

ENVIRONMENTAL MANAGEMENT COMMISSION

COUNTY OF HAWAII

MEETING MINUTES

Wednesday, August 24, 2022

9:02 a.m. to 11:38 a.m.

West Hawai'i Civic Center, Kailua-Kona, and Zoom

Commissioners present:

Georjean Adams, Chair
Rick Gaffney, Vice Chair
Melissa Cardwell
Dee Fulton
Lee McIntosh
Jon Olson
Elyse Robinson

County staff present:

Ramzi Mansour, Director
Sanne Berrig, Recycling Specialist
Peter Sur, Secretary
Keyra Wong, Deputy Corporation Counsel
Kelly Hartman, Planner

Others present:

Nancy Cook Lauer, Jerome Warren, Evan Lam, Monica Stone, Mikena Shay, Marissa Tsuruda, Michelle Sorensen, unknown others

I. CALL TO ORDER

Chair Adams called the meeting to order at 9:02 a.m.

II. APPROVAL OF MINUTES

1. April 27, 2022 – Executive meeting (related to the Kai Ala Partners LLC appeal)
2. May 25, 2022 – Volume II – Kai Ala Partners LLC appeal – Adoption of Findings of Fact, Conclusions of Law, and Order¹
3. May 25, 2022 – Executive meeting (related to the Kai Ala Partners LLC appeal)

Motion, Second, and Vote: Commissioner Robinson made a motion to approve the minutes for the meetings referenced in the agenda as items II.1, II.2, and II.3, to which Commissioner Cardwell seconded. Ayes 5 (Cardwell, Fulton, McIntosh, Robinson, Adams); Excused 1 (Olson); Absent 2 (Burns, Gaffney). Motion carried.

¹ II.3: May 25, 2022 minutes, Vol. 2: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=116510>

4. July 27, 2022

Motion, Second, and Vote: Commissioner Cardwell made a motion to approve the minutes of the meeting on July 27, 2022, to which Commissioner Robinson seconded. Ayes 6 (Cardwell, Fulton, McIntosh, Olson Robinson, Adams); Excused 1 (Olson); Absent 2 (Burns, Gaffney). Motion carried.

II. STATEMENT FROM THE CHAIR

Chair Adams said she has been traveling most of the month and has been appreciative of the Commission taking the effort to be at our meeting. She was catching up on some news and saw that it can be a real issue with various boards and committees and commissions and whatnot to get sufficient attendance, even to be able to do any business, and we've been doing pretty well on that, and she appreciates it. She will talk a little bit more about thoughts on how the commission is working later.

IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA

Jerome Warren: The County has no legal right to collect a fee for the illegal gang cesspool. Now a high school senior (can read) the County of Hawai'i ordinance which enables our sewer department to charge Ka'ū residents. A lot of people can read that law, but any law student can see the law is in error. It's an illegal operation. That's the gang cesspool. The law is in error. However, no law professor will point that out. Plantation homeowners who doesn't pay their sewer bill will be taken to court. Judges do not recognize that the fault belongs to the law. A jury would recognize this and turn in a not guilty decision. Judges will turn in a guilty decision. Again, the fault belongs to the law, not the citizen. This law is bogus. Nā'ālehu sewer meeting is next week. Guilty or not guilty, we are still on shaky ground when we start another round of sewer meetings. This is plan five, the fifth spin. It all started back at the beginning of this new millennium. Today, the pettifogging and the corruption continues. Our Ka'ū residents have seen this boondoggle all of their lives. Their neighbors have gone to court for not paying and their relatives have been arrested for not showing up for trial. Don't blame the citizen. Blame lies on the law. In summary, since this Department does not reveal what legal grounds the County stands on, the citizen can only assume that the County has no legal right to collect a gang cesspool (fee).

V. UNFINISHED BUSINESS

1. Status report on 2022 EMC Commissioner Priorities – Each commissioner may provide a *brief* update, if applicable.²

No members gave updates. Chair Adams commented there is an ongoing effort by the Cost of Government Commission, and she was given as Chair set of set of questions, mostly dealing with administrative issues that may exist with the Commission or board. All of the county commissions and boards were given this survey and basically the bottom line was, she thinks we are working really well. We had a time before where we had a number of vacancies on the commission and that was very frustrating. But right now we just have one (Council District 3)

² V.1 – Commissioner priorities for 2022 - <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=114388>

and if anybody knows anyone who'd be interested, make sure that they apply and can join the Commission. The biggest issue we commented on was from the Secretary on the ability to put on these meetings, the AV equipment and is there enough, and what happens when he goes on vacation and doesn't have a backup? So it was those kinds of questions. She would be happy to provide the comments that she had already sent to the Commission if they would like to see them. They asked the question of whether you Zoom or do in person meetings or both, and she said we definitely all preferred from an environmental standpoint the ability to do Zoom meetings. But still we need to have a location for people who have a hard time with connecting. And that's why we have a meeting where Commissioner Olson happens to be sitting in Kona.

Commissioner Fulton asked about doing an annual efficacy follow-up to send to the Mayor and Council saying, here's our steps that we had recommended on action and this is the effect that we saw.

Chair Adams said that is a different topic and a worthy one to do, and let's figure out a way to phrase that up for next meeting because we have written many letters and have some positions and just reminding people, hey, we've done these things, let's review and see where we are, is a good point.

Commissioner Olson commented on the Council's practice of holding remote testimony sites. Even though the need has increased, we really haven't held the ground that we once had in terms of public availability.

DCC Wong recommended ending this discussion and placing it on the agenda for the September meeting. That way you can share the comments that you provided to the Cost of Government Commission with the other commissioners, and then everyone can have an opportunity to discuss it. And if it's necessary, we can compile the commission's comments, and then we can send it to the COGC. And she also advises that commission. So that would be the most efficient way because they have a deadline to draft recommendations.

2. Status report on action items from previous meeting

1. 2006 sewer master plan and North Kona Improvement District Project³

Chair Adams asked Vice Chair Gaffney to discuss the 2006 sewer master plan and North Kona improvement district projects report related to our discussions around having a master wastewater plan. We learned that there is indeed one for North Kona. And if you have any comments about that or if others had questions, let's address that now, she said.

Just as a reminder for the commission, the Vice Chair said, we've asked the Council to look into doing a master plan for the entire island, and our Director has responded that they are actually in process of developing two pieces of that master plan. The funding exists to proceed with that, and the two areas that the master planning is proceeding is Puna and essentially, South Kohala, focused on Puakō, based on money that came available through from Rep. David Tarnas

³ V.2. – Kona sewer plans - <http://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=117101>

last session to begin to solve that problem. So the concept of doing an islandwide master plan continues to exist, and the need is there. The Vice Chair has spoken to the Director about it. He definitely feels that it would be valuable. It's likely to be something that the EPA could demand of the County. So this 2006 sewer master plan is interesting in that it exists and we didn't know about it. And he has been on the commission for a little while, and it's never come up before. And secondly, it's another good example of planning that ends up sitting on a shelf rather than being implemented. A lot of the things that we've talked about that need to be done in the North Kona District, which of course focuses around the Kealahou Wastewater Treatment Plant, were seen as essential in 2006. And yet, little or nothing has been done in that direction. So his main takeaway from reading this master plan is that it's just another example of the County administration kicking the can down the road and ignoring work that's gone into producing something. And he agrees with the Chair that this master plan has an advantage of being something that we can use as a template to grow into the larger master plan process. And he and the Chair have also been in discussion about this master planning process. We agree that this is something that should be undertaken by a consultant with wastewater engineering experience because that's something in which that none of us commissioners have either background training or experience. So the master plan really is something that needs to be funded and that's something that we need to take back to the Council.

Chair Adams noted that the Director had indicated last time that they were looking at that old plan. Have you had a chance to come up with your own responses to it and how it fits in with the bigger scheme, she asked.

