

# ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE

Council of the County of Maui

## MINUTES

May 14, 2019

### Council Chamber

**CONVENE:** 1:35 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair  
Councilmember Tasha Kama, Vice-Chair (arrived at 2:15 p.m.)  
Councilmember Kelly T. King (arrived at 1:37 p.m.)  
Councilmember Alice L. Lee (left at 1:59 p.m.)  
Councilmember Michael J. Molina  
Councilmember Tamara Paltin  
Councilmember Yuki Lei K. Sugimura

**STAFF:** Carla Nakata, Legislative Attorney  
Kasie Apo Takayama, Legislative Analyst  
Nicole Siegel, Committee Secretary  
Stacey Vinoray, Committee Secretary

Wesley Crile, Legislative Analyst  
Julie Reed, Legislative Analyst

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

Don Atay, Executive Assistant to Councilmember Sinenci  
Gina Flammer, Executive Assistant to Councilmember Sinenci

**ADMIN.:** Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel  
Eric Nakagawa, Acting Director, Department of Environmental Management  
Shayne Agawa, Deputy Director, Department of Environmental Management  
Tamara Farnsworth, Environmental Protection and Sustainability Division Chief, Department of Environmental Management

**OTHERS:** Ashley O'Colmain, Green Events Program Director, Maui Huliau Foundation  
Gretchen Losano, Co-Founder, West Maui Green Cycle  
Todd Kawasaki, President, Maui Chemical and Paper Products  
Rob Parsons  
Marjorie Bonar

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Jacee Lau  
Others (4)

**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR SINENCI: . . . *(gavel)* . . . Aloha mai kakou. Welcome to the Environmental, Agricultural, and Cultural Preservation Committee. Today is Tuesday, May 14<sup>th</sup>, 2019. It's 1:35 p.m. I'm Shane Sinenci, the Chair of the Committee. Before we begin, may I please ask that everyone silence all cell phones and noise-making devices? Mahalo. For brief introductions, today we have Member Yuki Lei Sugimura. Welcome.

COUNCILMEMBER SUGIMURA: Good afternoon, Chair.

CHAIR SINENCI: Good afternoon. Member Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha, Chair.

CHAIR SINENCI: Real quick, our Vice-Chair, Tasha Kama, is excused for today. Aloha, Ms. Paltin. Member Lee.

COUNCILMEMBER LEE: Salam, Mr. Chair.

CHAIR SINENCI: Salam. And Mr. Michael Molina.

COUNCILMEMBER MOLINA: Good afternoon, Chairman.

CHAIR SINENCI: Good afternoon. And our Chair King is en route, on her way. In the Chambers today, we have from the Department of Corporation Counsel, Richelle Thomson. Aloha. Our Administration representatives, Eric Nakagawa, Shayne Agawa, and Ms. Tamara Farnsworth. Welcome. Also our representatives today, we have Ashley O'Colmain, Gretchen Losano, and Mr. Todd Kawasaki. Welcome. For Staff, we have Kasie Apo Takayama, Carla Nakata, Nicole Siegel, and Stacey Vinoray. Welcome. At our District Offices, we have Ms. Mavis Oliveira-Medeiros, Denise Fernandez in Lanai, and Zhantell Lindo at the Molokai District Office. Today, Members, we are addressing two items in Committee. We have EACP-16, Restricting the Use and Sale of Single-Use Disposable Foodware; and EACP-2, the Plastic Bag Reduction. Let's begin with testimony if there are no objections. For individuals testifying in the Chamber, please sign up at the desk just outside the Chamber door. If testifying from one of the remote testimony sites, please sign up with District Office Staff. Testimony will be limited to the items on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. When testifying, please state your name, the name of any organization you may be representing. Pursuant to the Rules of the Council, if you are a paid lobbyist, please inform the Committee. We'd like to welcome Chair King.

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COUNCILMEMBER KING: Aloha.

CHAIR SINENCI: Welcome. Aloha.

**. . . BEGIN PUBLIC TESTIMONY . . .**

CHAIR SINENCI: We have established a connection to the Council District Offices. Let's go to our Hana Office. Ms. Mavis Oliveira-Medeiros. Aloha.

MS. OLIVEIRA-MEDEIROS: Aloha, Chair. This is Mavis Oliveira-Medeiros from the Hana Office. There is nobody here waiting to testify.

CHAIR SINENCI: Thank you. Ms. Denise Fernandez from our Lanai District Office, any testifiers there?

MS. FERNANDEZ: This is Denise Fernandez at the Lanai Office, and there's nobody waiting to testify.

CHAIR SINENCI: Thank you. And Ms. Zhantell Lindo at our Molokai District Office?

MS. LINDO: Good afternoon, Chair. This is Zhan at the Molokai District Office, and there is no one here to testify.

CHAIR SINENCI: Mahalo. Okay. So for our first testifier in the Chambers, we have Mr. Rob Parsons on EACP-16.

MR. PARSONS: Good afternoon, Chair, Committee Chair Sinenci, and Members. My name is Rob Parsons. I'm a resident of Makawao. I will be testifying on EACP-16. I think the Plastic Bag Reduction agenda item, EACP-2, I didn't look at it since last time it appeared in the previous Council term, and I think it's best addressed by the Department and Division of Environmental Protection and Sustainability, which currently oversees and enforces that. So I will leave that to the representatives that are here today. So on the agenda item for Restricting the Use and Sale of Single-Use Plastic Disposable Foodware, I reviewed this when it was first issued by Councilmember Cochran's office in December of last year, and I've looked at it again. And I'm very excited that you're bringing it forward at this point in time. I think that this poises this Committee and the Council very well to pass something that's achievable and attainable this year, and then implement it in the near future. We know there's always a phase-in time when we do corrective measures to help encourage our community to do the right thing, particularly when it's the environmental right thing. And we can follow the lead of a number of communities who've gone down this road. I think the bill, as written, is overly broad, and maybe restrictive. I'll get to that. But I do want to say that there are more than a dozen communities that have gone down this road. Here are communities that now have a plastic straw ban in place: Alameda, Berkeley, Carmel, Davis, Malibu,

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Manhattan Beach, Oakland, San Luis Obispo, and Richmond, all in California. Edmonds, Washington; Seattle, Washington; Monmouth Beach, New Jersey; Fort Myers, Florida. Fort Lauderdale and Coral Gables have a limited plastic straw restriction. Vancouver, Canada and Washington, D.C. was the second major city to implement a plastic straw ban, and that was January 1<sup>st</sup> of this year. Seattle led the way in July 1<sup>st</sup>, made headlines as the first major city to take on a ban of single-use plastic straws and utensils. Actually, Manhattan Beach, California was a month earlier, and I think that what they have done might be a good model here. I think that those two items might be something that we can all set our targets on. I don't know the position of the Administration yet. I do know that our current Mayor had led the way as a Councilmember in our plastic bag ordinance and polystyrene, and so I would hope that there is support there and then we don't have to get into a protracted debate with those that think this might be too restrictive. I would just mention the difference between price and value. Obviously, these items are cheap...and I can finish in a sentence or two.

CHAIR SINENCI: Closing remarks.

MR. PARSONS: And that's why we've adopted them. They're so cheap that we can use them once and throw them away. But what we learned at the Sixth International Marine Debris Conference in San Diego a year ago is that plastics are, I mean, they're cheap, and also do not hold value. So the value of recycling them is minimal, and they're hard to recycle.

CHAIR SINENCI: Thank you.

MR. PARSONS: So the more that we can set our sights on the so-called low-hanging fruit in the single-use plastic world, the better. And I--

CHAIR SINENCI: Thank you, Mr. Parsons.

MR. PARSONS: --I pledge my support to help you with whatever resources I can bring to the table as one who has, you know, has gone down this road with other plastic items in the past. So I thank you for the opportunity to testify.

CHAIR SINENCI: Members, any clarification questions for Mr. Parsons?

MR. PARSONS: Thank you.

CHAIR SINENCI: Thank you, Mr. Parsons. Our next testifier will be Marjorie Bonar. Bonar, excuse me.

MS. BONAR: Good afternoon, Council. My testimony really applies to both, and my first problem is in the definitions in the single-use plastic reduction. Somehow or other, it says petroleum products. Plastic polymers can be created out of biomaterials, like the corn or whatever. And one of the big problems is that it's still plastic, and no matter

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how much – and that was the Dow rep back in the plastic bag days who told me that they were having trouble because they sold this resin, and they couldn't keep people from trying to pretend that it was biodegradable. Well it's not plastic, has to be redefined. It's anything that creates these artificial long-chain polymers. So, that is a number one. But on both counts, I'll hit bags, because all of you know – and actually, it was Councilman Molina who was the champion that I went to when we did the plastic bag ban – that the thing that I've always wanted to see, it's not say oh, you can't give out plastic bags. Let merchants sell, tax whatever. A heavyweight plastic bag, that's not the issue. It's that there has to be enough to make it painful. It needs to be a 25 percent...25 cent charge, and there should be a charge even on paper bags. If we're serious about getting rid of disposables, let's get some teeth into it, and those teeth only happen at the cash register. But as far as getting rid of single-use plastics all over, and I think that France is doing this and that's going to be the first thing, it's a difference in culture. We're just not ready and we don't have the products. We could do it if we had a commercial composting facility, if somebody ever straightened out what this Anaergia thing is all about, so there was something to do with it. But what do you do with...trash becomes trash, whether it's plastic-coated paper or paper or anything else. So when we get to the point where we can talk about kind of a holistic approach to getting rid of all of it, I take my takeout containers with me, my reusables, Department of Health probably doesn't like it. But so far, I have never had any restaurant or any place that I've got food to go that hasn't said, oh, what a good idea. So I think it really just needs to be rewritten, it needs to start from go. So, of course, more than anybody, I want to see this, and also, plastic water bottles, but that being said, there is an element of realism and we have to really look at where...how much can we do. Thank you.

CHAIR SINENCI: Thank you, Ms. Bonar, for being here. Members, any questions for the testifier? Chair King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Marge. As the...a huge proponent of the plastic bag ban and the polystyrene ban, have you had a chance to take a look at this and maybe kind of go over and give us some suggested edits?

