

ENVIRONMENTAL MANAGEMENT COMMISSION

COUNTY OF HAWAII

MEETING MINUTES

Wednesday, October 26, 2022

9:01 a.m. to 11:30 a.m.

75-5706 Kuakini Highway Suite 101 (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
Brenda Iokepa-Moses, Deputy Director
Michael Rivera, Solid Waste Division Chief
Craig Kawaguchi, Acting Recycling Coordinator
Peter Sur, Secretary
Keyra Wong, Deputy Corporation Counsel
Kelly Hartman, Planner
Holeka Inaba, Council Member, District 8
Wendy Baez, Legislative Assistant, Council District 8

Others present:

Alexia Akbay, Harley Didriksen, Kristine Kubat, Nancy Cook Lauer, Jennifer Navarra, Ellen Okuma, Dell Otsuka, Diane Ware, unknown others.

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES FOR SEPTEMBER 28, 2022¹

Motion, second, and vote: Commissioner Olson made a motion, to which Commissioner Robinson seconded, to approve the minutes as presented. Ayes 5 (Fulton, Gaffney, Olson, Robinson, Adams); Absent 3 (Burns, Cardwell, McIntosh). Motion carried.

¹ II: September 28, 2022 minutes: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=118264>

III. STATEMENT FROM THE CHAIR

Chair Adams said she is excited that we're going to have our (District 3) vacancy filled, and has some trepidation of the people who are rolling off the Commission. And if you know people who would be interested from District 7 and District 8 in particular, talk up your buddies and get them interested in participating. Hopefully we'll have some good time allowed for discussion with DEM. It should be a good, informative meeting today.

IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA

(Refer to page 6 for testimony from Kristine Kubat on Agenda Item V.3.)

V. UNFINISHED BUSINESS

Status report on action items from previous meeting

1. Pretreatment rule update

Chair Adams asked Director Mansour about the status of the pretreatment rule.

Director Mansour said for the next meeting he should invite Chris Laude, the person who is working on the pretreatment. He's still going back and forth trying to define some of the requirements with Department of Health, and Malia Kekai, our Deputy Corporation Counsel. So that's still in progress, but once we get the green light to share it with you and the Commission from our Corporation Counsel, we'll share it, of course.

2. Proposed dates and locations for 2023 meetings of the EMC.²

Chair Adams said we discussed last time how awkward it is to have conflicts with commissioners and how can we balance it and make sure that we hear from the people who really care. So the proposal that's in the package sent out was going on Commissioner Robinson's recommendation to alternate on the fourth Wednesday or the fourth Tuesday. In addition, we'd be hopping between Kona and Hilo, and then the Secretary will find us rooms, but not in cement, not a final decision, if you guys want to try it. We're in the mode of trying an experiment for next year to see if that schedule works, and if it doesn't, we'll change back to the fourth Wednesday. We do have the date of the fourth Wednesday set in our rules, which means if we do want to permanently change, we would need to go through a rulemaking proposal, comment, and then issue a final rule process. When we decide to permanently change that time, if we do, we would need to go through rulemaking, but we can try and experiment at the beginning of next year and see how it works out.

That's correct, DCC Wong said. So long as the agenda is timely posted and shows the location, it's fine. And the rules also give you a little bit of flexibility. So it says "the meeting shall be held on a monthly basis on the fourth Wednesday alternative between Hilo and Kona, unless otherwise specified by the commission." So it gives you that flexibility. So it's fine for now. If it's going to be a permanent thing, then we can look at rule changing sometime next year.

Chair Adams asked if anybody has a better recommendation or are we willing to give it a try.

² V.2: Proposed 2023 EMC meeting dates:
<https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=118355>

Those changes were to accommodate the commissioners that are not here today, Commissioner Robinson said.

So that makes it kind of difficult, Chair Adams said. Well, maybe we can readdress the question if they show up. But looking at the people who are here, are there any issues with us trying this alternative schedule? Let's go ahead and we'll give it a try. Our first meeting in January is the fourth Wednesday, so that's as normal at any rate. And we'll just see how it goes. If the missing commissioners join, then we can ask the question again.

3. Discussion on preparations to apply for the U.S. Environmental Protection Agency's Solid Waste Infrastructure for Recycling Grant Program.³ Advice to DEM on priorities for grant proposals.⁴

Chair Adams said much of the last meeting was discussing the imminent -- although we don't know when -- issuing of a recycling infrastructure grant by the EPA and we want to be prepared to submit the recommendations or grant application if we can for this "free money." And what she would like to do is hear from DEM on where you might be in terms of what would you want to go for on a grant and whether or not it's likely you're going to be able to get a grant writer to put together a proposal.

Director Mansour said since our last EMC meeting, Council Members Inaba and Richards were involved as well in trying to make sure that we continue chasing some of that funding and securing a grant writer to assist the department. Brenda Iokepa-Moses, our Deputy Director, has been exchanging emails with the Department of Research and Development and Council Members and R&D is willing to pay to secure the grant writer. It's a matter of us trying to find somebody with that experience so R&D can start the process. They are on board and they're willing to fund that position as well. But it's going to be under R&D. As you all know, R&D is the department that's set to chase loans, grants for the entire county. But we're going to continue working with R&D and try to push that as well.

Chair Adams asked Craig Kawaguchi, acting Recycling Coordinator, to introduce himself.

Since 2004, since the bottle bill program started, Mr. Kawaguchi has been with the County and has been managing the program on-island with a coworker in Kona, he said. And prior to that, he worked at the Kea'au recycling center, where he met Commissioner Olson. And then also while going to school at a mainland college, he worked at the campus recycling and redemption center.

Chair Adams said we are going to get a grant writer, great, but the writer has to know for what. You've got to pick the program that you'd like to go for. Has DEM teed up the priorities for what you would go for a grant for?

³ V.3: Solid Waste Infrastructure for Recycling Grant Program: <https://www.epa.gov/rcra/solid-waste-infrastructure-recycling-grant-program>

⁴ V.3: Draft Recommendations to DEM to pursue for Solid Waste Infrastructure for Recycling Grant Program (Adams): <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=118318>

Director Mansour said the Deputy Director and the former Recycling Coordinator had worked with R&D, so now we are transitioning Mr. Kawaguchi in to chase some of that money. And it is hard to secure any grant writers. So if anyone knows somebody out there with experience in grant writing, please advise them to submit their application to the County of Hawai'i Department of Research and Development. We've been trying to get some staffing, and in this situation, we may continue working with R&D, trying to figure, maybe we'll go through a private third party like Dig Deep. We had them last year for the wastewater. They did some chemical analysis for us, but they are considered to be the expert in that field. And we're going to continue recommending to R&D, maybe utilize these types of consultants in the meantime.

Chair Adams said that a grant writer will write up whatever it is your program is. They really shouldn't be the one picking the program. If anybody's going to be involved in picking the program, it would be this Commission, and possibly public input. We got a great summary report that was submitted by Zero Waste Big Island that had lots and lots of ideas. And then she put in the meeting packet a draft of some recommendations from her side. And if you would like to go through and discuss them or if you have other ideas, she is more than open to hearing them. Several of the written testimonies were supportive of what she had put in, but she would like to hear from the rest of you. But regardless of what project or projects DEM decides to go through, DEM needs to commit to staffing and implementing the grant if they get it. The whole trick of writing a grant is convincing the grantor that you know what you're doing with this money, and it isn't going to be "Now what do we do? We just got the money." No, you need to upfront, say we can fund people, we can staff it. We know where we want to go over a period of time. Chair Adams presented four proposals:

One idea that the Chair had that was included in the Zero Waste package and has been in numerous solid waste management plans and talked about for decades, is the idea of a Resource Recovery Park where it'd be kind of a one stop shop. You take your stuff to be recycled and divvy it up. There are lots of different models now on the mainland where you can kind of drive through and drop off your cardboard here, drop off your plastic there. Drop off your scrap metal over here. Take your broken printer, and go to the fix-it shop and figure out whether or not I can figure out what it means when it says a printer head is not working. So you'd have a whole series of operations that would be available in a big enough space where it'd be safe, you could even maybe drive a trailer through, and think about how can we, over time with the grant, come up with a way to pilot an honest to goodness Resource Recovery Park. There's a lot to it, a lot of different ways that can be constructed. But that would be a fairly major grant because we'd be talking about equipment and land and building structures to house all this stuff as well as staff.