Director Mansour said he had talked with the Secretary the previous day he gave a hard copy of the North Kona Improvement District project. The Vice Chair is right. It seemed like back in 2006 that got some attention because they thought there's going to be some big development taking place. But in talking to staff, his understanding is the development did not go through and that's why the master plan did not go through as well. So somehow the developer backed away. And the reason they did that master plan was the idea to help the developer to lay the ground of how he's going to be building his infrastructure. So technically we are under the mercy of development. So developers wanted to come and develop, they have to build the infrastructure that provides the services to their development. And if we don't have that, then the master plan becomes stagnant. So it's beyond the County's control because we cannot force developers just to go ahead and develop. So the County did not kick it down the road, it's just that developers backed away.

Chair Adams looked at it briefly. In terms of the outline that we put together, what we'd like to see in the larger master plan, one of the items that we had in there was the idea that it would be periodically reviewed and it wouldn't just sit on the shelf and say, well, no development, so we don't need to do anything. And also just the larger context of what are the basic goals for the island, what are we going to try to prioritize, and how do these particular mini-master plans fit together to meet our overall goals. So there are elements, she was trying to see what was in and what was out. It also looked like there might have been some controversy with this contractor finishing the job. She does not want to go into all that, but the goal that she shares

with the EMC is that we have this general concept of what a master plan means and how it's going to be kept alive, and that it needs to be revised because plans change. She was trying to match up her memory of what North Kona looks like compared to what's all in all these maps that weren't so easy to read and yeah, the big plans didn't materialize, and that's life, and our plans need to match up more or less with life.

Director Mansour in addition to that, the Vice Chair is also right that once the county-wide master plan is completed, they need to adopt that plan, similar to Mass Transit. So at least that becomes the road map and you cannot deviate from it. So maybe that's the route probably to guarantee that the Council will continue as they move forward in the future to refer to that map without deviation, or if there is any deviation, it has to be approved through a process.

Chair Adams said it was that earlier conversation, which we will have next month, on the need to evaluate on a periodic basis whether what we did before is still valid. Do we need to tweak it, how, and get that memorialized as well?

Commissioner Olson pointed out that the east side and west side of the island in terms of planning are very different. On his side of the world, all of the subdivisions exist. And the planning for those – he was just seeing here that the Pāhoia wastewater feasibility study is back on the list. We did that first in 2006, somewhere around there, and it's just now coming back to life. The number of lots that we have to deal with there and the topography and all of those things, are going to prove to be extremely challenging. And these people are all under the gun. And the State has a stake in this because they allowed this to happen also.

Commissioner McIntosh said it sounds that unless the area has already been developed, the County wouldn't be able to come up with a master plan because you're taking land that is being rezoned and changed. It would be hard to imagine or plan for what could be imagined for that area. So that may be another obstacle and why probably the County hasn't done much with it because why are you going to spend a lot of money to put something out there that's limiting your growth and what you can do? It sounds like you need like a master plan that has development that is being proposed, and that they have to come up with a plan for that area rather than trying to guess, okay, we have 30 acres here, this is what we want to do with it. With the master plan, just leave it, focus on what development we have, and then as a developer comes along and wants to change it, then the County can either – he doesn't know if the County makes a master plan or if the developer makes it, then maybe that would be another way to go about it as well.

Chair Adams said she understood that you basically come up with scenarios of what could exist and it's all under the larger plan, for the whole island. So it's a lot of jigsaw pieces that fit together, acknowledging that, yes, the future is going to change and you have got to re-look at it and see how it changes. Hopefully you've been smart enough to think of the potential future scenarios and what would need to be done at that time. And that was done in part in the 2006 Kona plan.

Vice Chair Gaffney confirmed that what the Director said about the developer. Jacoby Development was going to develop more than 1,000 acres adjacent to Honokōhau Small Boat Harbor. And part of their plan was they agreed to take over management of the wastewater treatment plant. So this improvement district project had kind of a different twist to it because a major developer was going to take over the responsibility for managing all of the wastewater coming in there. And of course, then they also intended to use the water because there were a lot of water features in their development and they were going to use recycled water in those water features. If you go through the plan, there are valuable things there. And that area where Jacoby was going to go has a DHHL property of some 400 acres, which they are planning to develop at some point in time. So clearly we're still going to need wastewater considerations for that. And the Honokōhau Harbor 2050 Commission needs regularly and is planning for the future of the harbor. So it's clear that there's going to need to be a number of the things that were in this improvement district as well. But the Director is correct that the developer moved on. In 2008, the developer felt that they were never going to get the permits necessary to proceed. And so they backed away in a way that made this master plan somewhat moot, but there is valuable stuff in it.

Commissioner Robinson asked if there were other valuable contents for the master plan.

Definitely, the Director said. The 2006 report has some valuable discussion that could be utilized and capitalized on as we move forward with the big picture of the master plan. Any information, any effort that was made could be salvaged to some extent and utilized, but updated to reflect today's events.

Planner V Kelly Hartman introduced herself. She is working on the county-wide master plan as well as several of the regional plans. She wanted to give a quick update. We've recently executed five regional plan projects in Pāhoa town, Puakō, South Kohala, Nā'ālehu, and Pāhala, and we're working on developing contracts for updating the North Kohala and South Kohala regional plan. And our goal is ultimately just to tie all this together into one master plan. And then she would be the point person for making sure that those plans get periodically reviewed. We're also looking at setting up a GIS map so we can visualize coverage for the master plan and providing that to the public. And we're setting up our website for public comments as well.

Chair Adams said she would get Ms. Hartman on the agenda every once in a while.

1. Pretreatment update

Chair Adams asked for a status check on the pretreatment rules.

Director Mansour said staff are working with our Deputy Corporation Counsel on the rules for the pretreatment, and we have a deadline coming up, August 26 or August 28, to deliver more of the documents to EPA or the Department of Health.

Chair Adams repeated that EMC would like to see the proposed rules and have the opportunity to comment on them.

Once we get a clear indication from DCC Malia Kekai, then we could share with you. As you all know, we cannot share it at this moment until we get green lights from Ms. Kekai, the Director said.

Chair Adams said she would leave it on the agenda every month just to bug the Director.

3. Review latest draft recommendations of the Cesspool Conversion Working Group, with a focus on cesspool conversion financing, and provide comments to CCWG Member/DEM Director Ramzi Mansour.⁴

If people had a chance to look at the CCWG agenda, Chair Adams said, at the end of it there were items for further discussion and she wanted to give an opportunity, if people had some comments, to add to the Director's notes to take to the next meeting.

Commissioner Robinson had a suggestion regarding the tax incentives for covering the cost of converting some 50,000 cesspool systems. She wanted to suggest that the incentive be expanded to all households, not only specifically low to moderate income households, being that county by county there's such a big difference in what's considered low income. For example, on Maui a low income is around \$91,000 according to U.S. Housing and Urban Development, for a family of four, which in Hawai'i County that's the median household income. And so there's just a big discrepancy on county by county and why not provide that incentive to all households? Unless there's a reason that she is not aware of.

Director Mansour said he would present that to the working group. They did some study on finances and demographics and all that was considered. But he would bring it back up in the next discussion. His understanding is that these recommendations are going to our elected officials to become legislation. They may decide to accept, modify, or ignore the recommendations, but the more recommendations we give that makes sense to assist our constituents in the conversion process, that will be beneficial to all people that are living on the island and having a cesspool, to convert.

Commissioner Cardwell said she was reading a bit about the different approved systems versus approval required systems, and she read a little about composting toilets being on the list of alternative toilets. We have a Department of Health shortage because that was one of the caveats with the approval required is that there would have to be a DOH process. But she wanted to comment that, while she is not a composting toilet expert, they are incredibly affordable and if we're talking about money, because it always comes down to money, this is billions of dollars that needs to be spent to convert cesspools to septic that composting toilets, if there was a pathway for the approval process to be fairly easy, that would be a more affordable pathway. Also just in regards to the fact that the Big Island is so heavily agricultural and there's a lot of farms and the need for soil and et cetera, that it's valuable and worthwhile to consider that composting toilets would be a part of this cesspool conversion plan.

