

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEAN M. MATSUKAWA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'OIHANA MAHI'AI  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT**  
**AND HEALTH AND HUMAN SERVICES**

**FEBRUARY 7, 2025**  
**2:00 PM**  
**CONFERENCE ROOM 225 & VIDEOCONFERENCE**

**SENATE BILL NO. 271**  
**RELATING TO STATEWIDE COMPOSTING**

Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and  
Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 271 that requires the Department of Health (Chapter 342H) to establish a classification system for composting facilities or operations for the purpose of regulating them for health purposes and permits composting and co-composting operations throughout the Agricultural District. The Department of Agriculture (Department) has comments.

The Department notes that the guidance to the Department of Health for a classification system and the requisite rules do not address how composting and co-composting operations will prevent the inter- and intra-island spread of pests and invasive species such as coconut rhinoceros beetles (CRB), little fire ants (LFA), noxious weeds, and plant pathogens such as coffee leaf rust and rapid ohia death (ROD). CRB and LFA in particular are spread by the transportation of material that may not have been treated properly during the composting process, was incorporated into known infested material, or was composted properly, then later reinfested. Pursuant to

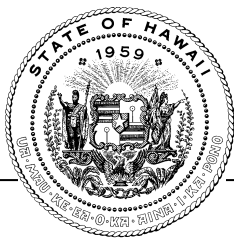


Chapter 4-72, Hawaii Administrative Rules, the Department's Plant Quarantine Branch (PQB) already restricts the interisland movement of greenwaste or mulch that may contain 'ōhi'a to prevent the movement of ROD from Hawai'i Island; restricts the movement of compost and other decaying plant material from O'ahu to prevent the spread of CRB; and requires PQB staff to check potted plants moving interisland for LFA, where the growing media is often comprised of compost. Not only can improper composting potentially facilitate the spread of pests and invasive species through the movement of infested material, but improper composting also creates extremely favorable breeding sites for species such as CRB, further exacerbating the damage they do within a given area.

Furthermore, food waste that is a byproduct of food services from small businesses, restaurants, and resorts, is a valuable food resource for swine operations across the State. Encouraging or requiring composting of this food waste may be in conflict with existing county waste recycling programs such as Honolulu's food waste recycling ordinance (Section 9-3.5, ROH). During the COVID-19 pandemic, the sudden reduction in the supply of food waste is the reason philanthropy agreed to fund the Department's COVID-19 Emergency Hog Farmer Relief Program that distributed \$20,000 to hog farmers to buy grain feed in place of the food waste.

The Department could support this measure only if it can be unequivocally demonstrated that composting and co-composting operations under the proposed Department of Health classification system and rule will not result in the inter- and intra-island spread of pests and invasive species and adversely impact the demand for food waste by swine operations.

Thank you for the opportunity to comment on this measure.



**STATE OF HAWAI'I  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

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Statement of  
**MARY ALICE EVANS, Director**

before the  
**SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENTAL PROTECTION AND  
HEALTH AND HUMAN SERVICES**

Friday, February 7, 2025, 2:00 PM  
State Capitol, Conference Room 225

in consideration of  
**SB 271**  
**RELATING TO STATEWIDE COMPOSTING.**

Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and Members of the Committees,

The Office of Planning and Sustainable Development (OPSD) appreciates the opportunity to provide **comments** on SB 271, which directs the Department of Health to adopt or amend rules establishing a classification system for composting facilities and permits composting and co-composting on agricultural lands, including those with Class A or Class B soils.

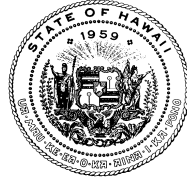
**OPSD strongly supports composting within the Agricultural District;** however, we respectfully note that this measure may be unnecessary.