MS. BONAR: Well, it's more than that, as somebody said. There's so much information that's kind of not there. It's what happens and what kind of products. And I haven't...we just...

COUNCILMEMBER KING: Right, but the point of the bill is not to give all the information and the point of the bill is to address...

MS. BONAR: Well, no, no. But I need to get more.

COUNCILMEMBER KING: Oh. Okay.

MS. BONAR: The bill, I just see those holes, because what are you replacing things with? And we know not everything is that easily done. Most things are. I mean, getting rid of cutlery is easy. We all...haven't I given everybody sporks by now? Huliau has been

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passing out sporks wherever. And the County is. Taking your own stuff does seem a little bit grubby sometimes, but if you're taking your own stuff, you're taking it for takeout food or for casual dining. You're not going to walk into, you know, Spago's--

COUNCILMEMBER KING: Okay. Thank you.

MS. BONAR: --with it.

CHAIR SINENCI: Thank you. Any other comments? Members, seeing none...Ms. Apo Takayama, we see Mr. Lau heading down to the podium. Please sign at the...Jacee, afterwards.

MR. LAU: Okay. Hey. Hello, my name is Jacee Lau from Kula. Yeah, I'll help you guys. I'm glad to see this on the agenda. You guys make the law. Whatever you do, I'll go out there. Some people aren't gonna do it unless they, you know, they'll do it. They'll just like, even with the forks and stuff, I still see them. They kind of like shrug, and I point it out to them, they just threw the plastic in the trash can and they didn't bring...why didn't they bring their ten plastic forks that they have at home? And so you guys make it a law, and then people...we got some good law-abiding citizens out there on Maui. They'll appreciate you doing that and they'll follow the law, and they'll all bring their own forks to Spago's.

CHAIR SINENCI: Thank you, Mr. Lau. Any comments, Mr. Lau? Seeing none, thank you.

MR. LAU: Aloha.

CHAIR SINENCI: And thank you, Ms. Bonar, for bringing up Mr. Molina's efforts during his time prior with the issue. So mahalo. Ms. Apo Takayama, any more testifiers in Chambers?

MS. APO TAKAYAMA: Chair, there are no more testifiers signed up.

CHAIR SINENCI: Thank you. Members, seeing there's no one to testify, without objections, I will close public testimony.

COUNCILMEMBERS: No objections.

**. . . END OF PUBLIC TESTIMONY . . .**

CHAIR SINENCI: Okay. Members, if there are no objections, I'd like to take the items up out of order, beginning with EACP-2, and then moving on to EACP-16. Any objections?

COUNCILMEMBERS: No objections.

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CHAIR SINENCI: Thank you. So, for today, I wanted to take testimony on these topics, and to hear from the different Committee Members on your thoughts about the proposed bills. I may be proposing amendments to the bills in the following weeks, keeping in mind today's discussion. That being said, no legislative action will be taken at today's meeting. Thank you.

**EACP-2: PLASTIC BAG REDUCTION** (CC 16-62)

CHAIR SINENCI: The first item, EACP-2, Plastic Bag Reduction. I wanted to take this item up first, since it's further along in the process and only presents revisions to an already existing chapter in the Maui County Code. That being said, I wanted to allow the Committee Members an opportunity to ask questions, provide comments regarding the proposed amendments in Chapter 20.18 of the Maui County Code. As noted in Section 20.18.010, the purpose of the Chapter is to encourage the use of environmentally-preferable alternatives to plastic bags, such as recyclable paper bags or reusable bags. Before we get into any discussion, however, I just wanted to give our Deputy Corporation Counsel, Ms. Thomson, a chance to provide some opening remarks and a little bit of the background of this bill. Ms. Thomson?

MS. THOMSON: Thank you, Chair. So, as you can see from the entries in Granicus, this proposed amendment to the Plastic Bag Reduction Bill has been around for some time. And some of the topics that have come up in the past have been changing the definition of plastic bag, considering whether imposing a mandatory fee, either on plastic bags or allowable bags, is something that you'd want to consider. And I did a memo kind of addressing the fee for use issues. I think we can do it, we just need to follow a few guidelines. Seattle's ordinance includes a passthrough charge, and it, you know, could be used for reference. There are...another change that we discussed in the past was the current ordinance focuses on businesses providing plastic bags...prohibited from providing plastic bags at the point of sale, so basically plastic bags as checkout bags. There was some discussion by former Councilmember Bob Carroll, and he was concerned that that allowed non-businesses, so non-profits or others, to be able to provide plastic bags freely, and that wasn't really addressing the purpose of the ordinance. So we could take a look at...you could take a look at doing that, to expanding the prohibition to not just include businesses, but others. The point of sale issue was...that's included in the current ordinance, because there are certain types of bags that are provided within the store, like for putting fruit in bags and things like that. One of the things that I'd suggest changing if we are going to look at this ordinance, is the administrative rules have a list of permissible bags. And so I think we want to take a look at what's in the administrative rules and make sure that there's either things that you want to leave in there, or things you would like to leave out and make them not permissible any longer. So that's basically what has been discussed in the past.

CHAIR SINENCI: Thank you. Members, any questions at this point? Okay, seeing none, thank you, Members. As a reminder, no legislative action will be taken on this item at

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today's meeting, so we can now move on to the next item. Second item, EACP-16, Restricting the Use and Sale of Single-Use Plastic Disposable Foodware. And...

MS. APO TAKAYAMA: Chair?

CHAIR SINENCI: Yes?

MS. APO TAKAYAMA: Would you like to defer the item?

CHAIR SINENCI: Yes. If there are no objections, I would like to defer this item.

COUNCILMEMBERS: No objections.

COUNCILMEMBER MOLINA: Chairman? Sorry--

CHAIR SINENCI: Mr. Molina?

COUNCILMEMBER MOLINA: --sorry. As far as procedurally today, so the first item you took up was the plastic bags. So will we be allowing questions? And I'm sorry if I missed it.

CHAIR SINENCI: Oh, yes. Do you have any questions at this point, Mr. Molina?

COUNCILMEMBER MOLINA: Yeah. I guess with the Departments--

CHAIR SINENCI: Sure.

COUNCILMEMBER MOLINA: --and maybe with the law, I guess, maybe those, I guess, the amendments so that they're more appropriate for Corporation Counsel to answer. Yeah, just some general questions on--

CHAIR SINENCI: Sure.

COUNCILMEMBER MOLINA: --the proposed changes. And I know, I understand there's no legislative intent as well, but...

CHAIR SINENCI: Go ahead.

COUNCILMEMBER MOLINA: Yeah. And, just for Corporation Counsel, or the Department, you know, with the addition of the term non-biodegradable added to the definition of plastic, of the plastic bag, what kinds of effects will we see? Will there be an effect in terms of what can be...what is permissible versus what currently is in the law?

CHAIR SINENCI: Ms. Thomson? Oh. Ms. Farnsworth, go ahead.

COUNCILMEMBER MOLINA: I know this is sort of--

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MS. FARNSWORTH: Okay.

COUNCILMEMBER MOLINA: --a work in progress at this point with the proposed changes, but, just out of curiosity.

MS. FARNSWORTH: I would say that as far...we're responsible for enforcement and implementation of this. As we were discussing a little earlier, there may be some issues around enforcing, because it's hard to tell, but if we are basically banning – and I think it has to do with our definitions of what plastic is. So I would say that because we don't have a compostable...composting facility at this time, that eventually it does become landfilled, so, and disposed of in the same way. So I don't think it would cause too many issues. It would just strengthen it. Yeah.

COUNCILMEMBER MOLINA: Okay. And my other question has to do with the fee, I guess, Ms. Thomson had mentioned about the...establishing a bag fee. Would we allow, under this current ordinance, would we give businesses the option to establish their own fee, make it an option, rather than a mandate for businesses to implement a fee?

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Thank you, Chair. So, the two things that were discussed previously with regard to fees is whether it would be akin to a tax, so it would be, you know, collected by the businesses and then passed through to the County. So that's kind of one version of it, and it comes with certain restrictions. The other is...the other one is, requiring stores to impose a mandatory bag fee, and I think some stores do impose a fee right now, or they give you a bag credit, you know, so it's kind of either rewarding you or penalizing you, however you look at it. And some other jurisdictions have gone the route of a mandatory fee imposition, you know, as a means of controlling behavior, and I think that he had some thoughts on whether fees are workable from a, you know, whether they actually really do work to control behavior or not. I think they're, you know, it's been out there long enough now that you can kind of have some good feedback from some of the municipalities that went that way. So those are basically the two routes that prior Council looked at, and I don't think any consensus was come to as far as which route to go, if any.

COUNCILMEMBER MOLINA: And at this point, there's no other counties in the State that are imposing any fee?

MS. FARNSWORTH: Actually, the City and County of Honolulu just implemented a fee, I believe it's 15 percent, last year. So we could definitely look to them and get information from them. My understanding is that mandating a fee on all kinds of single-use bags is the most strong legislation that we could enact, and really encourage bringing your own and reducing single-use.

COUNCILMEMBER MOLINA: Okay. So, they charge people 15 cents. So if you want a bag, you pay 15 cents?

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MS. FARNSWORTH: Yes.

COUNCILMEMBER MOLINA: Oh, interesting. Okay. Thank you, Chair.

CHAIR SINENCI: Thank you, Mr. Molina. Chair King?

COUNCILMEMBER KING: Thank you, Chair. You know, that's...it's good to have a little bit of discussion, especially if you're going to rewrite the bill, Chair. And then we can have some input from Councilmembers. On the cover page of this, it looks like you crossed out the number two, and then went right to number three. But...so the one that's currently numbered number four, which I think is actually number three, says, establish a fee for recyclable paper bags. So the fee, you know, I'm just wondering why it was written like this? Is this the right bill I'm looking at, Chair? It says, 2017 on it?

CHAIR SINENCI: Ms. Farnsworth?

MS. THOMSON: I think there are several different versions--

COUNCILMEMBER KING: Oh. Okay.

