

**Peter S. Adler, PhD**

**The ACCORD3.0 Network**

2471 Manoa Road Honolulu, Hawaii 96822

Email: [padleraccord@gmail.com](mailto:padleraccord@gmail.com) Web: [www.accord3.com](http://www.accord3.com)



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## Update #1

January 29, 2014

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### 1. Joint Fact Finding Working Group Members

The following people have been invited to serve as members of the JFF group that will be engaging in fact-centered deliberations on possible health and environmental harms from pesticide use on Kauai.

- **Adam Asquith** holds a PhD in Entomology and is the Kauai Extension Specialist for the University of Hawai'i Sea Grant College Program.
- **Lee Evslin** holds an MD and is a semi-retired physician. He is board certified in pediatrics.
- **Gerardo Rojas Garcia** holds a Masters Degree in Agricultural Engineering and is Kauai R&D Site Leader for Dow AgroSciences.
- **Sarah Styan** holds a PhD in Horticulture and is Senior Research Manager for Global Marker Technologies at the DuPont Pioneer Waimea Research Station.
- **Kathleen West-Hurd** holds a PhD in Planning and specializes in land use, non-profit and environmental economics.
- **Douglas Wilmore** holds an MD and is a retired Surgeon.
- **Kawika Winter** holds a PhD in Botany and is Director of the Limahuli Garden and Preserve.

- **Louisa Wooton** holds degrees and certificates in agriculture, operates an organic farm and 65-head goat dairy, and is an Independent Organic Inspector.
- **Roy Yamakawa** holds a Masters of Science in Horticulture and is the recently retired County Administrator for the University of Hawai'i's College of Tropical Agriculture and Human Resources.

Resumes and disclosure statements will soon be posted to the project website at <http://www.accord3.com/pg1000.cfm>.

Twenty-three highly qualified individuals expressed direct interest in being a part of the GM/Pesticide Joint Fact Finding process and many more were contacted on the recommendation of others. Final considerations in the selection had to do with background expertise in agriculture, pesticides, public and clinical health, land use, environmental science, a demonstrated ability to work well in a collaborative deliberation, and a willingness to look at the issues with fresh eyes.

## 2. Liaisons

The Joint Fact Finding group will also avail itself of others on Kauai who have specific background or expertise and who have agreed to serve as informational liaisons. Preliminarily, the following individuals have agreed to assist with this and others will be added in the future.

- **Carl Berg** is a research scientist with extensive background in stream and near-shore marine ecologies.
- **Milt Clark** is a retired EPA official with extensive experience in pollution and public health matters.
- **Malia Nobriga-Olivera** is a cultural practitioner and teacher who will help the group understand cultural and local perspectives on food growing and pesticides.
- **Gary Ueunten** is an Environmental Health Specialist with the Department of Health and will assist with additional information gathering.

Other will be added in the near future and announced in future project updates posted to the project website at <http://www.accord3.com/pg1000.cfm>.

## 3. Meetings

While the process must remain flexible, the JFF group will convene for an anticipated set of 8 meetings held during 2015 with further information gathering

taking place between meetings. The initial meeting of the JFF group is being scheduled for early March. Subsequent meetings will include at least two public sessions: one with invited experts to discuss specific issues raised by the Working Group, and the other prior to issuing a final report of findings and recommendations.

#### **4. Project Description**

The project description is attached at Appendix-A.

**Peter S. Adler PhD**  
The *ACCORD3.0* Network  
2471 Manoa Road  
Honolulu, Hawaii 96822

808-888-0215 (Preferred)  
808-683-2849

[padleraccord@gmail.com](mailto:padleraccord@gmail.com)  
[www.accord3.com](http://www.accord3.com)

## Appendix A

### *Project Description*

# **GM Crops and Pesticides on Kaua'i**

A Joint fact Finding Study Group

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The issue of genetically modified (GM) agricultural production has generated many questions and considerable emotion. One of the debates focuses on the possible adverse health and environmental impacts from pesticides used in conjunction with growing GM crops. Sorting out facts – what we know and can say with reasonable confidence, what we don't know, and what we might reasonably need to know – is challenging, but not impossible.

