

SCR 118/SR 88

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

GLENN K. MURANAKA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE & ENVIRONMENT
AND PUBLIC SAFETY, INTERGOVERNMENTAL, & MILITARY AFFAIRS**

**MARCH 20, 2019
1:15 P.M.
CONFERENCE ROOM 224**

SENATE CONCURRENT RESOLUTION NO. 118

**REQUESTING THE DEPARTMENT OF AGRICULTURE TO DESIGNATE AREAS IN
EACH COUNTY FOR DAIRY OPERATIONS AND DEVELOP INCENTIVES TO
ATTRACT DAIRY OPERATORS TO THE STATE**

Chairpersons Gabbard and Nishihara and Members of the Committees:

Thank you for the opportunity to testify on SCR 118 that requests the Department of Agriculture to designate areas in each county for dairy operations and develop incentives to attract dairy operators to the State. The Department supports the intent of this measure and offers comments.

The Department supports efforts to increase dairy production in the State. Noting the recent shutdown of the planned Kauai Dairy and the pending closure of the Big Island Dairy, there are lessons to be learned from various agencies involved with dairy operations. In turn, the Department would ask that this report include collaboration the Department of Health and the various economic development programs within each of the counties across the State.

Thank you for the opportunity to testify on this measure.





HAWAI'I CENTER FOR FOOD SAFETY

Joint Hearing of Senate Committees on Agriculture and Environment & Public Safety, Intergovernmental and Military Affairs

Hawai'i Center for Food Safety supports: SCR118 with amendments

Dear Chairs Gabbard and Nishihara, Vice-Chairs Ruderman and Wakai, and members of the committees,

My name is Autumn Ness and I am the Co-Director of the Hawai'i Center for Food Safety (HCFS). 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.

The Hawai'i Center for Food Safety would like to mahalo Senators Dela Cruz and the co-sponsors of this resolution for recognizing that an increase in local milk production is an important part of restoring Hawai'i's food security.

The recent lawsuit and settlement with Big Island Dairy regarding their violations of the Clean Water Act, and the confirmed release of millions of gallons of animal waste into nearby waterways over numerous incidents illustrates the need for us to encourage the shift away from concentrated dairy operations and toward a more sustainable model of diversified agriculture which includes milk production.

The Hawai'i Center for Food Safety is concerned that by designating areas for dairy operations, the DOA will be encouraging the existence of multiple concentrated dairy operations in a single large area. Concentrated dairy operations are known to have disastrous impacts on environment, including nearby waterways, and have a higher incidence of disease among dairy cows.

HCFS is requesting that SCR118 be amended to include language that clarifies that designated areas for dairy operation do not allow for operations of medium/large Concentrated Animal Feeding Operations (CAFO), as defined by the EPA. Please see EPA Regulatory Definitions of Large, Medium and Small CAFOs attached.



HAWAI'I
CENTER FOR
FOOD SAFETY

We are also requesting that the SCR118 request the Department of Agriculture to include in their report of findings and recommendations, the following:

- 1. Recommended incentives for locally owned dairy operations, and/or operations that are less than the threshold for EPA medium or large CAFO designation, and/or dairy operations that operate as part of a diversified agricultural model that uses dairy waste as a resource, keeping it out of our waterways.**
- 2. Examination of the effects of the Milk Act on the decline of Hawai'i's dairy industry, and recommended revisions or updates with flexibility to address potential issues in the future.**

Mahalo nui loa for your support.

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



Regulatory Definitions of Large CAFOs, Medium CAFO, and Small CAFOs

A **Large CAFO** confines at least the number of animals described in the table below.

A **Medium CAFO** falls within the size range in the table below and either:

- has a manmade ditch or pipe that carries manure or wastewater to surface water; **or**
- the animals come into contact with surface water that passes through the area where they’re confined.

If an operation is found to be a significant contributor of pollutants, the permitting authority may designate a medium-sized facility as a CAFO.

A **Small CAFO** confines fewer than the number of animals listed in the table **and** has been designated as a CAFO by the permitting authority as a significant contributor of pollutants.

