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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."

RECEIVED  
BOT-HWYS  
MAUI DISTRICT OFFICE  
2015 SEP -8 PM 2:30



RECEIVED AT PRL MEETING ON 3/7/17  
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Mr. Ferdinand Cajigal  
September 3, 2015  
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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:SOHDOTHDM]

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

## City of Reno Introduces Pesticide-Free Parks Program



Posted: Thu 3:14 PM, Sep 24, 2015 | Updated: Thu 3:15 PM, Sep 24, 2015

RENO, NV - The Reno City Council has approved a Pesticide-Free Parks program for 12 Reno parks. The two-year pilot program was the result of community concern about pesticide use, and the Neighborhood Advisory Boards were utilized to choose ten of the 12 designated parks.

City staff identified two downtown parks, then worked with the five City of Reno advisory boards to select two parks within each ward. The Recreation and Parks Commission recommended that Council approve the program.

"This is a major win for the city in regards to our priority of providing and maintaining safe and healthy neighborhoods," Ward 2 Reno City Councilmember Naomi Duerr says. "Community input will continue to drive the important decisions we make."

The following pesticide-free City of Reno parks will be identified by signage on site:

- Downtown: Barbara Bennett Park and Wingfield Park
- Ward 1: Canyon Creek Park and Plumas Park
- Ward 2: Virginia Lake Park and Crystal Lake Park
- Ward 3: Pat Baker Park and Wilkinson Park
- Ward 4: Raleigh Heights Park and Silver Lake Park
- Ward 5: Lake Park and Whitaker Park

A PDF map of the 12 parks is attached to this story. A Google map is also linked.

City staff will discontinue the routine use of herbicides for general weed control in these 12 parks. Alternative strategies could include use of organic or non-registered products, weed burning, and other manual weed-control efforts.

Parks staff attended a training session sponsored by Beyond Pesticides, a national nonprofit organization promoting alternatives to pesticide use. This training program was targeted toward turf maintenance through organic methods.

View the linked staff report for more information about the variety of methods used by the City of Reno to control weeds in parks and landscaped rights-of-way.

NAS  
NAS



NASA Is Studying Greenland To Put A Timeline On Sea Level Rise

## **Organic Land Management Action Plan Maui County, Hawaii**

**Community/Grantee:** County of Maui, Hawaii

**Contact:** Karla Peters, Maintenance Supervisor, Department of Parks and Recreation  
700 Halia Nakoia St., Unit 2, Wailuku, HI 96793  
Phone: (808) 270-7327 Email: [Karla.peters@co.maui.hi.us](mailto:Karla.peters@co.maui.hi.us)

**Organization/Grantor:** Beyond Pesticides

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### **Funding:**

**Cost of Project:** \$ 5,000

**Project Funds Provided by Organization/Grantor:** \$5,000

**Community Contribution:** \$[0]

**Services to be funded by Organization/Grantor:** Soil analysis of up to four sites selected by the Department of Parks and Recreation, County of Maui; site visit by Beyond Pesticides to record current practices and budget restrictions; development of transition plan unique to each site with 1-day (8 hours) of training by organic turf and landscape management expert; support for implementation and a follow-up site visit and training as needed.

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### **Expected Outcomes**

Trained staff and administrators. The 1-day training for administrators and maintenance staff of the Parks Department will focus on the concepts and techniques to convert traditional and integrated pest management (IPM) land management to organic practices, pest prevention strategies that promote soil and plant health through enhancement of soil biology.

This training is the first step in implementation of a strategy to adopt organic land management practices by:

1. Enabling decision makers to understand the concepts, challenges, strategies, benefits and outcomes of going organic to enable them to set a new Department policy.
2. Preparing the staff and decision makers to participate in the development and implementation of a possible transition plan to be facilitated by Beyond Pesticides (with the assistance of a service provider with knowledge and experience in organic turf and landscape management) to chemical free management of public lands.

Beyond Pesticides will contribute up to 100% of the cost of this training, soil testing, and other costs associated with the site evaluations and production of reports. Beyond Pesticides is encouraging the County of Maui to conduct this training and is willing to provide financial support for this action plan to make the transition starting in specific locations within the Department of Parks and Recreation. The County of Maui, Department of Parks and Recreation, is willing to commit at least two and up to four public spaces to this approach pending results of the evaluations, reports, and proposed action plans.

The Department will work with Beyond Pesticides to conduct the following activities related to turf management:

- Document existing conditions using the attached questionnaire.
- Determine site expectations.
- Collect and test soil and analyze nutrient, textural, and soil microbial life using tools provided by Beyond Pesticides.
- Assess current and past management practices, both cultural and product.
- Provide access to records on material and product use.
- Formulate action and management plan and report to transition in an area of the Department's choosing.
- Help develop contract specifications for the related work that the Department contracts out.
- Receive technical assistance through the first year of transition.

To initiate the action plan, a signature from a government official responsible for landscape management in Maui County is required.

