

MICHAEL P. VICTORINO
Mayor

KARLA H. PETERS
Director

MARY A. KIELTY
Deputy Director



DEPARTMENT OF PARKS AND RECREATION

700 Hali'a Nako'a Street, Unit 2, Wailuku, Hawai'i 96793
Main Line (808) 270-7230 / Facsimile (808) 270-7942

2021 JUN 30 PM 3:17
OFFICE OF THE
COUNTY COUNCIL
RECEIVED

June 29, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 6/30/21

Mayor Date

For Transmittal to:

Honorable Kelly T. King, Chair
Climate Action, Resilience, and Environment Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair King:

**SUBJECT: INTEGRATED PEST AND ENVIRONMENTAL MANAGEMENT
ON COUNTY PROPERTY (CARE-23)**

Thank you for your letter dated June 10, 2021 requesting the Department's comments on the proposed bill entitled, "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 2.50, MAUI COUNTY CODE, RELATING TO PESTICIDE AND FERTILIZER USE ON COUNTY PROPERTY."

Attached are the Department's comments and previous transmittal regarding the proposed legislation.

Honorable Chair King
June 29, 2021
Page 2

Should you have any questions or require additional information, please do not hesitate to contact me at 270-7230.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Peters', with a long horizontal flourish extending to the right.

KARLA H. PETERS
Director of Parks and Recreation

c: Mary Kielty, Deputy Director

KHP:lms

DPR COMMENTS ON THE PROPOSED BILL RELATING TO PESTICIDE AND
FERTILIZER USE ON COUNTY PROPERTY

The Department of Parks and Recreation supports the efforts to reduce the use of pesticides and fertilizers in County parks and are currently using organic methods where effective. In this effort, we are no longer using any pesticides or fertilizers at our beach parks and most passive parks. The primary use of pesticides and fertilizers is on our high intensity playing fields and at the Waiehu Golf Course. Our Department has over 3,000 acres of land in the Parks inventory. Within these park lands, pesticides or fertilizers are utilized on less than ten percent of these properties.

Below are additional comments relating to the proposed legislation:

1. There are currently no proven or effective "Organic or Natural" selective pesticides which combat the major grassy weed species listed below. These are the types of weeds that our Department is working to control and eliminate on our High Intensity Sports playing fields and at the Waiehu Golf Course.

In Hawaii, the typical warm season weeds flourish and germinate new seeds year-round, even during our winter/rainy season as the ground for our playing surfaces never freeze to inhibit these seeds from growing. This being the case allows for weed seeds to be produced and deposited into our soil/ thatch layers year-round creating a huge weed seed bank. These weed seeds germinate with ease even in healthy turf grass areas with healthy productive soils due to the nature of the sports being played on these surfaces. A healthy lawn is absolutely the best form of weed control however we are not growing lawns. We are growing and managing High Intensity Sports Turf for playing golf, football, baseball, softball, soccer and many other sports activities. All of these sports cause excessive wear and damage to a healthy turf grass system and very few, if any, healthy lawns experience this amount of heavy foot traffic, compaction and damage that 9 to 22 athletes do to the grass on a repetitive basis. In golf, we have 150 to 300 golfers daily who are either walking or driving a golf cart from tee to green on all 18 holes taking divots out of the turf grass along the way. On an average, the Waiehu Golf Course greens experience 300 to 600 feet trampling all to the same location where the flag stick is located each and every day. On days when the flag stick location is not changed or rotated, these areas experience twice as much damage and this extensive wear usually takes 4 to 6 days for the turf grass to recover.