The Legislature has already taken significant action on this issue through the passage of [HB 1992, CD1](#), enacted as [Act 131, Session Laws of Hawai'i 2022](#), which amended [Hawai'i Revised Statutes § 205-2 by adding a new subsection \(17\)](#) and [Hawai'i Revised Statutes § 205-4.5 by adding a new subsection \(24\)](#) to explicitly allow composting and co-composting operations within the State Agricultural District.

Given this existing statutory authority, the provisions in SB 271 may create redundancy or overlap with current law.

Mahalo for the opportunity to offer this clarification.

JOSH GREEN, M.D.  
GOVERNOR OF HAWAII  
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII



KENNETH S. FINK, MD, MGA, MPH  
DIRECTOR OF HEALTH  
KA LUNA HO'OKELE

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in OPPOSITION to SB0271  
RELATING TO STATEWIDE COMPOSTING**

SENATOR MIKE GABBARD, CHAIR  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

February 7, 2025, 2:00PM, Conference Room 225

1 **Fiscal Implications:** The Department of Health ("Department") requests that this measure be  
2 considered as a vehicle to provide this needed funding so long as it does not supplant the  
3 priorities and requests outlined in the Governors executive budget request.

4 **Department Position:** The Department opposes this measure and offers comments.

5 **Department Testimony:** The Environmental Management Division, Solid and Hazardous Waste  
6 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

7 Part II: The Department agrees that composting is an important option for organics  
8 management and landfill diversion, but does not support Part II of this measure which requires  
9 the Department to adopt rules to establish a classification system for composting facilities and  
10 operations for health purposes. It also appropriates funds for a position to focus on updating  
11 rules.

12 The Department recognizes that not all regulations may be suitable to all types of  
13 composting operations. As such, the Department already has a tiered solid waste permitting

1 program for composting operations, that includes: 1) exemptions for the disposal of agricultural  
2 waste from its products processing facility on its own agricultural land, which has been  
3 extended to include land application of its associated composted agricultural waste; 2) a permit  
4 by rule for relatively small composting facilities that compost less than 3,000 tons of yard  
5 trimmings per year; and 3) a general permit with a risk-based evaluation for all other  
6 composting operations. Although general permit applicants all use the same application form,  
7 the review and associated permit conditions in general permits issued by the EMD-SHWB Solid  
8 Waste Section are specific to each facility. The general permit application process takes into  
9 account the type and quantity of materials, facility design, operations plan, and site-specific  
10 features to determine appropriate best management practices that focus on minimizing the  
11 particular risks of a given operation.

12 The Department is currently in the process of updating Hawaii Administrative Rules,  
13 Chapter 11-58.1, Solid Waste Management Control, that regulate composting and co-  
14 composting operations. As part of this rule amendment process, we are reviewing the  
15 permitting process for certain composting facilities that use food waste as feedstock and we are  
16 hoping to provide more regulatory options for those facilities. This effort is being accomplished  
17 with current staffing levels, therefore we recognize that the process is taking some time.

18 While we appreciate the offer of a temporary program specialist position, the  
19 Department instead seeks support in a permanent program specialist position through approval  
20 of the Executive Budget request. This permanent position will assist in overall solid waste  
21 management planning and waste diversion efforts, which will include support functions, such as  
22 rule development.

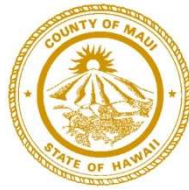
23 Part III: The Department defers to the Office of Planning and Sustainable Development  
24 and Department of Agriculture regarding allowable activities in agricultural districts.

25 **Offered Amendments:** None

26 Thank you for the opportunity to testify on this measure.

**RICHARD T. BISSEN, JR.**  
Mayor

**JOSIAH K. NISHITA**  
Managing Director



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov](http://www.mauicounty.gov)

TO: Senator Mike Gabbard, Chair  
Senator Herbert M. "Tim" Richards, III, Vice Chair  
Committee on Agriculture and Environment  
Committee on Health and Human Services

FROM: Richard T. Bissen, Jr., Mayor  
Shayne Agawa, Director of Environmental Management

DATE: February 5, 2025

SUBJECT: **SUPPORT OF SB271, RELATING TO STATEWIDE COMPOSTING**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The Act Requires the Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations. Allows composting and co-composting in the agricultural district, including on lands with class A or class B soils. Appropriates moneys.

