

TO: Joint Fact-Finding (JFF) Study Group

FROM: Councilmember JoAnn Yukimura
Kauai County

RE: Feedback on JFF Draft Report on Pesticide Use by Large Agribusinesses on Kauai

DATE: April 8, 2016

The JFF report is groundbreaking in its careful search for existing data, meticulous wording and organization, and the respectful and robust process of dialogue and collective inquiry that produced the report. It is interesting that the disagreements now are less about the facts than about the interpretation of the facts and the recommendations based on the facts.

As a decision-maker on Bill 2491, I would have greatly welcomed this report prior to making my decision. It was extremely difficult to ascertain facts when they were presented so disjointedly amidst allegations, heavy passion and dispute.

While the public has been asked to focus its input on accuracy and gaps in the draft report, I would like to offer a few comments on recommendations in the draft report as I believe they are a key component of the report and should be subject to public input as well.

One of the major information gaps identified in the study is as follows: *“The capability exists to determine how much pesticide application activity occurs at a particular location and at a given time; however it is not currently being done. This information is essential for performing future environmental and health impact studies.”* (Draft Report, p. 89). This was a major disclosure requirement in the amended Bill 2491/Ordinance 960 now on appeal. The bill was amended to require such information because that information was far more useful than the requirement in the original bill mandating reporting of annual amounts of each pesticide used and because industry representatives told myself and then Councilmember Nakamura, co-introducers of the amendment, that such information was readily available. Should preemption of the counties be affirmed, this disclosure requirement should be implemented by state law, and the Good Neighbor Program should be revised to ensure provision of such information. I would expect industry cooperation since this information could ultimately vindicate them.

I agree with updating and improving rapid response protocols when potential pesticide exposure incidents occur. Effective and efficient management of these events will improve public safety and could also make better data available as well. Voluntary blood and urine tests should be tied to these protocols to provide additional information.

I agree with updating Hawaii’s pesticide laws and regulations. It goes without saying that the regulation of toxic substances should be kept up to date. This is not a new mandate. This

is about keeping fidelity with an ongoing mandate. The same is true of updating critical data on key health statistics. We simply must improve ongoing data gathering whether seed companies exist or not, if we want to improve the health of our citizens.

Environmental testing and monitoring are necessary to ensure that risks to human and environmental health are minimal.

Finally, all of the above must balance cost with importance and value of outcome, and monies allocated thereto must be used strategically.

Mahalo to members of the JFF Study Group, Peter Adler and team for the enormous commitment of time, thought and effort in preparing the JFF draft report. Mahalo to Mayor Carvalho and Department of Agriculture chair, Scott Enright for picking up the project and making it happen..