Animal Sector	Size Thresholds (number of animals)		
	Large CAFOs	Medium CAFOs ¹	Small CAFOs ²
cattle or cow/calf pairs	1,000 or more	300 - 999	less than 300
mature dairy cattle	700 or more	200 - 699	less than 200
veal calves	1,000 or more	300 - 999	less than 300
swine (weighing over 55 pounds)	2,500 or more	750 - 2,499	less than 750
swine (weighing less than 55 pounds)	10,000 or more	3,000 - 9,999	less than 3,000
horses	500 or more	150 - 499	less than 150
sheep or lambs	10,000 or more	3,000 - 9,999	less than 3,000
turkeys	55,000 or more	16,500 - 54,999	less than 16,500
laying hens or broilers (liquid manure handling systems)	30,000 or more	9,000 - 29,999	less than 9,000
chickens other than laying hens (other than a liquid manure handling systems)	125,000 or more	37,500 - 124,999	less than 37,500
laying hens (other than a liquid manure handling systems)	82,000 or more	25,000 - 81,999	less than 25,000
ducks (other than a liquid manure handling systems)	30,000 or more	10,000 - 29,999	less than 10,000
ducks (liquid manure handling systems)	5,000 or more	1,500 - 4,999	less than 1,500

¹Must also meet one of two “method of discharge” criteria to be defined as a CAFO or may be designated.

² Never a CAFO by regulatory definition, but may be designated as a CAFO on a case-by-case basis.

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Submitted on: 3/14/2019 11:34:12 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Parra	Testifying for Keiko Conservation	Oppose	No

Comments:

We strongly oppose SCR118. Not only is the dairy industry **incredibly cruel** but it heavily **contributes to both air and water pollution**. Cattle naturally produce methane, which has a warming effect on the planet more than 20 times greater than carbon dioxide, causing animal agriculture to have a greater effect on global warming than the transportation industry.

This is also a poor investment for Hawaii to make economically. Some of the largest dairy companies are investing tens of millions of dollars in dairy-free alternatives due to an increase in demand for dairy-free products. Even Forbes has reported multiple times over the last few years that this trend is anticipated to rise. It would be unwise to put time and resources into this industry while some of its top contributing companies are already predicting its eventual demise.

SCR-118

Submitted on: 3/19/2019 1:17:10 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorraine Sakaguchi	Testifying for Vegetarian Society of Hawaii	Oppose	Yes

Comments:

Please see attached testimony (copy is below)

To: The Committee on COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator Glenn Wakai, Vice Chair

And Committee Members:

I am testifying today in opposition to SCR 118, which seeks to request the Department of Agriculture to designate areas in each county for dairy operations and develop incentives to attract dairy operators to the state. I am currently serving as president of the Vegetarian Society of Hawaii, one of the largest vegetarian societies in the country, which has an educational mission, to promote human health, animal rights and protection of the environment by means of vegetarian, whole food, plant-based vegan education.

Why should this resolution not be adopted?

Behind this resolution is the idea that having more local dairies in each county would help to ensure a steady, secure source of cow's milk, erroneously considered to be an essential part of people's diets in Hawaii.

Many of the older generation here in Hawaii remember that when they were children, nearly all of them and their classmates were active and slim, and it was rare to be or to see a child among them that was not. Today, it is a heartbreakingly commonplace thing

to see so many of our young people suffering from obesity and the beginnings of lifetime problems with diabetes and heart disease.

Too many of the adults in their lives, as well, both at home and in the community, are also suffering from the debilitating consequences of these same problems. It is a health epidemic that is growing in this country and in Hawaii, taking away from the quality of life that our people should be enjoying, and becoming an economic burden both in the private and the governmental sector, as an ever greater proportion of our population needs expensive medical care, and medical insurance costs eat away at the paychecks of even the healthier among us. It takes away from the prosperity of our people, their productivity, and even their happiness, as sick people are often depressed people, as well.

Astonishingly, as huge as our healthcare crisis is, it doesn't have to stay this way. We can make an enormous difference for the better by making simple and inexpensive changes which do not require cutting edge medical technology or heroically huge healthcare systems. It is widely acknowledged that that our large, sick population was created by lifestyle choices, especially in our choice of diet.

One reason for this is the great increase in dairy in the diet of people in Hawaii in the intervening decades. It is well-documented that people can prevent or recover from many health conditions by reducing or eliminating dairy and other animal products from their diet, and replacing them with healthful fresh plant-based foods. Dairy is not an essential in a healthy diet, and the nutrients it delivers can be well-provided by plant-based foods.

For those who choose to consume dairy products anyway, more than enough is available from outside sources without needing to burden our 'aina, as the same amount of food can be grown on less land in plant-based agriculture with less pollution of the land, water and air as compared to animal agriculture.

To this end, we should be promoting more plant-based agriculture and not dairy farms.

The dairy farm that is closing now, mentioned in the resolution, has not been welcome by its neighbors due to contamination of the environment, including nearby waterways. It has proven difficult and even unavoidable for other animal agriculture operations to avoid polluting their local environments, as well, often doing so on a massive scale on the mainland by many of the best-known brands in dairy and meat products. Let's not follow their unhappy lead in harming the 'aina in Hawaii, as well.