We **SUPPORT** this measure with the following recommendations and reasoning:

1. Please consider adding the following language to "(b) (2) Not impose onerous requirements where unnecessary" add: "require the State Department of Health to refer to EPA regulations regarding PFAS (perfluoroalkyl and polyfluoroalkyl substances) in food waste composting and co-composting operations."

The biggest hurdle for food waste composting and biosolids co-composting is the State of Hawaii's refusal to allow compost operations due to concerns over PFAS; although EPA has not specified regulations around PFAS, the State Department of Health has not been issuing solid waste management permits for food waste compost or biosolids compost operations altogether; as a result the County of Maui has been landfilling over fifty thousand of tons of biosolids and green waste mulch a year that could be diverted into compost, and food waste composting developments have halted.

2. Composting sequesters carbon by 40% to 60%, which would help to meet statewide goals.

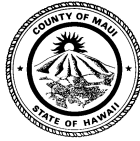
Mahalo for your consideration.

Council Chair  
Alice L. Lee

Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Tom Cook  
Gabe Johnson  
Tamara Paltin  
Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 5, 2025

TO: The Honorable Mike Gabbard, Chair  
The Honorable Herbert M. "Tim" Richards, III, Vice Chair  
and Members of the Senate Committee on Agriculture and Environment

The Honorable Joy A. San Buenaventura, Chair  
The Honorable Henry J.C. Aquino, Vice Chair  
and Members of the Senate Committee on Health and Human Services

FROM: Alice L. Lee, Council Chair 

SUBJECT: **HEARING OF FEBRUARY 7, 2025; TESTIMONY IN SUPPORT OF SB 271,  
RELATING TO STATEWIDE COMPOSTING**

I support this measure to require the Department of Health to establish a classification system for composting facilities or operations and allow composting and co-composting in the agricultural district.

This measure is in the Maui County Legislative Package; therefore, I offer this testimony on behalf of the Council.

The County Council **supports** this measure for the following reasons:

1. Food waste constitutes a large percentage of all materials sent to landfills, much of which could be diverted through composting.
2. Recycling organics into compost has multiple environmental benefits, including improving soil health; increasing crop yields; increasing drought resistance; reducing the need for supplemental water, fertilizers, and pesticides; decreasing methane, a powerful greenhouse gas emission responsible for climate change; and reducing the risk of invasive species.
3. Increasing diversion of food waste from landfills and increasing composting promotes sustainability, resilience, and fiscal goals for the State and counties.

Thank you for your consideration.



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State President

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Tony Vera  
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Maureen Datta  
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Fawn Helekahi-Burns  
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Lahaina, Maui

Kilia Avelino-Purdy  
Moloka'i

Negus Manna  
Lāna'i

India Clark  
North Shore, O'ahu

Christian Zuckerman  
Wai'anae, O'ahu

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Waimānalo, O'ahu

Vincent Kimura  
Honolulu, O'ahu

Natalie Urminska  
Kaua'i

Aloha Chairs Gabbard & San Buenaventura, Vice Chairs Richards & Aquino, and Committee Members,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports SB271.**

By requiring the Department of Health to establish a classification system for composting facilities, this bill addresses a crucial need for clear, standardized guidelines that will encourage the growth of composting operations across the state. The inclusion of composting and co-composting in the agricultural district, even on lands with class A or class B soils, further underscores a commitment to making organic waste management widely accessible and integrated within our farming communities.