⁴ V.3 – Cesspool Conversion Working Group Draft Recommendations, Pages 2-5:
<http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=117114>

Director Mansour said these composting toilets are for off-grid lifestyles. He would not recommend the compost for agricultural use, because it still has pathogens. So it's not just like you can just put it on soil and use it for ag. It doesn't do that level of composting. You're going to end up getting rid of that into your garbage can.

Commissioner Cardwell asked whether composting toilets will be a legitimate and legal possibility for people who do live off-grid. Speaking as someone from lower Puna, there are so many people in Puna living off-grid, and this has been an issue that has come up in our community in the past. The fact that it's composting toilets would make a lot of sense.

You're right, the Director said. You could work with the Department of Health and if you live off the grid, he did not see a reason why they're not going to approve it for you. But yeah, he could see that being an option. That's why it was introduced in the report, as an option. You look at our area within the west side, we have a lot of people on cesspools and that probably is not adequate to convert them to compost, but Sina Pruder of the DOH Wastewater Branch may approve it. It's based on case by case and the specifics that comes with it.

Commissioner Olson confirmed that the Department of Health has permitted composting toilets in Puna, and within the Shoreline Management Area. So there is precedent.

Vice Chair Gaffney asked whether the Cesspool Conversion Working Group is looking at the reality that septic systems, if they're not perfectly built and managed, are really no improvement on a cesspool, and therefore are they considering being very specific about septic installations and their required management over time and so forth, to be sure that we're not going from one bad thing to another?

Yes, definitely, the Director said. This was the discussion on the committee, the idea if you have a cluster of homes and they try to convert into a septic, he still has the same amount of leaching into the ground. So definitely the option is to prior to conversion to start looking at the possibility of, could you bring sewer into that cluster of cesspools or septic systems? And that's where it goes back to Commissioner McIntosh's earlier concern about the master plan because there are so many parameters that could make a successful master plan. You have an existing cluster of development that is already developed, but yet you need to provide sewer to them. How can you bring sewer? Because now you either need to create an improvement district and go through a certain process, but you need to get 50 plus 1 percent within that cluster adhering to that requirement, and they support an idea of creating a district so we could start providing sewer service to them. If they do agree and come together, then rather than convert into septic, probably we'll provide the sewer system to them rather than septic. All those options are looked at. It's up to the Department of Health because they're the ones who issue the permits. But part of the recommendation for legislation is to allow each county have the master plan, how are they going to go about doing conversion, understanding the certain criteria, decentralized versus centralized versus the amount of clusters of cesspools or off the grid living.

So the whole idea is try to connect the dots together to be able to assist our constituents here within the County, with options.

Chair Adams asked whether the Director felt there is a need to change the Code or the Charter to get more involved and have more authority over the selection options that are going on, where you don't just say, "Well, DOH lets the septic go. I guess it's okay." But is there some way that allows you to incentivize or require sewing and focusing on that is the best solution is to get it into a wastewater treatment plant?

Director Mansour said he did not know. That could be a legal question. How could we work with the Department of Health to take some of that? Unless they delegate some of that authority to counties if they are willing. And that discussion needs to take place with the Department of Health and trying to figure out what's the legal way to delegate some of that authority from DOH to each individual county.

We have been down this road in Puna, Commissioner Olson said. And it really comes down to what EPA will allow because they're the final decision maker in this and the state works under that, and then the counties work under that. So you've got to get them to sign off on anything in the end.

Director Mansour clarified that EPA gets involved with large capacity cesspools (also known as gang cesspools). But the current law that we deal with, it's a state mandated law for individual properties.

Chair Adams said if any anyone has comments to pass along to the Director, go ahead and give it to him and he'll decide if he wants to take the comment to the CCWG, and we'll have him give a status report next meeting as well on what that group is doing.

VI. NEW BUSINESS

1. Discussion with Monica Stone regarding the Qan LLC partnership with Recycle Hawai'i and County Department of Research and Development on a community outreach survey to guide decision-making and funding for improving the organic waste management system on the island. (Cardwell)

Commissioner Cardwell said that she and Monica Stone met a few years ago now at the Zero Waste conference on O'ahu and she and Evan Lam and other people have been working on this issue of developing decentralized composting. Ms. Stone had emailed at the beginning of the month asking if she could be a part of this meeting along with Evan to find out the historical issues and roadblocks there have been in the County of Hawai'i for composting and creating an islandwide composting system. And they've also been talking story with people on the island about the composting that already has been happening.

Ms. Stone introduced herself and Mr. Lam, who will be taking notes. Our objective today, she said, is to interview you, the Commission, as a group with a goal of understanding the history, of organic waste management and composting efforts on Hawaii island, she said. By organic

waste we mean green waste, food waste, fish waste, agricultural byproducts paper and cardboard mostly, and to identify the key challenges and pathways to improving the current system. We are in the process of conducting a County-wide community outreach survey in partnership with the local nonprofit Recycle Hawai'i and the County of Hawai'i Research and Development department. This project is funded through the U.S. Economic Development Administration's Build Back Better regional challenge program. She would like to ask the commissioners a series of questions as a group and maybe we can do a quick round of responses after each question if anyone has any comments.

Question 1: A municipal composting system that has been in discussion for Hawai'i County since at least 2016 that we're aware of. Can the members of the Commission share their experience and perspective on the history of the system?

Commissioner Cardwell asked if this is about the proposed site that was going to be in W.H. Shipman Business Park.

Yes, Ms. Stone said, and before then, if there is a history that we're not aware of.

You're sitting next to 40 years of history, Chair Adams said, referring to Commissioner Olson.

I'll have to introduce you to Dr. James Weatherford, Commissioner Olson said. Dr. Weatherford was, he is told, the first person who ever got a composting toilet approved by the State Department of Health, and he still lives out in Puna, and he's got the credentials and he's gotten it done. He has set up out here already some small scale facilities that have passed muster. So he can bend your ear on the topic.

Okay, we would love that referral, Ms. Stone said.

Ms. Cardwell gave her understanding that there is currently a contract between the County of Hawai'i and Hawaiian Earth Recycling. So that was the company that was going to be responsible for the municipal composting site that was going to be in Shipman Business Park. So unfortunately that seemed to have fallen through, but there's still a contract in place with them until 2036. But the county is in litigation with them right now. So she has not been able to get more information about what's going on with all of that, but it seems like-

Director Mansour corrected the record to say that the County is not in litigation yet, but there is the potential for litigation.

So potential litigation, Ms. Cardwell said. There's not a whole lot of information around that. But the public consensus is that something like that is not going to work for this island. Nobody is going to want to- people probably in HPP wouldn't even want to bring their organic waste to Shipman Business Park, let alone people driving from Kona to do that. So it seems like that idea has been shelved for now. But again, because of the potential of the litigation there's just not a whole lot of information available about the specifics of that. And then on the other side, there

are all these different players involved with the composting issue and one of the players is also the Department of Health and having not enough staffing basically from that side to be able to proceed with any kind of efficiency with creating a composting because as you all know, pathogens can be involved especially with food waste. And so that needs to be dealt with from the Department of Health side.