MS. THOMSON: --floating around out there that deal with different issues. But, yeah, so one of...I think the one that you're looking at, was looking at establishing a fee for all kinds of bags. So, for paper bags or for reusable bags, since those are the only two general types that are allowed right now.

COUNCILMEMBER KING: So is the intent then, if it...I mean, I'm not sure if I'm even looking at the right one now. 'Cause I see there's one from 2016 on Granicus, but then I've been given this one that says 2017, that's in Ramseyer format? Is that one...where'd that one come from? Do you know? The cover page looks like this? ...I don't know what I'm looking at now. This one's not on Granicus, I don't think.

COUNCILMEMBER SUGIMURA: Can we...Chair, can we ask for a recess to get this...I'm curious about the ordinance too.

CHAIR SINENCI: Okay. Chair will call a short recess. . . . *(gavel)* . . .

**RECESS: 1:59 p.m.**

**RECONVENE: 2:05 p.m.**

CHAIR SINENCI: . . . *(gavel)* . . . Thank you. Will the EACP meeting please come back to order? Thank you. So, thank you.

COUNCILMEMBER KING: Okay, Chair?

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CHAIR SINENCI: Thank you, Chair King.

COUNCILMEMBER KING: So I got some clarity on where we're at.

CHAIR SINENCI: Yes.

COUNCILMEMBER KING: And we kind of really don't know, because there's so many versions of this bill.

CHAIR SINENCI: Correct.

COUNCILMEMBER KING: So, just in speaking with Corp. Counsel, and they thought, you know, the most productive input might be on, you know, what do we think about the charge for bags, the fee, as well as potential total ban on plastic bags. But I'm just going to give some input for your future use, or not, however you decide. But sitting through some legislative hearings at the State Legislature over the past five years, and listening to the input about a potential Statewide fee, I think this is something that we should look at on a Countywide basis. But I also heard from testifiers, including the retail industry, that 10 cents is not enough. It won't change people's behavior. It's gotta be at least 25 cents in order to change people's behavior. And I think...and I do think that we need to look at some way of going a little bit broader than just the grocery store bags so that, you know, it's not allowing bags in...plastic bags to prevail in other industries or other uses. So there's gotta be some way to address that as far as single-use plastic bags. I'm not sure what it is right now, but there's a lot of different versions of this out there. So I just wanted to give that input, and, you know, in the aspect of going beyond the food industry. And I do think that...I know that we have all these exemptions, and the exemptions worry me a little bit, because there's a whole list of 20-plus exemptions in this...one of these proposed bills. But I do know that there are cornstarch-types of plastic bags, and reusable plastic bags for produce. In fact, I just bought a bunch of them at Amazon, and they're like really lightweight, mesh, reusable bags you can use for produce and they don't really add a lot of weight. So there are alternatives out there, and I think when we start looking, and maybe our panel today will tell us about what the alternatives are, but I think when we start looking at what the alternatives are...which is what we did when we did the styrofoam ban. We looked at the alternatives, and we also looked at the fact that the alternatives become cheaper if you enact the ban, and then everybody starts buying the compostable alternatives. Because then once you buy them in the huge bulk that we're buying plastic in, they can either match or be cheaper than the plastic alternatives. So I think having that information...which is what I saw with the compostables versus the styrofoam clam shells and things like that. That if we had ordered it in the same bulk that we're ordering all the styrofoam in, that there's really no price difference, and some of the price points were even a little bit less. So that's my input for today, and I'm really anxious to see what the panel has to say. Thank you.

CHAIR SINENCI: Thank you, Chair. Yes, Members, today we have with us Ashley O'Colmain, Todd Kawasaki, and Gretchen Losano. Ms. O'Colmain is the Green Events Program

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Director at Maui Huliau Foundation. Mr. Kawasaki is the President of Maui Chemical Paper Products, and Ms. Losano is the Co-Founder of West Maui Green Cycle. In these capacities, they have specialized knowledge about the environmental, economic, and social impacts of plastic within our County. So if there are no objections, your Chair would like to designate Ms. O'Colmain, Mr. Kawasaki, and Ms. Losano as resource persons, pursuant to Rule 18A of the Rules of the Council.

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Thank you. Yes, Ms. Losano?

MS. LOSANO: Hello. Okay. Aloha kakou.

COUNCILMEMBER KING: Just, point of order, Chair. Did you want to defer the...I'm not sure what item we're supposed to be...

CHAIR SINENCI: Yeah. We'll defer -

COUNCILMEMBER KING: The first item?

CHAIR SINENCI: --after. Yeah.

COUNCILMEMBER KING: Oh, we're going to hear the presentation first?

CHAIR SINENCI: Yes.

MS. LOSANO: I was actually...I'm just going to respond to your question, because it was brought up a little bit over here. In regards to produce bags, they're...the compostable, the certified compostable produce bags, are...they also have an additional certification. I was just trying to look it up on the break, but I forget the exact certification. But, they are backyard compostable, which means that if they do get into the environment, they will compost completely. And that is unique to the smaller, lighter bags and not all of the companies that carry compostable bags have them in all the sizes, but all...definitely all the compostable produce bags are backyard compostable, so we do not need an active commercial composting facility to enforce that change.

CHAIR SINENCI: Thank you. Mr. Kawasaki, you have anything on EACP-2, Plastic Bag?

MR. KAWASAKI: Just on the, you know, I heard...you had a little discussion on whether it should be a fee or a tax? And from a business standpoint, I think a fee would be a lot better. For one, businesses pay for the bags themselves, and two, it would be a lot easier, I guess, to collect the fee than to have a additional tax put on the business owners.

CHAIR SINENCI: Members, any other questions for the panel regarding EACP-2? Ms. Sugimura?

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COUNCILMEMBER SUGIMURA: Thank you, Chair. So, just in relationship to what Mr. Kawasaki said, in dealing with the community over the last two years, I would get periodic phone calls from stores asking if we would charge, if we would impose...or retailers to charge for the use of bags so that they wouldn't have to do it. They wanted government to step in and say, okay, this is what the fee is going to be. So it's easier for them, this is what I could gather. The law the way it's written right now allows retailers to charge a fee, but it's left open. So it's depending on whatever they want to do. I know that at Foodland, I guess you can, you know, bring your own bag, or they, you know, you can...and they give you a, I don't know how much they give you, five cents credit? I don't even think they charge you for the bag, but it goes kind of the other way here. In Honolulu, which prompted the phone call that I got from a store, to ask if we would do the same thing as City and County of Honolulu, just so that they can be uniform to what Oahu was doing. So there's discussion out there. I was surprised to hear it from a retailer, but I think for a store, you don't want to be the one charging your customer, and they thought if it's government, it's probably better. We can do fees, we cannot do taxes. That's...State can tax, you know, we only can do real property tax. So we would be looking at some kind of fee structure. And I would really like to hear from the Department as to what you may hear from the public, because I'm sure people call you just as regularly as they call us. So...

CHAIR SINENCI: Ms. Farnsworth?

MS. FARNSWORTH: Chair? We actually haven't heard that much. I think it was implemented a long...quite a few years ago, so we don't get that many comments, but from our proponents in the community, we do have the understanding that a fee is a good idea in order to promote behavioral change and in order...and we have, I think, in the past, yes, had heard echoes of that type of comment, that make everybody do it at the governmental level.

COUNCILMEMBER SUGIMURA: Interesting. So you would support it? You have to think about it, I'm sure.

MS. FARNSWORTH: We would certainly be able to enforce it, yes.

COUNCILMEMBER SUGIMURA: Oh. Thank you. Thank you.

CHAIR SINENCI: Thank you. Any more questions, Members? Chair King?

COUNCILMEMBER KING: Thank you, Chair. So before we leave this subject, and relative to this subject and the next subject, could we send a formal request to the EP&S Division, or to...through the Mayor, whether he requires for us to talk to our departments, to get a full description of the mission and the purview of the Environmental Protection and Sustainability Division? Because this is an evolving Division, and I think we've gotta...a little more complete description now, which would be good to get from Ms. Farnsworth.

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CHAIR SINENCI: Thank you. We can have the Staff draft a letter.

COUNCILMEMBER KING: Okay.

CHAIR SINENCI: Thank you.

COUNCILMEMBER KING: Thank you, Chair.

CHAIR SINENCI: Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Chair. A question for Mr. Kawasaki. And thank you for your input from a business perspective. So your preference, from the business side, is let government impose a fee that everybody can follow, rather than having each business conjure up their own?

MR. KAWASAKI: Yeah, I think from a business perspective, we don't like to give out bags. 'Cause it's a expense for us, you know. We would...I can speak for myself personally, you know, it would be a lot easier for us to tell our customers, you know, the County has implemented a fee schedule, and we have to follow that, instead of saying that now we're going to have to charge you 15 or 25 cents per bag. So from a business side, you know, a fee would make sense for us, and it would be more comfortable than us implementing our own pricing for bags.

COUNCILMEMBER MOLINA: Yeah. And that's a good perspective, 'cause you look at the big box folks, like, say the Wal Mart's. You go in there, you'd have to...you want a bag, you got to buy a bag. But they operate on volume, they're much larger. They can operate, do it...they can do that, whereas, you know, smaller business, it's a different approach you have to take.

MR. KAWASAKI: I think a lot of it has to do with kind of just the culture of Maui. Everything, you know, you always go to the grocery store and they'd give you a bag for free, and that was kind of assumed when you go to the store. So if you could change that perspective a little bit, that would help eliminate the bags.

COUNCILMEMBER MOLINA: It's all about behavior and, you know, with the...going back to the Wal Mart example, now it does make me think twice. Do I want to...it makes me think, okay, I better go back to my car and get my bags and make sure so I didn't have to face paying that 50 cents or 25 cents for another bag. Thank you.

CHAIR SINENCI: Thank you, Mr. Molina. The Chair would like to recognize Committee Vice-Chair, Tasha Kama. Welcome.

VICE-CHAIR KAMA: Aloha, Chair. Thank you.

CHAIR SINENCI: Did you have any questions? We're on EACP-2, the Reduction of Plastic Bags. Did you have any questions?

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VICE-CHAIR KAMA: Not at this time, Chair. Thank you.

CHAIR SINENCI: Any other Members? So, if there are no objections, I'd like to defer this item.