Additionally, the appropriation of funds to support this effort ensures that the necessary resources will be available to implement and maintain these composting systems effectively. This financial backing is essential for training programs, infrastructure development, and ongoing support for farmers and communities engaging in composting. By supporting composting, Hawaii can strengthen its agricultural sector, promote environmental resilience, and move closer to a more sustainable and self-reliant future. This bill not only benefits farmers but also aligns with broader state goals of environmental conservation and waste reduction, making it a vital component of Hawaii's long-term sustainability strategy.

Mahalo for the opportunity to testify.

Hunter Heavilin  
Advocacy Director  
Hawai'i Farmers Union





P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 7, 2025

HEARING BEFORE THE  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

**TESTIMONY ON SB 271**  
RELATING TO STATEWIDE COMPOSTING

Conference Room 225 & Videoconference  
2:00 PM

Aloha Chairs Gabbard and San Buenaventura, Vice-Chairs Richards and Aquino, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau provides comments on SB 271**, which requires the Department of Health (DOH) to adopt rules to establish a classification system for composting facilities and operations and allows composting and co-composting in the agricultural district, including on lands with class A or class B soils. **While we support efforts to enhance composting practices in Hawai'i, we have serious concerns about the high potential for unintended consequences should this bill become law.**

HFB recognizes and supports the diversion of discarded food and other useful wastes away from landfills. We support well-managed and appropriately sited composting efforts that produce a valuable resource for farmers and others. The benefits of compost are well-known; among other things, it can improve soil health, reduce greenhouse gas emissions, recycle nutrients, and mitigate the impact of droughts.

However, unregulated or improperly managed composting poses serious threats to public health, agriculture, and the environment. We urge the committee to consider the following concerns and support the Executive Budget request for a permanent DOH program specialist position to help expedite its current process of updating HAR Chapter 11-58.1.

**Risk of Spreading Invasive Species**

Hawai'i continues to battle devastating invasive species, including the Coconut Rhinoceros Beetle and Little Fire Ant, both of which can be transported via green waste and compost. While SB 271 acknowledges the risk of introducing invasive species, it does *not* provide clear safeguards to prevent the spread of these pests.

**Recommendations:**

- Require biosecurity measures for composting facilities, including heat treatment and periodic testing for invasive species.
- Mandate restrictions on inter-island transport of compost unless certified pest-free by the Hawai'i Department of Agriculture.

**Regulatory Oversight and Public Health Risks**

SB 271 directs DOH to establish a classification system for composting facilities, aiming to ease permitting barriers. However, reducing regulatory requirements for smaller composting operations may increase risks of:

- Pathogen contamination in composted materials.
- Uncontrolled fires from improperly managed compost piles.
- Leachate runoff contaminating nearby water sources and agricultural lands.

**Recommendations:**

- Ensure all composting facilities, regardless of size, remain subject to DOH oversight and inspections.
- Maintain strict permitting requirements for composting operations near agricultural or residential areas.
- Require best management practices for small-scale composting sites to mitigate risks.

**Protection of Prime Agricultural Lands**

SB 271 allows composting and co-composting operations on Class A and B agricultural lands. These lands are among Hawai'i's most fertile and should be prioritized for food production rather than composting facilities.

**Recommendations:**

- Restrict large-scale composting operations on Class A and B soils, allowing only on-farm composting that directly supports agricultural production.

**Clarification on the Department of Health's Rulemaking Authority**

SB 271 instructs the DOH to weigh the climate benefits of composting against "perceived" health risks. However, this directive could weaken necessary safeguards if composting regulations are loosened to prioritize waste diversion goals over public health concerns.

**Recommendations:**

- Ensure that DOH retains full authority to enforce health and safety regulations.
- Ensure input from agricultural producers and invasive species experts prior to any proposed rule changes.

While we support the expansion of composting in Hawai'i, we strongly urge the committee to address biosecurity risks, regulatory oversight, and land use concerns. Hawai'i's farmers and ranchers are already burdened by invasive species, water shortages, and land-use challenges. SB 271 must balance the promotion of composting with strong safeguards to protect farmers, the public, and our fragile island ecosystems.

Thank you for your continued support of Hawai'i agriculture.