Chair Adams directed Ms. Stone – rather than taking up a lot of time here, she was on the Solid Waste Advisory Committee to put together the Integrated Solid Waste Management Plan – and we've got large chunks of information written at the time when we thought that Shipman project was going to go through with all sorts of varying understandings of the scope of the work. The concept of a centralized facility that would take and combine organic waste which would include not just green waste but food waste as well as fiber waste, in an industrially managed facility. They could take all those compostable containers that we now require the restaurants to sell that can't be composted anywhere here. Anyway, all that is kind of described in the report. But the basic issue is logistics. As the Commissioner was saying, how do we collect it all and get it to that single facility? And then once we got it and it's compost, how do we get it back out where it's needed, with the logistics on this island? Our frustration is, whether you're decentralized or centralized, how do we get material to a facility and how do we make sure it's managed properly and it's not just put into a big pile of stuff that's going to catch on fire which even our professionally managed site for green waste does occasionally? And how do we make sure it's safe to be used as compost in your garden, growing your veggies? It's a monster issue. Michael Pierron, she said, must be talking with them from Compost Hawai'i on the challenges. He laid out for us a very comprehensive set of issues that you need to have, a whole system in place, and you got to deal with the fact that this is the Big Island with a lot of people who have restricted resources available to them. So it's very frustrating to try to figure out what would be the most efficient, effective, safe operations. We're now moving more toward the philosophy of a decentralized system. If you could somehow combine it with the transfer stations so that you've got a natural collection point that people are going to go to anyway. But we still need to deal with all the other organics, the food waste that isn't going to pigs from the restaurants and fiber, and whether or not we can make it make sense. Chair Adams assumes Ms. Stone has talked with the people doing the shredding experiments for compost in Kona, Chantal Chung, to use that waste, but it's just hauling stuff around back and forth, back and forth. Hopefully some of that is being looked at in the life cycle assessment that Sanne Berrig is working on of what really makes sense. So it's not simple. There are never any simple solutions. The Chair lives in an apartment building. We don't have compost available to us. So how do you deal with those kinds of operations? Read the ISWMP.

Commissioner Cardwell added that she knows there is a complicated permitting process. She remembers talking to someone on O'ahu about this, and there's no differentiation between, say, a household wanting to compost versus a restaurant versus a huge corporation. There are some issues around that, and I used to know more of the details a little while ago, but I do know that that's one of the main or one of the big roadblocks, she said.

Look at the planning document for the Kea'au Transfer Station and the planning document for the Pāhoa Transfer station because all of those were supposed to have composting facilities for both greenwaste and other that was gone into at some length, Commissioner Olson said. None of that ever got built. The County never came up with the money to finish either of those projects, but it's on the books.

Question 2: What are some key opportunities that you see for implementing new systems or decentralized systems?

Fundamentally, you can take all of the other islands combined, put them down on the outline of the Big Island, and walk comfortably around it, Commissioner Olson said. The scale of it is really the challenge. We're too big to be small and we're too small to be big. Our population compared to O'ahu is still small, but we have a lot of area to cover. Years ago, he was involved with the same topic on O'ahu, and they didn't have any problem with it at all because for many what direction you're coming from, you're 15 minutes away and they have freeways. And we have some of the poorest roads in the state.

Commissioner Cardwell said that as with anything that hasn't yet been established, there is a tremendous opportunity to educate people about compost and the importance of using food waste. We could somehow utilize the transfer stations and have that be a collection point. But her one concern about that is that as most of us know, a lot of people just kind of want to dump everything in one place. Every time I go to take my little bit of trash to the transfer station, she looks down in that container and there's just all kinds of stuff in there that could either be recycled or reused, she said. And so until people are educated about the importance of compost, the importance of keeping things out of the dump – she has talked to many friends who have no idea that the Hilo landfill is even closed. And when she says our stuff is all being shipped or trucked over to Kona, they're shocked. And there's a real tremendous opportunity for education. And if we're going to be successful with this endeavor and getting compost off the ground, we absolutely, 100 percent have to spend some time and energy educating people. People have to know that the East Hawai'i Sanitary Landfill is closed. They have to know that we have maybe 100 years left in the West Hawaii Sanitary Landfill, if that. They have to know that when that landfill fills up, then we're going to have to dig another landfill. And would we rather be reusing our things so that we have soil, so that we're creating soil? It's part of a much larger picture. But education is going to be hugely important, whether that's getting into schools, talking to kids. So there's a tremendous opportunity for education around this issue.

Commissioner McIntosh said the major issue is going to be the County Council and the Mayor, that they don't seem to view this as a really important funding issue. He personally doesn't understand it. He would think wastewater and trash management would be top on the list next to road management or utilities, but it just doesn't seem to be there. They just seem to try and limp along. And until you see a change in attitude and those that make the decisions on how money is spent, it's always going to be a struggle.

Commissioner Cardwell added that she had just read an article this morning about the number of tourists that are now returning to the Hawaiian Islands and the impact that the whole tourism industry has on our islands. There are way more tourists visiting our islands than there are residents. And so, of course, they're producing trash as well. They're producing food waste as well. That needs to be considered in all of this. And maybe there's money that can come from the tourism industry, a tax.⁵ This is just the beginning of an idea. But being that we're in a place that is such a hub for tourism and whether we like it or not, it doesn't seem like that's going to be going to be changing any time in the near future. We need to take that into consideration that there are a lot of people coming to our islands that are creating food waste and trash and organic waste and all of that. The issue at the end of the day always is about money and that there is never enough money to do this. And so where can that money come from? We need to be creative in our solutions about where we can get money. So that's a huge roadblock. It's the funding.

Vice Chair Gaffney said one of the clear opportunities is to monetize this. Home Depot and Lowe's and Walmart and others bring in tons and tons and tons of packaged compost to this island that people are willing to pay for. So there's a definite dollar opportunity here. And both with wastewater and with solid waste, in this case, compost, people are clearly willing to pay to help the environment and they're already buying compost to make their gardens more fertile and to help when they plant trees and so forth and so on. Monetization is an appropriate section of this that needs to be pursued, needs to be considered. And further to that, there's a dramatic change in the environmental cost of composting as we do it today, which is many people go and buy this stuff from Lowe's and Home Depot, and that had to be shipped in here at a very high environmental cost. So we will also contribute to reducing that cost if we can produce a product here.

Commissioner Cardwell added she remembers Michael Pierron talking about is our cardboard. Our cardboard, the cardboard that's being collected at the transfer stations, is being shipped off island. So we're not even using the cardboard that's being created here because that carbon is an important aspect of compost. And we need to somehow find a way to be able to take that cardboard from the transfer stations and incorporate that in with this composting system. The percentage of paper being landfilled was high because people are also continuing to throw paper and cardboard into the landfill as well into the trash instead of the cardboard. So that is being a highly underutilized resource.

On the other hand, they actually make money shipping cardboard, Chair Adams said. That is why the collection is alive and doing fairly well.

But we're shipping the cardboard in and we're shipping it out. So does that make sense, Commissioner Cardwell asked.

⁵ See Hawai'i County Ordinance No. 21-89, establishing a 3 percent transient accommodations tax.

The net looks really screwy. And again, I'm hoping our LCA will explain that a little bit better, Chair Adams said. The barriers to establishing a business on this island in this state are huge, and it is one of the reasons why we do not have anybody doing recycling to speak of on this island. Yeah, we could pulp up and make new boxes. We could turn it into compost that was valuable. But somebody's got to do it. They've got to build a business and run it and have scale that lets them make money. They got to get through all the permitting and all the NIMBY that exists on this island. Tough, but doable if you want to do it. I had somebody ask me, but I don't want to run a business. But I think that's one of the opportunities that the County has is how can we encourage good businesses that will feed into an ecosystem that works on this island. But it's all those components. If you remember the chart that Michael was showing, you've got to have generation at a steady rate. You've got to have collection, you've got to transport it where it gets processed, turn it into another good, and then given back to people who can use that good. And the circle keeps going and people are maintaining it over time. It's volunteer work and people are doing the collection off their bicycles - that's not going to run a business. You're not going to be able to maintain it. So how can we eliminate barriers, allow pilot programs to thrive on this island, to feed those materials back into good use on this island?