COUNCILMEMBERS: No objections.

**COUNCILMEMBERS VOICED NO OBJECTIONS** (excused: ALL).

**ACTION: DEFER pending further discussion.**

CHAIR SINENCI: Thank you.

**EACP-16: RESTRICTING THE USE AND SALE OF SINGLE-USE PLASTIC DISPOSABLE  
FOODWARE** (CC 18-430)

CHAIR SINENCI: So our second item is EACP-16, Restricting the Use and Sale of Single-Use Plastic Disposable Foodware. The purpose of the proposed bill is to promote public health, reduce litter, and limit harmful materials from entering into the environment by regulating and limiting the use of...the sale of single-use plastic disposable foodware by food providers, and to encourage the use of environmentally-preferred alternatives, such as containers, straws, and utensils made from compostable materials. So, with that, Members, I wanted to introduce Mr. Nakagawa, Director from the Department of Environmental Management. Sorry, Acting Director, Eric Nakagawa, and we also have Shayne Agawa and Tamara Farnsworth, also from Environmental Protection and Sustainable [sic] Division. Mr. Nakagawa, do you have any opening comments on EACP-16?

MR. NAKAGAWA: Yes. Thank you, Chair. I guess, my understanding is we're just also, this is up for discussion, and we did take a look at this, the Single-Use Plastic Disposable Foodware item, and I guess as a whole, I guess we're just trying to figure out from the regulatory and implementation side on how we do it. And some of the definitions, I think as testimony had, is very broad, and there's a lot of small things like wrappers, like, what constitutes plastic wrappers...on the meat, you know what I mean? Or any kind of cookies in the bags, you know, the things that we normally buy. Mochi, manju, I mean, all that kind stuff that we buy, and those are all plastic wrappers, some type of plastic bag, and just what is the extent in which we want to go forward as a body and, you know, we're just here to kind of bring those kind of things to light for you guys and really see what is reasonable, and what is kind of reality. And not only...I guess as a general, as a whole, how do we not only enforce it, to force people to...it's a change of mindset, right? That's basically what you guys are talking about. And going forward, we do know that we want to pursue these types of items. But the definitions always...the devil's in the details, right? And how, you know...what those definitions are, and are we allowing the businesses to have those alternatives so that they can continue on with their business and that kind of stuff? And so, it's more from a implementation side and

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regulatory side for us, 'cause we are the ones who are going to be responsible for it, and as well as for you guys as a body, when you vote on it and try to implement it, or put it into law, you guys don't have all these people calling you guys up. Hey, you know, did you guys think of this, this, this? And that's kind of where, as far as Department, where we are right now. So we're definitely look forward to working with this body, fleshing out all those definitions, who does it really impact when you go out to the community, and how do we work towards the single reducing trash, going down to this zero trash, right? I mean, that's kind of the whole long-term goal of this County, as well as the rest of the world. I mean that's the main goal, is really trying to pursue this zero waste, and what is the correct path in doing that? And so I think tomorrow we'll go more into details of the realities of reading this, these definitions, and what are the easy stuff that we can go into and kind of implement...straws, you know, that kind of stuff. That's like, the real easy stuff, and then from there, the other definitions is really, okay, do we...are we going to phase, do this type of phasing of the bill? You know, I mean, add stuff as we go, or how do we go about and making so that it's really a win-win for everybody, yeah? So...

CHAIR SINENCI: Thank you, Mr. Nakagawa. Members, I just wanted to add, in Section 1. of the proposed bill, it states, Due to its ability to break down into small and microscopic fragments that persist for decades, single-use plastic disposable foodware has significant negative impacts on our pristine island environment and contributes to the potential death of marine animals and avian populations through ingestion, and has been found to be ingested by humans in microplastic form through the food chain. Single-use plastic disposable foodware such as straws, stirrers, and cutlery, have been found to cause significant physical harm to marine animals, avian populations, prior to breaking down into tiny fragments. And that was the Section 1. of the proposed bill. Ms. Thomson, did you have any opening comments for EACP-16?

MS. THOMSON: Thank you, Chair. Similar to the plastic bag ban changes, I think that what I'm here for today is to really get a read on the current Committee's desires for implementation, you know, whether you'd want to go, you know, all the way and do all kinds of disposable plasticware or whether you want to focus on a couple of subsets, like straws and cutlery. So we just kind of, you know, want to get your input, and then we would go back, redraft...I think that there are some parts of this ordinance that are overly detailed. I have a problem with, you know, as Ben brought up, the definition of plastic. I want to make sure we're using a definition that we can implement, you know. Right now, I don't actually know what that means. So, I'd really want us to be very comfortable with identifying what we're banning and what we're not.

CHAIR SINENCI: Thank you, Ms. Thomson. Let's move on to Ms. Losano for any opening remarks for Restricting the Use and Sale of Single-Use Plastic Disposable Foodware.

MS. LOSANO: Okay. I actually just prepared a--

CHAIR SINENCI: Would you...

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MS. LOSANO: --not completely lengthy statement, but I have...yes. So I'll just read this, and maybe explain a little bit after. I have a few minutes, right? Okay.

CHAIR SINENCI: Go ahead.

MS. LOSANO: Aloha mai kakou. Mahalo for having me here today as a resource with the opportunity to share the wisdom I have gained throughout the 10 years it took to pass the single-use polystyrene ordinance. I was present and gave testimony at the very first meeting, when the bill was introduced in 2009 by Mr. Victorino, as I was already engaging in single-use plastic awareness and education outreach. Several years later, when the bill was reintroduced, I was asked to serve on the Polystyrene Task Force, which I did, and in the subcommittee that was formed during that process, when we realized we were about to waste a whole lot of time and get nothing done if we didn't take matters into our own hands. That new subcommittee wrote and worked diligently to pass the bill that has recently gone into effect. It took 10 years from the start of that process until it finally went into effect in January. During this time, I served on the board of Styrophobia and was developing single-use plastic educational shorts to be given in schools from K through college level. I was also a representative for World Centric, selling the compostable alternatives, as the gloom and doom message of the dangers of single-use plastic is best offset by a logical alternative. In the last three years, I have been going through the process of starting a commercial composting facility so that we can process all of these compostable products and turn them back into soil, which, so you guys are all aware of the timeline, could start on the west side in Lahaina in as early as three months. So it's very exciting. I am also in the early stages of developing an excess packaging accountability program that will coincide with the bill to make the big box stores responsible for the excess packaging they import if these products are not compatible with our Maui County recycling infrastructure. In summary, my life revolves around being accountable for our single-use plastic waste stream and encouraging others to do so. With that being said, I am ashamed to say that up until yesterday evening, I was coming here with all of my experience and expertise on this particular subject, to convince you that this was not the right time to push this bill through the Committee. Now please don't misunderstand. I loved this bill. In fact, it has the exact purpose of the language I wanted to put into the original polystyrene bill; restrict all single-use plastic. Now my reasoning had to do with the inconvenience that the industry, both on the front and the back end, is a little tumultuous right now, and the fact that the last fight was a long and nasty battle that was incredibly time-consuming and emotionally draining. Looking the American Chemistry Council member who, by the way, would fly all the way from California for every single meeting, looking him in the eye and asking him why he was doing this, and have him respond, I honestly think styrofoam is good for the planet, and smirk and walk away, was nothing short of soul crushing. And the restaurants have just started getting used to the polystyrene ban would have to make more changes. I convinced myself it was too soon. So I even went so far as to send an email asking if I would be able to state my position today, and that I was in opposition, and I was told that I could. After receiving that confirmation email, I started to feel uneasy. I reached out to several close colleagues of mine for counsel and finally realized, the basis of my reasoning was not

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logic, but fear. And I have a personal mantra of never acting out of fear, because nothing good ever comes out of it. And there I was, about to encourage this Committee that the most logical bill, that should have been introduced five years ago, a bill that is the essence of my life's work, should be put off until there is a better time. My fear almost won. When this bill gets passed through this Committee to full Council, there will be many fear-based arguments given about personal financial hardship, et cetera. These fears are unfounded. Yes, the alternatives are more expensive, but they are more expensive across the board for every restaurant, and that truly does level the playing field. We have proven this with the plastic bag ban, and most recently with the polystyrene ban. We are also in a place where personal financial hardship does not trump the continuation of our entire species, or the one million species going extinct due to climate change. The truth is, there will never be a perfect time to introduce this bill, or any of the other ten bills we may need to put an end to the single-use plastic epidemic that exists in Maui County alone. Because no matter when we introduce a bill, there will always be the oil industry, there on the other side of logic and reason and climate science, and facts, like whales washing up dead on beaches with stomachs full of single-use plastic. As long as the oil industry is still making money from the sale of oil and its products, there will always be the American Chemistry Council whispering in the ears of the restaurant owners who fear change, reassuring them that they have solid ground to stand on when they argue against it. The truth is that if we don't do everything in our power to pass this bill and every other environmental ordinance that comes up, in 10 years or less, nobody will have solid ground to stand on. Sorry. I have kids. ...In 10 years or less, nobody will have solid ground to stand on for anything, ever again. We are at that point in our human history where we will have to swallow these fears and imua, because fear will bring nothing but regret that we couldn't serve humanity for seven generations into the future when we had the opportunity to...every opportunity. Council, if you were made aware of my previous stance, I apologize for my humanity and humbly retract that statement. I sit here today in full support of this bill, and will be with you every step of the way to pass it through the full Council.

CHAIR SINENCI: Thank you, Ms. Losano, for that. Mahalo. Mr. Kawasaki, you have some comments?