The second idea that was in the ISWMP for 2019 and that was making the transfer stations legally available to small businesses to use for recycling purposes, not waste, recycling purposes. We don't really know what all the small businesses are doing relative to recycling, but there are some opportunities there. It wouldn't even have to be free. There could be a small fee and permits associated with it, but that'd be another kind of grant possibility.

The third proposal would be around composting, doing a home compost bin giveaway that we did in the eons past, different kinds of shredders. There's a lot of talk now about shredding paper and cardboard so that you can incorporate it into compost and the experiment going on here in Kona, seeing how that works. But it needs equipment, it needs space to do things. There are also the larger in-vessel composters. So there's a whole variety of things. And there are various proposals that have been made for application here in the County but as well as across the mainland on how you could build distributed composting operations around the island. The first one about the Resource Recovery Park, it was pick one – she said Kea'au, but it could be Hilo - do a pilot, see how to do it before you start popping them around the different parts of the island. It'd be nice to have one on the west side, too, but let's do at least one and see if we could make that work. Same thing with composting. Over time, you could build out and make a distributed compost facility operation, but that's going to take commitment, coordination, wonderful opportunities for private and public cooperation to do that.

And last but not least, we've got contracts with Waste Management of Hawai'i to handle our landfill, but Waste Management does an awful lot in the recycling arena on the mainland and Hawaiian Earth Recycling, they might have some things in the bag already where they would have done on the mainland and elsewhere that they could help put together a grant program. So those are her four wish list things that she came up with. If people have thoughts about any of them or have your own ideas, it would be helpful to provide to DEM. Where would we like to see them go for a grant project?

It appears that you pulled the genie out of the bottle, Commissioner Olson said. You mentioned the Kea'au project, and there is actually a plan floating around there somewhere that we had done as a function of a civil rights complaint that we had filed and everything that you just mentioned. Plus, there's a piece of paper that covers it in that plan, because what it was intended to do was look at a buildout scenario for Puna. We have 80,000 TMK's floating around out there, and that will be the gorilla in the cage. And the planning to do that is already a done deal. This isn't a "we're going to go and subdivide something." These TMKs are existing, and the people are already paying taxes on that land, almost as if they live there. There may not be a house, but nonetheless, they're having to contribute something even for owning vacant land. So there is some kind of a cash flow there, existing. So it would be interesting to see if we could maybe give that and of course, now Puna is the most populated district on the island as of the last rolling census.

There are plans that have been proposed in the past, Chair Adams said. It would be going with the latest and greatest information that's been developed.

Commissioner Robinson asked Commissioner Olson to clarify that there is a plan out there for the Kea'au transfer Station, and it sounds like part of expanding the transfer station includes acquiring private property in that time, to which he agreed.

Realistically, if DEM received the windfall of the grant, Commissioner Robinson asked, what could a realistic time frame be to see this implemented? If it's going to take requiring property, expanding roads or building more buildings or covered spaces, the things that were outlined in the solid waste plan too, are we talking about five years? Could it happen in a year?

Chair Adams' understanding of the grant is that it is over five years, and then Congress has got to go find more money so that you could phase it and it would be, how would you set it down so that maybe you'd build another warehouse or maybe you'd use Hilo because the County already has the land? So it's looking at, how would you bring that into fruition, hopefully to the point where it's self-sustaining, and how far can you go in a five year period? Or maybe go ahead and plan it out longer than that, but know that you'd have the seed money from the grant to get you going and to what works and where's the right place it ought to be. How do we work in so the community and the businesses are able to make it run?

Division Chief Rivera said he liked everything that's been stated so far. It's just building a plan and developing the resources for the division to be able to handle the grants or projects that are set forth in the plan. And it's going to take time and planning and how you do that, that's going to be the key versus reacting to it. The items in the ISWMP are very good, but the Division itself needs to focus in order to execute that plan effectively, look at employee retention, some hiring and staffing. And with that, as he has driven in his short time around the island, is reinvigorating the equipment on our land. It needs to be updated. Our equipment in some of the areas, the transfer stations, the chutes, need to be updated. And then you have to fundamentally do that before we can execute a resource park. And some of those other items that he sees that are out there, they're very good. It's a really good plan for the island. But fundamentally there are some things that the Division has to do in order to execute that successfully.

Chair Adams said that was her biggest concern. You don't just say, I want to build a mansion and get this money and it's done deal. No, there's an awful lot of infrastructure and supporting labor and equipment that will make it happen and not just fritter away the money.

At this time, Chair Adams recognized Kristine Kubat to present her testimony.

Kristine Kubat - Aloha. Good morning. I'm Kristine Kubat. I'm the Executive Director of Recycle Hawai'i. Have some things to add to this discussion. So first thing is that the issue that Jon Olson brings up about this longstanding case happened a long time ago about what was happening in Puna is actually very important because one of the important guidelines/criteria for this grant is an environmental and social justice component. So for the community to have had this history of the way the planning was developed, the way the infrastructure was created, created a disadvantage for that community, which is also a very low income community, will actually score points on the County application. The second thing I wanted to say is I believe it would be inappropriate to partner with Waste Management or HER on the grant application because it would be like pre- I think you would run afoul of procurement laws. So to collaborate at the beginning on an application, you're basically going in saying this money is going to come to the

County and then we're going to share it with these private contractors. I think it would have to be neutral and then whoever was going to participate would have to apply to or respond to an RFP later. I think one of the smartest things the County could do is look at that \$10 million that was previously allocated for a composting facility. Now we kind of have a lot of consensus around this idea of a small scale distributed system. That money is probably just an idea at this point. I don't really know what happened with it. I guess, Mike, you could help us track that down, but the NOFO (Notice of Funding Opportunity) hasn't come out yet, so we don't know what the matching requirement would be. And somehow if this \$10 million is still available, this would be a very smart way for the County to leverage that to get more money or to perhaps spend less. But this is a way to make that \$10 million that the County was going to spend on that other idea, go a lot further on an idea that would work better. The idea of a Resource Recovery Park is something that we've been working on, Recycle Hawai'i. So again, there might be an opportunity for the County not to necessarily take it on and build it. But to say that we're going to fund or we're going to put out an RFP to the private sector and then Waste Management, HER, some of the partners Recycle Hawai'i is working with, whatever, we could actually respond to that and then maybe part of that would be the County would just say, okay, we're going to give you space because when we're out there talking to people, what we hear now most is people need covered space. There could be a lot more resource recovery, a lot more diversion, but what people are desperate for is covered space. So to the extent that the County could provide that, I think you'd have a lot of people from the private sector willing to salvage materials, process them, stockpile them, and then move them back into the economy. Thank you.

Chair Adams then closed public comment on this item.

Deputy Director Iokepa-Moses offered to give a brief update on what we're working on with our grant initiatives.