Vice Chair Gaffney said there actually people doing that right now in the state ag park at the bottom of Ka'imini Drive. There are multiple companies doing composting right now, one of which does very high-end composting with the addition of various biological details to make it extremely attractive to gardeners. And they're selling it. There are at least two tree trimming companies that are based in that ag park that. They're not taking it to the landfill, they're actually composting it on the ag park property. And then they're using it at Puna Certified Nursery. It's based in the ag park. They're using it in their own plant materials processes and also in their management of other landscapes. And then there are two people that are making compost and selling it by the truckload. So there are people that are in the business now, and perhaps it would be good to interview them and find out what the barriers are to being more successful. And also maybe reach out to other companies that like landscaping, tree trimming companies that have huge volumes of green waste, and ask them what it would take to get them to start composting processes on their own. So the businesses that are already in existence that are successful are facilitated in their future success dealing with these products.

We finally come full circle, Commissioner Olson said. I should have paid for the cost of disposal when I bought this coffee, he said. That ends the whole problem. Show me the money, right? I pay for the disposal when I pick up the product. And I don't care whether it's an automobile or a D-9. It lands on the island, you're going to put money down. If you don't come and get the car, the money is already there. You come and get it. Whatever is left behind, we pay it upfront and all this just goes away. Just poof, and it's gone. It always comes down.

The Commissioner does have a good point because I think that's partly why the HI-5 program has been so successful. Because there's money attached to it, Commissioner Cardwell said.

Chair Adams said that if Ms. Stone wanted to send the questions we could distribute it to the commissioners and ask them to individually respond to you, whatever is best for Ms. Stone. Ms. Stone said she would follow up with an email.

Question 3: How does composting relate to other waste management issues on the islands, such as wastewater, landfill usage, and recycling?

We live on an island. It's all joined at the hip, Commissioner Olson said.

In terms of risk to human and environmental health, our biggest issue in my view is wastewater, Chair Adams said. We have to treat the stuff that we are flushing down the drain or putting into our cesspools, whatever, because it is contaminating the environment, it is contaminating, potentially, the water that we drink and swim in. That, from a health risk perspective, is the biggest issue. The landfill issue, we've got some time, there are some tricks that can be done. It's a longer-term issue. It is also very important and a lot of that could be addressed with the education because remember, the top of the pyramid is don't generate the waste in the first place and teaching people how to do that better than we do now.

Commissioner Cardwell said that if we're keeping the food waste out of the landfill too, then we're not having to worry about the leachate. It becomes a much cleaner system in a way. But she knows there's more. She just needs to think about that question because that's a big question.

Commissioner McIntosh said the philosophy should be that whatever keeps stuff out of the landfill and makes it last longer, that's what we should work toward.

And in addition, don't dispose of whatever is the resource because we're basically wasting a resource, Commissioner Cardwell said. This is a valuable resource and we're just simply throwing it away.

Chair Adams thanked Ms. Stone and Mr. Lam for doing this work and pulling information together. It's also very helpful to have it laid out and to have thoughts and looking at, okay, what are the next steps that are practical. And certainly EMC has a component to helping make things happen. We are supportive of the work of the Integrated Solar Waste Management Plan and the concepts. Unfortunately, a lot of that requires some really hard work on the part of DEM to work the details. And again, you're back to where is the money and where are the people who can actually execute it. **So send us the questions, she said. I'll get it distributed out to everybody and those who wish can send you their individual comments. I HAVEN'T SEEN ANYTHING FROM HER, HAVE YOU?**

2. Discussion about the need to create a vision, a mission, and goals for solid waste management in Hawai'i County, and possible recommendations. How best to create and

establish funding for an islandwide approach to managing our solid waste and landfill diversion, given the challenges of a growing population. (Olson)

It would seem that I've already beaten you to death with my point of view on this already, so I don't really have a whole lot to say that's going to be new to our discussions, Commissioner Olson said. Again, it's back to "show me the money." It always comes down to "show me the money." And we've got to collect the money from the front end of the horse, not from the back. It's just that simple. If it's in the bank, we take care of it. And everybody understands. The other part of that is everybody understands what they're paying for. The money goes into, for the public, a black hole. They have no idea what it costs to run a wastewater treatment plant. They have no idea what it costs to dispose of a disposable cup. If when I bought this coffee, I gave them a nickel and it came out on the receipt, I just paid nickel to dispose this, he said. End of argument. And you can take that from this cup to a D-9 bulldozer. What does it cost to dispose of it if you end up leaving me with that challenge, what does it cost?

Once upon a time, Chair Adams had on the agenda a series of questions to DEM about the cost of disposal. She deferred it because they didn't have a solid waste chief and Ms. Berrig was overwhelmed and so left it to be. We have a new solid waste division chief. We'll meet him right after he starts work. So probably shouldn't inundate him with a whole lot of demand, I think.

Well, this goes to wastewater too, Commissioner Olson said.

The cost of environmental management and making that happen is an important part, the Chair said. Again, kind of first steps, would be trying to put together the story of what those costs are. And those costs are driven right now by the amount of money they have, and they divvy up however they can manage it. So there's still more work to get to. Well, if we were really doing it right, how much would it cost? And that is a valid question. But then somebody's got to work up the numbers. And again, the never-ending issue of the cart before the horse. They've got to have staff to be able to put that information together and data.

But the end result is we're doing it, so we're paying for it, Commissioner Olson said. You were already paying for it. Yeah. We may not like the results of what we're paying for because we're obviously not covering the ground we need to, to do an adequate job of it. But again, pay me now, pay me later, but pay me you will.

One of the advantages of a Hi-5 program is that people can get their money back, Chair Adams said.

Well, certainly that's going to be included, Commissioner Olson said. It isn't just, give me your money, but most reasonable people, if you show them the advantages of something, they're willing to pay something for it. He has been involved in this process since he became involved in, and this is going to sound totally disconnected – after the lava inundation of the County facilities in Kalapana, we started looking for a new site for another park to replace Isaac Hale Beach Park. And in that process, we came across literally thousands of abandoned cars in Puna.

And I'm not kidding you, thousands of abandoned cars and trucks and other dumped things. And so that got us on this whole cleanup campaign, which is what led to this body being formed and being put on the ballot. That's how this organization came into being. We always visioned that it would be self-funding. It isn't simply a matter of, you own a piece of property and you're going to pay for this. It is the users that pay what it costs to develop a waste control system. We did two transfer stations that were never completed. The Pāhoa Transfer Station never had all of the facilities that it was supposed to. And the Kea'au Transfer Station was never completed. They just walked away from it, dropped the ball. We did manage to get little components of things in there, but the total picture was never blown out to be what it was meant to be. There was supposed to be a greenwaste recycling facility in both of those places. Goes in one end, comes out the other, available to the community. Didn't happen, he said.

It's the issue of DEM has to manage it all and for the whole island. And they're given only so much money, and it isn't very adequate amount of money, Chair Adams said. How do we get an adequate amount of money? How do we help them make their processes efficient-

Collect the money on the front end at the point of purchase, Commissioner Olson said. And this gets everybody the point at which they know what they're paying for. It costs a dime to make this disappear. Or it costs a nickel, or it costs two cents, whatever it costs. And so now I'm an informed participant in this as it is now it goes into a black hole and somebody says it's going to cost you \$10 million. What's going to cost me 10 million? Why? Why is it going to do that? We don't explain that to people.

Does the county have the power to implement a fee? Commissioner Robinson asked.

Sure, Commissioner Olson said.

We were told before the County can do user fees, the Chair said. And so it would be a user fee in terms of you the user of this thing is costing so much to dispose of the item. A flat tax, across the board thing, then it starts getting dicier. And if you like, we could ask for our Deputy Corporation Counsel to see what extent of that authority is.

And will the public need to vote on that as well? Commissioner Robinson asked.

It's possible, the Chair said. The whole tax and fee issue is all kind of bollocksed up with the State authority over counties to do certain things. Nothing is a simple answer.

Wasn't this something that was put forth in the Solid Waste Integrated Management Plan or was this not? DCC Keyra Wong asked.

No, we addressed various ways to fund, the Chair said.

We talked about it, but it has never actually been implemented, Commissioner Olson said. The County has the ability to create fees, to cover the cost of what it what it does. So at this point,

solid waste is one of those things that is mandated that the County deals with. So the legitimacy of creating a fund to do that based on the actual purchase of something that you know is going to end up having to be dealt with by the County is legitimate.