A. Goose Grass

B. Tropical Signal Grass

C. Purple Nut Sedge

D. Yellow Nut Sedge

E. Green Kyllinga

F. White Kyllinga

G. Hilo Grass

H. Guinea-grass

I. Southern Crabgrass

2. The effective organic pesticides used as herbicides are mostly non-selective meaning they kill any plant they are applied to including our healthy turf grass. The organic pesticides which are selective really only work well on broad leaf type weeds.
3. There is currently no organic pre-emergent on the market that has been proven effective in controlling all the grassy or sedge weeds listed above. Corn Gluten has been used for many years as an organic pre-emergent however it only suppresses crabgrass in most cases and does not control it, corn gluten does not control or suppress Goose Grass. Without the use of pre-emergents at the Waiehu Golf Course, weeds would establish more rapidly than they could be addressed just due to the current seed bank that has been created over the last four decades.
4. There are numerous turf grass diseases that occur throughout the year at the Waiehu Golf Course which can be attributed directly to biotic and abiotic conditions. Over the last five years we have addressed and worked towards controlling the built up thatch layer, monitoring and reducing the irrigation use, and have reduced our fertilizer inputs for much healthier turf grass and soils which minimize disease outbreaks and insect damage. We have already tried four out of the eight different organic products labeled as Bio Fungicides and have established that those are non-effective for preventing or curing diseases on the Golf Course. As the science and technology improves on the biological and organic front showing promise in turf grass applications with products that will work, those products get tested for application and will be incorporated into the agronomic program.
5. Our Department is not growing food for organic food production. We are growing safe, healthy and playable turf grass surfaces for sports and recreational activities to enhance our communities physical and mental wellbeing, not to eat as nutrition.
6. There has been no environmental study done showing that the pesticide and fertilizer use at the Waiehu Golf Course or County playing fields is causing adverse effects to the environment on or surrounding its property.
7. There has been no ecological study performed on or around Waiehu Golf Course showing that the pesticide and fertilizer usage has impacted the living organisms or their physical surroundings.

8. Currently, the Waiehu Golf Course and Department has no history of any current cases resulting in any injury or harm to our employees or golfers with the use of any EPA registered pesticides or synthetic fertilizers on the Golf Course and playing fields. In following the labels set forth by the EPA and Hawaii State Department of Agriculture, we are following the laws and safety requirements ensuring the health and wellbeing of our guests and employees. We also utilize a Best Management Program to provide safe and healthy playing conditions which extensive information can be found at www.hawaiigolfbmp.org.
9. In addition to the Hawaii Golf BMP's, we have also utilized MLSN or Minimum Limits of Sustainable Nutrition, meaning that although our soil tests might show that we need 500 lbs. per acre of a certain nutrient, we are still only going to apply the minimum unless it directly relates to improving extremely poor quality soils. This helps you reduce fertilizer inputs and costs while still maintaining desired turf quality and playability levels, thus becoming a more sustainable approach to managing soil nutrient levels. Currently the organic and synthetic fertilizers in use at the Golf Course have been proven scientifically to reduce or prohibit nutrient runoff and maximize the nutrients uptake by the plants when applied correctly. We are always conscientious about the current and future weather forecast to maximize our applications and minimize any potential problems with strong winds or heavy rains.
10. The proposed legislation requiring the use of only those products on the USDA National List of Allowed Substances or organic food grade products, would double or triple our current budget in attempt to provide the current quality playing conditions. We would need double the funding in agricultural supplies to combat current issues and it would also be necessary to increase the labor side by at least 10 more full-time staff at the Waiehu Golf Course and approximately 15 full-time staff within the Districts to keep up with the size of the current inventory. If these increases were not implemented, our fields that see approximately 300 days of play would become unsafe. Please see attached transmittal dated September 21, 2020 with estimated costs for the first year implementation of the proposed bill.
11. The proposed legislation requires a very lengthy waiver process to allow for the use of a prohibited pesticide or fertilizer. We have incidents within the Department in which we have a matter of days to get fungus and/or bacteria outbreaks under control before we lose an entire green, tee or baseball infield. Additionally, to be able to use new products that are frequently better for the environment will take months, if not longer, to be approved.

MICHAEL P. VICTORINO
Mayor

KARLA H. PETERS
Director

JOHN L. BUCK III
Deputy Director



RECEIVED
2020 SEP 22 AM 8:40
OFFICE OF THE MAYOR

DEPARTMENT OF PARKS AND RECREATION

700 Hali'a Nakoia Street, Unit 2, Wailuku, Hawaii 96793
Main Line (808) 270-7230 / Facsimile (808) 270-7942

September 21, 2020

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 9/22/20

Mayor Date

For Transmittal to:

Honorable Shane Sinenci, Chair
Environmental, Agricultural, and
Cultural Preservation Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sinenci:

**SUBJECT: INTEGRATED PEST AND ENVIRONMENTAL MANAGEMENT ON
COUNTRY PROPERTY (EACP-1)**

Thank you for your letter of request dated September 11, 2020 regarding the Integrated Pest and Management on County Property.