Commissioner Olson asked to close out the previous discussion. When we did the proposal for the Kea'au Transfer Station conversion, because it was pretty much an open ended grant, we looked at all of the existing available sites on the island and the criteria of access, community acceptance. We went down a whole long list of issues that we felt should be addressed in terms of siting, and the Kea'au site continued to come to the top because of all of the above. In other words, there's land available. The connectivity was planned. At the point we started planning this, Highway 130 was not actually a highway into Puna. It was a substandard two-lane road. And there is a plan to enhance that to a four-lane road. And in theory, the County at some point is going to build another two-lane road going out of Old Government Beach Road to Hilo. And that is an alignment that does exist, but it has never been improved. So the connectivity there is even further enhanced. Water, power, all of those things are readily available there. As a starting point, if we could get a hold of the document and I don't know who's sitting on a copy of that at the moment, he said -- I know that a lot of people had them, and I wouldn't be surprised, even in the dungeons of the County Building, that there isn't some copy of it because they were co-conspirators.

It certainly would be nice if you could try digging through and see if you could find it, Chair Adams said. But that was like the early 2000s. The actual report and the grant that got given, went back to 2002, 2003. So presumably there's records, maybe.

We started out in the mid-1990s, Commissioner Olson said.

So anyway, again, there may be some homework already done and just could be updated so you wouldn't be working totally from scratch, Chair Adams said.

Just using that document and see where else it could now be applied using the criteria that was developed, don't reinvent the wheel. We've got the wheel. So let's see if we can make it roll, Commissioner Olson said.

Vice Chair Gaffney said that because of this apparent hesitation or doubt about availability of grant writers, he did a simple exercise. He Googled "wastewater grant writers." There are 9 million responses to that on Google, but just the ones on the front page are national companies that specialize in this. And then out of further curiosity, he Googled "waste grant writers Honolulu," and guess what? There are grant writers that specialize in waste in Honolulu. So if there aren't any on this island, and that's as far as we've reached, I would suggest we go off island. And I don't know whether there's anything that would prevent us from using a national company, but one of the things you get with the national company is expertise in how other counties have successfully pursued these particular kinds of grants because they're clearly on that list. There are companies that specialize in wastewater or just waste. So we need to reach further than just hoping somebody will show up out of the blue in this County and actually go get somebody from somewhere else that has the expertise already.

Commissioner Cardwell wanted to give a plug for this grant. She missed the first part of this discussion and wanted to say it at the last meeting, but it's been coming up for her that we talk a lot about all of these different goals that we want to accomplish and how it always comes down to money and not having enough money to do these things. All of the goals that were laid out that Chair Adams worked on in the ISWMP, and it just seems like now we have this opportunity for this money, and I just really hope that we go for it, she said. In the chat, Jennifer Navarra just said that they have identified grant writers on this island that could work on this opportunity. So, there we have it.

So, speaking to grant writers, Commissioner Robinson said, Vice Chair Gaffney had brought up in the last meeting that the county has approved- or maybe it was Ramzi Mansour hiring grant writers through R&D. So if R&D has not hired grant writers, which she does not think they have, is it likely that the Council would approve money for DEM to source their own grant writer? She is not sure. And even if we know people here on the island that are grant writers, she wonders if the way that things have been intended to be carried out is if they must be employed by the County through R&D to write the grant for anything the County wants to go for.

The Deputy Director said she had worked with previous grant writers that tried to establish what grants would be the lowest hanging fruits with the staff that we have, because it's not only about money and the need for us to have money, we have to have the staff to support and to get these grants out. So to answer that question, R&D is having a hard time getting grant writers. And so we know time is of essence. She asked if we could get a portion of that grant writer money from the Mayor's Office, to which they have agreed, which the allotment would be \$25,000, which is how much of the professional services we can do without having to go through all of the recruitments. And so we're hoping that- we're working with R&D right now, they've agreed to that allotment. We're hoping that our Dig Deep, that has initially done the foundation work for us, will be the successful professional service provider for us, depending on their schedule, so they can kind of take off where they left off before. So that's in the works right now. We should be receiving that any time and getting that help for us. And of course, we didn't limit it to the island here. There's a bunch of procurement things that R&D had to go through, and there wasn't any successful people that came on board. Dig Deep may be based in California. So of course we reached out to whomever could give us the best service, and they were very helpful to us, so we're looking forward to using them again.

(The Commission briefly laid this discussion on the table to take item VI.2.2 out of order to allow the SWD Chief to make his presentation. Following this presentation, the discussion was reopened).

Commissioner Robinson wanted to comment for the record that she wonders how the County would be able to get a point of sale disposal fee for online purchases.

VI. REPORTS/CORRESPONDENCE

1. Director's Informational Report

1. Legislative update

We actually got a written Director's Report, so that's very nice to see, Chair Adams said. One of the topics listed as "future items" in the Legislative Update is the review that's going on by the Planning Department on zoning and subdivision codes. This is at least a year or a two-year effort to review and update the zoning issues. And there are some that are of interest to our charter, specifically getting people to sewer up as opposed to putting in a crummy septic system. And we really need some input from DEM. The issues around zoning get in the way of helping us to build out our sewer system. We've got a lot here in Kona up the mountainside. We've got all these buildings that don't have connection to sewer and aren't required by Code to connect to sewer because there's a 300 foot distance (from a sewer line) that you can do whatever you want to (outside of) that 300 feet. So that may be one area where we would want to put together some comments. Chair Adams knows that another area is compost facilities and where we can site it. Can we just buy a little field next to a transfer station and allow that to be used for compost? No, that's zoning issues. So what are the zoning issues that we need to be aware of and develop some future comments to go into Planning on?

Director Mansour began by acknowledging the Deputy Director, Brenda Iokepa-Moses. She's his right hand, and she was very involved in with the R&D discussion, securing staffing, putting

out the RFP, he said. And his understanding even when the RFP that went out, nobody responded. It's easy to Google, he told the Vice Chair, but it's hard to deliver. And the proof was in the pudding. They put RFP out, they got zero response. So that's the challenge we see on the island. So it's going to continue. So as far as the zoning code changes, the Director encourages the Commission to participate. There were flyers that went out by the from the Mayor's Office to the West side and East side. They have two separate public scoping meetings with the public to go out around and solicit information from the public. He went to the meeting on the west side, and they really set it up nicely. You come in through the building, they have these posters. They allowed the public to come in, read the posters, read some of the concerned questions answered by a red or green or yellow tab on what concerns you the most. And so it was a kind of unique process. That's how they're going to solicit information, and this information becomes policies. So if you are concerned about policies and procedures moving forward, he encourages everyone to participate as a commissioner and also as the public. The Chair is right. We have service areas within the Hilo facility, and we have service areas within the Kealakehe Wastewater Treatment Plant facilities and some of the rural plant facilities. When these initially were designed, they were designed to provide services to a certain boundary within the community. And that boundary, for us to be able to operate our facility in a more efficient way, we need to reach that capacity so we could be financially sustainable and treatment and process sustainable so we could have a better flow coming in. We could start doing more of the resource recovery, more of the R-1 volume. Because at the current situation we are in, we are at pretty much minimum. Kealakehe is only 1.28 million gallons per day. It was designed for 5 to 6 MGD. So we have not grown for the last 20 years, and that's true for Hilo also. So it's very important, the participation in the code. As the Chair said, the current code says, if you're within 300 ft, you have to connect. To the Director, if you're within the service area, you need to connect, especially when you have a big development, but, you know, not for homes, but if there's a big development. I think we need to be able to put synergy into working with these developers and maybe put some incentives to meet the goal of the Mayor, which is affordable housing. That's our major goal that we're trying to achieve, to make sure that there is affordable housing on this island. So we need to be able to partner and find creative solutions that could allow us to achieve that goal. So definitely it's a challenge. As the zone and subdivision codes are changing, we are also going to work on changing our code as well, because that is part of that pretreatment process. So a code change is going to be coming as well from our Department. The Director's advice to commissioners and public is to participate as well.