Through a partnership between the Hawai'i State Department of Agriculture (HDOA) and County of Kaua'i, Peter S. Adler and members of *The ACCORD3.0 Network* have been asked to conduct a joint fact finding pilot project on the Island of Kaua'i. The project will commence approximately January 1, 2015 and is expected to conclude within a year of its official start. If the pilot project is successful, and where there is interest, it may be replicated in other counties or on other Islands on similar or other pressing issues.

### **1. *What is Joint Fact Finding?***

Joint Fact Finding (JFF) is an analytic deliberation process designed to gather facts pertinent to a specific problem. It does this in a disciplined manner and through civil evidence-based debate. The process uses a carefully designed working group structure made up of experts and knowledgeable stakeholders who usually have diverse political and policy opinions but are willing to engage in rigorous and healthy factual discussions.

The overall goals of any JFF are to illuminate the factual assumptions behind a controversy, map areas of factual agreement that all parties can respect, put those areas in a proper context, and help inform policy making. A JFF may also identify specific questions and issues to be further assessed in separate studies. Tailored to accommodate specific circumstances, JFF may be conducted under or embedded within other processes such as Technical Advisory Groups, Stakeholder Panels,

Study Groups, and Policy Dialogues. Additional information is available at <http://accord3.com/pg84.cfm>,

## ***2. Why is this necessary?***

The practice of GM agriculture in Hawaii has raised numerous policy and regulatory questions. While there are many debates, one focuses on the use of pesticides and potential health and environmental harms. Some say there are none, while others believe differently, and many simply do not have enough information or facts on which to base an opinion. Thus far, debates over pesticides and other related issues have primarily been pursued through litigation and legislative proposals. Missing from the picture have been safe spaces where people with knowledge and goodwill and who may disagree with each other, can meet to review, discuss, interpret evidence and deliberate. The JFF will provide a forum for rigorous consideration, evidence-based debate, and collective fact-finding.

## ***3. What will this particular effort do?***

Based on a review of available literature and local data sources, the JFF group will undertake a broad examination of where GM and other production scale crops are grown on Kaua'i, the historic and current use of pesticides on Kaua'i, the prevalence of acute and chronic health conditions occurring on Kaua'i at levels that are above state- or nation-wide rates, and any evidence of environmental contamination that can reasonably be associated with the use of pesticides.<sup>i</sup> The JFF group may also consult with recognized experts in specific technical and policy areas pertinent to the use of pesticides and their impacts.

Through this approach, the JFF group will develop the highest possible consensus-based recommendations on priorities for future study, define the scope of such studies and propose methodologies for improving the monitoring of any health or environmental impacts associated with pesticide use on Kaua'i.

## ***4. Will the JFF group produce original research?***

No. The project will collect, summarize, and explore existing evidence.

## ***5. Who will be responsible for independently convening, facilitating and reporting on the results of the JFF group?***

Peter S. Adler, PhD will serve as Project Director. He and his project team will take no positions themselves and operate with independence. Members of the project team will include Mr. Keith Mattson, a land use specialist; Bruce Anderson PhD, a public health and epidemiology expert; Catherine Nyberg, a project support specialist who resides on Kaua'i; and Christina Sablan, a graduate student in Urban and Regional Planning at the University of Hawai'i, and Ken Schmidt, a Geographic Information Systems specialist who will develop the maps and spatial data for the project. Bios are at Annex-1.

## ***6. What expertise will be represented on the JFF group and who will select them?***

To the greatest extent possible, the group will be composed of not fewer than nine knowledgeable individuals, preferably from Kaua'i, who have pertinent backgrounds, experience or detailed understandings of agriculture, environmental health, epidemiology, toxicology, biostatistics, medicine or other related disciplines. Selection of the JFF members will be done by Dr. Adler with full consideration of diverse qualified nominees and with the advice of three advisers who themselves will not be members of the JFF group. The three selection advisers are Dr. Helen Cox, Chancellor, Kaua'i Community College; Dr. Mehana D. B. Blaich Vaughn, Assistant Professor, University of Hawaii at Manoa, Department of Natural Resources & Environmental Management, College of Tropical Agriculture & Human Resources, and Diane Zachery, President and CEO, Kaua'i Planning & Action Alliance. The JFF process will also make use of other technical experts from Kaua'i and elsewhere as needed.