MR. KAWASAKI: Yes. Thank you. I hope to provide a little balanced perspective today on the bill, because I think I'm in the unique position as a distributor who sells compostable products and plastic products, as well as a store owner that does food products that we package in plastic products. So I'd like to kind of just speak about the...how I feel about the bill. And I'm not opposed to the bill, but I think, you know, we need a robust composting facility before we can implement our changes in Maui County. And I was happy to hear that Gretchen has started a composting facility on the west side, and hopefully soon in Central Maui. So I think that's great steps into what you guys are trying to achieve here. Because I think as we, you know, invest more in compostable products to replace the plastic products, you still need a place where we can have it compost and be, what its intended purpose is. 'Cause when we think of the products that are going to replace plastic, the first product that comes to mind is PLA, polylactic acid products, which is a bio-based plastic, really, that can compost. But the problem

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with PLA products is that it needs to be processed in a commercial composting facility. You can't throw it in the landfill, you can't throw it on the ground, you can't have it go into the ocean, because it behaves like plastic, same as plastic. It's not going to break down in the ocean, it's not going to break down on the side of the road. It's going to stay there like plastic. So without a robust composting facility, I think we're putting undue hardship on business owners, on the residents of Maui. So I'd like you guys to think about that aspect. Before I came in, I printed out a short, just a FAQ from Nature Works. And Nature Works is the sole manufacturer of PLA products in the United States. So all of the polylactic acid comes from Nature Works, and I highlighted a few points on their frequently asked questions, and it says, towards the bottom, about how it cannot decompose in soil or seawater, and it needs to be in an industrial composting facility. So I think before we go too far with this bill, that we, as Maui County, invest in composting facilities, 'cause it's vitally important before we put in a plastic bag, or plastic ban, sorry. And I know...and you know, as just a resident of Maui, you know, we don't like to see plastic on the side of the road, plastic in the ocean, straws, you know, in turtles' noses. That's something that no one wants to see, but I think it's vitally important that we have a composting facility here. And also, I'd like to just comment on the wording of the bill also. Having going through the foam ban, I think there is some repercussions that you guys didn't think about when you guys implemented the foam ban, like manufacturers producing or selling products in foam containers that was banned also. And I know a lot of manufacturers put their products in plastic containers. So think about that also. And then, also think about how the ban is going to affect food safety, because a lot of the food tamper-resistant containers are in plastic. I don't see too many PLA products with tamper-resistant containers yet, so that's something to also think about. And think about small businesses and how that's going to affect them. That's all I have. Thank you.

CHAIR SINENCI: Thank you, Mr. Kawasaki. Ms. O'Colmain, do you have your presentation ready?

**Note: Computer-generated presentation.**

MS. O'COLMAIN: I do. . .*(inaudible)*. . . Okay. Yeah. I was asked to bring some sample compostable products, so there's a bunch of different things in there. So, I can click it. So my name is Ashley O'Colmain. Thank you so much for having me. I'm with Maui Huliau Foundation. We are a small non-profit organization. We do environmental education with youth and I am the Director of our Huliau Green Events Program, so I have a lot of experience with these compostable products, working with a lot of different vendors across the island. Our...we work youth, grades 7 to 12, and they get to choose what kind of product...projects they're interested in, and single-use plastic pollution, plastic pollution in general, is one of the topics that consistently comes up over and over again, and this is kind of how our Green Events Program began. So, what is...oh, how do I go to the next one? Down. Over. . . .*(inaudible)*. . . There. Okay. So, Maui Huliau Foundation, this is just an example of the...one...we just provide unique education experiences for youth. So, going to farms, filmmaking, as many different ways to connect with youth about these issues that they see on Maui. Oh, wrong button. Sorry.

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Okay. This is a picture of one of our beach cleanups, youth-led beach cleanups. This is at Kahului Harbor, and we have a leadership group that organized that. So the Huliau Green Events Program, what I'm the Director of, we began in 2017. We work with events that \_\_\_\_\_ now are reaching out to us to hire to help reduce waste at their event. When we first got started, we were reaching out to events and trying to convince them this was a good idea, but now it's kind of...it's on its own wheels now. So we set up these waste sorting stations, where event goers go to throw their trash away. They're manned by volunteers, and their waste is sorted into food waste, compostable product, recycling, or PLA, and trash, landfill. We just updated our signs, so they're a little bit less wordy and more pictures. So, through this program, and part of the...big part of this is what I do, is work with the vendors beforehand to make sure that they choose compostable products, products that I can compost, 'cause I compost all of what we gather at events. So through this program, we've an average of 82 percent diversion from waste that would have gone into a landfill, is diverted. That's over 13 tons, so that's just a very small organization. Me, two other ladies, once in a while, a few other people, and some of our students, and we've reached over 77,000 people in the community. And I can tell you, from standing at the waste stations, taking people's trash, going through people's trash, people are actually very, very appreciative. They want this, they see this as a super positive thing, and so...yeah. I've only gotten positive feedback from the public when we're at events. Really, really positive. Oh shoot, not again. Okay. So, why we do this? I couldn't really talk about this issue without making sure everyone was on the same page about plastic, and it sounds like we are, but just in case we're not, I brought you a little sample...you can just give that a little shake, that I collected right before I came here. That's from Kahului Harbor. It's really, really bad right now. I'm glad that I went there before I came here, because it gave me more power to stand behind, because it's very scary. All I did was just scoop it off of the top of the sand and clearly that's not all from us. That's coming from around the world, but this is a huge problem, and I'm very proud that we've actually enacted these...plastic bag ban, the styrofoam ban, you know, some of the first in the world, which is kind of crazy. But we can be at the forefront of moving quicker than the rest of the world. Because it's obviously a problem. So I encourage you all to go check out the end of the harbor, right there where you turn onto Kahului Beach Road, it's scary. So it's estimated that 18 billion pounds of plastic end up in our ocean every year, some of that in beaches, some is ingested by marine life, some is caught in ocean currents known as gyres. So there are five in the ocean. Number one, the biggest gyre, is the Pacific Gyre, and not just northeast of us. And this is, you might have heard, also coined the Pacific Garbage Patch, that's where a lot of plastic ends up. So these currents are going all over the ocean, these are kind of swirling around in those circles, and a lot of plastic just kind of ends up swirling around there. So, that 1.8 trillion pieces, which is like, 250 pieces per person on planet earth, and that's just in the Pacific Gyre, and it's more like a soup. Kind of like what you see in that jar, just lots of little, little pieces, the sun's beating down on all that plastic, and it photodegrades, so it turns into smaller, smaller, smaller pieces, and the problem with that is that you can't, you know, sea life can't tell it's food and they ingest it, and then, you know, we eat that sea life. So, it's a problem for the sea life, it's a problem for us. So this is just two weeks ago, I believe, at Makamakaole, just up the coast. This was a group...a couple of organizations that did

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this beach cleanup, they had to fly the...all of this waste out. It was 3.3 tons, just on this small stretch of beach. A lot of fishing gear, like, large things that you don't normally see on the rest of the coastline, and that's due to the gyres just pushing the trash into those beaches. So this is...you've probably all seen this, the albatross mothers feed their babies plastic and then they starve to death because their stomach's full of plastic and they can't actually eat food. Terrible. Sorry, but I had to show you that. Of course, this is super famous. The turtle with the straw in the nose actually has been, like, the poster child for the straw reduction across the world, which is a good thing. Unfortunately, this poor turtle had to suffer for it. This is just showing the bioaccumulation. So that's number one, those are the little guys, plankton eating tiny, tiny, tiny little pieces of plastic. So what you see in the jar is just what we can see with our eyes, you know, it doesn't stop there. It just gets smaller and smaller and smaller and smaller. So, the ocean's just full of it, ends up in our bodies, and nobody really knows what the consequences of that are. So, when I work with events, the main two concerns when I'm working with food vendors and trying to convince them to switch to compostables, even if their, you know, their event coordinator says, this is what you have to do. Price is one concern, of course, and then function is the other concern. So the price, I've...you have a copy of an extensive spreadsheet that we made a couple of years ago, and it's been updated at the beginning of this year. We share this with event vendors. Not sure anyone really looks at it, but we thought when we created it that I could be like, here's this. Pick a product off this list, and you're going to be okay. But it doesn't always work that way. So we created the flyer that you see, too, to make it a little bit easier. I'm going to explain that a little bit more, but this spreadsheet I created for Hoomau this year, they asked for a price comparison, because vendors were concerned. And understandably, you know, it's a fundraiser, they're trying to raise funds, not...when I work with events, not everyone is fully on board with this idea of doing zero waste or going green, and so I have to do presentations like this, where I try to convince them that it's a great idea. And as you can see here, these are just some products, and the prices are always changing all the time, and it totally depends on which products you're gonna use, if you're gonna use, like a hard PLA clamshell, that's going to be more expensive. But there are a lot of different options. So the price is decreasing, the gap is decreasing a lot. Styrofoam was super cheap, so now that that's not a competitor, it's even smaller. And sometimes the compostable versions are better, like just...like a party plastic plate, those are way more expensive than a paper plate. So there are certain things that really frustrate me, like those. So the flyer that is the colorful one with the pictures that you have, is to help us with vendors in choosing products that aren't greenwashing products. And if you're not familiar with what greenwashing is, it's when a company uses words to basically trick the consumer into thinking they're buying a green product, or an environmentally-conscious product. And so some of those words are eco, green, biodegradable, which that's a confusing one, earth-friendly. These forks are ones that I saw a lot, pretty much everything on the front of this is just trying to trick you into thinking this is like a fork that you wanna buy if you were trying to pick an eco-friendly fork. So super degradable, eco-pure, in the bottom right, you see super degradable, and it has that little symbol, which is actually much like the BPI-certified symbol, so they're even trying to, like, fake you out with the symbol. On the back, there's even more. So, yeah, I saw these a lot. And so always

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trying to get people to kind of take a closer look, try to figure out what is actually compostable. So that is a challenge, when you're getting people to switch. And so I first see that. And I did look at...California has a bill going right now to do the same thing, to get rid of single-use plastic disposables, and I think their solution to this problem of being all these greenwashing products, and a lot of different plastic products, was to basically create a list that you had to pick off of, which is much like what we tried to do. So there are two compostable certifications. The BPI-certified is that green symbol up there, and that's kind of the gold standard. And then there's the ASTM D6400, I believe, which is stated in the bill. This is basically just showing what is acceptable and what is not for a Huliau Green Event. So, we want to see as much single-use plastic taken out of our waste stream as possible. We are happy to provide whatever information is needed to move this forward. I do totally understand the argument against PLA without a commercial composting facility. When I work with events, I encourage them to use it, because it's not made from petroleum. It doesn't have the same harmful chemicals. If it's left on the side of the road and beating down on the sun, it is going to break up, but it's not going to be petroleum chemicals leaching into the environment. It's not great, it's not a perfect product. Under heat, it doesn't stand up super well. So if it's like, under a heat lamp, that's not super functional, but there are good uses for it. The coffee...like, lined coffee cups, that's a PLA lining, or the soup bowls, those work really well, and those can be composted easily. I compost that, it's mostly paper. Other things we would like to see that would help reduce plastic would be a ban on smaller plastic water bottles, only allowing a certain size and above. These tiny ones that I don't...they're for babies, I guess? I don't know. It's just a very small amount of water. Nobody needs that small amount of water. Water refill stations at County-sponsored events to encourage people to reuse, and in San Francisco, they have, obviously, the commercial composting facilities help, but waste management plans for events over a thousand people that include what we're...what's going to go to recycling, how are you going to enact this, and where are you going to compost it? So besides the reduction in single-use plastic, we are all very on board with commercial composting facility, that will make our lives a lot easier. I studied environmental studies and I got very interested in agriculture, because it seemed like a way to close the loop on your environmental footprint in some ways, and composting is that perfect ancient technology that we've somehow forgotten, how we need good soil and we have the resources to make it. We're just throwing it into a landfill where it's creating methane, contributing to climate change. So that I would really like to see change as well. I think that's everything. Does anyone have questions?

