

**ENVIRONMENTAL MANAGEMENT COMMISSION**

**COUNTY OF HAWAII**

**MEETING MINUTES**

**Wednesday, July 27, 2022**

**9:01 a.m. to 11:28 a.m.**

**Hawai'i County Building, Hilo, and Zoom**

Commissioners present:

Georjean Adams, Chair  
Rick Gaffney, Vice Chair  
Lee McIntosh  
Jon Olson  
Elyse Robinson

County staff present:

Ramzi Mansour, Director  
Sanne Berrig, Recycling Specialist  
Peter Sur, Secretary  
Keyra Wong, Deputy Corporation Counsel  
Holeka Inaba, Council Member, Council District 8  
Wendy Baez, Legislative Assistant, Council District 8

Others present:

Nancy Cook Lauer, Jerome Warren, Vanessa Lee Miller, unknown others

**I. CALL TO ORDER**

Chair Adams called the meeting to order at 9:01 a.m.

**II. APPROVAL OF MINUTES**

1. April 27, 2022 – Executive meeting (related to the Kai Ala Partners LLC appeal)  
(Deferred to next meeting.)
2. May 25, 2022 – Volume II – Kai Ala Partners LLC appeal – Adoption of Findings of Fact, Conclusions of Law, and Order<sup>1</sup>  
(Deferred to next meeting.)
3. May 25, 2022 – Executive meeting (related to the Kai Ala Partners LLC appeal)  
(Deferred to next meeting.)
4. June 22, 2022<sup>2</sup>

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

<sup>2</sup> II.4: June 22, 2022 minutes: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=116897>

**Motion, Second, and Vote:** Commissioner Olson made a motion to approve the minutes of the meeting of June 22, 2022, as presented, to which Vice Chair Gaffney seconded. Ayes 5 (Adams, Gaffney, McIntosh, Olson, Robinson); Absent 3 (Burns, Cardwell, Fulton). Motion passes.

### III. STATEMENT FROM THE CHAIR

Happy summer, Chair Adams said. There's a lot going on, and fortunately, this time we have a written report from our director, Ramzi Mansour, as well as some oral descriptions he's going to be giving. Fortunately, we do record these meetings so those commissioners who can't make it can get good information about where DEM is and where the cesspool conversion project is. So it's probably going to be a lot of informational focus for this meeting as opposed to specific action items. But if anybody's got any, we have a quorum so we can move forward on them.

### IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA

Jerome Warren: I am testifying about item VII.3.a., the Pāhala and Nā'ālehu AOC. Here we go. The federal Administrative Order of Consent states that the County of Hawai'i is operating an illegal sewer system in Nā'ālehu, the gang cesspool. Yet Nā'ālehu homeowners are forced to pay a sewer bill to the county. Extortion is of no concern to the federal Environmental Protection Agency. Extortion is of no concern either to the Hawai'i State Department of Health. Our sewer in Nā'ālehu is not licensed by the DOH. Yet homeowners must pay their sewer bill or the state court will find them guilty. The DOH and the EPA will not attend the upcoming meeting in Nā'ālehu. The elephant in the room will be that sewer bill. It comes in our mailbox every two months. So please tell the public what legal grounds the County has to charge Nā'ālehu homeowners for their illegal gang cesspool. Mahalo.

### V. UNFINISHED BUSINESS

1. Status report on 2022 EMC Commissioner Priorities – Each commissioner may provide a *brief* update, if applicable.<sup>3</sup>

Vice Chair Gaffney said the project that he has been focused on for a while is the sewerage of Honokōhau Small Boat Harbor. We got funding from the Legislature to do that. However, the problem continues to be that there is no pipe connecting Kealakehe Parkway to the wastewater treatment plant. So even if we sewer it, we can't get there. And so we proposed to the State that they should pay to install the necessary pipe from Honokōhau to the treatment plant and an R-1 water line back, because Honokōhau needs the R-1 water for landscaping. And of course, the County is positively disposed to that. The Director would love to see that. However, that raises all kinds of questions. And the first thing it did was make the Department of Land and Natural Resources back off and say, why are we paying for this? And then secondly, State Historic Preservation Division got involved and threw a wrench into the works with regard to the North Kona Sewage Pump Station. So we've organized a meeting between half a dozen DLNR types, all the senior management, and the boating program, DLNR's engineers, DLNR's top managers, with the same contingent from Ramzi Mansour's staff so that we can talk through some of these problems. And the reason for that long buildup to that point is that the Vice Chair wants to make a point to the other commissioners that oftentimes what it takes is

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<sup>3</sup> 5.1 - <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=114388>

working outside the box and coming up with - or basically forcing all of the bureaucrats in the process to get sit down and talk to each other, because they don't normally pick up the phone and do that. So this meeting will be held the first week in August and the Vice Chair will report what the results of that are. But the other reason that he is bringing it up is to point out that some of the things that we would like to see done are extraordinarily complicated, in many cases by bureaucracy, lack of money, issues with Department of Health, SHPD, and so forth. So while some things may appear to be really easy on the surface, they're not. The other thing that has come out as a result of pursuing this process is the reality that there are not many sewers in West Hawai'i. He was actually shocked to see on the Director's office wall - he's got a huge printout of all of the sewers that currently exist in West Hawai'i - and it makes you want to shake your head because it's really sad. And part of the problem also is that if the Vice Chair, for example, wanted to put in a 100-unit subdivision somewhere near the sewer line, it would be his responsibility to look at the current County infrastructure and make an engineering determination as to whether or not that infrastructure is capable of carrying the sewage that his 100-lot subdivision would produce. So that's another thing that stands in the way. And if you're following it in the news, there's a 65-house subdivision being proposed in West Hawai'i, and any more than 50 has to look at sewerage. But in the case of this 65-lot subdivision, it's unclear whether or not the current system is even going to be able to handle that much. Bottom line is, what we are about is extremely complicated. However, by persevering with the division and providing out of the box considerations, we might be able to get things done. The Vice Chair is in the process now of recommending to the State that if they're not willing to put in the pipe to the treatment plant, that they put in their own treatment plant at Honokōhau Harbor and complete the sewerage that way, possibly with a leased plant that then produces R-1 water for the return to the irrigation system.

Chair Adams recalled that for a while, sending a letter from EMC to the various parties, supporting doing that connection, was on our agenda. But then the Vice Chair managed to line up this meeting. And that is fabulous. And certainly we need to hear what comes of it and what kinds of recommendations comes out of that meeting, for what can the EMC do to assist in moving that along. We may also come back to some of the issues of expanding our sewer infrastructure when we get to the cesspool conversion discussion item.

Chair Adams said that for her priority item, she attended a session on Zoom that describes some of the data collection that's been done by a consortium working with UH on water quality coming out of various homes and systems in Puakō, which has septic and cesspools. And it was a most depressing set of data. And they need to figure out how to hook up with a sewer system, whether it's private or the County. And the biggest concern is, Puakō is sitting on a bunch of cracked-up lava and the stuff goes into the cesspools and septic systems and then goes straight into the ocean. There isn't enough time for treatment to occur naturally, it's just the ocean. And the frustrating thing is for an area like Puakō, which has a mixed demographic of rich people and not so rich people, no one's really eager to go and pay for putting in their own wastewater treatment, or paying for a sewer connection. And so there's still a lot of discussion and frustration by the population there. And again, that makes the cesspool conversion project a worthy topic for us to try and figure out, what we and DEM can do. And

the Director will also be talking about the legislative update. There was some movement by the state Legislature to come up with some solutions, and we'll see how those work out.