DCC Wong recalled that when it was brought up initially, the Chair had proposed funding options or areas that Director was supposed to look into in consultation with his Deputy Corporation Counsel. Her understanding was that the Director was going to follow up with DEM's DCC. Ms. Wong also followed up with Ms. Kekai. DCC Wong can try to find that correspondence. And then we didn't hear anything back. Of course, absent an agenda item on the topic, it's probably not going to come back until we request for a status update and especially now since the Solid Waste Division Chief is now on board, it might be a good opportunity, perhaps, I would say at the next EMC meeting, to have an agenda item on that topic and then she can also go back and look to see if she received any response from either the Director or DEM's DCC on the research that they were supposed to do with respect to financing options.

I don't think we ever got a semi-official response to that, the Chair said. She can go dig back into the work we've done before on discussing funding and see if we can recast another request to DEM for next meeting, or maybe the meeting after that. Again, let the poor new solid waste chief get some legs under him before we blast him, she said.

I go back in this quite a ways, Commissioner Olson said, and he was trying to remember whether he had this discussion back before there was a DEM, back when it was under Public Works and it wasn't a separate entity. And we talked about it back then as to whether the County could collect a fee. Not a tax, but a fee. So that's kind of what I'm running on. I assume that has remained the same because we do charge fees, wastewater fees, whatever. Unless other things have changed, it's still on the books as that.

Commissioner McIntosh said the County can charge a fee for throwing the cup away, but they can't charge- it would be considered a tax if you were to pay it before you bought it. That would be considered a tax. And that's why the State is trying to pass extended producer responsibility legislation. And also a complaint he heard about the HI-5 is that the State charges 6 cents and you only get 5 cents back so they keep a penny. And so before they implemented that program, you could actually make money by taking the cans down to Mr. K's or whoever and get some money for it. And so if you start all this charging and stuff, you're going to stifle anyone who might be able to make money off it because now the State and the County are stepping on their toes and it probably needs more of a work together group rather than just charging money, at least for purchasing beforehand. If you charge to throw away, that creates its own mess of problems. But that would probably be more toward what the County would lean to. Of course they have been talking about that for at least 10 years. He knows a lot of people don't support that.

Commissioner Robinson said she is also concerned about raising the cost of living for Hawai'i residents by implementing a fee or an additional cost when already it's very expensive to live

here and the median is yes, it's around \$90,000 for a family of four, which can go a long way on the mainland, but here it's considered low income. So she is concerned about adding more costs to residents.

Me too, said Commissioner Olson. If this works the way it should work, it actually should become less costly because the disposal element of it becomes less complicated.

It is complicated because it doesn't cost (just) 10 cents to dispose of a bigger thing than a paper cup, Chair Adams said.

But we're already paying for it at some level, Commissioner Olson said.

Does that mean our property tax should go down? Chair Adams asked.

It will at least not go up, Commissioner Olson said.

That does exclude a lot of renters. A lot of people who don't live here own property and rent it out. So renters don't contribute to the County expenses in a direct way.

Right, Commissioner Olson said. We're capturing full on the visitor industry, which per person we know from the surveys that are already taken, people who travel just dispose of more stuff. They don't want to put it in their bag and drag it home. So they buy it and they leave it. So that is a significant number, at least if you believe what the Visitors Bureau says, because they've already done the analysis.

The agenda items says discussion about the need to create a vision, a mission and goals for solid waste management, Vice Chair Gaffney said. Is that not what the Integrated Solid Waste Management Plan did? And if it didn't create a vision and a mission statement, then we can enter into that discussion. But if it did and there's no reason to change it, then we just need to force the County to meet the vision and mission of that solid waste management plan.

Chair Adams said yes, that is in there. What we did for funding was offer options. She did not select the option to go with, and it needs to be a multitude of options at that. She had summarized months ago the various funding revenue side of things that were contemplated in the solid waste management plan. So the question is going back to that, and maybe the first step is getting that response from DEM and counsel on what are your authorities to get things, and get that laid out, and then we can come back and revisit it again, now that we're going to have a solid waste chief that hopefully can work on it.

Commissioner Olson said he had worked on the first two solid waste advisory plans that were done after they were mandated, and it still hasn't gotten there. He has had this discussion for a very long time, and he cannot figure out what the holdup is, because it's just too simple. You've got the money in the bank before the product arrives on your door to do something with it. In theory, it should be costing you less as it goes forward, not more.

Commissioner Robinson raised the issue, Chair Adams said. It'll be a political issue, raising what will be perceived as a tax. It's another fee. It's more money I have to pay when I go shopping.

Well, you're paying one way or another, Commissioner Olson said.

Chair Adams pays her property tax, she said, and it's a mystery number that just shows up, and she can go and dive in and see where that property tax money is going. Just like the people who own the buildings that the renters and the tourists are using, they're paying property tax, maybe not enough, but they're paying for it. So what's the deal? They're getting their money. It just isn't right in my face. And you put it in my face, I'm going to get disgruntled, especially now with inflation going up. So what's another 5 percent? It'll be a hot potato, but it may be one that we want to raise and say, okay, go for it. My first option was, at least quantify what the true costs of disposal are and what are the holes we were allowing to continue to happen. There is a cost to the way we dispose of things, and we're not really covering the true cost.

VII. REPORTS/CORRESPONDENCE

Director's Informational Report.

1. Solid Waste Division Projects and Updates

1. Solid Waste Division Chief update

The good news is, Director Mansour said, we did offer the position of the Solid Waste Division Chief to a person that accepted it and he's going to start with us September 19. He's coming from the mainland with extensive experience in composting as well. The Director looks forward to having the person on board so we could at least start concentrating on addressing the bigger issues as we move forward. We've been running very thin when it comes to staffing, so that's good news. Hopefully in your next EMC meeting he will introduce himself.

2. Upcoming service interruptions due to Ironman-related road closures scheduled for October 6, 7, 8

We're going to have some service interruptions due to the Ironman event scheduled for October 6, 7th and 8th because as you all know, highways and roadways are going to be closed to allow for that competition, the Director said. So therefore we're not going to be able to provide the services. We cannot be transporting waste from east to west during these times. So we're going to have a backlog at the reload facility because of the highways down where the event is going to be shut down. He asked the public to work with us during these days and try to limit your amount of disposal to the transfer stations and the reload facility. Because eventually some of that waste is going to sit there until we reopen. And the reload facility, it's limited to a certain amount of tonnage to be able to store in that facility. The message out to the public is, work with us on limiting, reducing the amount of waste going to the transfer station and reload facility on the east side so we can navigate through that closure.

3. Recycling and Landfill Diversion

Sanne Berrig, Recycling Coordinator, said she would be going into a meeting about extended producer responsibility. So it's all related. It's just too bad that it overlapped. It was really

exciting to hear the comments from members about with respect to Monica Stone and Evan Lam's work. Yes, first and foremost, the importance of moving the focus up the pyramid to reduce and reuse. The entire country, probably the entire world, has just been focused on recycling as it lends itself to there's a market, it creates that industry of recycling. But our section, we just finished a small campaign on reducing food waste at home. It's on our website, under media or under resources, it's a video just to encourage people to reduce food waste at home and the impact that does have. The LCA, Parametrix has all the data and they're working their numbers. They're doing all their business over there. So there was never a discussion from them about this issue of utilizing the cardboard on island. That was not one of the options because when this whole thing started, that wasn't something to look at. It just looks at shipping and recycling versus keeping it versus H-Power as the different options. But all the work that's being done, looking at decentralized composting, is another great opportunity because it's such an entire paradigm shift of looking at this whole concept of circular economy. What Commissioner Cardwell was saying is true. It's like it's not just the food waste to keep it at the landfill. It's also this great resource that can be utilized and essentially at the same time that we're shipping compost onto the island. So if we can keep material on and not be paying and all this, not only because it makes sense, but also reducing the carbon footprint on that. So it's exciting to hear that this has moved up into higher purviews. The e-waste, there has been a lot of discussion about our e-waste program. We ran out of money last year. It's a state-funded program that we administer here. A few years back, DOH took money out of e-waste, out of environmental programs because of Covid. So now our budget, we've been working on a much smaller budget last year. We ran out of money quickly because also tied in with Covid is also people were buying more TVs because they're staying home, and computers and new stuff at home. So what we're doing now is also to address the desire to have some sort of collection for businesses on the west side of Hawai'i. Everyone knows that we just have one recycler on island currently, Mr. K's, that does our e-waste recycling. One of the Council members has been asking for a long time and she was directed to try to work that to the contract or looking at our collection to bring in the possibility for businesses, small businesses, to bring their e-waste to an event on the west side. So we are in the process right now working with our vendor on coming up with – there will be a few events. But right now it's all going through the bidding process and the procurement and all the slow, boring stuff of our inner workings of the government. But we're looking at having potentially six events and they'll be similar to the events that we've had. But there will be opportunity on the west side for businesses to bring their material and then it'll be weighed and they'll be charged just for disposal on the west side.