Prior to signature by a Maui County official, County Council acceptance of this proposal is required pursuant to Chapter 3.56 of the Maui County Code, as it constitutes a Gift or Donation to the County.

COUNTY OF MAUI

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Its Mayor

Approved as to  
Form and Legality:

  
\_\_\_\_\_  
Deputy Corporation Counsel  
(LF 2016-0428)

# OCEAN FRIENDLY PROPERTY PLEDGE

We pledge to take action to reduce storm water pollution on our property.

## Storage & Chemical Management

- ☐ Use a containment unit (such as a storage shed that is enclosed and covered) to store chemicals used for cleaning and yard care.
- ☐ Dispose of and recycle used and leftover chemicals properly.
- ☐ Keep dumpsters closed and make sure they are not used to dispose of liquid contaminants.
- ☐ Make a spill kit available onsite, and ensure employees are trained in its use.
- ☐ Choose Ocean-Preferred Products whenever possible (see listing of less harmful product alternatives found at [westmaukumuwai.org](http://westmaukumuwai.org)) for yard care and pest management.

## Wash-Down & Work Areas

- ☐ Move wash-down areas away from storm drains onto a vegetated area or an appropriate site elsewhere.\*
- ☐ Where moving wash-down area(s) isn't possible, inlet protection (such as a non-compost-based filter sock) will be used to block drains and/or filter the water that does enter the storm drain.
- ☐ Use a drip pan or absorbent material such as a drop cloth, sheet, or cardboard to prevent harmful substances from washing into drains, and dispose of these materials appropriately.
- ☐ Use dry methods (such as sweeping) to maintain paved areas, clean dumpsters, prepare for painting or pressure washing, and to remove debris; wash only when necessary, and as a final step.

## Pools

- ☐ Chlorinated pool water will never be disposed of via gutters and storm drains.
- ☐ All pool water will be dechlorinated prior to disposal into storm drains or a sanitary sewer, or redirected onto a vegetated area for infiltration.
- ☐ If constructing a new pool, try a natural swimming pool alternative.

## Other Strategies

- ☐ Get to know the storm water flow pattern on your site, where the drains are, and where they go.
- ☐ Downspouts are/will be redirected to water plants or soak into the ground, or collect it for future irrigation use via a rain barrel
- ☐ Curb cuts are/will be installed\* so water runoff from paved areas can reach vegetated areas instead of drains.
- ☐ Build a rain garden.\*
- ☐ If new walkways are needed, they will be constructed using semi-permeable pavers to promote infiltration\*.
- ☐ Label the storm drains on or near your property with a stencil or medallion to indicate that they drain to the ocean.
- ☐ Ensure that any maintenance activities contracted out are following these best practices for storm water management, and in compliance with rules and regulations.

## Landscaping

- ☐ Our landscaper is/will become a member of West Maui Kumuwai's free Ocean-Friendly Landscaper recognition program.

*\*Professional consultation  
may be necessary to ensure  
proper drainage*



**WEST MAUI  
Kumuwai**

A MOVEMENT FOR OCEAN HEALTH

West Maui Kumuwai is focused on reducing land-based sources of pollution that can harm our ocean, by offering ways in which individuals can take action to curb these pollutants at home, in their yard, or through community projects.



**WEST MAUI  
Kumuwai**  
A MOVEMENT FOR OCEAN HEALTH

## PROPERTY PLEDGE

To Take the Ocean-Friendly Property Pledge, please provide us with the information below.

The West Maui Kumuwai Campaign Property Pledge is a pilot program aimed at reducing the harmful effects that land-based pollutants have on our ocean. The program is designed to give you favorable exposure for your commitment, through the media activities of our campaign and partner networks. To Take the Ocean-Friendly Property Pledge, please review and complete this section below:

**As a Pledged Property, we kindly ask that you:**

- Commit to at least 10 of the 20 practices outlined in the Property Pledge (please indicate which ones you are committing to by checking the boxes)
- Inform residents and guests of your pledge.
- Tell us how things are going! We'll check in periodically to see if you're having any challenges, and determine how we can help.
- Send us any photos we can use in our media efforts, or coordinate with us so we can come to your property and showcase your efforts.
- Help us test out this Pledge – please provide your feedback on how we can improve our program!. We'd love your assistance in refining future versions to be practical and realistic, while helping our environment.

**As a Pledged Property your company will be promoted in the following ways:**

- Featured on our website and through social media and news releases.
- Provided with the West Maui Kumuwai Ocean-Friendly Property badge for your media and marketing purposes.
- Invited to participate in WMK events and activities to further promote your property.

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Phone: \_\_\_\_\_ Property Name: \_\_\_\_\_

Affiliation to Property: \_\_\_\_\_

By submitting this form, I hereby grant West Maui Kumuwai the right to use my company or property name in connection with my participation in the West Maui Kumuwai Landscaper Pledge in any and all media, now known hereafter devised in perpetuity. (Sorry for the legal jargon.)