Attached are the estimated costs for the first-year implementation of the proposed bill. There are 20 parks as well as the Waiehu Municipal Golf Course that will be affected if the proposed bill were enacted.

Should you have any questions or require additional information, please do not hesitate to contact me at 270-7230.

Sincerely,

Handwritten signature of Karla H. Peters in black ink.

KARLA H. PETERS
Director of Parks and Recreation

Attachments

c: John Buck III, Deputy Director
Chris Kinzle, Park Maintenance Superintendent

KHP:CK

Beautification Section (107 Acres of Turfgrass Maintained)

First-Year Implementation Costs

Regular Wages and Position Details

		Wages		Totals
1	Maintenance Supervisor	\$53,652	\$ 53,652	\$ 53,652
4	Park Caretaker II (BC 4)	\$46,800	\$ 187,200	\$ 187,200
16	Park Caretaker I (BC 3)	\$45,000	\$ 720,000	\$ 720,000
1	Heavy Equipment Operator (BC-9)	\$58,668	\$ 58,668	\$ 58,668
2	Nursery Worker I (BC-5)	\$48,672	\$ 97,344	\$ 97,344

Additional Labor Costs **\$ 1,116,864**

Operational Expenses

		Costs	
6022	Gas and Diesel	\$	4,722
6030	Mach & Equip Replacement Parts	\$	20,000
6034	Medical and Safety Supplies	\$	4,500
6052	Small Tools	\$	2,800
6255	Uniform Allowance	\$	1,656
6001	Agricultural Supplies		
	Silica Sand topdressing	\$	100,000
	Maui EKO Lawn Topdressing \$53.47 cu yard	\$	457,703
	Applications of 1#N of organic fertilizer on 107 acres	\$	423,720

Additional Operational Expenses **\$ 1,015,101**

New Equipment

1	Rubber Track Skid Steer with Attachments	\$	180,000
1	12 yard Dump Truck and Trailer	\$	140,000
9	Mid-size Trucks with lift gates	\$	360,000
2	Workman Cart with top dresser	\$	120,000
1	Truck and Trailer	\$	85,000

Additional Equipment **\$ 885,000**

Additional Costs for First-Year Implementation **\$ 3,016,965**

Beautification Section FY21 Budget **\$ 1,827,405**

TOTAL FIRST YEAR IMPLEMENTATION COST **\$ 4,844,370**

Waiehu Municipal Golf Course (175 Acres of Turfgrass Maintained)

First-Year Implementation Costs

<u>Regular Wages and Position Details</u>			Wages	Totals
1	Golf Course Maintenance Clerk III (SR 10)	\$32,664	\$ 32,664	\$ 32,664
1	Golf Course Crew Leader (WS-10)	\$64,476	\$ 64,476	\$ 64,476
5	Golf Course Groundskeeper II (BC 4)	\$46,800	\$ 234,000	\$ 234,000
7	Golf Course Groundskeeper I (BC 3)	\$45,000	\$ 315,000	\$ 315,000
1	Power Mower Repairer I (BC-9)	\$58,668	\$ 58,668	\$ 58,668

Additional Labor Costs **\$ 704,808**

<u>Operational Expenses</u>			Costs	
	6022 Gas and Diesel	\$	43,848	
	6024 Janitorial Supplies	\$	2,070	
	6030 Mach & Equip Replacement Parts	\$	15,000	
	6031 Repairs and Maintenance Supplies	\$	25,333	
	6034 Medical and Safety Supplies	\$	8,700	
	6037 Office Supplies	\$	2,777	
	6052 Small Tools	\$	1,800	
	6152 Cellular Telephone	\$	2,532	
	6250 Training Fees/ Seminars	\$	800	
	6255 Uniform Allowance	\$	1,080	
	6001 Agricultural Supplies			
1655	Silica Sand topdressing /Greens, Tees and Fairways	\$	491,946	
2	Maui EKO Lawn Topdressing \$53.47 cu yard	\$	151,138	
3	Applications of 1#N of organic fertilizer on 175 acres Non synthetic, Liquid and Organic Chemicals	\$	514,523	