## ***6. How will the project work?***

The Project Director and his team will assemble a preliminary inventory of existing pertinent studies and other baseline information. This inventory of research will be presented in draft form for consideration by the JFF group. It will then be further refined during the JFF process.

Simultaneously, interviews with 15-25 people will be conducted on Kaua'i to identify (a) potential pesticide-related questions to be flagged for possible study, and (b) the potential expertise that is available on Kaua'i and needed for an effective JFF Group.

While the process will remain flexible, the JFF group itself will convene for an anticipated set of 6 to 8 meetings held over a 12-month period with further information gathering taking place between meetings. All members of the group,

as well as the project team, will be required to disclose financial or working relationships that could be perceived as actual or possible conflicts of interest. The group will also operate under a signed “Charter of Commitments” that will constitute the JFF’s “Rules of the Road” covering decision making and meeting protocols. Key among these rules will be commitments to maintain civility and confidentiality within the working group and to maintain an open mind to evidence.

## ***7. How will the public know what is going on?***

In two ways. First, an open-access project website will be created for information that is gathered along the way, with periodic project updates. Second, at least two of the anticipated meetings will welcome public participation and respectful comments and questions. One will be a technical and scientific discussion with invited experts. The other public participation meeting will be when a draft report has been created. Both meetings will be publicized through the project website and other means.

## ***8. What can be expected in the group’s final report?***

The final report will include the project’s background, a description of the JFF group’s formation, a chronology of its deliberations, and the JFF group’s highest possible consensus recommendations. The report and its attachments will include:

- a. A bibliography of peer reviewed studies pertinent to GM crop production, pesticide use and associated health impacts.
- b. A summary and/or maps with the best available data on locations of Kaua’i lands in crop production, including those in GM crop production.
- c. A summary of the best available data on historic and current pesticide use on GM and other larger scale cultivations on Kaua’i.
- d. A summary of the best available data on the incidence and prevalence of acute and chronic diseases and injuries on Kaua’i that may be associated with pesticide use.
- e. An inventory of studies of environmental pollution and contamination related to pesticide use on Kaua’i.

- f. A list of prioritized future research questions to further examine possible environmental and health impacts that may be associated with the pesticides used in GM crop production (and, to the extent possible, by other major pesticide users), the proposed general scope of future studies, prospective sponsors, and potential funding sources for such studies.

***9. How much will the JFF project cost and who is paying for it?***

The entire project will cost \$100,000. Half comes from the Hawai'i State Department of Agriculture (HDOA) and half from the County of Kaua'i through the Office of Economic Development.

***10. How can persons submit information on relevant studies or other data that the JFF group should consider?***

Once the project officially starts and the website has been created, the public is cordially invited to submit citations and references on (i) relevant studies, preferably peer-reviewed and (ii) data or possible data-sources on Kaua'i-specific agricultural land use, pesticide use, health impacts, and environmental pollution and contamination that could be linked to GM pesticides.



## Annex-1

### Project Team Biographies

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**Peter S. Adler, PhD** is a planner, mediator, facilitator and a principal in **ACCORD3.0**, a professional network of people specializing in foresight, strategy, and cooperative problem solving. Adler has worked in the government, business and NGO sectors and teaches advanced negotiation courses in the Department of Urban and Planning at the University of Hawaii. Prior executive experience includes nine years as President and CEO of The Keystone Center ([www.keystone.org](http://www.keystone.org)), Executive Director of the Hawaii Justice Foundation, and founding Director of the Hawaii Supreme Court's Center for Alternative Dispute Resolution. He is the author of three books and numerous academic and popular articles. He resides in Honolulu.