2. Status report on action items from previous meeting

1. Recommended areas for EMC focus on any proposed code/rule changes. See Hawai'i County Code on sewerage<sup>4</sup>, solid waste<sup>5</sup>, and DEM admin rules.<sup>6</sup>

Chair Adams asked whether there are things in the current codes that we need to look at changing, updating, or expanding. She said she would sit down with the Director and some of his people to understand better the hodgepodge of requirements that apply to sewerage. And it's not straightforward.

Vice Chair Gaffney said that greywater is currently not allowed under the code. Greywater systems are used in other counties across the country. They are allowed, but there are things that homeowners need to be highly cognizant of, including what kinds of cleaning materials and so forth that they use if they have a greywater system. But it is a way to reduce the amount of water that goes into a cesspool or a septic system, so it needs to be discussed.

Chair Adams said she hopes the Director might bring that up. That is one of the recommendations being discussed by the cesspool conversion working group, as to how to make the ability to use "slightly grey" water as opposed to "really grey" water for reuse in your home. So hopefully we'll get to that. But, a very good point relating to, reuse it as much as you can, talk about heavy duty treatment, and recycle.

Commissioner Olson said, having been at this since day one, the initial roadblock was and still is money, and the fact that the State has been unwilling to create the revolving funds to support this, and that's pretty much the bottom line. Show me the money. Anything is possible if you get the money. And the State, as the protector of the water resource, it's at their end. That's where it starts and that's where it ends. So we have to again figure out how we get them to engage on this. And the fact that we have drawn the attention of the EPA again to our problems on this island, it would be a good time to remind them of that and see what support we can get from the broader community.

Chair Adams said financing is a major component of the cesspool conversion work group and if you had a chance to read the current report and latest recommendations, and we'll have the Director discuss a little bit of that, because it's bigger than just DEM issues, it's DOH. It's county-wide and state government-wide issues of resource allocation. But yeah, it always comes down to money. You can go to the Moon, you can go to Mars if you have enough money at least.

Commissioner McIntosh wanted to recommend changing the trailer size from 6 by 9 feet to 5 by 10 feet because 5 x 10 has smaller square footage, so it should be okay.

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<sup>4</sup> V.4: HCC Chapter 21 <https://www.hawaiicounty.gov/home/showpublisheddocument?id=46>

<sup>5</sup> V.4: HCC Chapter 20 <https://www.hawaiicounty.gov/home/showpublisheddocument?id=301310>

<sup>6</sup> V.4: DEM Admin Rules <https://records.hawaiicounty.gov/weblink/1/doc/109446/Page1.aspx>

Director Mansour said DEM would look at each site and can plan on maneuvering with a trailer, and maybe we could give the option to run multiple size trailers to see how the maneuvering may play at each site.

(See also the Director's comment on Page 15)

2. Wastewater pretreatment code draft – see 2019 proposed DEM Article III, Rule 20 re sewer laterals.<sup>7</sup>

Director Mansour said DEM cannot share the draft at this point.

Chair Adams said she would bring it up for a future agenda.

3. Residential sewer fee rule changes. E.g., charge by capacity of the property's connections to county sewer mains, regardless of actual use, and eliminate the concept of "unoccupied unit."

Chair Adams said this circles back to some of the issues that we identified during the Kai Ala Partners LLC appeal, and if anybody had had about how to address some of the confusion and maybe misdirection that exists currently and how we manage residential sewer charges.

Commissioner McIntosh suggested DEM could change the format of the bill to match cell phone bills where all the charges are broken out, so it would be abundantly clear that there are two charges rather than one. He was looking at a water or a sewer bill, and he couldn't see at first that it was two sewer charges, until the department highlighted the number. But if you had never seen one before, it wasn't very clear. And that would be the simplest thing to do.

It would be an administrative change and not rulemaking. So that would be the simplest, Chair Adams said. Clarifying that sounds like a good idea.

We have so many things that will be impacting our Chapter 21, Director Mansour said. We have our cesspool committee recommendations coming up. Whatever is going to be recommended to legislators and the Department of Health, that's going to have an impact on our current codes. The pretreatment is also going to have an impact on our code. So when it comes to you for review, once we get the clearance from our Deputy Corporation Counsel to say, okay, maybe you could share it and get comments. He welcomes the Commission redlining everything in that code, and if we need to modify things, that probably would be the time.

Chair Adams said it would be a lot easier for the Commission rather than trying to come up with some major changes. But what Commissioner McIntosh was suggesting was an administrative paperwork change that whoever sends out the water bills, just to break it down, so you understand what it is you're being billed for.

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<sup>7</sup> V.4.1: Proposed Rule No. 20 <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=115746&cr=1>

The water bill is from the Department of Water Supply, the Director said. If you're talking about the sewer bill, that's our department. And then we could run it by our business manager; staff are probably using a program that's set up that way, but we could run it by them, see if the sewer bill could be modified.

The Director said it was clear that DEM submitted evidence that you have two charges. But the water bill is the one we had a hard time with, because when we talked to the water department, it's on the address that the property owner gives the department. They're going to bill you based on that address. Addresses do not have any relationship to the water bill because you could give any address to them.

Chair Adams said that is less of a code issue change as again, trying to think, are there some ways to simplify and clarify how people see the bills, and whether it's clear enough to them. And she apologizes, she doesn't remember all the details of the case.

We need to modify as you get into the code, the Director said. Also we need the commercial rate- the discussion came about the volume usage of the water. That's a good thing, versus the standard \$45 bill. So we need to figure a way to figure out if the house has 12 people versus one house that takes one or two people, is a big difference. And maybe it could be related to the number of gallons used. And regarding commercial versus residential, the Director said he was on Ali'i Drive to look at the Larry Smith subdivision. As he was driving there, a group from Hawai'i Adventure Tours came out of this same property that we discussed. It's probably listed commercial because they are doing a tour to that property. So we need to look at it again because if it's commercial, it needs to be billed commercial, not residential. There's a stop sign, he had to stop and let the people cross the street. Hawai'i Adventure Tours was taking about 20, 30 people into that house for a tour. So it's been running as commercial. We need to be able to also point out- sometimes we don't have to be able to do an inspection, unfortunately.

There are people who do innovative things with their property, Chair Adams said. It's impossible for any agency to try to keep up with it. But you want to make sure you have clear rules, people know the rules, they can find the rules. So that at least it makes it harder for them to argue that, "Oh, I didn't know that," when they do get caught. One of the questions that just puzzled her was back to the wonderful unoccupied unit concept where you had to have a water bill for the unoccupied unit, and she wasn't sure where that came from or whether that was appropriate. What if you had catchment and you didn't have a water bill, but you have plenty of water that you are using to flush your toilets and run your washing machine, et cetera? Was it just because there was a bill that you could attach a sewer bill to?