Additional Operational Expenses **\$ 1,615,602**

<u>New Equipment</u>				
1	Pull behind slit seeder	\$	38,000	
1	Large Material Hauler/Topdresser	\$	48,000	
1	3420 Triflex	\$	73,000	
1	5010 H Fairway unit	\$	84,000	
1	Large Rough Unit 4700-D	\$	93,000	
6	Carryall Medium Duty Carts	\$	105,054	
1	Cab Tractor with 62 HP	\$	68,813	

Additional Equipment **\$ 509,867**

Additional Costs for First-Year Implementation **\$ 2,830,277**

Waiehu Golf Course FY21 Budget **\$ 1,959,671**

TOTAL FIRST YEAR IMPLEMENTATION COST **\$ 4,789,948**

Council Chair
Alice L. Lee

Vice-Chair
Keari N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

September 11, 2020

DEPT OF
PARKS & RECREATION
DIRECTOR'S OFFICE
COUNTY OF MAUI

2020 SEP 14 AM 11:50

RECEIVED

Ms. Karla Peters, Director
Department of Parks and Recreation
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Peters:

**SUBJECT: INTEGRATED PEST AND ENVIRONMENTAL
MANAGEMENT ON COUNTY PROPERTY (EACP-1)**

Thank you for your Department's assistance at the Environmental, Agricultural, and Cultural Preservation Committee's meeting of September 8, 2020.

As requested at the meeting, may I please request you inform the Committee of your Department's estimated first-year implementation costs and the number of affected parks if the attached proposed bill were enacted.

May I please further request you provide your response by **September 22, 2020**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Kasie Apo Takayama at ext. 7665, or Clarita Balala at ext. 7668).

Sincerely,

SHANE M. SINENCI, Chair
Environmental, Agricultural, and
Cultural Preservation Committee

eacp:ltr:001apr01:kmat

Attachment

cc: Mayor Michael P. Victorino

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

June 10, 2021

Ms. Karla Peters, Director
Department of Parks and Recreation
County of Maui
Wailuku, Hawai'i 96793

Dear Ms. Peters:

SUBJECT: **INTEGRATED PEST AND ENVIRONMENTAL
MANAGEMENT ON COUNTY PROPERTY** (CARE-23)

On February 4, 2021, Councilmember Shane M. Sinenci transmitted to the Climate Action, Resilience, and Environment Committee a proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 2.50, MAUI COUNTY CODE, RELATING TO PESTICIDE AND FERTILIZER USE ON COUNTY PROPERTY."

The purpose of the proposed bill is to establish a new chapter in the Maui County Code which would exercise the County's proprietary function, as a property owner and manager, by determining the categories of pesticide and fertilizer allowed for use on County property.

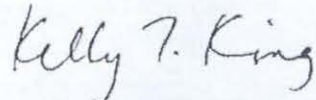
May I please request the Department of Parks and Recreation's comments on the proposed legislation.

May I further request you transmit your response by **Wednesday, June 30, 2021**. To ensure efficient processing, please transmit your response to care.committee@mauicounty.us, and include the relevant Committee item number in the subject line of your response.

Ms. Karla Peters
June 10, 2021
Page 2

Should you have any questions, please contact me or the Committee staff (Nicole Siegel at ext. 8008, or Rayna Yap at ext. 8007).

Sincerely,



KELLY TAKAYA KING, Chair
Climate Action, Resilience, and
Environment Committee

care:ltr:023apr01:nas

Attachment

cc: Mayor Michael P. Victorino

RECEIVED

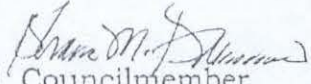
February 4, 2021

2021 FEB -8 AM 10:51

OFFICE OF THE
COUNTY COUNCIL

MEMO TO: CARE-23 File

F R O M: Shane M. Sinenci, Councilmember



SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
INTEGRATED PEST AND ENVIRONMENTAL MANAGEMENT ON
COUNTY PROPERTY** (PAF 21-020)