For these reasons, I strongly urge that you vote against this resolution. Thank you for considering this!

Aloha,

Lorraine Sakaguchi

President

Vegetarian Society of Hawaii

SCR-118

Submitted on: 3/14/2019 9:34:52 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Oppose	Yes

Comments:

This reso is a ploy to prop up an industry that has failed because of the environmental damage that dairies do, a function of maintaining a herd on fragile land, along with the huge quantities of manure produced by dairy cows.

Too much taxpayer monies have been wasted on so called "sustainability" efforts. Some industries are not suitable for Hawai'i and that includes CAFOs for pig and egg farms.

SCR-118

Submitted on: 3/14/2019 11:00:30 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Dolena	Testifying for Pele Lani Farm LLC and Aloha Animal Advocates	Oppose	No

Comments:

Sen. Gabbard and Sen. Ruderman,

Sirs, we were just finally able to shut down Big Island Dairy on this island. The pollution into the ground water and into the streams were horrendous. The waste holding pools would flood each time we had a heavy rain. Dead animals were seen flowing down the stream. The practices were abusive to the animals. New born calves were taken from the cows, given artificial milk or if a bull calf, allowed to die. The female calves were grown until they are able to be impregnated so they could give milk too. Do we really want to encourage this type of industry in Hawaii? If we do, there must be external oversight and VERY STRICT rules about animal abuse. Hawaii Lava Flow Animal Rescue, an organization instrumental in saving many animals during the lava event, raise \$30,000 to buy many of the cows and calves, headed for slaughter when the dairy closed down its operations. There are many more to save, but not enough time or money to save them all. PLEASE, let's not create an environmentally destructive and animal cruel industry. Mahalo.

LATE

SCR-118

Submitted on: 3/20/2019 7:55:57 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Miyamoto	Testifying for Hawaii Farm Bureau	Support	Yes

Comments:

SCR-118

Submitted on: 3/13/2019 5:07:08 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Oppose	No

Comments:

Milk isn't healthy for people and cows produce methane. What about their waste?

SCR-118

Submitted on: 3/15/2019 5:07:37 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
carissa cabrera	Individual	Oppose	No

Comments:

Dairy operatives are responsible for adding hundreds of pounds of greenhouses gases like methane and carbon dioxide into our atmosphere, and one of the largest contributors to climate change. In such a environmentally progressive and health conscious state, nondairy alternatives are receiving economic attention and demand. Investing in a dying industry is not in the best interest of Hawaii, particularly when dairy operations are already in place. We must do our part to combat climate change, this initiative would deteriorate progress Hawaii is making to combat rising temperature, acidified oceans, and an overall changing climate where highways are flooded regularly on the windward side and north shore.

SCR-118

Submitted on: 3/15/2019 6:31:04 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryuko Miura	Individual	Oppose	No

Comments:

SCR-118

Submitted on: 3/15/2019 7:31:20 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

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

Comments:

To the people of Hawaii, dairy farming run off has already done major harm to our reef. More dairy farms might make milk a little cheaper but the damage it will have on the reef will be immense. The dairy industry will not create enough jobs to account for the sacrifice of our most sacred resource. This is an Island, without the reef there will be no Hawaii! Malama i ke kai, a malama ke kai ia oe! (care for the ocean and the ocean will care for you) Please think of the consequences! Save the reef! Save the future of our home! Do it for the Keiki!

Aloha!

SCR-118

Submitted on: 3/15/2019 9:45:15 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tony Noto	Individual	Oppose	No

Comments:

Please oppose this measure.

Dairy is destructive to the environment. The livestock industry generates greenhouse gases more damaging than carbon dioxide, requires tremendous resources in terms of water and food per unit of output, and livestock produce 130 times more waste than humans. The track record of this industry in Hawaii in particular has been horrendous – with Big Island Dairy illegally discharging *millions* of gallons of waste in 2018 before shutting down. Our shores have enough of a challenge with run off after heavy rains already.

Dairy is damaging to our health. The evidence is overwhelming once you cut out the financially conflicted dairy industry funded studies. Subsidies on foods that are proven to be bad for our health are going to hurt us even more through increased Medicaid expenses in the future.

Dairy is abusive to the animals. Cows only produce milk after giving birth. Any drop of milk taken by the calf is lost profit, so the calf is typically separated within a day of birth. Mothers are typically put through the birth and lactation cycle like this three times and are then killed as production starts to decline around age 5. Female calves take their place. Male calves are sold to the meat industry.