Chair Adams said one of the problems that she sees in us participating is just being aware of where the barriers and the conflicts exist. One of the things she read about was that if you want to put a bunch of mini transfer stations, for example, scattered around Puna, or within a development, there might even be state regulations that don't allow siting any kind of recycling or composting or the things, the top Rs, that we want to do with our waste, for example, because you can't by zoning requirements. Is that a real thing? Is that something that we would want to try to influence the Planning Department about?

Well, it's more of the Department of Health, if they allow it, the Director said. The idea of, are we going to allow every subdivision to have their own transfer station? I highly don't recommend it, he said. We already have 22 transfer stations all over the island. So the idea is you need to control it from the source. So as Chief Rivera and Ms. Kubat said, the idea is if we could do more public education, encourage people to do more of the divergent recycling at the source, at their home, individual composting, home composting and that will go quite a bit, quite the distance, because technically your solid waste cost is part of your taxes and the current structure we have. So as you all know we get certain percentage to cover our department's costs for the solid waste. That's equivalent to about 4 percent, plus or minus, of the entire general fund, that comes to our department to cover. The solid waste (fund was created) probably before even diversion of recycling was an option back then. But you're right, we're not getting enough to do all the services and we need to find ways within our means. And staff is right, and prior testimony is right. We need to chase grants, we need to get whatever money we can to continue promoting these programs. They're very important to the island, very important to us from an environmental point of view. So we need to expand and we need to find ways to be able to either generate revenues or get more of the general fund. There was a discussion about Pay As You Throw but what does that do to the current tax revenue that we're getting because you cannot double charge? It's a complicated issue. He will leave it to the attorneys to figure it out. Do you do an enterprise fund, do you do a land use fee fund? For what we got now, we need to function within the means that we have which is about 4-plus percent that comes to the division to do their business, and that includes everything that Chief Rivera talked about. When you see a \$5,000 per ton for hazardous waste and when you see \$116 per ton for landfilling, it's a huge- \$5,000 per ton comes out of the taxpayers' money from that 4 percent (of the general fund). So sometimes we have to do the right business decision, but we need to be able to promote everything possible. So it's a challenge. We need to do more of the public education, we need to do diversion and recycling at the source. We need to educate the public, even with that home composting. So we have a lot of homework to do. He is glad that Chief Rivera is on board now with us and working with the community and securing grants and moving forward. Hopefully we can start checking the boxes as we move forward. So as far as subdivisions from a zoning point of view are concerned, they're going to look at what type of mitigative measures they're going to provide, how it's going to impact our current infrastructure. And most of these transfer station that were built at least 30-some years ago, some are new. So when we build them, the population was not as the same rate as we see it now. So the demand is going to go high up on these transfer stations. And we only have one landfill for the whole island. So that's going to be a challenge as we do more of the development, how we're going to handle the waste and how we're going to control that as well. But we need to start building the foundation now to be able to have a better management of what we have now. Otherwise that hole is going to continue being dug deeper and deeper and it's hard to come out of it. One thing we could do, at each corner people have these three bins, 4 cubic yard bins, for recyclables, cardboard, and waste. People leaving their subdivision, they just carry their bag and put it there and the County goes and picks it up.

That was what Chair Adams meant by these mini transfer stations, to put a recycle collection point in a subdivision or on every other corner, so to make it easy for people to find a place to put their recyclables. But is that possible with zoning? I don't know, she said.

Director Mansour said he had a discussion with Planning and other directors when he first started. Could we allow these subdivisions to come in and do what apartment complexes do? Your apartment complexes, they got these garbage containers with an enclosed area, 20 by 10 feet, and the garbage truck comes in and picks up the cardboard. You have a recyclable, you have waste and what have you. And could a subdivision do that? The challenge with a subdivision, you have to create some home association to go and collect the fees and to be able to pay for the service. Because when you have a subdivision, each home individually on their own, an apartment complex, vertically, it is the apartment management that collects the fees and processes the service. So maybe a model like that, we talked about it way back then, maybe. We need to think outside the box. How can we influence the zone change? By allowing the developers to allow an area to be able to maintain that and to control the odor, because you're going to have the odor. The site is not going to be that pretty in a subdivision. So it has to be isolated. It has to be architecturally designed to prevent disease vectors, cats and other animals coming in to that area. So do people want it in their subdivision? You're probably going to see an objection because it's going to be an eyesore.

Commissioner Cardwell said that is a great idea, having bins in subdivisions. Her one concern is that people are not necessarily going to be educated to know that they need to put clean things, for example, into the recycling bins, like clean their glass, clean their cans. She wonders as part of this process, you know, would we have the staffing for then? And also, people might not put things in the proper places, right? Because we all know how this works. So do we have the staffing to sort items that aren't necessarily in the proper bins? And then that ties back into education. It's all connected, right. So the education piece is incredibly important with this because people need to be educated to know that they have to clean their stuff and they have to put it in the proper bins. Her other question was about the zoning. Who determines the zoning and who do we ask these questions about the zoning? Is it possible to put these mini sort stations in, say, HPP or in whatever subdivision? The Director had mentioned the Department of Health, but it's not the Department of Health that determines the zoning.

The zoning is your Planning Department, but the Department of Health going to either permit it or not permit it, because anytime you refer to it as a transfer station, it has to have an attendant, the Director said. So that falls in the Department of Health. So we need to be careful, because now instead of having 22 transfer stations, we're going to have 100 transfer stations that are manned by county employees. Because you cannot just decide on these mini transfer station and say, well, we're not going to staff them. That's why he is thinking we could use the Europe model or the apartment complex model, where you just put up 4-cubic-yard bins at each corner and you go pick them up rather than call it a mini-transfer station because that falls under Department of Health, and you are opening up a can of worms for regulatory compliance as well.

It seems like it'd be more of a sorting station, right? Like it's not a transfer station. It's a sorting station, Commissioner Cardwell asked.

But even sorting has to fall under the mandate of the Department of Health, because even with it sorted, we call it a mini Materials Recovery Facility, all that requires certain things you have to follow for health and safety. Unless it comes really clean, it goes back in a cycle. You never know what you're going to be handling.

Back to the challenge of collection, Chair Adams said. We have very limited collection of anything trash, much less recyclables. And again, that's a major infrastructure and business friendliness that is lacking on this island.

You've given us the good news, now I'll give you the bad news, Commissioner Olson said. What he knows the most about is Puna. We have large parcels of land that are in, for instance, the area that was just paved over down around Pohoiki. Those were 10-acre parcels, but they're in Ag-1 zoning. The owners of those lots have the right to subdivide those into one-acre parcels. They bought that, they own it. The 80,000 TMK's in the Puna district is probably the good news, because if you look at the numbers of lots that are parcels that have not been subdivided to what the owners are legally entitled to do – we don't have roads, we don't have water, and we don't have waste handling systems from front to back, top to bottom. And every one of them are legally entitled to these services. Somebody's going to end up owning it.

Commissioner Cardwell said this is a really important point, and she appreciates him for always circling back around to this. We're both in Puna and we're seeing a population explosion. She drives to Hilo for work and the amount of traffic that has just exponentially increased over, even the last five years, is massive. And so she sees this is really important because we're talking about infrastructure, we're talking about sewage, we're talking about water, all these things. And Commissioner Olson is right, there are people that are subdividing properties left and right, and how are we going to provide these services to these people? And like you said, these properties, these huge properties, can be subdivided into one-acre parcels. And she is seeing it right down the road from her place in lower Puna. And this is going to be a huge problem in the not too far future. It's really important to keep this in mind when talking about all these things.