**Bruce Anderson, Ph.D.**, retired from the State of Hawaii in December 2013 after serving as President and Chief Executive Officer (PCEO) of Hawai'i Health Systems Corporation (HHSC), which includes the twelve public health hospitals and outpatient services in Hawaii. He was previously Director of Health of the State Department of Health and Deputy Director for Environmental Health. Bruce has over 20 years of experience in managing health and environmental protection programs and in dealing with complex environmental policy and planning issues in Hawai'i. He was also President of Oceanic Institute, on Oahu, where he led a team of over 70 scientists, researchers and support staff in developing and transferring new aquaculture technologies to the private sector. He continues to be involved in addressing health and environmental concerns through his consulting business, Bruce Anderson Consulting, LLC. Bruce was born and raised in Hawai'i. He went to Punahou School on Oahu, Colorado College and received his Master's in Public Health from Yale University and a Ph.D. in biomedical sciences from the University of Hawai'i. He enjoys saltwater fly-fishing and hiking, riding horses and gardening with his wife, Debbie, on their ranch on the Big Island.

**Keith Mattson, MCP** is a member of The ACCORD3.0 professional network and President of Keith Mattson LLC, a Honolulu consulting firm specializing in planning and policy analysis. His recent work has focused on Transit Oriented Development (TOD) planning along the future HART rapid transit line in Honolulu and Joint Fact Finding processes to resolve complex issues and debates at neighborhood and county levels. Prior to launching his consulting firm in

November 2013, he worked at the University of Hawaii (UH) for 17 years as a laboratory development project manager and economic development program director. His work for UH included managing a National Institutes of Health grant to build a new biological research laboratory; creating and administering new grant programs to support UH faculty research and teaching.

**Catherine Nyberg** graduated with a degree in Business Management from the University of Colorado at Boulder. Shortly after graduating, she moved to Kaua'i to pursue a career in Hospitality Management. After 5 years in the hotel industry, Catherine decided to switch gears and work in conflict resolution. She has assisted on other projects and brings organizational and problem solving skills.

**Christina Sablan** is a graduate student at the University of Hawai'i at Manoa, where she is pursuing a master's degree in urban and regional planning as well as a graduate certificate in conflict resolution. Her research interests include community planning, land use management, and civic engagement. She recently served as a graduate student assistant for a JFF workshop convened by Dr. Adler in Honolulu in May 2014, and spent the past year providing logistical and research support for the New Directions Committee of the Association for Conflict Resolution's Environmental Public Policy Section. Prior to graduate school, she worked as a journalist, nonprofit program manager, and environmental educator on Saipan in the Northern Mariana Islands. She is also a former member of the Northern Mariana Islands legislature.

**Ken Schmidt** has over 30 years of experience in the application of mapping and geospatial technologies that create location based information products for use by government and private businesses. He provides expertise in the planning, design, implementation, and deployment of geographically based technology systems for organizations operations and services. He has created mapping systems for Florida's Land Information System (LIS), Honolulu's land use and building permitting system, aka POSSE, and HONline permitting system that allows the public to apply for, pay, and print simple permits. In 2012, Ken traveled to Ukraine as part of a U.S. State Department American Council of International Education Legislative Fellows program to help promote the value of geospatial technologies in managing local government functions and operations. Collaborative mapping and educating others on the benefits and possibilities of using geospatial data and technology is a primary objective in all of his efforts.

## END NOTES

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<sup>i</sup> In its examination of pesticide use, the JFF group will pay particular attention to, but not limit itself to Atrazine, Bifenthrin, Chlorpyrifos, Clothianidin, Glyphosate, Paraquat, 2-4-Dichlorophenoxyacetic acid, Neonicotinoids and other chemical compounds that constitute restricted use pesticides (RUPs) as well as other pesticides that are used in high volumes. To the greatest extent possible, and for comparison purposes, the effort will also look at other major users of pesticides on Kauaʻi, including but not limited to golf courses, resorts and other commercial users, transportation agencies, public lands management agencies and general household usage where data are available.

In its examination of health impacts, the KFF group will review the best available data on the prevalence or incidence of acute and chronic health conditions occurring on Kauaʻi at levels that are above state- or nation-wide rates, including cancers, birth defects, asthma, autism and other health conditions that can be identified through existing and available health surveillance data. Data sources will include the Hawaiʻi Tumor Registry, the Hawaiʻi Birth Defects Registry, the Hawaiʻi State Department of Health Pesticide Illness and Injury Reporting system, reported hospital admissions on Kauaʻi, and other databases or clinical records that may be made available to the JFF group.