Ms. Berrig apologized for how long it's taken, but it's the way it is. We ran out of money early on last year and had to subsidize it with solid waste money. A good part of it is come October, the manufacturers will be required to come up with a plan to be paying for it. So it's similar with the EPR. It's not quite an EPR program, but basically getting money, if you want to sell TVs and computers on the island, then you have to help pay for the recycling of them. So they're supposed to come up with a plan to DOH in October, and then it's supposed to be in effect in January. That's the plan. As with everything else, DOH is understaffed. But that's what the plan is right now. And then we have no idea what that's going to end up looking like for us. But we do know it means more money for e-waste collection on the island. So that's really great news.

Some not so great news is just a challenge that's going on with the labor shortage is Volcano Recycling and Transfer Station. Three months ago, the Volcano HI-5 program was extended regarding the contract for collection. The days of service were changed. It was out for bid recently and we have no bidders on that. Literally, there's not enough staff. They don't have the staff to be putting a CRC for the HI-5 in volcano. We are working, trying to get community involvement, nonprofits or schools or whatever, but they would also have to be partnering with the actual recycler as well. So we are working really hard at finding solutions to this. However, at this point in time, it's at the end of this month, there will not be the HI-5 in Volcano, but we're working hard to get a solution for that. So if anyone knows of any volunteer groups, community groups, in Volcano that's interested in working on this for their communities, then please let her know. That's really the higher stuff she can think of. Everything else is moving along. No real comments on the HER and all that stuff, but the mulching programs are going well. Everyone loves the mulch. It's great for the community on so many different levels. It's especially helpful on the west side when it comes to the water retention.

Commissioner Robinson asked Ms. Berrig to share the results of her meeting with the Commission.

Yes, absolutely, Ms. Berrig said. We have Heidi Sanborn. She's like the queen goddess of EPR in the country. So she's going to be talking on them. Really excited to hear. Of course, she comes from California with a lot more people, regulations and abilities to do this. But we're really excited to be working with her.

2. Wastewater Division Projects and Updates

1. Pāhala and Nā'ālehu AOC

Director Mansour said we have successfully negotiated a revised Administrative Order on Consent, and we're going to have a public meeting scheduled for next Wednesday, August 31, to go over the new revised AOC requirements and options.

2. West Hawai'i wastewater projects

Our consultant is working on two projects at Kealakehe Wastewater Treatment Plant, said the Director. One is the R-1 sand filter, the other one is the headworks and odor control. These projects, you're probably going to see them on the list because they are not quick projects, it takes time. And by the time it finishes construction, we're talking about probably two years or so. We had a bid opening the previous day for one of our pump station roofs. Unfortunately, with the construction market out there, we only have two bids, and the second bid was twice as much as the first one. And it was just amazing, the escalation of construction costs. Things are going way high, more than what we anticipated in the budget. We anticipated about \$200,000. It came at \$442,000 twice what we budgeted for. So we can anticipate we may see that more often as we move forward with these escalating construction costs and delays in supply lines, and it's creating a challenge to the County and to the budgeting process.

Vice Chair Gaffney asked which specific wastewater project he was talking about.

This is the roof project for the Project 19 sewage pump station. The roof has been leaking right into our main control panel. So the project came twice the amount of what we budgeted for. Just to do the roof, it came at \$442,000, and the second bidder was almost close to \$700,000 just to do the roof for that building. Just to kind of give you an idea, the things are not going to be easy moving forward.

3. Hilo WWTP upgrades

Regarding the Hilo Wastewater Treatment Plant upgrades, the design is going to be submitted to us by the consultant also next Wednesday at 50 percent, the Director said. So we're moving forward on schedule and on time. Our intent is to put the bidding process, Phase 1, probably by March early next year. And we're going to keep our fingers crossed as well. He was hearing that the construction as well for that project may go over our budget as well. But let's keep our fingers crossed as we move forward.

4. Wastewater master plans

Environmental Planner Kelly Hartman introduced herself. She started three months ago. So we have several projects going on. We're calling them regional plan projects for Puna, Pāhoa town, Puakō, South Kohala, Nā'ālehu, and Pāhala. And we are working on developing contracts for North and South Kona. And the goal is to complete those feasibility studies and cost studies and then stitch all the regional plans together into one master plan. And one of the concerns brought up was making sure there's periodic review. And so that would be one of her roles as well, to make sure those plans get reviewed and updated periodically.

i. Puna wastewater feasibility

We have a public scoping meeting scheduled Oct. 12 from 5 p.m. to 7 p.m. at Kea'au High School cafeteria. And the purpose of that meeting is to gather comments on the project definition and developing the programmatic environmental impact statement. We do have the EMC on the distribution list for all the public notices and for the public meetings. So hopefully you'll be seeing something on that show, she said.

Because the school complex is being used for the meeting, Commissioner Olson asked if the schools would be connected to the wastewater treatment system.

The facility plan is just getting kicked off now. That will be to be determined, Ms. Hartman said. But we will be bringing in all comments.

Director Mansour said the intent of the feasibility study to look at how any connection or maybe decentralized package unit or treatment plan that could be feasible or not for that particular area. So the consultant is looking at the feasibility of providing wastewater services to these communities. And yes, the school will be part of the study, of course, because it's part of the community as well.

Commissioner Olson asked if we are planning for expansion of Pāhoa on the commercial side. In other words, will the capacity of this be large enough to accommodate additional commercial expansion?

Yes, the Director said. Our intent is to work with the Planning Department and the consultant to make sure that we incorporate the General Plan 2040 update. If there's any commercial growth and residential growth, all that's going to be captured as part of that study as well.

Of course, there's the planning that the Main Street Pāhoa Association has done over the years and the visioning that it has had going forward just to get it on the table, Commissioner Olson said. Old Pāhoa Town is predominantly in hazard zone 2, where you go to the other side of Kahakai Boulevard and you are now in hazard zone 3. So development out to the north end of the town is what is more likely based on that and any other new developments would be focused going in that direction.

Director Mansour encouraged the Commissioner to attend the meeting. He brings a wealth of knowledge and institutional memory to the process.

We did get grant money, Commissioner Olson said. We've gotten grant money on several occasions from different sources to do long range planning for power. So we've got a layout that was professionally done.

The Planning Department is about to execute a contract for the Pāhoa Town master plan. And so we're working in coordination with the Planning Department on that, as well as any existing community plans, and the population projections that the Planning Department has.

The Commissioner extended an invitation to attend the Pāhoa Main Street Association meetings.

Sounds good, Ms. Hartman said. And we also attend the Revitalize Puna meetings too.