Commissioner Olson said that in Puna, we don't have any sewers. For all intents and purposes, to simplify this, Puna is actually in no way, shape or form connected to the County of Hawai'i. We are connected only by a State highway. That's the only connection that we have to Hawai'i County as a district. We don't have sewer systems. The water systems are private where they exist. There is County water that goes to Kea'au and goes to Pāhoa. That's County water and that's the totality of it.

Chair Adams acknowledged the frustrations. She brought the topic back to the issue of a sewer bill connected to the water bill. Is that the key element, or is it really you're trying to get a surrogate for, yes, there is water that gets flushed or can be flushed down that connection to the sewer.

Director Mansour said he did not know the logistics of how this came about, but just asking around, his understanding is that at one point they were going to tie the water bill to the sewer for charges, and also the water bill, usually if it's unoccupied, you receive a water bill. It was just for the sewer area, the people that get sewer service, not everybody. So if you get a water catchment, you probably don't have a sewer system extend to your property, because usually even in Hilo or here in Kona, like the Vice Chair said earlier, our sewer collection is so limited, when you look at the sewer plan, we got so many cesspools and septic tanks, these people are not impacted. So we're only talking about the people that actually got a sewer line running in front of their house. And it was written also to make people connect or they're going to be charged, because a lot of people are now being charged, but probably are not connected, because they don't want to go through the cost of doing the connection. He thinks the way the code was written back then, is to charge them anyway because have got a sewer line in front of their property.

Chair Adams said it's a bigger issue overall on how we charge to cover and grow our sewer system where it needs to be. And maybe we'll get a little bit into that when we hit the cesspool conversion agenda item. But the way for us to be able to move on the set of three topics under this is to get your draft changes and then we can go through and have something that we can comment on specifically, she said. Otherwise, you're talking about a whole new approach on how to manage paying for dealing with the services provided by DEM.

#### 4. Enforcing unsecured loads at DEM disposal facilities.

Chair Adams said she got a response from the Police Department on their citations that they've given, and they had some data from late 2018 to now. They've given out 15 citations for uncovered loads on the road, and then another 16 citations for littering. So stuff just flying around, or they caught you throwing it out the door. It's something, but not a lot. And she does not believe that any of them came by way of a forward from DEM. She recalled in the last EMC meeting the Director was saying that at the landfill staff would at least talk to people who are coming in without a secured load, or a cover over their loads. But frankly, at the transfer stations, there just isn't the staff and the time, the capability to chase everybody who comes into a transfer station, and the never-ending issue of lack of staff. She doesn't know if there's anything specific that the EMC would recommend for trying to educate people on the importance of securing their trailers, the back of their pickup truck, when they're going to a transfer station, to think about the fact that, yes, something is likely to fly out and make a mess. And poor volunteers are the ones who are going to be cleaning up the highway. And that's not the way we want. But DEM doesn't deal with the littering out on the road. They deal with the facilities, the transfer stations and landfill.

Vice Chair Gaffney said he went to a Coffee with a Cop event to learn more about this situation. And he learned that at least for commercial vehicles that are hauling anything to a landfill and have stuff blowing out of the truck, the Police Officer to whom he spoke said that sometimes they only give warnings because the operators of these trucks have commercial licenses, and if they get a citation, they can lose their commercial license and therefore their livelihood. So the Police Department, in the Officer's estimation anyway, sometimes loathes to cite somebody because they don't want to put them out of business. This does not apply, of course, to homeowners, but it certainly contributes because he has certainly had the experience of following a commercial truck that had stuff blowing out of it. And part of the problem, of course, is that if they all know that the police aren't going to cite them because they're good guys and don't want to put them out of business, then they're going to continue to do this. And the Police Officer intimated that that's actually the fact, that there is a known hauler on this island who regularly does not secure his load properly, does not close the truck up properly, regularly has stuff blowing out of it. So anyway, it was an interesting conversation and he learned more about the process. And of course the other thing that is important in this conversation is that green waste is different than trash blowing out of a vehicle. Green waste is really not causing an environmental issue. It's still hazardous to other drivers, it's still a problem, it's still messy, but realistically, it's other kinds of trash that are more important, at least in his perspective, than green waste rotting on the side of the road.

Maybe, Chair Adams said, when that mythical public information officer is hired it becomes part of the messages that get given out to the public on why it's important to make sure you're not losing stuff out the back when you're going to a transfer station. We do have a point of communication at the transfer station, and signage and staff messages are sorely needed for transportation. We need to keep that up on the priority list as we did in what we gave to the Director.

Commissioner Olson said that on the Puna side, we have all these subdivisions out there with thousands and thousands and thousands of available TMKs. Not one of them has a transfer station within its metes and bounds. You have to take it out on the highway. You have no choice. So now that Puna has become the most populous district on the island according to the Census, we're going to have to have some discussion about the level of service. He cannot speak to the other districts but making it realistic, the subdivisions and the way they were set up, the County did not mandate that they include transfer stations in the developments. So that was poor thinking from the get-go. We will have that discussion.

Chair Adams said maybe we can talk about it at our next meeting. Again, it's how to provide the service points or require especially developments to do that. And that's not necessarily something DEM can do, but it may be something to go to Council and recommend that that needs to be part of the permitting process.

The county did require the subdivisions to set aside property for public use in the future but there's been no action taken on it, Commissioner Olson said. As build out as continued, the need is developed and the land is there. It's been set aside but there's been no action taken on

it. And so he is already having some discussion with his Council member about talking about that.

Chair Adams said she would work with the Commissioner and get that on the agenda for next time, he would like.

## **VI. NEW BUSINESS**

### **1. Cesspool Conversion Working Group and County of Hawai'i issues (<https://health.hawaii.gov/wastewater/home/ccwg/>)**

Chair Adams said the Director could go on forever talking about all the complicated factors that the Working Group is trying to go through to come up with final recommendations. But there has been interest by several commissioners in talking about what's going on with that. Cesspool conversion obviously is a big issue for our island. And what she would like to do is have the Director try to hit the high points. She does not want to get into the weeds of things that are really DOH issues. We've got DEM, they do sewers and they do wastewater treatment. How does cesspool conversion impact DEM?

Director Mansour agreed that everything we deal with is so complex, but unfortunately, it's been building up over the last 20, 30 years. So we have to deal with what we have been dealt with. Cesspools, as you all know, there are 55,000 here on the island alone, he said. The total number of cesspools within the state is about 88,000. So more than half of that, we have within our County. So the question is, how these conversions could take place prior to 2050. Cesspools, septic tanks, wastewater permits, all are controlled by the Department of Health, not the County. You probably already know that. So it's really the State that set up that committee to figure out what's the best way to have the State assist the County's constituents and residents to be able to convert by the due date, which is the 2050. So out of that cesspool committee, there are some recommendations that are going to be submitted to the Department of Health and to our legislators. The recommendations are going to cover the cesspool conversion financing aspect of the report, how the funding is going to take place, how things are going to be converted. There was a talk about maybe start charging \$10 a month, plus or minus. They don't know the dollar figure, but the idea is start charging these homeowners so the funds go to a "basket" to give the counties funding to expand the infrastructure and connect the homes. If the Commission has any recommendations about cesspool conversions or funding as well.