2. Solid Waste Division Projects and Updates

1. Life Cycle Analysis

The LCA study is ongoing and there's an update in the written report, Division Chief Rivera said.

2. Recycling and Landfill Diversion

Chair Adams asked if there were any new updates related to the electronic waste. She understood that companies are supposed to be coming up with their plans and they got an extension to come up with how they're going to pay for, coordinate the collection of e-waste that is covered by the new law. And the DOH has got some work to do as well. Is DEM happy with the way things are going, getting geared up to handle it?

Whatever comes through the State, we're going to continue working with them, the Director said. In addition, we packaged together a contract. The ideas for our e-waste, we try to do it probably X number of events per year. And that's how we're going to bid the contract, where we could allow events, similar to the hazardous household waste events, but it's going to be now also electronic waste events within the island and that's what we try to achieve for that program.

Acting Recycling Coordinator Craig Kawaguchi said that Recycling Coordinator Chris Chin-Chance did say he is still speaking with the lone bidder and they're clarifying things right now, and they're hoping to get events started again this year.

We're going to try to see if we could- it depends on the bidding and the notice of award to the contractor, the Director said. The state funds kicked in so we have until June 30 for that fiscal year to be able to spend some of that money. So we need to figure out – we need to work with the potential vendor to see how many events we could do in this short time because by the time we probably issue notice to proceed, we're going to have about six months and we really planned it for a whole year event. But because we lost about six months trying to coordinate and try to put the RFP in the contract, the question is, should we double the number of the events to maximize it or have the money carry over? So there's some logistics that we're working on but definitely the minute that contract get awarded, we'll start the events to get that thing going.

3. Wastewater Division Projects and Updates

1. Pāhala and Nā'ālehu AOC⁵

Chair Adams noted the Director's Report had a presentation about the cesspool closure project in Pāhala and Nā'ālehu, and asked for some highlights.

Ms. Hartman said that So DEM has recently submitted to EPA its Feasibility Evaluation Report to identify the legal and technical feasibility of four potential wastewater treatment project options to replace the large capacity cesspools. The feasibility report was submitted before the AOC deadline. The EPA will review and may approve the report. And then once we get that approval, all of the AOC deadlines basically cascade off of that approval date. Our contract with Brown and Caldwell has been executed to do the Preliminary Engineering Report for Pāhala. They're prepping to do some percolation tests. We also had our quarterly October meeting with EPA. They're very happy with our schedule and our automated reporting system for the AOC. We had a successful public meeting in August. The Deputy Director did a great job on that. And we also created a website that's posted on the County's website that you can get to. So you should check that out. And that's just a summary update of that project.

⁵ VI.1.3.1: County AOC website: <https://www.hawaiicounty.gov/departments/environmental-management/pahala-naalehu/>

Chair Adams said it sounds like it's moving along. She is really impressed at the outreach and the putting information available on the website. It's a nice change in making sure that communication happens. She asked the Director, relative to what individual homeowners can do, do you have a feeling for how many are likely to be dealing with the individual wastewater systems versus hooking up to package operations or larger buildings? Did you have any sense of what the split might be?

Well, we finalized the first step in the process, which is the feasibility study, and it was submitted to EPA within the time limit as per AOC, the Director said. And it seemed like it's definitely feasible for that process to move forward. The second step we are jumping into is the Preliminary Engineering Report and analysis. So we're going to go and do some soil sampling to figure out the percolation rates for certain areas so we get a better idea of what we're dealing with. But we cannot predetermine, so we have to go through the process.

Commissioner McIntosh asked when the engineering study will be done and DEM knows what it's going to do?

Director Mansour said we have 180 days to complete the PER for Pāhala and 300 days to complete the PER for Nā'ālehu (once EPA accepts the FER). So we're not going to wait the full 300 days, but hopefully the consultant will start working on it. So the sooner we put all the information together, the better information we could convey here at these meetings

Chair Adams asked if there are any issues with the earthquake.

That is going to be considered as well, the Director said. From eruptions to earthquakes, as we get into the design recommendation, all that's going to be considered as a factor as we go through the option selection. Anything that could impact whatever we're going to design moving forward is going to be considered. But remember, earthquakes are nothing new. We know we're dealing with earthquakes, eruptions, and what have you.

2. West Hawai'i wastewater projects

(No discussion)

3. Hilo WWTP upgrades

Upgrades to the Hilo Wastewater Treatment Plant are going well, the Director said. We're supposed to get the 90 percent design for Phase 1 in December, so everything is moving according to schedule and within budget.

4. Wastewater plans

We've got the master plan and we've got the master schedule, Environmental Management Planner Kelly Hartman said. We're talking about creating a contract for the wastewater master plan, a countywide wastewater master plan. And the goal of that is to take all of these regional plans that we're currently working on, putting them together, make sure they make sense, and so we have updated facility plans all around. She submitted a draft scope of work to develop

that contract to Wastewater Deputy Chief Eric Takamura. She is waiting on a final scope of work from him that has to go through our budget process, which we're currently in right now. And we'll see if that's a contract that we can pick up next year.

And as far as the master schedule is concerned, she is collecting all the project schedules for every wastewater project in the County from the individual project leads, project coordinators. We got them all Microsoft project software licenses and training and support. So they're supposed to build out those schedules, submit them to her, in one common location, and she is going to be cleaning up the data and then it's all going to get sucked into one master project schedule. And so that way we can see it will be automated reports again and a Gantt chart, so we can really drill down into the nitty-gritty details of deadlines when we need to, but then also look at it from the bird's eye view of, what we have going on in the next six months, the next year, the next five years. That's her goal.

1. Puna wastewater

Ms. Hartman reported that DEM is evaluating the feasibility and the potential locations for the addition of wastewater services and the facilities. We're preparing a Programmatic Environmental Impact Statement and Facility Plan. We held our public scoping meeting October 12. It's being broadcasted currently on Nā Leo TV, currently through the weekend, so you might want to check that out. We have a website for this project, and so you can go there and link to the video as well. We had a second public Zoom meeting Thursday, October 20, and that is also posted to the website. The public comment period did end October 24, but if you have further comments, her email and contact information is all over the website and documents, so feel free to reach out. We're continuing right now to gather information for the Programmatic Environmental Impact Statement. We're doing technical studies like the cultural impact assessment in the archaeological literature review. We've held separate meetings with the Planning Department. We're trying to drum up interest from the Puna Community Development Plan Group and the Chamber of Commerce to distribute some of our information. Draft review for the EIS for the County is going to come in the beginning of January, and it'll be filed March 6, 2023. The draft facility plan, we're continuing to gather information that should be submitted for the County's review in February. The final EIS is scheduled for September 2023, and we have a facility plan workshop scheduled November 7 with DEM and the consultant.

Chair Adams asked about participation.

We had about four people at Kea'au High School and 12 people on the Zoom meeting, Ms. Hartman said. And we have reached out to the CDP group multiple times.

And it has all the gory details and in other words, the build out scenarios, Commissioner Olson said. It's a nightmare, to put it politely. There isn't the roads, there isn't the water, there isn't the schools, there isn't the hospitals. The list is just endless. He's not going to be here to see it, but somebody's going to own it.

Commissioner Cardwell agreed. We could beat this horse. The horse is dead. But he's right. We're really lacking infrastructure. It can't be said enough times, and the development is out of control. And she does not know how we get a handle on the development because it's development without the infrastructure. So it's development without the roads, without the water, without the sewer, without the health services. The list goes on.

