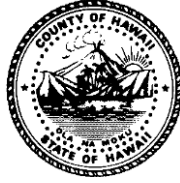


Mitchell D. Roth
Mayor

Ramzi I. Mansour
Director, Department of
Environmental Management



Georjean Adams
Chair

Rick Gaffney
Vice Chair

County of Hawai'i

ENVIRONMENTAL MANAGEMENT COMMISSION

345 Kekūanāo'a St. Suite 41 • Hilo, Hawai'i 96720 • Ph: (808) 961-8083 • Fax: (808) 961-8086

MEETING AGENDA

Pursuant to Hawai'i Revised Statutes (HRS) Chapter 92, this meeting will be online with a location available to the public. The public may attend either in person, online, or by telephone.

DATE: March 29, 2023
TIME: 9:00 a.m.
IN PERSON: Community Meeting Hale (Building G)
West Hawai'i Civic Center
74-5044 Ane Keohokālole Highway, Kailua-Kona
ONLINE: Via Zoom <https://www.zoomgov.com/j/16031058165>
(Meeting ID: 160 3105 8165)
PHONE: +1 669 254 5252 (Enter the meeting ID, see above)

STATEMENTS FROM THE PUBLIC: To ensure timely delivery to commissioners, written testimony must be submitted before 12:00 noon on the business day prior to the meeting by (1) email to peter.sur@hawaiiicounty.gov or (2) facsimiles to (808) 961-8086. When submitting written testimony, please specify for which agenda item it is being submitted. All written testimony will be part of the permanent record. Pursuant to HRS §92-3, interested persons who want to provide oral testimony may do so either at the time the Commission takes public statements on items on the agenda, or at the time the specific agenda item is called, subject to applicable statutes and rules of procedure.

- I. CALL TO ORDER**
- II. APPROVAL OF MINUTES FOR FEBRUARY 28, 2023¹**
- III. STATEMENT FROM THE CHAIR**
- IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA**

¹ II. Minutes: <https://records.hawaiiicounty.gov/weblink/DocView.aspx?dbid=1&id=122086>

V. UNFINISHED BUSINESS

1. Wastewater pretreatment code and rules update
2. Discussion of Planning Department's Zoning Code update and process.² Deferred from February 28, 2023.
3. EMC county landfill diversion ordinance initiatives.³ Deferred from Feb 28, 2023.

VI. NEW BUSINESS

1. Discussion with Reuse Hawai'i regarding barriers to expanding business.
2. Discuss and possible recommendations on revising the schedule for priority cesspool conversions. Review Senate Bill 426⁴, as amended, or other active legislation relating to cesspool conversion.⁵
3. Review, comments, and recommendation on proposed administrative rules of practice and procedure for the Solid Waste Division.⁶

VII. REFERRAL FOR EXECUTIVE SESSION

Legal opinion from Deputy Corporation Counsel Keyra K. Wong, dated March 29th, 2023, requesting an attorney-client confidential discussion to discuss questions and issues pertaining to the Commission's powers and duties relating to the Commission's ability to make a recommendation to the Environmental Management Director on the County implementing an advanced disposal fee.

The Commission anticipates convening an executive meeting regarding the above matter, pursuant to Section 92-5(a)(4), for the purpose of consulting with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities. Requires a 2/3 vote pursuant to Hawai'i Revised Statutes, Section 92-4.

VIII. REPORTS/CORRESPONDENCE

Director's Informational Report

1. Legislative update
2. FY 23-24 Budget
3. Solid Waste Division Projects and Updates
 1. Recycling and Landfill Diversion updates
 2. Life Cycle Analysis study
 3. Trailers at transfer stations study
 4. Next studies: Curbside collection, new landfill siting
4. Wastewater Division Projects and Updates.
 1. Pāhala and Nā'ālehu AOC
 2. West Hawai'i wastewater projects
 3. Hilo WWTP upgrades
 4. Wastewater plans

² V.2: Hawai'i County Zoning and Subdivision Code Amendments Information: <https://realsite.mysocialpinpoint.com/hawaii-county/hawaii-county-home>

³ VI.1: Landfill diversion initiatives: <https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=121745>

⁴ VI.2: Senate Bill 426 as amended, relating to Cesspool Conversion deadlines: https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber=426.

⁵ VI.2: Cesspool bills/resos: <http://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=122209>

⁶ VI.4: Admin rules: <https://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=121380>

5. Partnerships with private wastewater treatment companies to increase areas served by sewers and accelerate cesspool conversions.

IX. FUTURE AGENDA ITEMS

1. Follow up on action items determined today.
2. Other (Commissioners may suggest items they would like placed on the next agenda.)

X. ANNOUNCEMENTS

The next meeting is scheduled for Tuesday, April 25, 2023, at the Puna Conference Room of the Hawai‘i County Building, 25 Aupuni Street, Hilo, and via Zoom.⁷ 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.⁸

XI. ADJOURNMENT

Note: A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with all members participating in the meeting or with the “in person” location identified in this agenda. The meeting may reconvene when either audiovisual communication is restored, or audio-only communication is established after an unsuccessful attempt to restore audiovisual communication. If it is not possible to reconvene the meeting as provided in this subsection within 30 minutes after an interruption to communication, the meeting will be in recess and will attempt to reconvene at 1:00 p.m. on the same day, using the same meeting ID listed on Page 1 of this agenda. If at that time a quorum of remote members and the in-person members are unable to establish and maintain at least an audio-only connection by 1:15 p.m., then the meeting shall be automatically terminated.

The regular meeting place is accessible to persons with disabilities. To request an auxiliary aid or language translation, please call (808) 961-8083 five days prior to the meeting date. Comments may be sent to the Department of Environmental Management, 345 Kekūanā‘o Street, Suite 41, Hilo, Hawai‘i 96720, or emailed to cohdem@hawaiicounty.gov.

Notice to lobbyists: If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist. [Chapter 2, Article 15, Section 2-91.3(b), Hawai‘i County Code.] A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” [Chapter 2, Article 15, Section 2-91.3(a)(6), Hawai‘i County Code.] Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai‘i 96720.

⁷ IX: 2023 EMC meeting schedule: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=120846>

⁸ IX: Hawai‘i County Calendar: <https://www.hawaiicounty.gov/our-county/county-calendar>