Director Mansour also talked about rules to dispose of greywater when non-flushing toilets are used in a home. If we're going to have the Cinderella incineration toilet, or composting toilets, then you're not using black water. So why is it that shower water and other water cannot just be used for landscaping? He was sure a lot of people that live off the grid, they are doing that anyway. They're using it for their garden and other stuff. Some of the other recommendations are about research and nutrient reduction rules for kitchen sink disposal water, evaluating and streamlining the regulatory framework, and looking at Hawai'i Administrative Rules 11-62, and see what we could modify within that code. Maybe create threshold criteria for use by the Department of Health to evaluate and measure pollution, and require developments to build

connections within the service area. Currently we have our subdivision code requiring connections within 300 feet. We need to change that to, if you are within a service area, you must connect. But unfortunately, at 300 feet people get away with putting in septic systems, and then next thing you know they're going to stay on it for another 50 years. So that's why we don't see too many people connecting to our sewer because it's the cost of them connecting. And if you already got a septic system, you're in compliance with Department of Health, so why spend the money to connect? It's a Catch-22. Like we said, it's a complex equation, but unfortunately, we have more septic systems than connections at this moment. If you have any recommendations under the cesspool conversion rulemaking, please send them to him as well, he said. He could add them to the next committee discussion. The other recommendation is the public outreach and how we need to educate the public about the need to convert by this due date. ... We have to, especially on an island like ours, there are so many decentralized areas and so many private wastewater systems with, every resort, every subdivision, if they're not going to be connecting, they're going to have their package treatment. So, if you're not going to connect, the Department of Health is going to require you to have your own treatment facility. If you're going to have your own treatment facility, it might as well allow other adjacent neighbors to connect to maximize and become more efficient as we start implementing these conversions. The other recommendation was the timeline. People will tend to wait till the last minute and not be able to do conversion and now everybody will be in violation. Will the Department of Health staff be able to start fining every individual, every homeowner? Some of that will need to be discussed. They talked about maybe (conversions at) the point of sale. They talked about how we could set priorities so we could accelerate the process and break it down to allow people by 2030 must convert. By 2040, the second priority must convert. They are looking at about how they could package these 88,000 conversions so they don't blow up at the last minute and figure out, oh my God, none of them are complying. So that's hard because it's not an entity, it's an individual. It's going to be challenging to the Department of Health to try to track down and figure out how they're going to fine it and how they're going to implement it. It's a challenge. If you have recommendations about timelines, please shoot them to me as well, the Director said. One of the other recommendations is allow cesspool conversion program administration. He recommended each county to put together a cesspool replacement master plan and recommend that each county should have a master wastewater plan, which is the one we've been talking about, the integrated wastewater management plan.

These are the recommendation that also are going to be submitted – from an administrative point of view, how the counties could assist the State to become more cohesive. We all need to be on the same page when it comes to that. Each county seems like it is being run with their own program. Some counties have master plans, some counties don't. It will be good if some of these recommendations go through. The last recommendation is cesspool conversion workforce development. So we are talking about maybe requiring county Planning Department to report to the Department of Health –

(Approximately 79 seconds were lost due to a poor connection.)

... It's from Planning issues to Finance. Just getting people trying to accept change and get onto the wagon and start moving forward with better planning and bringing them to a better treatment facility rather than just being scattered everywhere. So these discussions that have been taking place within the committee itself, it's very dynamic, it moves fast, but at the end of the recommendation, you are an advisory committee, the Director said. He gave several recommendations. ... If you see any concerns or items on these recommendations he just went through, please shoot them to the Secretary so at the next CCWG meeting, he could modify or request modification comments, and the other committee members and counties could discuss it.

Chair Adams asked the Director in terms of what your alternatives are. If you have a cesspool or a crummy old septic that's not working right, are there priorities for technologies given to sewer system with a wastewater treatment plant as your first option as opposed to the last option?

The Director said the goal of the committee is not to provide technical options because we cannot select one vendor versus other. So that's really up to their engineer that they're going to hire to do the permeability testing and others to recommend. But from a priority point of view, any properties within the shorelines, yes, definitely, you cannot use septic because it's going to leach back to the water. So they're probably going to look at treatment units, which remove all nutrients, so anything near groundwater will be subject to the same requirements. But if you are in an area that you don't have any shoreline impact then a septic tank is adequate.

(Approximately 17 seconds were lost due to a poor connection.)

The Department of Health is working on maybe if you are within a service area you must connect, the Director said. But it's county by county.

(Approximately 2 minutes were lost due to a poor connection.)

Director Mansour was digging into old files and found a 2006 master plan for Kailua-Kona. So they identified a service area with the boundaries of what would go to feed into that the Kealahou Wastewater Treatment Plant. The harbor was part of that master plan. It shows DLNR was going to bring the sewer line all the way to the harbor because it's their facility and they showed in different colors, and that was in 2006. Now it's 2022 and nothing has been done. A lot of thoughts went into that master plan for Kailua-Kona in 2006. He asked the Division Chief to dust it off and bring it back to life, so we need to start working on updating it.

When you go back so many years, you read it and you know everybody was supposed to connect, the Director said, but why have they not connected? Everybody is supposed to do their own tasks and duties and not depend on the County. Everybody thinks, well, we wait on the County, but it's not the County's kuleana to get in there and put in infrastructure for developers and the harbor and others. Because the Vice Chair is right. If the harbor does not connect to the treatment plant, the Department of Health and EPA are going to require them to

put their own waste treatment facilities. Are they going to get into the wastewater business or do they want to connect to our treatment plant, wash their hands of the operations and maintenance cost and the reporting and the monitoring and what have you, because they are only about seven-tenths of a mile away. So we are were working on that. We need to keep encouraging developers to work with us. And we could set up a system to allow for the reimbursement and what have you.

Commissioner Robinson asked whether it is the vision of DEM to allow the homeowners to choose which system, if it's not a centralized system, which would work best for their property.

Yes, the Director said, because the property owner, let's say if you're in an area isolated outside the sewer service area, like the Puna district, most properties have either septic or cesspool. So if your cesspool goes out and you're ready to convert, you hire an engineer. They do a permeability test on your soil. That's number one. If you have the permeability and percolation rate required by the Department of Health, then they design and size your leach field to allow you to put a conventional septic tank. At the shoreline, you're not going to have the option to put a septic tank. You have to use an aerobic treatment unit. So it's site-specific. It's based on your house location, how far is it from a stream or running water or groundwater. So all that needs to be looked at by the engineer as they recommend to you what better system to use.

Commissioner Robinson asked about incentives. As a homeowner, what would make her want to take care of this today versus waiting? Most people think the County will do something by 2050. And they think that's a big challenge for the community to pay for these systems. Maybe possibly in 30 years, they might not be living there. So how do you think the best way to handle that would be to encourage change now?