CHAIR SINENCI: Members, questions? Ms. Sugimura, and then Ms. Paltin.

COUNCILMEMBER SUGIMURA: So if I could, I saw your set up at Seabury, right, this weekend. And I saw Seabury when they didn't do what you're doing, and they had these huge dumpsters and everybody was using all kinds of different...it was like 2010, and longer than that. So, congratulations for that change, and we all participate and the kids volunteer. It's a very good thing. So when you collect all that you collect, like at the Seabury Craft Fair, where do you take the trash, because we do not have a compostable facility?

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MS. O'COLMAIN: Yes. I compost it on my farm. So the pa..., so that's why it's separate, because it's small-scale composting. The paper, I shred up and use that for mulch, and the food waste, compost in like, a traditional compost...hot compost system. Yeah, it's a lot more work than you would do to just throw everything in the dumpster, but I am passionate about it, and so it gives me the strength to keep doing it. But I would like to see a commercial composting facility so that I don't have to work so hard.

COUNCILMEMBER SUGIMURA: I guess that will be a question for the Department later. If more people have questions for her, I'll defer.

CHAIR SINENCI: Sure. Thank you, Member Sugimura. Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. O'Colmain, for being here. I had a couple...few questions. You know, when you give this to non-profits, are they allowed to see samples of each? Like, say they were interested in this one, do you have, like, the sample for them to like, check it out?

MS. O'COLMAIN: You know, no one really uses that spreadsheet, unfortunately. But I did present it last year, when the styrofoam ban was kind of going through. So it did come to use. I...we don't...we have some stock of compostable stuff, so I'll bring kind of like what I brought with me. And I know basically where you can get everything. So if someone's like, I need this, I can just tell them where to go. Not all the prices are on there because some vendor...you know, the prices, they're changing all the time with the market, and so Sustainable Island Products is our preferred vendor, because they have extensive knowledge in compostable products. Everything they have is compostable, so I can just send people there and know that what they're gonna buy is going to be the right thing. They also provide a discount to non-profits, so that's a benefit to us. But yeah, I just try to advise, and what I think would be best for whatever they're serving at events. It's not really...there's no food that can't be served on a compostable product, and I try to make sure it's the paper versions so that I can compost it. Stuff isn't really sitting in the plates that long, and people are consuming it very quickly. But there are containers that last longer than others, they're not all created equally. Some, the cheaper ones are thinner, and so I think that's where compostable products get a bad name, is 'cause someone, you know, maybe used a really thin version and it did leak through. So you just have to kind of find the right products for what you're serving.

COUNCILMEMBER PALTIN: Do you have that, like, do you have your personal rating system? Like if someone said, hey, I want to serve beef stew, and you have recommendations?

MS. O'COLMAIN: Yeah. I would say those soup bowls. Yeah, those ones are really good for soup. But the fiber...I think I brought one big fiber bowl.

COUNCILMEMBER KING: This one here? Here.

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MS. O'COLMAIN: Yeah, that's a heavy-duty one, and that bowl over there...so Farmacy uses that one that Kelly has and that, you know, I used to eat there all the time and leave it sitting on my desk and it was fine.

COUNCILMEMBER PALTIN: I was wondering, like, what kind of capacity do you have, like, if every event over, say couple few hundred people, wanted to have one of those composting set ups, like could you meet that demand?

MS. O'COLMAIN: No.

COUNCILMEMBER PALTIN: Oh.

MS. O'COLMAIN: I'm so busy. We're very, very busy. So if we had a commercial composting facility, there'd be room for more businesses to do what we do, and that would be awesome.

COUNCILMEMBER PALTIN: So when you come to an event, do the sponsors, like, pay you a fee for doing what you do?

MS. O'COLMAIN: Yeah. It's fee-based, and we have a County grant that helps to supplement some of the community events that are fundraisers, and so we offset, you know, their fee a little bit with that and we...if there's trouble paying for it, we get corporate sponsors. Like at Seabury, we had some alumni and some businesses each sponsor a station. We put a little sign on it. So it's something that people are really interested in, will pay money for. I mean, you have to pay money for trash too, right? So there's a little bit of savings there. And, yeah...then the benefit of looking good. I mean...

COUNCILMEMBER PALTIN: How would people contact you if they wanted to enlist your services?

MS. O'COLMAIN: We...well, my phone number and email's on that paper. But if you go to [mauihuliaufoundation.org](http://mauihuliaufoundation.org), we have under our programs, the Green Events Program.

COUNCILMEMBER PALTIN: Cool. Thanks.

CHAIR SINENCI: Thank you, Ms. Paltin. And, Members, our resource people and departments are also open for questions as well. Chair King?

COUNCILMEMBER KING: Okay. Thank you. I actually have questions for all three of you, but I'll start with Ashley. Well, I just wanted to let Members know also, that we are negotiating with Maui Huliau for the HSAC conference. So we're hoping to do the zero waste thing there, so thank you for that. And for first my question is, what does this \_\_\_\_\_ mean? That's a word that's on this jar.

MS. O'COLMAIN: Well, those are reused from a wedding, so I have no idea.

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COUNCILMEMBER KING: Oh. Okay.

MS. O'COLMAIN: Someone's name, I guess.

COUNCILMEMBER KING: I thought it was some technical term for trash or something.

MS. O'COLMAIN: No, no. Just someone's name. . . .(chuckle). . .

COUNCILMEMBER KING: Okay.

MS. O'COLMAIN: I'll wash them before we use them again.

COUNCILMEMBER KING: This looks really familiar, because this is the kind of stuff I've picked up at those, you know... 'cause I've been to several of the beach cleanups in Kahului, and I spent a lot of time picking up those little bits of the plastic tubing and stuff like that. So it takes me a really long time to fill up half of a bag, and my husband focuses on the big jars and the big plastic bottles, so he fills up like, three bags to my one. But this stuff is really difficult to get out of there, and it takes a lot of time. So I appreciate what you're trying to do with bringing awareness to this. Does this...are you...I mean, I've been to the one at Kahului Harbor, which happens frequently, and then once up on the west side. But are you guys doing like regular, different pick ups with Malama Maui Nui at different sites around the island?

MS. O'COLMAIN: We don't. We just do that student-led one in the beginning of the year, I can't remember what the date is. I guess it's in the beginning of the school year, November I think. But SHARKastics' Cheryl King, she does one monthly at Ka'ehu Beach, and there's like always trash there.

COUNCILMEMBER KING: Okay. So it's concentrating in specific areas--

MS. O'COLMAIN: Yeah.

COUNCILMEMBER KING: --a lot.

MS. O'COLMAIN: This coastline gets a lot, a lot of plastic debris.

COUNCILMEMBER KING: Okay. Yeah. I think I've done more than my 250 pieces per person with this kind of small stuff, but I do see...we saw these same pictures, Chair, when we looked at the styrofoam ban, and these same pictures with the baby birds with their stomachs full of plastic, and so I think it's an ongoing thing. But I think the thing that people don't realize is that we're eating the fish that also ingest this kind of stuff. So...and I have a question for Mr. Kawasaki from...since you're with this company, Nature Works, and you guys are the only ones making PLA. So I'm assuming you're a fairly big company. And have you thought about partnering...because you've talked a lot about the necessity for commercial composting. Have you thought about partnering on the facility that Gretchen is talking about, or giving her a grant, or somehow helping

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to create that commercial composting operation, since it's critical to us going forward with removing single-use plastic?

MR. KAWASAKI: Sorry. Let me clarify that a little bit. My company is Maui Chemical and Paper Products, and I was just stating the fact that Nature Works is the only PLA manufacturer in the United States. We don't represent them at all. We buy World Centric, we buy Eco-Products, and they buy products from China that Nature Works has...ships over PLA to them to make. All of the PLA products that you buy, so those clear clamshells that you see on your desk, those are manufactured in China, and shipped over to the United States. From the United States, they get it boated to us. So Nature Works is the only PLA manufacturer. They send PLA pallets over to China, China produces it, they send it back to the United States, and it comes back to Hawaii.

COUNCILMEMBER KING: Okay. So, then Maui...let me ask a question of Maui Chemical. Have you thought about partnering with, you know, the commercial composting, or possibly giving them a grant, or helping them in any way?

MR. KAWASAKI: We'd be open to the option. We do a lot of donations with the Huliiau Foundation...has events, we get a lot of requests for compostable products, and we help out in that way.