Chair Adams said that was one of the concerns Commissioner McIntosh shared. How do you project what's going to happen? And so how big of a plant, where are the facilities you need to locate them? And we have these multiple planning processes that exist in the coordination. So one of the questions EMC has is, how are you working with that Planning Department? Is it timely? Are they giving you the cooperation that you need? There was an article talking about how they're going to get rid of (Community Development Plan action committees) for the Planning Department because they can't get enough people to participate. And it's just the same old people being rolled over every year. The Chair does not know about the politics behind all that, but the issue of, is there really planning going on? How fulsome is it? How reliable is it, who's watching? Who's making the adjustments periodically? And if there's something that we could do as EMC to say, here are the needs we've got to have met, we can go to the Council and to the Mayor's office, and say this is important to have something that is reliable for DEM because you're not the ones in charge of where development is going to occur.

Ms. Hartman also got that notice, she said. The committees are, hopefully temporarily, being disbanded due to staffing issues. The first thing she did when she came into this position was try to develop a relationship with Planning. And so she has a few great key people over there that she has been working with, and they've been getting back to her on information. The Planning Department needs to have updated population projections, updated development information. The Pāhoā town wastewater master plan is getting moved to Garrett Smith. He's going to be the point person from the Kīlauea recovery team. And they're meeting today to get direction from their Director on how people are going to be shifted to support some of the ongoing projects that they do have. So we'll have more on that soon, she said.

As far as Puna is concerned, where development is going to happen is already been decided, Commissioner Olson said. That was decided in the 1960s when they commenced to just randomly create subdivisions, whether there was any reason for it or not, or whether it was in the hazard zones or not. So that's a done deal. We know where people are going to go because the subdivisions exist. So now we have to provide the infrastructure to support it.

Commissioner McIntosh said you also have a lot of State land in that area that could easily be opened up and sold for development, which some groups are pushing for affordable housing and stuff. So it's not set in stone. It could change and you'd have to keep that in mind as well in planning.

Well, over time, it will change, but the major growth is still going to be involved in the build out process of what exists, and that is substantial, Commissioner Olson said. He is well-aware of the state lands that are there and the uses to which they are presently designated. Most of it is ag, but ag needs water too. And the good news for us is that there's no shortage of water. When we did the water analysis of Puna, we have more water coming out from under Puna than comes out of the mouth of the Amazon River.

ii. Puakō area wastewater study

Ms. Hartman said the project was just executed in July. AECOM is our contractor, and we have our external kickoff meetings scheduled next week, so we'll have more on that and the project schedule next week.

Commissioner Gaffney asked whether there has there been any progress with the North Kona pump station and the State Historic Preservation Division block on the forward motion of that.

Since our last meeting with the Vice Chair and DLNR, Sean Naleimaile of SHPD has been working with our staff. Hopefully, we could continue pushing, accelerating the EIS. He has not seen any movement. Our consultant is working on putting together the response that we received. So hopefully with your continuous assistance and us continuing pushing the project, hopefully we could see some movement, hopefully before the end of the year, the Director said

Chair Adams said if Ms. Hartman would like to have us go over any of the background and thoughts on what should be in a master plan, what our concept is, and the issues that we consider critical. We would be glad to sit down with you or Zoom with you, what we were after and things to look out for that we would be asking about. Again, our concern was not for you to just work on these individual regional plans and just staple them all together and call it a master plan, but that there is a higher level context for them all and principles being worked into them. We'd be glad to talk with you, the Chair said.

Director Mansour said it would be good to review the scope of service for these two master plan that AECOM is working on, because really they have comprehensive detail on what to expect to deliver.

Director Mansour said the scope of services could be forwarded to the commissioners. It will be good at least to give an idea. When we talk about the ability or master plan for these two communities, this is what we anticipate to get out of the consultant.

That would be very helpful, the Chair said.

The Vice Chair said the Secretary did send it to him. Vice Chair Gaffney said he thought the Chair was copied, but he hasn't had a chance to do any more than just to glance at them, so he needs to look at them in way more detail. But clearly they're going to be valuable in putting stuff on paper that we've been talking about, the community has been talking about.

We'll report back to you on any thoughts we had in there, the Chair said. She asked the Vice Chair to talk about the meeting he had with Council Member Holeka Inaba, and their conversation.

This happened as part of the election cycle, the Vice Chair said, but as all of you are aware, CM Richards decided to run for the new State Senate seat that was created by reapportionment, and in so doing, he gave up his Council seat. CM Inaba has been the vice chair of the RAWEEEM Committee. He wanted to be sure that there was continuity and the work that had been done as a result of the meetings that EMC Chair Adams and Vice Chair Gaffney attended with RAWEEEM Chair Richards and Vice Chair Inaba. So that seemed like a logical way to be sure that the conversation continued. And CM Inaba was very concerned about continuing that. He, of course, can't be certain that he is going to be posted as Chair of the commission of the Committee next term. But he's willing, and of course, there are three new council persons, so we don't know who the Vice Chair of that Committee will be, but he's very willing to continue the conversation. And there's two things that we have reminded him that this Commission has asked the council to do. One of them is to create an enterprise fund for wastewater, and the other is the master planning process that we've discussed for quite a while today. So the enterprise fund, where we've gone with that is we've provided Councilman Inaba and his Legislative Assistant, Wendy Baez, with a direct contact with the person at the City and County Honolulu, Office of Council Services, who actually wrote the City and County of Honolulu's enterprise fund legislation, which was subsequently passed by the Council. So the City and

County of Honolulu and Maui County have wastewater enterprise funds, and Councilmember Inaba's office is proceeding to create the legislation necessary to create an enterprise fund on this island as well. So, bottom line, the transition looks like it will be very clean because Councilmember Inaba has been re-elected. And it only remains to be seen who is going to be elected as Chair and Vice Chair of that committee, which is important to our work.

Chair Adams asked what specifically do we need to know and what do we want to accomplish. Go find all that stuff she presented before in discussions to the Commission, and if there are any particular items you want to focus on, glad to do that.

Chair Adams would also look at where we left it with DEM and Counsel on just how far they can go. We had talked as well about the enterprise fund on behalf of solid waste in addition to wastewater. And a lot of the hang up and moving forward was, who is going to do the work? Because it's not, well, Jon Olson is going to write a one-sentence resolution and it'll occur. There's got to be a lot of analysis done beforehand to lay out why this makes sense. And unfortunately, DEM just not have the staff to spend time looking at it. So if you will let her, she will work with Commissioner Olson some more before the next meeting to try to better hone what it is we want to accomplish this time. And it may be that with the new solid waste chief, his first week on the job may not be the time to lay that all out. Maybe the October meeting, but let's see what we can pull together.

VIII. FUTURE AGENDA ITEMS

1. Follow up on action items determined today.

Chair Adams said we will talk some more about the integrated wastewater management plan, and the latest going on with the cesspool conversion. And again, try to figure out how to characterize the idea of doing an annual review of 1) what are the things we've recommended and 2) where are they and 3) who do we talk to about why they're still sitting in the in-basket, 4) what process should we use and 5) what items would be on that.

2. Other (Commissioners may suggest items they would like placed on the next agenda.)

If there are other topics you want to cover, take them now or take them later. Just email me and try to come up with something, Chair Adams said.

IX. ANNOUNCEMENTS

The next meeting is scheduled for September 28, 2022, at the Puna Conference Room, Hawai'i County Building, 25 Aupuni Street, in Hilo, and via Zoom. Please contact the Secretary for the Department of Environmental Management or review the agenda posted on the County Calendar within six days of the next meeting for confirmation.⁶

EMC Commissioners can still send in any additional comments to the Cost of Government Commission, Chair Adams said.

⁶ IX: Hawai'i County Calendar: <https://www.hawaiicounty.gov/our-county/county-calendar>

X. ADJOURNMENT

Motion, Second, and Vote: Commissioner Olson made a motion to adjourn, to which Vice Chair Gaffney seconded. Ayes 5 (Gaffney, McIntosh, Olson, Robinson, Adams); Absent 3 (Burns, Cardwell, Fulton). Meeting adjourned at 11:38 a.m.