To encourage change, the Director said, we're trying to do the point of sale, when somebody is trying to sell a property. Because they are receiving cash, that will be an incentive for them to say, okay, now I got cash in my pocket, let me upgrade the system. The seller will end up paying for it because that's the opportunity for them to collect money. So the idea is yes, how could you put an incentive in cash to do it now? Doing it now is cheaper than waiting those 30 years and trying to compete with those 55,000 cesspool conversions. So, yeah, if you have the money, if you have the opportunity to do it now, it's cheaper. If you think you're not going to live in the house for 30 years, by the time you sell it, you may be subject to replace it before you leave your house.

So it's a risk and hopefully once the report is completed, maybe DOH will do public education and we'll start educating the public about the options and the way they are trying to set that incentive. There was a bill that passed, HB 2195<sup>8</sup>, to assist with a cesspool conversion grant program for low and moderate income homeowners. So that's being worked on as we speak. The State is working on certain things with the counties to allow through the public outreach to educate the people. You're not going to have options. Eventually you can convert, you do it

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<sup>8</sup> Act 153 (2022) [https://www.capitol.hawaii.gov/session2022/bills/GM1254\\_.PDF](https://www.capitol.hawaii.gov/session2022/bills/GM1254_.PDF)

possibly maybe at the point of sale, but that didn't get passed as legislation. But at least if John Doe is selling his house with a cesspool, but does not have the money, and is low-income, the state could assist. Even if someone is not in the low- or moderate-income bracket but does not have the cash at hand, it's hard to convert. It's the human nature. They're going to wait until 2050 because they're going to say, "I'm not going to be around in 30 years" or "I'm going to sell my house in 30 years."

Commissioner Robinson asked about the possibility of a tax incentive.

That was also looked at, the Director said. The \$10,000 is what the state was talking about in a tax incentive way. So you could write off up to \$10,000.

Is that a current bill being discussed, the Commissioner asked.

That's up to our legislators, the Director said. It has been recommended, but it's up to our elected officials to take it on and make legislation out of it. So all we could do as a committee is recommend, just like what you guys do, advise. Our role was the same as your role to the state is, to give the state recommendations.

Vice Chair Gaffney said the best example of the state being supportive of something that they want homeowners to do was providing the tax incentive for solar installations in homes. It worked well statewide, and it dramatically increased the number of people doing conversions now rather than later. Unfortunately, state legislators don't like to do anything that's going to cost tax revenues because that's what they use to keep their constituents happy. But there's a really good example there that's worked and that's something that the legislators really need to focus on, a viable solution that has already worked in another way.

Chair Adams recommended reading through their agenda. Toward the bottom of their web page are the recommendations and you can see how they're making changes. They're striking some, they're adding in new ones that tend to be different color. So you can see the kinds of issues that they're going around, and then what is it that we as EMC would like to bring to the Director to push it? One area, for example, that she is wondering about is a service area concept for current wastewater treatment, and that's the problem where there's probably a bigger circle drawn for what constitutes the service area than we have built out for sewers. And how do we get from where we are now to where we ought to be, so that ideally, all of our locations, our houses and businesses, are treated, whether it's private or public, and that we're not relying on, cesspools, and even the basic septic tanks have some issues, as our former EMC chair constantly told us about. It is very complex. It's a system with lots of individual parts, different areas around the island, different issues. She appreciates the amount of time the Director is spending on it and would encourage the Commission to look through what kind of recommendations they might have.

## **VII. REPORTS/CORRESPONDENCE**

Director's Informational Report. (Note: the report is posted online with the agenda under [www.hawaiicounty.gov](http://www.hawaiicounty.gov)>Our County> County Calendar> (Meeting date).

## 1. Legislative update

### 1. County Council

Vice Chair Gaffney asked if there had been any updates from the County Council with regard to legislation on the enterprise fund.

There was not, the Director said. Just prior to the budget hearings, he was in communication with a few council members about the enterprise fund. But it is something for the Finance Department, which provides funding for the entire County. We as a department and other council members brought it up prior to the budget hearings in 2021. But it's the Finance Department that determines how the County budget and funding is established. It's their expertise. We recommended it, council members recommended it, but it seemed like we're going to continue being funded by general bonds and general funds.

Vice Chair Gaffney said he had a conversation with his council member, who has met with Chair Adams and himself. Council Member Tim Richards, the Chair of the Regenerative Agriculture, Water, Energy, and Environmental Management Committee that is responsible for this, and Vice Chair Holeka Inaba, indicated his willingness to move forward and try to pursue getting an enterprise fund passed at the council level. So that's the latest he has heard on the subject.

Director Mansour said it ought to go through the Finance Department for funding. It's not a DEM function, but he did talk about it with Council Members Richards, Kimball, and Inaba prior to the budget hearings, and how we're going to establish it. He remembers doing two presentations and the funding was one of the challenges as a department and it was high priority, but whether it's capital improvement projects or operating budgets, it comes through a set of procedures and processes that the Finance Department controls. And that's probably true for every other department. So maybe they could approach it through the County Council, through the Finance Committee. That's good to hear, he added.

Chair Adams said she is not sure what value it has for EMC to try to do more than we've done, which is send the letter supporting the concept. But if you think there is a purpose to us moving on, either the Vice Chair or the Director could let her know and we could see if we can set up an agenda with Finance Department to come explain it to us.

Or get us something we can testify on at Council, Commissioner Olson said.

## 2. Legislature

At the Legislature, the Director said, we started the 2021 legislative session with approximately 120 bills. The number of bills that became acts had narrowed down and quite a bit. When these legislative bills came on, the amount of them was so huge and it's a small percentage that makes it.

Chair Adams asked if the abandoned vehicle package that passed will make a big difference.

Director Mansour said it would, and cited a law<sup>9</sup>, which allows the County to go after the car owner at the time of transfer --

(Approximately 66 seconds were lost due to a poor connection.)

It's going to work because they're going to get caught as they renew their driver's license and they're going to get hit with the cost, the Director said.

Chair Adams said the electronics bill<sup>10</sup> is going to take some rulemaking activity by DOH, but Ms. Berrig may have wanted to comment on how soon that is going to make an impact on our ability to recover electronic waste.

Ms. Berrig said her recollection is that the manufacturers have to submit a plan to DOH by October as far as how it's going to work, and then from there, as of January 1, something will be put in place so we'll know much more come after October, how it's going to affect us individually. We're really excited about this, she said.

## 2. Solid Waste Division Projects and Updates

### 1. Solid Waste Division Chief update

Director Mansour said that we've given an offer to great potential candidate for the Solid Waste Division Chief. Hopefully this candidate will take it on. A prior candidate, after receiving an offer, had declined. So that's the good news about the Chief position. So he's going to fly to the island. We're going to meet sometime in the first or second week in August. So hopefully he comes in with a great experience and we'll keep you apprised and updated on that.