COUNCILMEMBER KING: Okay. Well, I mean, I'd like to see those partnerships happen. Because one of the big arguments against the styrofoam ban was well, you know, we could recycle it, and my question kept...was consistently, well, why aren't you then? And we heard this from the company on Oahu that makes polystyrene saying that it is recyclable. But they hadn't done...they hadn't made a move to do that, so you know, in the interest of looking for ways to move forward and make these things happening instead of just saying they can't happen because we don't have this or that, what we need is the, you know, companies like yours to be partnering with the parts of the industry that are trying to move ahead, and trying to, you know, reduce our waste and clean up our environment and make the...not just the sea life, but our own lives, healthier. So, that's what I'd like to see is like, you know, looking for a way that we can get it done instead of saying, well, nothing can happen until we do it.

MR. KAWASAKI: Yeah. I agree.

COUNCILMEMBER KING: Okay. Thank you. That's awesome. And then the last question I have for Gretchen is...well, actually, I just wanted to thank you for your admission today and your change of heart, because I've been where you are, and I know how hard it is. And I'm still pushing that boulder up the hill with, you know, the whole waste to biodiesel thing. You may never get appreciated as much as you deserve to be, but you will know that you're doing the right thing. So thank you for that statement and thank you for deciding to keep fighting the good fight.

MS. LOSANO: Thank you. I do have something to add, because I think, you know, as I was writing this, you know, obviously that was a very emotionally-driven, lengthy statement

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that I wrote. But on the technical side of things, it is actually very important for the success of a commercial composting operation that we do not have so much confusion within our waste stream. There is a rift in the composting community right now, and I attended the most recent US Composting Council Conference. I was in the BPI meeting on, you know, compostables, and I got to listen to a lot of different testimonials by specific commercial composting facilities on the mainland. And the interesting thing is, is that there are several commercial composting operations, large ones, on the mainland, that have decided to stop accepting commercial or commercially composting compostables. And the reason is not because they don't compost. The reason is because those specific composting facilities do not control the pick up and delivery of that waste stream, and there has been too much contamination in that waste stream for them to be able to adequately, you know, with, you know, all the time constraints that they have when sorting these products. They haven't been able to adequately separate them. And so that knowledge has been the foundation of the development of our composting facility, and there are many ways to mitigate that. And one of the best ways to mitigate that is through legislation. If there are no single-use plastics that are not compostable coming from restaurants, we will not have that problem. And you know, luckily, I've worked in this industry for the last 10 years, so I know all of the tricks of the greenwashing people. I know all the different products that are on the market right now, and so I personally will be doing the sorting in the beginning. There's several ways to mitigate this, but the very best way is to not have a contaminated waste stream in the first place. So I think, you know, there's always this question about whether it's the chicken or the egg, you know. What comes first, right? I believe that no matter what, you know, we have the ability to capture 70 percent, not 20, not 30, 70 percent of the waste stream that currently is going to the landfill. You know, a lot of that stuff gets to go to the green waste. But you know what? There's a lot of green waste that goes into the trash. Seventy percent of all trash that we create on Maui can be composted, and that is a huge number. So I think that on a legislative side, the things that can help us be successful in our West Maui facility, in a Central facility, is to keep the waste stream from being more confusing than it needs to be, and make our jobs a little bit easier. They're still going to be hard, we're still going to get dirty, but it would be much appreciated on that side so we don't have to, you know, go into it, and five years down the road be like, oh, you know what, we're gonna -- not that that would ever happen. I would never do that. But other people do, other people have, you know, and if I'm not involved in the Central Maui facility, you know, and we don't have this separated waste stream, there is always that possibility. So let's make sure that that does not happen. 'Cause success is possible with this, with huge municipalities. So we just have to make sure we're in control of that, and we're not like the victims of, you know, other people making rules. That's why we're here, so. Anyway, thank you. I just wanted to add that, you know, bit of actual physical evidence.

COUNCILMEMBER KING: I'm glad you learned that, because it took us ten years to learn that. And that...now you see the Pacific Biodiesel trucks picking up the cooking oil directly because of that same reason.

MS. LOSANO: Yes. Yeah. It's very important.

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COUNCILMEMBER KING: Still not appreciated, but that's what we're doing. . . .*(chuckle)*. . .

MS. LOSANO: I appreciate it. . . .*(chuckle)*. . .

CHAIR SINENCI: Thank you, Ms. Losano. Member Molina?

COUNCILMEMBER MOLINA: First of all, thank you, Ashley, for that presentation and for giving this to us, and the educational aspect for our youth, especially because when you see this...or anybody who's gone down to the beach knowing that they're swimming around with this stuff and fishing with this stuff. Kinda, you know, blows the mind. And also for these, I just came from a restaurant for Mother's Day and got one of these. Has there ever been a survey? I don't know if maybe Gretchen can chip in on this. With now the restaurants...I guess when all of this first started, about using these types of containers, the business community expressed concerns that, well, it's going to drive up the cost of food and everything else for our consumers. Has there been any pushback since from customers? I think it seems, from where I sit, seems like I haven't heard any pushback. People just accept it, it's fine, nobody's complaining that, has it added to the cost of food? And if it has, how significant it's been? Can you folks chime in on that? Have you heard anything from the food community, or food restaurants?

MS. LOSANO: So I used to sell these products to the restaurants, and the only response...the vast majority has always been appreciation, and there are alternatives that are available to the restaurants that are not compostable, that are made of plastic. They're generally more expensive, but there are, you know, and they're also a type of plastic that we cannot recycle here. So when we did the first Polystyrene Task Force, we did extensive product testing in Zippy's actually, and they used a lot of these compostable products and, you know, I think that after like three or four hours...we did one where, you know, they put food in it right at the beginning and then like three or four hours later they were like, see, you know? And so...but, you know, single-use is really not supposed to be this magical thing that, like, can last for a week in the refrigerator. Like, that's not the idea, you know? If you're going out to eat and you're not starving and you don't live, you know, on the street or in a homeless shelter, you have a fridge at home and you have dishes, and so you can just put them in another container. But I have never heard any pushback. Only, the restaurants that have gone completely compostable have more business than I've seen any of the other restaurants have. I mean, every single business that has gone fully compostable, like Pharmacy and Choice, I mean, they have lines out the door 100 percent of the time.

COUNCILMEMBER MOLINA: Yeah. And I appreciate that, those comments. Because that's how we should take these laws. Look at it from the bright side, not from the negative side. Like, if I can recall the plastic bag, there was all this outrage at first, and then, you know, look now. It's an accepted practice. Some businesses are actually profiting. The Wal Marts of the world, you know, and Targets, and all of these. Guys who were some of the big folks that were complaining about it initially, so, look at it as a win-win. And with regards to the single-use plastic issue, I'm kind of sort of comparing it to the

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bottle bill, where if you turn it in for recycling, you get something in return. And some...these laws, it'll take time to change people's mindset. So, the idea of, you know, getting people's mindset to change is important. What do you see we can add to the current ordinance? Any modifications? I know we've heard from the departments. Anything that any of you can add to this current ordinance that's being proposed? Suggestions? 'Cause if I could hark on again the plastic bag...the bill, if I recall, was passed in 2008, but wasn't officially implemented about, until about two and a half to three years later for businesses to adapt and prepare for the change. So, someone had mentioned...and I think Mr. Nakagawa had mentioned the implementation phase of a law like this. So would you suggest maybe give businesses at least two...a couple of years to, I guess, for this law to kick in?

MR. KAWASAKI: Well, you know, the ordinance I read through is pretty quickly is not too much detail in there, so there's a lot of room, I guess, for interpretation. One of the ones that I saw was, like, what is the definition of single-use? And essentially you can use plastic containers over and over, you know. And then, what is the...what area are you gonna cover? Are you gonna cover manufacturers importing or sending over products from the United...from the continental United States? Are you gonna have other counties - Oahu County - follow the ordinance also? Are you gonna have Maui manufacturers shipping products outside of Maui County affected by the ordinance? 'Cause you have a lot of, say, farmers that package products in, you know, tamper-resistant containers that ship outside of Hawaii. You have bakeries, like Home Maid Bakery, that package manju and they ship that outside of Maui. So there's a lot of...it's a little scary when you say, you know, you're gonna ban plastic as a business owner. 'Cause I can kinda see the different areas that it'll affect. So I think you need to be very careful in the wording of the bill. If you want it to just be, you know, for products in the County of Maui, you need to specify that, you need to specify the definition of reusable plastic containers. And then a lot of products right now, there's not compostable alternatives. For example, we do...in TJ's Warehouse, we do bentos. There's not a compostable bento container currently on the market. There's...you could put it in a plate and wrap it somehow, but it's not really the same, so it's gonna affect businesses that way. So I think just take a deep look on the wording and how it's going to affect other businesses, not just the residents of Maui, but, you know, manufacturers outside of Maui.

COUNCILMEMBER MOLINA: Thank you. You know, I appreciate that, and you know, I want to thank Ms. Bonar, who you saw earlier, about the plastic bag...you know, the credit should go to everybody, and the same thing for these bills. I think it's educational, the educational aspect, getting people on board with it, and you know, I believe these bills can certainly work. So, that's what we're going to need, is buy in, and especially if, you know, we appreciate the business aspect too, so we have to be...look for that right balance, but at the same time, you know, protect our environment. And you know, when you see stuff like this, it definitely wakes you up, and should wake everybody up, so. But thank you for your input. And thank you, Mr. Chair. I know it's gonna take several meetings to when we finally reach an end point on this. But the more input we

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get...and the key is the definition, as Mr. Kawasaki had said. Once we can establish that definition, then we can move forward. Thank you.

CHAIR SINENCI: Thank you, Mr. Molina. Members, I'm sorry. We've passed our mid-mark. Did you guys want to continue this and possibly end early? Or would you guys need to...need a recess? You want to continue? Okay. We're just wrapping up if you have any more questions. Ms. Thomson?