Is that back to the Planning Department and zoning and saying quit giving out permits to build? Chair Adams asked.

It's a done deed, Commissioner Olson said. What we really got to be working on is how do we buy it back.

Ocean View has a large volume of people living there. However, they pay very low rate for their taxes because their properties are very inexpensive. And that's why people gravitate toward Kea'au because of property. You can get a beautiful house in Kea'au for a very reasonable price where you would not be able to get that same house in Hilo or Kona because they do pay the higher premium because they are next to the infrastructure. So it might be a Catch-22. You may have to pay more for your properties if you want the infrastructure brought to you. Yeah.

We went over this and over and over looking for ways to manage it, Commissioner Olson said. You are producing a document that goes into the future and it is intended to be a management document, and you just keep looking at it and you go how are you going to manage this? How are you going to make this survivable and without buy-in from - well, the State had a hand in this and they seem to have managed to keep an arm's length distance from it because they allowed it to begin.

The issue is development, Commissioner Cardwell said. Leilani Estates should never have existed. Leilani Estates subdivision was built on the East Rift Zone, Lava Flow Hazard Zone 1. So we have a huge issue. We have a huge development problem here in Lower Puna and she does not know how we get a handle on the development because it has to do with money. People want to make money and there's developers that come in and subdivide these huge pieces of land and make half-acre lots and then people want access to all these services that don't exist. This is the core of the problem, the development and cheap land and people wanting to live in paradise. This is a huge topic and she doesn't know if it's appropriate here, but she does think it's the core of the problem.

Chair Adams said it is our challenge as this commission to ask, what can we do about it? One part of it is we're talking about the wastewater treatment planning process and she is overjoyed that Ms. Hartman is on board to help do that. We looked at the preliminary outline of things that AECOM is putting together against the components of the master wastewater management plan and she was pleased to see that, yes, they're including things that we had on the list. They're heading in the right direction. It's still way at the 30,000-foot level, so the work is all going to be in the details as we work down. But from that standpoint, DEM is tackling it as well as they can with what they've got to deal with. And maybe what we need to look at and

not only make sure they are doing the comprehensive review, but is there something that we need to make a pitch saying, here we are, this relatively narrowly chartered Commission, to the Mayor and to the Council to say, time out. We cannot play catch up. We're going to try, but every time we try to put something in place, the development explodes and we're already falling further and further behind. And there are things that we as a Commission or DEM cannot control. It needs to come from another direction at a higher planning position and maybe again, it's a public education effort of, you cannot move into a house and build a house that has no way to manage its waste because you can't live without generating some waste. So don't, until we get the infrastructure. We'll probably need to deal with it next meeting and get it on the agenda and try to figure out how to get our arms around what we could do.

Commissioner Cardwell asked about getting someone from the Planning Department because it seems like a Planning Department issue with the zoning.

Director Mansour recommended maybe attending the Planning Commission meetings.

Commissioner Macintosh said there is nothing the County can do to prevent a person from building home on a property (if it is a permitted use). However, there is a program where they're buying land in Puna from individuals and taking it out of circulation. They have that option, which is costly and it also takes away property taxes from the County so it hurts their coffers for revenue. But it was all created in the 1970s, so it's just something the County has to deal and work with. So get used to it. This is our future.

Chair Adams asked if anyone had a better idea. One that got mentioned here was that maybe we should look at the Army Corps of Engineers. Part of the Deputy Director's job is to go find money. And the Army Corps of Engineers has money, lots of money, and they're really good at spending lots of money. She would explore with DEM maybe some opportunities to look at the Army Corps as another source of solutions, if there be such a thing. She would also look into talking to the Planning Department.

Vice Chair Gaffney, following up on the comment on the Army Corps of Engineers, said that one of the largest federal funding sources is the USDA's Farm Bill. It's literally hundreds of billions of dollars and that is definitely a source for because essentially the island is entirely rural and the Farm Bill generally includes things like waste management, recycling, waste, water management, wastewater reuse. And the other thing is that if Deputy Director's job is pursuing money, then one of the most valuable things she can do is – maybe she's already done this – to create a personal relationship with staff at our two Congressional Representatives' offices and our two Senators' offices. He has been in Washington in these offices and had staff people say to him, "I don't understand why there is so much federal money available that Hawai'i doesn't pursue." It frustrates them endlessly because they regularly create lists of money that's becoming available and they don't see it being pursued. So again, close communications with the offices and in particular Senator Schatz' office because he sits on Ways and Means. And he would further add that now that it's clear that Jill Tokuda is going to be our second

Congressional Representative, she has very strong legislative skills and probably will be a very valuable asset to the County as well.

Commissioner Robinson said she had a question for the Deputy Director, who had stepped off. She wanted to know whether any of the American Rescue Plan money had been designated for DEM.

Part of the problem Chair Adams said, is that there has to be somebody in DEM who knows what they're asking the money for, and what they're going to do with the money and that is what Kelly Hartman is going to do. Kelly is going to at least help with the wastewater management, right?

Well, we have plenty of projects on deck that needs to get funded, Ms. Hartman said. We have a list of CIP projects that get submitted and prioritized every year. So not being too involved with the financial side, that would be the first place she would start because that all gets run through the Department of Health and the EPA. They're going to get more involved in the future. So those are the projects that we need to be focused on.

We are trying to play catch up, Director Mansour said. We have not done any maintenance on some of these facilities for years. Literally, most of our projects are just to get us back where we need to be, and that's taken the bulk of our time, funding, and money. The funding is so limited because of the amount of projects that we have.

And I apologize, Chair Adams said. You do have the CIP list where you have prioritized projects on the wastewater side, not so much on the solid waste side.

No, we have a few on the solid waste side as well, the Director said. And as you recall, when we asked for the general obligation bond authorization, there was \$3 million set aside to work on the solid waste facility improvements. And we are replacing the Hilo reload scale. Some of the money and some capital projects are listed within the CIP budget.

Chair Adams asked whether any of those are candidates for the recycling grant.

Well, some of them are just like the scale – he doesn't know because it goes back to, we are trying to catch up. You have to fix it. So you cannot wait to run it through a grant process. It may take two years or so and secure, but the ones that we could afford the time, the grant is the way to go after it.

2. Puakō wastewater

Ms. Hartman said there is not much going on. It's one of our further out projects. We're preparing a wastewater master plan for wastewater services in the Puakō and South Kohala regional area. And the project recommendations will include a County of Hawai'i sanitary sewer system through a 30-year planning period, including collection, treatment, and disposal. We had our project kickoff meeting. The consultant is not coming out to do their first site visit until

May, and then we have a draft project definition report that will include a study of area waste water infrastructure options, and that is not actually due in its final form until July 23.

2. Information requests from Commissioners

1. (Gaffney) How does DEM respond to Water Quality Advisories regarding high bacteria counts from the Department of Health, Clean Water Branch?

