022 9:54:34 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
logan freitas	Individual	Oppose	No

Comments:

oppose

SB-2617

Submitted on: 2/27/2022 9:47:10 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wade Terlep	Individual	Oppose	No

Comments:

I Wade Terlep oppose SB2617.

SB-2617

Submitted on: 2/27/2022 9:51:31 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keoni Mendiola	Individual	Oppose	No

Comments:

I do not support bill SB2617.

SB-2617

Submitted on: 2/27/2022 10:02:01 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John Rabanal	Individual	Oppose	No

Comments:

SB-2617

Submitted on: 2/27/2022 10:13:19 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Clayton Glass	Individual	Oppose	No

Comments:

I don't support.

SB-2617

Submitted on: 2/27/2022 10:15:02 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kahekili Fuchs	Individual	Oppose	No

Comments:

I do not support thus bill.

SB-2617

Submitted on: 2/27/2022 10:24:54 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dave Teriirere	Individual	Oppose	No

Comments:

SB-2617

Submitted on: 2/27/2022 10:34:24 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
David Chew	Individual	Oppose	No

Comments:

SB2617 has unintended consequences and conflicts with federal, state and county laws.

Counties already have regulations for burning of green waste

SB-2617

Submitted on: 2/27/2022 10:49:06 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Christine Haller	Individual	Oppose	No

Comments:

No comments

SB-2617

Submitted on: 2/27/2022 11:30:58 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
nepo leutu jr	Individual	Oppose	No

Comments:

I oppose bill sb2617

SB-2617

Submitted on: 2/27/2022 11:38:08 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Paquito KHD Capillan	Individual	Oppose	No

Comments:

I oppose this bill.

SB-2617

Submitted on: 2/27/2022 11:41:39 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Travis rabelliza	Individual	Oppose	No

Comments:

Done

SB-2617

Submitted on: 2/27/2022 11:48:51 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Pam Latinis	Individual	Oppose	No

Comments:

I oppose

SB-2617

Submitted on: 2/27/2022 11:55:39 AM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
zachary matsunaga	Individual	Oppose	No

Comments:

oppose

SB-2617

Submitted on: 2/27/2022 12:49:20 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Derek Petrowski	Individual	Oppose	No

Comments:

I oppose this bill wholeheartedly. It makes no sense to continue relying on fossil fuel when green waste and biomass can be used as a cleaner and less expensive means of power generation. Just the fact that it is sourced locally and not imported is a big win in itself. Solar and wind promise they can keep up with demand, but this is a popular half truth. Biodiesel is a great alternative as well, but the bulk of it still needs to be shipped in, adding to the final cost for consumers. I REALLY cannot believe that there are people that are OK with letting this type of firm energy generation getting this much pushback. With Carbon Capture technology already getting a start on the Big Island, a partnership between them and bioenergy could be a symbiotic relationship.

- SB2617 has unintended consequences
- SB2617 will conflict with other laws already in place
- Hawaii laws and rules are already in place for Department of health to regulate air quality.
- Department of Health already has permitting rules that strictly comply with EPA laws.
- This is going to hurt agricultural crops industry
- SB2617 hurts Hawaii's ability to get rid of invasive species like albizia, gorse and strawberry guava
- Air quality regulations should be based on existing science and not location.
- Air permits already have compliance rules. This seems in conflict with that.

SB-2617

Submitted on: 2/27/2022 1:45:36 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
William Campbell	Individual	Oppose	No

Comments:

I oppose bill SB2617. This bill has unintended consequences that will inadvertently cause local people to lose quality paying jobs. Mahalo for your time

SB-2617

Submitted on: 2/27/2022 2:22:20 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Seth Holck	Individual	Oppose	No

Comments:

Oppose SB2617

SB-2617

Submitted on: 2/27/2022 2:26:31 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Leland Fausak	Individual	Oppose	No

Comments:

Aloha. My name is Leland Fausak, I am a retired earth and environmental scientist, most recently employed at the Hawaii Natural Energy Laboratory in Kailua-Kona, Hawaii. I have more than 50 years of professional experience in environmental surveys and impact assessments for marine, terrestrial, and atmospheric development projects.

I am submitting this testimony in **opposition** to SB 2716 for the following reasons.

1. The specific intent and objectives of the proposed bill are unclear. Control of airborne particulate matter is currently regulated by the Hawaii State Department of Health (DOH) under HAR 11-60.1; DOH currently has a procedure in place for regulating and permitting vegetative burning. The proposed legislation does not appear to be justified, necessary, or desirable.
2. The draft bill contains no legislative analysis or discussion of existing national, state, or county laws and regulations pertaining to agricultural burning. The draft bill is not explained or justified in the context of correcting deficiencies in current law or practice.
3. There is no apparent air pollution issue, either existing or foreseen, supported by scientific study or analysis, that would require or warrant the need for additional legislation. There is no provision in the bill for applications of source control measures, mitigation measures, or introduction of particulate matter control technologies for agricultural burning.
4. There is no proposed expiration date or sunset clause for the proposed bill, which will likely have unintended consequences for other parts of the agricultural sector that rely on permitted burning of vegetative waste for their operations. This bill, if enacted as written, would add further legislative burdens on our already struggling farming community.

I urge you to hold this bill pending further consideration, analysis, re-drafting, and clarification.

Thank you for accepting my comments.

SB-2617

Submitted on: 2/28/2022 12:07:53 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kyle Miyahana	Individual	Oppose	No

Comments:

I oppose this bill being presented today. I believe that SB 2617 has unintended consequences that will inadvertently cause local people to lose quality paying jobs and will make it extremely difficult for local farmers to efficiently run their operations because many farmers live on the property where they burn green waste.

SB-2617

Submitted on: 2/28/2022 12:29:26 PM

Testimony for AEN on 2/28/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Edward	Individual	Oppose	No

Comments:

I oppose this bill. SB 2617 has unintended consequences that will inadvertently cause local people to lose quality paying jobs.

This Bill, if passed will make it extremely difficult our small, local farmers to efficiently run their operations because many of them burn green waste on the same property they live and farm.