Elaborating on Commissioner McIntosh's comment about the rules regarding trailers at transfer stations (see Page 4), the Director said we are in the process. We met with staff, the budget is approved with the idea that now we could tap into some of the funding to be able to review the two prior safety reports that were done by independent parties, and give it to a traffic engineer that could do the maneuvering, and figure out what sites could be adequate and what do we need to do from signage and striping and et cetera. So the idea is yes, we could do it in-house but it's not recommended to do it in-house. You already got two reports telling us it's for safety issues. That's why they did what they did. So the idea now is get a traffic engineer that knows circulation, that could recommend how to go about signage and striping, and should we close the facility for cars, just allow trailers only, et cetera. But most of our design criteria is going to be around the facilities open seven days a week around the island, and how could we provide trailer services to these locations, to try to come in without trying to back up to the chute. We're not going to go through that because that was what addressed in the prior two safety reports. So we are trying to avoid maneuvering and backing into the chutes, if we're going to have a mixed usage between cars and trailers. So they are going to be given these criteria to be

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<sup>9</sup> Act 229 (2020) [https://www.capitol.hawaii.gov/session2022/bills/GM1330\\_.PDF](https://www.capitol.hawaii.gov/session2022/bills/GM1330_.PDF)

<sup>10</sup> Act 151 (2020) [https://www.capitol.hawaii.gov/session2022/bills/GM1252\\_.PDF](https://www.capitol.hawaii.gov/session2022/bills/GM1252_.PDF)

able to lay it out and run their models. The reason a 6' by 9' trailer was used is because we are looking at a 3 cubic yard volume, because that's the amount you're supposed to be taking in. When they bring the big trailers they exceed the 3 cubic yards, and we cannot keep chasing people. So the idea is 6' by 9', and give the 3 cubic yards so our guys don't have to stop measuring the waste, because we don't have scales. And that's how they determine the 6' by 9' size. It's just to keep it to the 3 cubic yard limit. While a 5' by 10' trailer has less area than a 6' by 9' trailer, we try to make it easy for our attendants. The Solid Waste Facility Attendants at the transfer stations don't have the tools and the scales, or a measuring tape to start measuring each trailer that comes in. But the main goal is just stay within three cubic yards with a reasonable trailer that was tested. The prior investigation as you recall, hooked up that trailer into the back of a truck and they went to each transfer station, and they did the maneuvering and the backing and that's why they figured that was the adequate size. But hopefully our traffic circulation engineer could do more computer modeling to figure out what it would take just to bring these seven days a week sites back to trailer services. And our intent is probably not every day, just maybe two days within the week. That will be addressed. So we're working on it.

## 2. Waste Management Hawai'i contract negotiations

No discussion.

## 3. Glenwood Transfer Station status

Director Mansour said there was a large tree that fell onto the structure of the Glenwood Transfer Station and we had to close it temporarily.

We have a structural engineer that went up there, did an assessment, and said we need to take out that portion that was damaged, dismantle it, and reopen the station. Staff are working on that. So sometime in early August that station will reopen back to the public.

The Director pivoted to reporting on other Solid Waste Division projects and updates.

There are other studies that are being done and talking about decentralized compost that staff are working on, and it seemed like Research and Development is also looking at how we can provide more soil and compost to everybody within the island, he said. So that is also being worked on, and allowing that in each district rather than centralize it, and deal with the transportation of such material.

The Director added the Commission had probably heard about the fire we had this weekend at the West Hawai'i Organics facility. We had a spontaneous combustion through one of the mulch loads that Hawaiian Earth Recycling had at the site. So our staff worked diligently over the weekend and through this week with HER to control the fire. The Fire Department was on site. They were able to control it. And our goal and intent is open back to the public for mulch on July 28. Our Public Information Officer just put out the press release to reopen that facility by tomorrow.

Ocean View Transfer Station is going to get some recycling bins assigned to that facility to assist with the white good, scrap metals, cardboard, and glass. So we're in the process of finalizing that for that particular transfer station. The Hilo facility, one of our scales went down. So we are running on one scale. We are trying to work with Purchasing Division on procurement, and trying to bring that scale back up and running. Wai'ōhinu Transfer Station, construction is moving forward pretty good. Our anticipated date is still the end of this year. We should complete construction of that facility, and that will be open seven days a week. The amendment went through County Council during the budget hearing and it was approved for seven days of operation at that facility. So that's as far as solid waste goes. If you have any question on solid waste he would be more than happy to entertain.

Commissioner Olson asked the Director if anyone had approached him about building a new transfer station in Hawaiian Paradise Park.

The Director said he had not.

Well there may be something coming your way, the Commissioner said.

And that's going to go through the process, Director Mansour said. With the new Chief coming on board his first task to him is to evaluate - we've been so swamped. I've been wearing so many hats, both he and Brenda Iokepa-Moses, Deputy Director - but it's hard to find staff. It's hard to hire. You are all aware that recruitment is just hard to fill any position.

Ms. Berrig, the Recycling Coordinator, gave her update:

The Life Cycle Analysis is still on track. We're just getting the final data input and it's still set to come out in September.

Household hazardous waste collection events are scheduled on Saturday, August 6, in Hilo at Waiākea High School and Saturday, August 20, at the West Hawai'i Civic Center parking lot. Information is on the website.

We finally have implemented the food waste reduction campaign we started. It's a public information campaign. With our limited funds we were able to put that out just as far as the importance of food waste reduction at home, and its impact on climate change and how everyone can make a difference in doing that. So we're excited to finally get that done.

We're looking at whether things are moving along with all of our HI-5 sites, there's a few hiccups.

Again, staffing issues have just caused our recyclers, our vendors, they just can't get staff, so we've had to have little openings and closers where it's just the way that it is. So we're doing the best that we can with the vendors.

On an exciting note, regarding the EPA's Recycling is Infrastructure Too Campaign, the grant is coming out in the fall. We – the County and Zero Waste Hawai'i Island, recyclers on the island, and nonprofit community members – just put together a survey. Stakeholders got responses from about 75, 76 respondents, and then from those respondents of stakeholders put together and responded to the EPA's request for information that just was submitted on Monday. Ms. Berrig is proud of the team because she has been out of commission for the last month. A lot of work was put into it and if anyone's interested in the document, she would be happy to send it. It gives an overview of what was important to the respondents and different concerns and a lot of thoughts and ideas. We are looking for the RFPs to come out from the EPA in September.

Director Mansour asked commissioners to put the word out about HHW. We're going to put out a press release as well. This is your opportunity to let people know. Last time when we had the program, a lot of people were concerned as to what we're going to do with batteries, paint and what have you, just the day after our collection event. So please put the word out if you know somebody want to get rid of household hazardous waste, at least we have two events coming up, one on the east side or one on the west side. We're going to inform council members as well so they could put it on their websites to advertise it as well, so we could maximize that collection event.

As far as vendors finding staff, the Director said, that's one of the reasons that Volcano Transfer Station's HI-5 glass - we negotiated the contract with Atlas Recycling because we put the contract out and nobody did it because they cannot find staff to work, and they don't want to do it on Saturdays. So we were able to get with them, extend it, and we're going to put it out for bid again. They're going to bid for it with the service being provided on Thursdays, not Saturdays. So we may see, we're trying to keep the same level of services from our vendors, but they are having a hard time finding staff.