Vice Chair Gaffney said he was OK with the response that Director Mansour put in his Director's Report. But he is continually frustrated by what seems like a disconnect between DOH's actions with regard to reporting these wastewater incidents and whether or not they actually mean anything. His understanding is that they have to do this, and they're funded to do it by the federal government. But the truth is that what they're reporting is something we already know, and that is that these types of bacteria live in our nearshore waters 100 percent of the time and the University of Hawai'i has confirmed that in a recent study that says that these bacteria also live in every other water source on the island. All the rivers, all the ponds, all the streams and so forth. So we get these reports and DOH's timing couldn't have been worse. The day before IRONMAN, they say that the beach at the IRONMAN start is over the limit and that's just wrong from so many points of view. And then all of a sudden it goes away. Is that a political decision? Is that - what? And then the next day they're saying that Kua Bay, which is pristine and probably has no sources of wastewater input, is like 200 times over the legal limit. And of course, that goes away the next day, too. And there never seems to be any recognition of the fact that any high water event, king tides, high surf, high wind incidents that push the water further inland, are going to cause these kinds of reports. It's a frustration for the Director as well, because they're spending all this time doing something that's useless, and they seem to be spending that time doing something that's useless because the federal government, the EPA, essentially requires them to do it and pays them to do it. So it's a ridiculous situation. And so he has just said that, it's on the record. He is not sure if there's anything we can do short of going through our congressional representatives and saying, why do you continue to do this? Because it must be equally frustrating to people who care in South Florida and South Carolina and Southern California and every other place where these issues are regularly reported and are essentially meaningless.

Chair Adams said the pertinent question for us as EMC advising DEM is, is there some way to reduce the burden on you to go through the little exercise of running and verifying that nope, there's still no pipe dumping stuff into the water?

Yes, the Director said. Usually these samples, we don't get into the "(navigable) waters of the United States," the beaches and the ocean water, because that's state and federal, so we don't do any sampling. We hear it through Department of Health, similar to what the Vice Chair was saying. They post it on their website. They don't even notify us. Right. Our guys, our compliance staff, sometimes when we hear something, then we start researching it or calling DOH and trying to narrow down what's going on, and we call our collection system and compliance people and tell them what's going on. We've seen the report. Similar to what the Vice Chair was saying when he forwarded to us that report, our guys went out there even prior to the Ironman starting. They spent about two weeks making sure, as you all know, we finished the Cast In

Place Pipe lining the entire sewer main to make sure that we don't have any mishaps. Our guys went- they actually double-maintained, greased, and oiled all these pumps within the force main pump station along Ali'i Drive to make sure that the extra amount of participants for that one week event does not create any sewer backup or sewer backflow. It was a success. Our guys did their best to maintain that line prior to the event. So when we saw that DOH report, we were surprised. And we tried to chase it down, and they took it down. But we know our system was ready for that event because our guys put a lot of work on lining that sewer line, and finished it before that event, and secured all the pump stations along Ali'i Drive. So, yeah, sometimes we do chase our tails when we get reports like that because we're going to stop doing everything we are doing and try to chase down the Department of Health or other reports that are posted. But they don't tell us where they took the sample, and what time they took the sample. So there's no coordination in that.

Chair Adams asked whether the Director or the Commission could get that information.

We do once it gets posted on their website, but not before, the Director said. Our staff are instructed and directed to continue reaching out to Department of Health. It's all about transparency, right?

Commissioner Fulton said she is aware there was speculation that the higher-than-normal reading of *Enterococcus* prior to IRONMAN could have been related to sand being stirred up by the number of people entering and exiting that small sandy entry that's down there at the pier. That seems reasonable as *Enterococcus* does reside in the sand. She has no idea what was going on at Kua Bay that we had a high reading there. But she does want to qualify what her friend and colleague the Vice Chair said. Yes, we can get elevated *Enterococcus* readings when we have weather events, when we have rains that are washing things down, when we have high winds, when we have high tides that are potentially reaching into cesspits and groundwater and raising the level of *Enterococcus* from those sources. That said, she does not want people to totally, totally write off *Enterococcus*, although we sure need a better indicator for our climate. It's not completely meaningless if you consider that if we have an event where there is no weather event and we have elevated *Enterococcus*, granted, that's rare these days, but if you get an elevated *Enterococcus* in the absence of a weather event, then you must consider that there could be some sewage involved.

2. (Adams) What is the net cost for the County – median and range per appropriate quantity – to:

Chair Adams asked the Division Chief to answer some about how much it really costs for us to manage our recycling and solid waste disposal, so that we communicate it to the public. It's hard to tell people we need help and you need to help pay for this because it isn't free like you think it is when you go to the transfer station, she said.

1. Dispose of residential solid waste and hazardous waste

Division Chief Rivera said he broke it up in a general overview. And if you need it more detailed, he can go into that aspect of it, he said. But just to answer the questions, what is the net cost

for the County? He took what the tons were accepted at the West Hawai'i landfill, took the revenue and broke it down. My mind works in cost per ton to break that out, he said. And if you take the revenue divided by the tonnage there for the County, it's \$62.64 per ton. Now, the payout to Waste Management, this is what we pay. It's almost about \$1 million a month based on the same tons. It equates to almost \$50 a ton is what you're paying out to Waste Management. If you add the two, it's about \$112. And our gate fee - through the gate - is \$116 to Waste Management, or when we come through the gate every day. So if you need it broken out more than that, he can do that. But for the division, it works within the budget. So he tried to break that out in terms of solid waste and recycling. So they go into this year, it's almost \$39 million, the budget for solid waste. And for recycling, it's about \$6.7 million for a total of about \$45.6 million is what we (require to) operate solid waste and recycling in the County of Hawai'i.

2. Recycle different materials left at Solid Waste Division facilities?

Division Chief Rivera said the Chair wanted a breakdown for Question 2 of how we recycle different materials left at solid waste facilities. This is where it gets interesting. For green waste, some of the items are budgeted and this is what the fiscal year money was spent versus the budget. That's fiscal year 2021-2022 and how many tons come in. Again, he works in cost per ton because it's easier and it shows you how much we're really spending on some of the items for green waste. So for green waste, you take the money divided by the tons and you get almost \$127 per ton work with green waste with HER for us. And then that diversion is almost 72 percent. So for household hazardous waste, this number is very low, 51 tons for a capita of almost 200,000 on the island. We should be up more, around 100 tons, 200 tons for generation on this island. So there's some work to be done there. If you equate that with the cost there, it's almost \$5,000 a ton to get rid of electronic waste, computer waste, all that material. It's very expensive to move it off-island. So there's an extensive cost to the County to process that materials. And then to collect and haul is the same thing (costly). The other interesting thing if you look down on this is e-waste, that's computers. You have a printer sitting at home. It's almost \$1,100 there per ton for the County to pay and process those materials there. And he broke it out. It creates the diversion factors that the Chair was looking for on that, he said. So if you go down, one more thing on this spreadsheet is that the outreach, we only spent a couple thousand dollars off the budget, so that was item No. 1 of your items for education, outreach and public awareness. There's definitely an improvement there that we can do. Looking at this chart initially, there's some low hanging fruit that he could work with Mr. Kawaguchi and Ms. Iokepa-Moses and their staff here to increase that awareness so we can get more household hazardous waste and e-waste, and work on that community awareness to increase that diversion for the division because there's a lot of opportunities there to do better for recycling.

3. Updates on ISWMP priorities progress and efforts to obtain EPA Infrastructure grants.

There's also, as Chair Adams understands it, a second EPA grant around education and outreach. So there's another shot at doing what the ISWMP lists as the number one priority, and that's education and outreach. And this was meant to be part of gathering that information so that we could say how much we're really spending. And the caveat is we only spend as much

as we get. So we're supposed to be zero-based budgeting here. So the issue is we could do more, but we need to have more money to be able to do more.