Re: SB271

Agenda Item: RELATING TO STATEWIDE COMPOSTING.

Position: Support

Testimony: By 'Āina Design Corp. A 501(c) non-profit organization

Email: [admin@ainadesign.org](mailto:admin@ainadesign.org)

Address: 1105 Uluopihi Lp. Kailua, HI 96734

Aloha Committee Members,

We support SB271 requiring the State Department of Health to adopt or amend rules to establish a classification system for both composting facilities and operations. Our position is based on benefit to the farm communities that take an active role in greenwaste and foodwaste reclamation schemes that contribute to community managed systems. Monitoring and testing will need to be coordinated across the farm community, DOH, and Dept. Of Agriculture which should be addressed in the proposed bill.

Sincerely,

Joe Hagedorn,

President, 'Āina Design Corp

**SB-271**

Submitted on: 2/5/2025 8:41:08 PM

Testimony for AEN on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Climate Protectors Hawaii	Support	Written Testimony Only

## Comments:

Climate Protectors Hawai'i **SUPPORT** this bill to encourage greater composting. **Composting** is a climate issue because it helps **divert organic material from landfills**. Organic material in landfills creates methane, a potent greenhouse gas approximately 80 worse the carbon dioxide over the next twenty years.

**SB-271**

Submitted on: 2/4/2025 11:59:53 AM

Testimony for AEN on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

Composting should be an important part of our strategy to reduce greenhouse gases, extend the life of our landfills, improve local agriculture for food security, etc. Please pass SB271 to help reduce obstacles to composting.

**SB-271**

Submitted on: 2/4/2025 9:10:34 PM

Testimony for AEN on 2/7/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Theresa M Thompson	Individual	Support	Written Testimony Only

Comments:

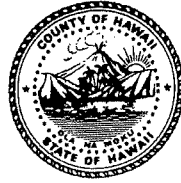
I support SB 271 RELATING TO STATEWIDE COMPOSTING, which requires the Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations. Allows composting and co-composting in the agricultural district, including on lands with class A or class B soils. Appropriates moneys.

Mahalo,

Theresa Thompson

C. Kimo Alameda, Ph.D.  
*Mayor*

William V. Brilhante Jr.  
*Managing Director*



Wesley Segawa  
*Director*

Craig Kawaguchi  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · [cohdem@hawaiicounty.gov](mailto:cohdem@hawaiicounty.gov)

Ph: (808) 961-8083 · Fax: (808) 961-8086

February 6, 2025

### COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Sen. Mike Gabbard, Chair

### COMMITTEE ON HEALTH AND HUMAN SERVICES

Sen. Joy A. San Buenaventura, Chair

Hawai'i State Capitol

Honolulu, HI 96813

**Re: Testimony in Support of Senate Bill (SB) 271 Relating to Statewide Composting, which requires the Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations and allows for composting and co-composting in the agricultural district.**

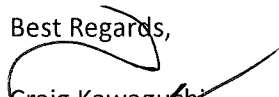
Dear Chair Gabbard, Chair Buenaventura, and Committee Members,

The County of Hawai'i Department of Environmental Management is pleased to submit testimony in **support of Senate Bill 271 with comments**, which takes an important step toward reducing barriers for composting businesses in Hawai'i. Expanding composting is essential to achieving our waste reduction goals, but current regulations create unnecessary obstacles for new operators.

By establishing a classification system that considers facility size, technology, and environmental benefits, this bill ensures regulations are tailored and reasonable. This approach will encourage private-sector solutions, helping divert food waste from landfills while supporting local businesses and sustainable agriculture.

Thank you for your consideration.

Best Regards,

  
Craig Kawaguchi  
DEPUTY DIRECTOR

cc: Mayor Kimo Alameda  
Gene Quiamas, Acting Hawai'i County Solid Waste Division Chief  
Tanya Buckley, Acting Hawai'i County Recycling Coordinator