### 3. Wastewater Division Projects and Updates

#### 1. Pāhala and Nā'ālehu AOC

Director Mansour said we just signed a new Administrative Order on Consent with the U.S. Environmental Protection Agency for the Ka'ū District to reconsider the wastewater options to include a packaged treatment unit, which is what we started with when we first took over the administration. The aerated lagoon and the \$400,000 per connection was unacceptable. So it took us a year to work with EPA. And finally, he wants to thank EPA and their staff for their effort to work with us and make it happen. So now hopefully we could look at more reasonable options to provide services to Pāhala and Nā'ālehu in the Ka'ū District. EPA had posted that on their website<sup>11</sup> as well. So the idea is to look at an individual waste treatment system versus packaged units and that's what we're going to do for these two communities. It's going to have a lot of cost savings with it that comes with these new options. So it's kudos to everyone that assisted us on making that happen. And definitely Sandra Demoruelle from Nā'ālehu, she played a major role in working with us. The Director appreciates her involvement. We listened

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<sup>11</sup> <https://www.epa.gov/uic/closure-cesspools-pahala-and-naalehu-administrative-order-consent-county-hawaii>

to good comments as well. We're going to have more community meetings and we had one prior to the AOC issuance, it was good, and hopefully now we're on the right track with the communities and what they wanted to see. So that's the good news.

Chair Adams congratulated the Director. That is a major win, to be able to get EPA to back off and reconsider what's really going to be practical for us.

### 2. Puna wastewater feasibility study

We had a few public meetings in the Puna District, the Director said. Pāhoā in the Puna district got some money last year, grants through the U.S. Economic Development Agency.

Commissioner Olson was there and we had two meetings to give updates. We have upcoming meetings in October, a public meeting with the community about the options. So we had AECOM, who is doing, we could call it a master plan for that district, AECOM will look at the options of how are we going to service that area, or if it is possible to service that area.

(Approximately 45 seconds were lost due to a poor connection.)

We have multiple options we are looking into to create that east side master plan for these districts. So it's being worked on, the Director said.

### 3. West Hawai'i wastewater projects

As far as the wider Puakō wider master plan is concerned, the northwestern side of the island, we are going to do the master plan for that district as well, to look at how we're going to service Puakō and other subdivisions that potentially may come up within that area, all the way to Waikoloa Village, which currently is being serviced by Hawai'i Water Service. We've got American Water in Waimea, and you've got resorts that already have their own treatment plants. So how could we work together and be able to provide services to these communities within that service area, since we have multiple private wastewater entities that could easily provide such services without going through the entire County, creating a centralized treatment plan for that area. Because Kealakehe does not extend that far, and there's no way it could extend that far. So we're working on that master plan. So that's moving. We gave a notice to proceed. We have got to work with the communities in that area and set up meetings.

On Kealakehe Wastewater Treatment Plant, we have a consultant on board now looking at the headworks and the odor control, the Director said. R.M. Towill is our consultant, they are laying out the design plan for that. We have also the sand filters that were donated to us from Hawai'i Water Service. We have Engineering Partners Inc. working on laying out the design plans on where it's going to be located, how we're going to hook it up, and how we're going to change the process, hopefully to start filtering. But we're going to go through the Department of Health and there's the possibility that may require an environmental assessment as well, which kind of linked to the R-1 project that is across the street from the treatment plant. Because we had a meeting with SHPD and we had a major discussion, and the idea is we need to continue meeting with them biweekly so we could give them updates on the Archaeological Inventory Survey that was submitted.

All that is moving forward, the Director said. The challenges that the Vice Chair has mentioned gets more complicated because you got the people that want to preserve everything and you have the other side, the people who want to move with the R-1. He does not know how that's going to work out. It's beyond his control, beyond everybody's control. It's more of how SHPD is going to be able to navigate through those archaeological findings. So we'll let that play out and see what comes out of it so we could start planning forward. And you got the North Kona Sewage Pump Station that is also tied up in the same process with the Archaeological Inventory Survey, and our consultant is working with them and trying to answer a question that we received from SHPD on the archaeological findings. So that's moving forward as well. We got so many balls in the air with no staff. Hopefully we can recruit. Please, if you know engineers out there looking to join our forces, put the word out on the west side. It feels like it's always harder to recruit on the west side than the east side, but he would like to start recruiting on the west side as well so we could get the system we need to get these projects moving.

But at no time were any of these projects held up. So we are moving forward. Full commitment. The Vice Chair knows that we're going to support his move with the harbor sewerage projects, the Director said. We're going to move forward with the North Kona Sewage Pump Station. The more we sewer, the better we are from environmental point of view. We have a treatment facility. Sometimes when you drive down Queen Ka'ahumanu Highway and you just look at the mauka side and you see the lights at night, and the only thing that comes to mind is the lost dollar signs from the missing connections. We are missing so many opportunities to connect all these developments into our treatment plant, but yet it's unfortunately all in cesspools and septic. But maybe we'll get there one day. Rome was not built in one day, but if we set up the right strategy, the people after us could take the torch and move forward with it.

#### 4. Hilo WWTP upgrades

We met with a consultant the previous day, the Director said, and we are going to have a 50 percent design completion come August. Hilo is going to require new construction for the headworks and digesters and looking at the secondary treatment options and what have you. So that's already been rolling. Phase 1 is out to bid. By January 2023, we should be able to start construction given that we can secure the funding. And inflation is going crazy. Currently the construction market is way up there, so he hopes it settles by the end of the year. If it's not, it may come at a higher cost than what we anticipated. So we're going to relook at that. And figure out - we have to do something - so let's keep our fingers crossed. Hopefully the cost comes within budget so we can move forward.

And Hilo brings its own challenges. We're working with Civil Defense, trying to figure a way for emergency planning in case if we get catastrophic failure at the headworks or the Pua Force Main, because these are the two main points of failure. If any of these points fail, it could become catastrophic for the Hilo area. So we're working on setting up plans and response plans with Civil Defense as we speak.

#### 5. Wastewater Master Plan progress

The Director had mentioned the 2006 master plan for Kailua-Kona. We need to dust that off and maybe give it to a consultant and get it updated. If we do that we would have master plans for Kailua-Kona, the east side and the northwestern side. Then we could bring them together to create what we call a countywide Integrated Wastewater Management Plan. So that's the goal and intent. It's going to be in pieces but we navigate through it and we move forward in achieving it. He asked if any commissioners had questions.

Commissioner Olson asked if the Director had seen the Pāhoa master plan.

That one, the Director said, is a feasibility study, that we got the funding for. They're going to see that area is even feasible.

Well, speaking to the feasibility issue, Commissioner Olson said, one of the things that was important in getting into the Pāhoa plan was the fact that all of the infrastructure will be outside of Lava Flow Hazard Zones 1 and 2, so that basically the new Pāhoa will be in a safer location as it's developed on the north side of Kahakai Boulevard.

That's what we're looking into, Director Mansour said. Zone 2 is still a question mark, but that's what the consultant is going to be doing. We're going to have public meetings as well.