So if you take all that chart and add it all together with the tons and need to do division and take what Recycling actually spent, it's actually a diversion rate of almost 20 percent on the island. With that, 80 percent of that is going to the landfill. The rest of it goes to landfill, our waste material. So there's a definite opportunity there to increase recycling awareness, to increase the recycling opportunities on the island so we can increase the diversion rate and decrease the amount of construction and debris material. There's a lot of opportunities there for us to increase. Where all the household hazards waste is going at 51 tons, that raises questions there on what's happening with that material. It equates out to recycling diversion in the County of about \$109 per ton for all that material there. So it's pretty expensive. We do recycling on the island and there's a lot of opportunity to do the outreach. It's very effective if you do it right and focus on the items that are listed here that we can go after, low hanging fruit. And then we work on the staffing, employee retention, hiring and building and replacing infrastructure and equipment. And then we'll start building all these successful things that he heard earlier with resource parks and composting. He likes the home composting units. They're very successful. They work a lot, especially on the island like this, which is pretty green. Chief Rivera knew of a couple of pilot programs back in the states and those were really effective on increasing diversion, and the residents and community members are really happy with that type of project. So it really is effective.

We definitely have an opportunity in education and outreach for public awareness, Chief Rivera said.

The contract negotiations with WMH are ongoing.

On the household hazardous waste management opportunities, Mr. Kawaguchi can add more to that, but we have added dates there to try to increase that.

The trailer study to allow trailers at some of our bigger sites is ongoing. Hopefully that report will be done in a couple of months here. Let's have a draft report for some of our larger facilities and see what the outcome is there.

And again, work with Mr. Kawaguchi on the EPR. That works really well.

On proposing policies and ordinances to improve source reduction and recycling, there's a lot of opportunity to do the outreach with that, Chief Rivera said.

4. Thoughts on setting up an advance deposit fee on all or a subset of goods to fund SW disposal

The advance disposal fee is a good program, Chief Rivera said. But if we're looking to fund solid waste as an attribute, we should be looking at the point of disposal type fees as well. Whether it's bulk waste, charging for some of the items that are typically free and usually at solid waste

facilities there's a charge for that, a small fee, but it helps recover the processing fees for some of that. And as you saw for recycling, it's very expensive on the island to handle recycling. So maybe to recoup some of those fees would also be a nice segue as well. It works well with the glass and there are opportunities. I don't think we go all in with it, but there are things that you can select as we go through it and make it work for the item.

Commissioner Olson said, regarding a TV set, you're going to pay for it when you pick up the TV. We know where it's going to end up eventually. So you get the money on the front end. The front end of the cow is always a lot happier place to be than the back. Well, and that way you also know what's coming down the pipe. You get a heads up.

Chair Adams said she had put in a request to DCC Wong to talk about what the County's abilities are to collect an advance disposal fee on everything, or selected things. Also, she will be meeting after EMC with Chief Rivera and just do a little bit more conversation on where she has come from with the ISWMP and where he wants to go. So hopefully we can have a more focused meeting about these issues with him in November.

VII. FUTURE AGENDA ITEMS

1. Follow up on action items determined today.

Commissioner Fulton wanted to pick up and amplify the Director's suggestion that we go to a Planning Commission meeting. Could three of us attend?

DCC Wong replied that Commissioner Fulton would need to go in her capacity as an individual member of the public. Those Planning Commission meetings are not designed to address the business of this Commission, so that's fine, but you still would not be able to discuss amongst yourselves how or in what way you want to take action on something. But it's kind of hard because the Leeward Planning Commission's duties and authority have nothing to do with this Commission. So it should be fine, but it wouldn't be like a joint meeting where EMC commissioners meet with the Leeward Planning Commission or the Windward Planning Commission. You would be attending the meeting as a member of the public. She posted a link to the commissions in the chat. You can click on that link and then see the County Calendar for those meetings. The Windward Planning Commission meet once a month and so does the Leeward Planning Commission. And then you can see all of their agenda items.

Commissioner Fulton asked if there is time for public testimony in those meetings, and in what capacity as an individual could she present information.

The Planning Commissions' meetings are all governed under the Sunshine Law, DCC Wong said. They have to allow public testimony either at the beginning of the meeting or before the commission takes action. So you have that opportunity to provide oral written testimony, or both.

Chair Adams said that Council Member Ashley Kierkiewicz will be on the November meeting agenda to talk about a grant that has been given to help educate the public with art made with recycled plastic and other waste.

As always, if you've got ideas or something you want to talk about, let the Chair know and she will try to work it into the agenda, Chair Adams said.

Commissioner Robinson asked the Chair to continue to place agenda item V.3, the recycling grant opportunity on the agenda for the next month's meeting.

The Chair agreed. Fortunately, the federal government is slower than the County, so we probably have time to get our act together. She hoped for at least a status report on what's going on. And meantime, commissioners are all going to be working on your own recommendations for priorities. And maybe we can give an official set of recommendations to DEM and not just her thoughts.

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

Vice Chair Gaffney said the Commission needs to revisit something that was seriously considered years ago, the removal of the old Kealakehe landfill. It's an unlined solid waste disposal site, and it's been on fire off and on, if not continuously, for many years. When the fire gets out of control, a lot of water is consumed trying to put it out, and actually other chemicals have to be used because there are other things burning in it. It becomes a real problem because the buildings nearby house the Police Department and the animal shelter, and they have to be evacuated when the smoke gets bad. So it's a festering problem that we've known about for a really long time, and there's been various discussion over time about how to deal with it, but it's been largely forgotten. It needs to be remediated. It needs to be dealt with because it's going to be a long term problem for this community. And it's also it's in a location that could be far better used for other purposes, like the regional park, which has been talked about for the area forever.

Let's put it on the agenda for the next meeting, Chair Adams said.

You're talking about a clean closure of that landfill, the Director said. If you're going to do clean closure activities, you need to have another landfill to take the waste, too. And we only have one landfill for the whole island, so you're going to reach capacity of the current landfill sooner. So that option, just to let you know, it's probably not going to fly just because, unfortunately, we only got about 15 to 20 years remaining on the current landfill. So you could eat up that capacity quickly if you're thinking about clean closure. But he agrees - the current landfill, it's not lined, it's burning from the inside out. We have to deal with fires, so it's a challenge for maintenance. It's unfortunate we cannot extract the gas. It's like an explosion waiting to happen. It's a scary thought, but trying to do a clean closure and only one landfill on the island, we're going to run out of space. So we need to continue having it in mind and figure ways maybe if we could capture the gas and we did talk to Sustainability Partners to see if they could

tap into the gas as a resource and extract the gas from the landfill. The challenge with that, because it's not confined, it's not lined, there is a likelihood you may introduce oxygen, and that could also exacerbate the fire and the explosion too. That's a challenging situation. And we're going to continue doing the monitoring until we figure out what we're going to do with our landfills. Just one landfill for the whole island is not sustainable.

Chair Adams said this discussion is not on the agenda, so next time we can talk about it. She said the Director's comment that our current landfill only has 20 years left, every time she hears about it, it has fewer and fewer years left. So maybe that's an item that we need to have on the next agenda as well, because there are solutions that can deal with that issue too.

She also said we were going to talk about having a tracking system for things that we've recommended in November. We have kind of a template, and the Chair needs to do some more homework to fill in some of the blanks, but the goal is to see how we make sure we don't just let things lay in an unlined landfill of memory for recommendations that we've made in the past.

VIII. ANNOUNCEMENTS

The next meeting is scheduled for November 30, 2022, at the Puna Conference Room, Hawai'i County Building, 25 Aupuni Street, 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

Chair Adams read out the announcement about the November 30 meeting and said if we have issues meeting quorum, let us know so we can reschedule it again.

IX. ADJOURNMENT

Motion, second, and vote: Commissioner Olson made a motion, to which Commissioners Cardwell and Fulton simultaneously seconded, to adjourn. Ayes 7 (Cardwell, Fulton, Gaffney, McIntosh, Olson, Robinson, Adams); Absent 1 (Burns). Meeting adjourned at 11:30 a.m.

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