MS. THOMSON: Just wanted to add a couple of thoughts before we left today. So the...you know, maybe we could get your comments on this as well so that we can bring back a more complete bill. I'm looking at the proposed ordinance, and just some of the things that I think need clarification. Currently, disposable foodware includes a very, very long and extensive laundry list of types of products, so you know, I think that it'd be a good idea to, you know, be sure that we know where we're headed, collectively. It also has some crossover. In general, the ordinance has some crossover both with the plastic bag ban and also with the polystyrene ban. For example, when you get to the definition of plastic, right now polystyrene is included with a caveat that these are molded or blown into shape while softened and set into a rigid or slightly elastic form. Right now, the polystyrene ordinance, you can have those, like the see-through polystyrene. So that would be an area that we'd want to make sure that, you know, we don't have conflicting ordinances. The other comment that I think was just raised was as written right now, this would include food packaged outside of the County in these plastic containers and brought in, and also would include food packaged here and exported or used here within the County. So...and those all come with certain legal risks that we can get into, you know, with polystyrene. The Council at that time decided that, you know, it was worth the potential challenge, legal challenge, to go ahead and you know, do a more sweeping ban. But it's just...I'm just raising these as issues so that, you know, we have them kind of in our mind as we're going through. Thank you, Chair.

CHAIR SINENCI: Thank you, Ms. Thomson.

COUNCILMEMBER MOLINA: Chair?

CHAIR SINENCI: Ms. Farnsworth? Oh, question?

COUNCILMEMBER MOLINA: Oh no, go ahead. Well I'd like...just one quick question for Ms. Thomson--

CHAIR SINENCI: Go ahead, Mr. Molina.

COUNCILMEMBER MOLINA: --or maybe even the Department. I'm going to borrow a term from my colleague from West Maui. I have a couple few questions. So, that's a trademark. I like that. Just quickly, in the law, it mentioned something about fluorinated chemicals as somewhat of a technical term. What is fluorinated chemicals, and, you know, why is it important to restrict items that, you know, have these chemicals in them? Speaking of definitions, yeah?

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MS. THOMSON: I think that's an excellent question, and the answer is, I really, truly, don't know what that means. So that's, you know, in addition with the definition of plastic. I want to make sure that, you know, we, as the County, collectively know what exactly we're banning and why.

COUNCILMEMBER MOLINA: Mr. Chair, I think maybe Ms. Losano might have an answer for that as well.

CHAIR SINENCI: Ms. Farnsworth, and then Ms. Losano.

MS. FARNSWORTH: I think it would be good for her to answer, 'cause I have statements.

CHAIR SINENCI: Ms. Losano.

MS. LOSANO: So fluorinated chemicals, I think that might have been a sentence that was borrowed from another ordinance that maybe encompassed a few more products. But fluorinated chemicals are not present in the plastic products, not the compostable plastic products. So I think it was maybe just...it's very complicated. Fluorinating...in this industry, I alluded to this actually in my emotional testimony, but it's very complicated right now. With that, there is two different types of fluorinated chemicals, and what that is pertaining to is the C8 chain of...it's called PFOS, and that's actually illegal in the United States to add to food packaging in any way...so...or many other products. PFOS is in the carpets, it's in anything that has a water-resistance, it's a much longer in-depth conversation. I almost attended a conference about the entire...about those, you know, four letters, an entire conference about those four letters. So it's very complicated, but I can definitely have a longer conversation with you about it, 'cause I do happen to know a lot about it. Yeah. Thanks.

COUNCILMEMBER MOLINA: Thank you. I look forward to that conversation.

CHAIR SINENCI: Chair King?

COUNCILMEMBER KING: Thank you. Thank you, Chair. I just...I wanted to address something that Ms. Thomson said, and I appreciate your thoughtfulness and, you know, thinking ahead as we, you know, be working with Chair on this legislation. And I just want to make sure that, one of the reasons...I believe that one of the reasons that we, when we passed the styrofoam ban, we were willing to take the risk of, you know, potential legal action from outside the State is because we don't want to put our local food producers in a disadvantage where they have to adhere to stricter laws than, you know, the manufacturers that are sending stuff in from outside the State that comes with its already 2,000 footprint, 2,000-mile footprint. So, just as you go forward, just, you know, I think keep that in mind that, you know, we have a lot of people who, like Mr. Kawasaki said, are watching this and, you know, maybe having some trepidation, but we're not doing this to put anybody out of business or to make anybody's lives harder. We're doing this to protect the environment, make our environment healthier

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and cleaner, and we're doing this on all fronts. And this...I think this Council has been more progressive than any previous Council. But sometimes you do have to take that risk, because you're not going to get anywhere. I mean, any entrepreneur...Gretchen just gave us a whole speech about that, you know. Sometimes you have to put yourself out there and take that risk in order to make a significant change. So I'd like to see us do something significant and not just something, you know, not just tweak something to show that we're doing something. And so, as you go forward, maybe look at the states that have already done this and, you know, what their definitions are and how it's being...how they're affecting change in their areas. Is it really affect...one of my first questions, and I don't think anybody here can answer it, was how effective has it been for the states that have just like, eliminated plastic straws? What have they...what effect have they noticed? And if it's insignificant and we have to go beyond that, you know, let's look for either example or let's be the example to eliminate single-use plastic on a significant level so that we do see change. Because we have other industries that rely on our environment, and the most significant one is the tourism industry. So we're losing our reefs, our beaches are at risk of having little fire ants, and you know, the trash just adds insult to injury. So I'm willing to, you know, I'm willing to take a certain amount of risk and, you know, to do the right thing and to make a significant impact. 'Cause I think that's why we're here. Thank you.

CHAIR SINENCI: Thank you, Chair. Ms. Sugimura?

COUNCILMEMBER SUGIMURA: As you're closing up, one of the questions that I want to ask the Department is, what would it entail for us to, maybe you know this, or, Director, to build a compostable facility? Do you have that in your plans?

MR. NAKAGAWA: Chair?

CHAIR SINENCI: Mr. Nakagawa.

MR. NAKAGAWA: I guess I would have to defer to Tamara. I don't know of any compostable right now, but maybe she can fill us in more in detail.

CHAIR SINENCI: Ms. Farnsworth?

MS. FARNSWORTH: So, I do want to say that we actually are working with West Maui Green Cycle via grant for a feasibility study for a compostable facility, as well as supporting her efforts, or their efforts, on building their facility out there. So we are moving in that direction. The feasibility study was really important for us to just kind of see all the barriers and the benefits and the possibilities. And we...collection systems are a challenge. I think it's something we need to continue working towards. We are looking at potentially seeing how we can possibly include as an additive option into new composting RFP's or Request for Proposals in the future. We have been speaking with Department of Health regarding their requirements for including food waste and compostables and other items. So we are working slowly in that direction. But yes, it's

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going to...it will take a lot. We have to shift up our systems quite a bit, but we're working towards that.

COUNCILMEMBER SUGIMURA: So may I ask, 'cause I know this discussion's gonna continue, Chair, that in the future at the appropriate time, if the Department has time to put something together, can you put some numbers together? Or general plan or thoughts, Director? Sounds like you're already doing, like, a test pilot program, and what would that involve if you were to move it or expand it elsewhere? So, congratulations for doing that. Appreciate that.

CHAIR SINENCI: Mr. Nakagawa?

MR. NAKAGAWA: Yes, Chair. Yeah. So, I am able to talk about this. But just like any project, right? I mean, once we get that feasibility study done, it's easy for us to present that to you guys and kind of give you guys a ball park of, hey, this is what it's going to entail. And you guys can weigh out, once again, you know, my thing is I look to you guys for that social aspect of it, right? I can give you the engineering aspect, the financial aspect, and you guys help me and decide whether or not that's worth it for this community and that kind of...and just, if that's something you want to pursue in the future. So, it's not a problem.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: Thank you. Thank you, Ms. Sugimura, for that. Go ahead, Ms. Thomson.

MS. THOMSON: My apologies to the Committee. I wanted to clarify something that I said earlier regarding the plastic bags. The fee, the pass-through fee, if you take a look in Granicus, we kind of addressed that topic in pretty good depth. It was on May 26, 2017 communication from Corp Counsel back to the Committee. And that talked about when you have a regulatory fee, and Councilmember Sugimura is correct, you don't...we don't have the ability to make that a tax. So it has to be directly related to a regulatory issue. And it also talks about, you know, just having the required fee passed on from the stores. Thank you.

CHAIR SINENCI: Thank you, Ms. Thomson. Members, I had a question for Ms. O'Colmain, and I just wanted to, you know, your organization's name is called Huliau. Can you speak a little bit to your organization's name?

MS. O'COLMAIN: Yes. Huliau means, a time of change. And Malia, the Executive Director, Malia Cahill, founded this because she just saw youth as the way to get across this environmental message, and, you know, grow environmentalists that are going to protect our island in the future. And so the time of change talks about, kind of speaks to the time that we're doing a lot of environmental work, a time to change in our thinking about the environment, not being so separate from it and being more of a part of it and caring for it. And then also in the age groups that we work with, so seventh through

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twelfth grade is a time of change in the youth's lives. So it kind of has multiple meanings.

CHAIR SINENCI: Thank you. Thank you for that. And, Members, I did want to...our office is in receipt of the Hawaii Business Magazine, the Change Report. I don't know if you also received this. And in it, there's an article about a Lahaina eatery called Moku Roots, and their attempt to zero waste is using taro leaves and ti leaves as their take-out containers. So when we're thinking about this huliau and how things used to be, and how, as we move forward from this point, let us remember some of the work that's been put out there, like Mr. Molina, and all the efforts that has come before us. And let's build upon that foundation that has been laid before us. So with that, Members, if there are no other objections, I'd like to defer this item.

COUNCILMEMBERS: No objections.

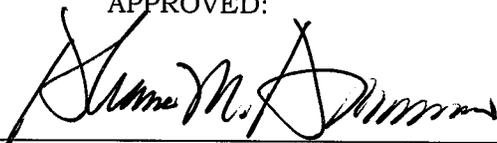
**COUNCILMEMBERS VOICED NO OBJECTIONS** (excused: ALL).

**ACTION: DEFER pending further discussion.**

CHAIR SINENCI: Okay. This concludes today's Environmental, Agricultural, and Cultural Preservation Committee meeting. We're a little bit early. Thank you very much to our Members, our Department representatives. Mahalo. And our resource persons, mahalo for being here today, and to field some of the questions from our Members. And we look forward in the next couple weeks to continuing this conversation. So, this May 14<sup>th</sup> meeting of the EACP Committee is adjourned. Mahalo. . . . (*gavel*) . . .

**ADJOURN: 3:30 p.m.**

APPROVED:



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