The attached legislative proposal pertains to Item 23 on the Committee's agenda.

paf:kmatt:21-020c

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 2.50, MAUI COUNTY
CODE, RELATING TO PESTICIDE AND FERTILIZER USE ON COUNTY
PROPERTY

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 2, Maui County Code, is amended by adding a new
chapter to be appropriately designated and to read as follows:

"Chapter 2.50

PESTICIDE AND FERTILIZER USE ON COUNTY PROPERTY

Sections:

2.50.010	Purpose.
2.50.020	Definitions.
2.50.030	Administrative rules.
2.50.040	Pesticide and fertilizer use on County property.
2.50.050	Waiver.
2.50.060	No conflict with federal or state law.

2.50.010 Purpose. This chapter's purpose is to exercise the County's proprietary function, as a property owner and manager, by determining the categories of pesticide and fertilizer allowed for use on County property.

2.50.020 Definitions. Whenever used in this chapter, unless the context otherwise requires:

"County property" means the same as in section 13.04A.030 of this code, but does not include property subject to state executive order, County agricultural parks, or County property used for agricultural purposes.

2.50.030 Administrative rules. The director of public works may adopt administrative rules to implement this chapter.

2.50.040 Pesticide and fertilizer use on County property.

A. The following are allowed for use on County property:

1. Pesticides and fertilizers listed as "allowed" on the National List of Allowed and Prohibited Substances as listed in title 7 Code of Federal Regulations 205.601, 205.603, 205.605, and 205.606.

2. "Minimum risk pesticides" exempt from registration under the Federal Insecticide, Fungicide, and Rodenticide Act as provided in title 40 Code of Federal Regulations section 152.25(f).

3. The following when used in compliance with manufacturer specifications:

a. Disinfectants, germicides, bactericides, miticides, and virucides.

b. Insect repellents.

c. Rat and rodent extermination products.

d. Swimming pool supplies.

e. General use paints, stains, and wood preservatives, and sealants.

f. Citric acid.

B. Unless a waiver is approved under section 2.50.050, use of pesticides and fertilizers on County property not allowed under section 2.50.040(A) is prohibited, except that otherwise prohibited pesticides may be used to control:

1. Mosquitoes.

2. Animals or insects, such as fire ants or termites, that may cause damage to buildings and structures.

3. Invasive species whose introduction does, or is likely to, cause economic or environmental harm or harm to human health.

2.50.050 Waiver.

A. Agencies may apply to the council for a waiver from section 2.50.040 prior to the use of a prohibited pesticide or fertilizer.

B. The waiver application must include:

1. A location map for the proposed usage area.

2. A landscape plan.

3. Photographs of areas and vegetation.

4. A summary of the existing plants, soils, and environmental conditions for each area.

5. A history of vegetation management practices, including fertilizer and pesticide application amounts and frequency.

6. Cost estimates and a timeline.

7. Information on how the public's health and safety is threatened.

8. An evaluation and list of the results of alternative methods and materials.

9. An explanation of how the application of otherwise prohibited substances will, to the greatest extent practical, minimize the impact of the application on abutting properties, human health, and the environment.

C. The council may approve a waiver or waiver extension by resolution upon finding the following:

1. A situation exists that threatens the public's health and safety.

2. Alternative control methods and allowed substances have been evaluated and determined to be insufficient.

3. The application of otherwise prohibited substances will, to the greatest extent practical, minimize the impact of the application on abutting properties.

D. Waivers may be granted for a period of up to two years, and may include conditions such as signage to protect public health and safety.

E. Waiver extension requests must be submitted at least ninety days prior to the expiration date and must include the same information as a waiver application.

2.50.060 No conflict with federal or state law. Nothing in this chapter shall be interpreted or applied so as to create any requirement or duty in conflict with any federal or state law."

SECTION 2. This Ordinance takes effect one year after its approval, except for pesticides and fertilizers used at the Waiehu Golf Course, War Memorial Complex, and Ichiro "Iron" Maehara Baseball Stadium, which takes effect two years after its approval.

APPROVED AS TO FORM AND LEGALITY:

/s/ Stephanie M. Chen

Department of the Corporation Counsel
County of Maui
paf:jbf:20-020a