For more about this program, please visit our website at: [www.westmauikumuwai.org](http://www.westmauikumuwai.org), email us at [westmauikumuwai@gmail.com](mailto:westmauikumuwai@gmail.com), or call (808) 283-1631.

# OCEAN FRIENDLY LANDSCAPER PLEDGE

By taking this pledge, we're doing our part to protect our ocean and our unique way of life in West Maui.

## Fertilizer Practices

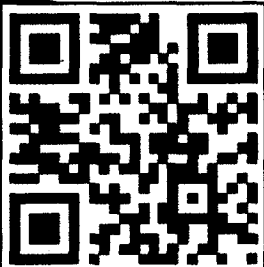
- ☐ Yard is maintained with no fertilizer, organic non-synthetic, or slow release fertilizer
- ☐ If grass is present and you have a mulching mower, grass and plant clippings are left on the lawn, as a natural (chemical-free) fertilizer

### If Fertilizer is Used:

- ☐ Instructions on fertilizer label are always followed
- ☐ Fertilizer is never used near storm drains, drainage ways, or the shoreline
- ☐ If fertilizer gets on paved surfaces, such as driveways or sidewalks, it is swept off or removed into the yard or grass

## Water and Planting

- ☐ Irrigation is conducted less often and for longer periods, to promote deeper root growth
- ☐ Automatic irrigation is utilized AND the irrigation system is in good repair with no breaks or leaks
- ☐ Regularly check for visible signs of water stains on hard surfaces AND if erosion is occurring in vegetated areas from repeated overspray or water runoff
- ☐ If automatic irrigation is used, a weather-based irrigation controller (WBIC) or "smart" irrigation controller is installed OR an irrigation controller has a rain shut-off
- ☐ Plants with similar water needs are grouped together
- ☐ Plants native to West Maui, or those that are drought-tolerant and non-invasive are utilized for at least 10% of the visible yard area
- ☐ Mulch is placed around plants to help retain moisture and protect soil from erosion (Tip: be sure to avoid covering the base of the plants to avoid disease)
- ☐ Mulch is used to cover bare locations AND there are no areas of exposed soil
- ☐ If grass is present, no more than 1/3 of the grass blade is cut (Tip: taller blades of grass retain more moisture in the soil)



service\_pledge\_facebook



WEST MAUI  
**Kumuwai**  
A MOVEMENT FOR OCEAN HEALTH

West Maui Kumuwai is focused on reducing land-based sources of pollution that can harm our ocean, by offering ways in which individuals can take action to curb these pollutants at home, in their yard, or through community projects.





**WEST MAUI**  
**Kumuwai**  
A MOVEMENT FOR OCEAN HEALTH

## LANDSCAPER PLEDGE

To Take the Ocean-Friendly Landscaper Pledge, please provide us with the information below. You can also complete the pledge online at [WestMauiKumuwai.org/yard-service-pledge-facebook](http://WestMauiKumuwai.org/yard-service-pledge-facebook) or use the QR code on the reverse side.

The Landscaper Pledge is a branded landscape program aimed at reducing the effects of pollutants on our ocean. We're realistic about what is and isn't possible for your clients' yards, while also staying true to what's best for our ocean. The program is designed to give you favorable exposure for your commitment, with both current and new clients.

**As a Pledged Landscaper, we ask that you:**

- Commit to at least 10 of the 14 practices outlined in the Landscaper Pledge Program (please indicate which ones you are committing to by checking the boxes)
- Inform clients of your pledge by leaving behind a one-pager of what you've pledged to, with a West Maui Kumuwai sticker for their curbside bins.
- Tell us how things are going in a couple of months. We'll check in to see if you're having any challenges, how we can help, or if you have feedback on how we can improve our program.

**As a Pledged Landscaper your company will be promoted in the following ways:**

- Featured on our website and through social media
- Invited to participate in WMK events and activities to further promote your company

**You'll be given:**

- A digital file of our "West Maui Kumuwai Ocean-Friendly Landscaper" badge for your website, so your customers can see your sustainability efforts
- West Maui Kumuwai stickers to place on your work trucks
- West Maui Kumuwai stickers to give to your clients, for their curbside bins

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Phone: \_\_\_\_\_ Company: \_\_\_\_\_

Number of Employees: \_\_\_\_\_ Affiliation to Company: \_\_\_\_\_

Please provide us with an estimate of the total number of acreage you are responsible for maintaining (this information will be kept confidential):

Residential Acreage Maintained: \_\_\_\_\_ Commercial Acreage Maintained: \_\_\_\_\_

By submitting this form, I hereby grant West Maui Kumuwai the right to use my company or property name in connection with my participation in the West Maui Kumuwai Landscaper Pledge in any and all media, now known hereafter devised in perpetuity. (Sorry for the legal jargon.)

For more about this program, please visit our website at: [WestMauiKumuwai.org](http://WestMauiKumuwai.org), email us at [westmauikumuwai@gmail.com](mailto:westmauikumuwai@gmail.com), or call (808) 283-1631.