Nobody's pushing for further development in the hazard zones, Commissioner Olson said. We'll maintain what we have while we have it, but the new Pāhoa basically is going to have to be to the north. And of course you've got all that state land there to work with, so it isn't like we're going to have to go out and purchase anything.

That's true, the Director said. He is looking forward to working with the community and the consultant to figure out how we can navigate that. The Commissioner is going to be a very important participant into the process because he brings so much institutional knowledge to the whole area, the Director said.

Chair Adams understood that DEM would have several different mini master plans scattered around the island. Not total coverage yet, but close. And the question is, how are you going to put them all together? How much money do you have? If you started doing that, what is it going to take to integrate it? One of the frustrations we had was that you're doing these by section, but not necessarily with an overview framework of how they should fit together. What are the basic goals you're trying to meet, what are the standards to be evaluating feasibility, and how to approach it and what we really need island-wide to manage our wastewater?

Director Mansour said we have to do what we are doing currently because each district is being funded through either grants or some type of legislative funding. So you cannot take that money and apply it county-wide.

(Approximately 55 seconds were lost due to a poor connection).

Unfortunately, the County doesn't have that much money to set aside to do county-wide integrated plans, the Director said. We tried last two budget years, but this budget year at least, they gave us \$500,000, which is not going to do much, but his plan is to use that \$500,000 to collect all the other pieces to see if any consultant maybe could be able to do it with that much money. We don't know until we put it out and start talking to consultants. So the goal is once we finish these dedicated funding to these mini master plans, then we could evaluate it better regarding, okay, is the \$500,000 adequate or how much is a consultant? Because the Puna district plan is costing us almost \$2.3 million and Puakō is about \$1.8 million. And we only got funding because we've been asking to do that, but we got lucky this year. At least we got \$500,000. So the \$500,000 could either update the Kailua-Kona master plan, so that way we'll have complete, updated East, Northwestern, and Kailua-Kona treatment plans with the idea of Pāhala and Nā'ālehu as well. So that way if you put all these pieces together, we may be able to integrate it countywide. But unfortunately, we don't have that much money just to say, okay, let's do a countywide plan because every district is fighting for the money to do their own study. Hopefully that answer your questions, the Director said.

Commissioner McIntosh had a question for Nā'ālehu and Pahala. If the county installs the individual septic tanks or whatever they go with for each house, how will the County handle anyone who refuses to go along with it, or says it's an abandoned property? How will that be handled?

It's a federal order, Director Mansour said. Everybody will be forced to convert. Our legal department with the EPA legal department will be dealing with the individual. It's a federal order that we have to comply with. So if people decide to say, well, I'm not going to connect, we're going to end up red-tagging the house because they're going to be in noncompliance or go to court. And the idea is we put in the money and the cost for them to say, well, I'm not going to commit, it's no money out of their pockets. So they are being fortunate that it's not like the other 55,000 cesspools we talked about earlier. These two communities, the County is paying for their sewer connections, either through IWS or a packaged unit. If it's an abandoned home and nobody lives in it, the sewer connection is still going to be made because that property needs to receive sewer service. And we're talking about the properties being identified within the AOC. We're not going to go outside that AOC.

Chair Adams referred back to the outline which she re-emphasized should be considered a working draft of what we would like to see covered in a master wastewater plan. She hoped that as DEM does these mini master plans, that those considerations are covered as you're doing the individual plans. But maybe the most important part is a clear statement of what our ultimate vision and goals are, and how your mini master plans feed back and at least approaches meeting those ultimate goals we're trying to get to, i.e., safe environmental management of wastewater.

Vice Chair Gaffney said he was looking forward to working with Councilmember Inaba and his bringing the Finance Department in as well with the money, as well as the people that are concerned about the environmental impact.

Chair Adams said it's about trying to figure out when the balance is that we would like to have an opportunity to have input on these plans before they're nailed down, and just to see whether we think that you're organizing it in the terms of the key components that we had identified that should be in a master plan, and where the holes are, and where we may need to press for more legislation or policy changes. So think about when do you share and when do you have questions for us as a commission on which direction should you go in, looking at these individual mini master plans.

Director Mansour lastly wanted to give kudos to the Mayor for putting wastewater as one of his top priorities. And we have accomplished within this year and a half things that have not been accomplished for the last 20, 30 years. Just looking at trying to get things under control and yet be able to get the new AOC going, getting the Hilo WWTP at 50 percent of design, getting the Pāpa'ikou sewer project completed, getting all these consultants on board and working on the projects that we need to get moving. Kudos to staff and to the Mayor's administration for allowing us to seriously take that as a high priority because it is important. It's not easy to appreciate things that are underground compared to parks and highways and bridges. People can visualize it, but sometimes when you deal with sewer, it's under the roadways, so people don't see the value of it. But environmentally it has a high value, and we need to keep that in mind as we move forward. And thank you all for supporting our mission and goals for the last year of pushing council members and writing letters. We got to achieve a lot moving forward. Hopefully, we could set up the ground and the foundation for the future administrations to follow suit as we continue working with EPA and the Department of Health on how we could establish that.

Chair Adams agreed. You've made tremendous progress over the unfortunate stagnation we've had on this island for a long, long time, she said. She is awed by your ability to herd all the cats and make some progress for us, she said.

## **VIII. FUTURE AGENDA ITEMS**

### **a. Follow up on action items determined today.**

Chair Adams noted a couple of follow-up items she would be discussing with Commissioner Olson. She urged commissioners to sit through the whole recording so they can catch up. If there are issues you want to bring up for next time, just let her know. The Chair will get them on the agenda. And she encouraged members to read the information on the Cesspool Conversion Working Group site. It's really good information. She reminded her to look at DEM's webpage, [Hawaiiizerowaste.org](http://Hawaiiizerowaste.org), and see what the new thing on food waste is. So just keep aware and know what it is we should tackle next.

Vice Chair Gaffney asked the Director or the Secretary to put that 2006 county service area document up where we can find it so we can get access to it.<sup>12 13</sup>

Chair Adams said we are also due a description of the AECOM scope of work, just so we get a feel for how the Department is tackling these mini-master plans. And especially if AECOM is going to have a role in pulling them together in an overall master plan, so the Secretary can get that out to all the members.

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

## IX. ANNOUNCEMENTS

The next meeting is scheduled for August 24, 2022, at the Mayor's Conference Room B-2, Building B, West Hawai'i Civic Center, Kailua-Kona, 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.<sup>14</sup>

## X. ADJOURNMENT

**Motion, Second, and Vote:** Vice Chair Gaffney made a motion to adjourn, to which Commissioner Olson seconded. Ayes 5 (Adams, Gaffney, McIntosh, Olson, Robinson); Absent 3 (Burns, Cardwell, Fulton). Motion passes and meeting adjourned at 11:28 a.m.

Respectfully submitted,

Peter Sur, Secretary

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<sup>12</sup> October 2006 North Kona Improvement District Sewer Master Plan Summary Report: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=117020>

<sup>13</sup> April 2008 NKID Draft Implementation Report: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=117021>

<sup>14</sup> 9: Hawai'i County Calendar: <https://www.hawaiicounty.gov/our-county/county-calendar>