Many in Hawaii have chosen to avoid dairy because of all this damage it creates. If Hawaii has resources to support local agriculture, why not subsidize or give breaks to farmers growing local vegetables instead? Please represent the people of Hawaii and choose policies that benefit the majority, and not just the interests of those within the animal agriculture industry.

Thank you

SCR-118

Submitted on: 3/16/2019 4:10:36 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaunette Itsuno	Individual	Oppose	No

Comments:

SCR-118

Submitted on: 3/18/2019 6:36:48 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

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

Comments:

I want to be on the record opposing this measure to incentive the dairy industry on all or any Hawaiian Islands. The reasons I would like to see this measure defeated and not supported are listed below.

- The dairy industry has show that is is land use intensive. On islands that have limited space any dairy operations that would produce any reasonable level of milk production would be large and impactful to a fragile ecosystem.
- Dairyproduction requires large amounts of land to grow feed or huge amounts of feed to be shipped in. Neither of these situations lead to food stability or security.
- Dairy production has repeatedly been shown to be negatively impactful to communities, water systems and oceans. Big Island Dairy is the most recent example of this and should not be repeated.
- Dairy consumption is negatively impactful to communities health. There is no safe or healthy consumption of dairy. It leads to many of the top killers of people such as type 2 diabetes, coronary heart disease and some cancers.
- The dairy industry is cruel and exploitive. The animals in this industry are treated horribly. Male calves are “disposed of”. Milking cows are pushed in high production methods leading to early deaths. The life expectancy of a cow is over 20years, but a milking cow in modern dairy herds life is less than 6Yrs.
- Incentives that would or could be offered to the dairy industry should be offered to really sustainable food production that does not require barging in feed. If the same incentives were offered to fruit growers, vegetable growers and to create new industries such as rice or legumes we would see actual food security in the islands.

please do not continue with the history of dairy on the islands. Dairy after dairy has been offered tax incentives and low cost leases. They have consistently impacted land quality, water quality, impacted the ocean, and negatively impacted communities. Dairy consumption is not needed for health or wellness and the State of Hawaii should not be incentifying or promoting an industry that is harmful to humans, animals and our ecosystem.

SCR-118

Submitted on: 3/18/2019 11:29:49 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Janezic	Individual	Oppose	No

Comments:

Please Do Not designate areas for dairy operations in any of our counties and please Do Not develop incentives to attract dairy operators to our state. We've all seen the disastrous impact Big Island dairy operations have had on our precious waters, polluting them with tons of untreated animal waste. These operations have also fouled properties neighboring the dairy operations. They spray discharge wastewater from bovine manure onto crops, jettisoning airborne pathogenic bacteria and viruses. These particles travel long distances in the air, sending filth, foul odors, and pathogens which cause great risk of infection to humans into the air over people, their children, their homes and properties. These particles contaminate food crops with listeria and salmonella. You would not want a dairy operation near you. Do not inflict this on others.

People drink less cow's milk now because they have other choices. Many people are happily choosing non-dairy milks and there's no reason to be concerned about this downward fluctuation in the dairy market. Through history markets have always fluctuated based on peoples' needs and desires. It is normal. It is the way of life.

SCR-118

Submitted on: 3/19/2019 11:06:03 AM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Jisa	Individual	Oppose	No

Comments:

The human body has no biological need for milk from another species (in this case, a cow). Animal agriculture is detrimental to Hawaii's land and natural resources. Animal cruelty is inherent in the dairy business.

LATE

SCR-118

Submitted on: 3/19/2019 9:24:07 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

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

Comments:

Enough with the dairies already. Animal cruelty, global climate disaster, water pollution, pesticides, growth hormones, carcinogenic casein, all while there are greater needs for government funding that aren't being met.

LATE

SCR-118

Submitted on: 3/20/2019 12:46:39 PM

Testimony for AEN on 3/20/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dain Christensen	Individual	Oppose	No

Comments:

To whom it may concern,

Thank you for considering my testimony. The governor has called for the doubling of food production in the State. Attracting the dairy industry is counter to that initiative. Dairy farming is water and land intensive. Dairy cows are the #1 emitters of methane, a greenhouse gas 25-30 times more potent than carbon dioxide! The dairy industry is not in the best interest of Hawaii. I encourage you to read up on the impacts of dairy farming (land required to feed, water required to feed, emissions, etc.) before incentivizing this industry. The link below from PennState University is a good start.

<https://extension.psu.edu/carbon-methane-emissions-and-the-dairy-cow>

Mahalo nui,