

**ENVIRONMENTAL MANAGEMENT COMMISSION**

**COUNTY OF HAWAII**

**MEETING MINUTES**

**Tuesday, February 28, 2023**

**9:24 a.m. to 12:15 p.m.**

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

Commissioners present:

Georjean Adams, Chair  
Jon Olson, Vice Chair  
Rick Gaffney  
Lee McIntosh  
Dell Otsuka

County staff present:

Ramzi Mansour, Director	Peter Sur, Secretary
Mike Rivera, Solid Waste Division Chief	Sherilyn Tavares, Dep. Corporation Counsel
Craig Kawamoto, Recycling Specialist	Nicole Moylan, Legal Clerk
Dora Beck, Wastewater Division Chief	Ashley Kierkiewicz, Council Member, Dist. 4
Chris Laude, Civil Engineer V, WWD	Holeka Inaba, Council Member, District 8
Kelly Hartman, Environmental Planner	Wendy Baez, Legislative Assistant, District 8

Others present:

Cory Harden, Jennifer Navarra, Claudia Rohr, Kaliko Chun, Miya Tsukazaki, others.

**I. CALL TO ORDER**

Chair Adams called the meeting to order at 9:24 a.m. and took the first public statement. The Commission achieved quorum at 9:26 a.m., during public testimony. Chair Adams then declared the meeting open, called the roll, and concluded public testimony before proceeding with approval of minutes and the rest of the agenda.

**II. APPROVAL OF MINUTES FOR JANUARY 17, 2023<sup>1</sup>**

Motion, second, and vote: Vice Chair Olson made a motion, to which Commissioner Otsuka seconded. Ayes 5 (Otsuka, Olson, McIntosh, Gaffney, Adams); Absent 3 (Burns, Cardwell, Fulton). Motion passes.

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<sup>1</sup> II. EMC minutes January 17, 2023 <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=121743>

### **III. STATEMENT FROM THE CHAIR**

Chair Adams apologized for the lost half hour and promised to do better next time to make sure we know we're going to have quorum.

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

Cory Harden, speaking on VII.4: Cory Harden, just speaking for myself today about the Director's Report about the Hilo wastewater plant. First want to thank you folks for your service on the Commission. I'm urging that you take action to make sure that environmental assessment is done for two projects. One is the Hilo wastewater plant rehab and replacement project. And the second is sewer system rehabilitation and line extension and collection pipes. I first want to thank Director Mansour for his tremendous work on getting the funding and a contractor and writing up the specifications for the Hilo plant. It's obviously a lot of work and I appreciate all his efforts and it's a major step toward addressing the sewage problems on the island. However, the department is saying there's no need for environmental review under Hawai'i law. They're saying it's exempt, but that doesn't seem to be justified. The exemption cites Class 2 No. 7, and that is replacement or reconstruction of existing structures and facilities, including wastewater systems. But you can't do it when a state Department of Health permit is required. I'm assuming a Department of Health permit would be required for this. They're also saying exemption Class 3, No. 30, but that only applies to fencing and walls, gates. And there's a Department exemption list, which requires a program to encourage public input. I know it's been talked about at this committee, but we don't get very many members of the public. Also, any environmental assessment, we need to focus these two projects together. We'll say a group of actions has been treated as a single action when the component actions are bases for increments of a larger total program. So if you have a plant, they need to have a collection system. And if you have a collection system, they need to have a plant. So it's a total program. Also for the collection system, I just learned some federal money has been set aside for that so that you might be looking at a federal EIS. So we really need a very long assessment to thoroughly analyze the problems, look at alternatives, get public input, and look into any unforeseen impacts. If not, we may spend millions of dollars of taxpayer money and end up with a lot of problems. And also it would leave the county vulnerable to a legal action. So the exemptions don't seem to be justified, and the plant and sewer system, rehab and collection pipes- you can't do segmentation. They need to be considered together. Thank you for your time.

Claudia Rohr, speaking on VII.4: I wanted to testify about this exemption notice that appeared in the Environmental Review. It was published on January 8. And I had the opportunity to go into the Wastewater Branch and speak to the Division Chief about this. And he explained to me all about how the low-income housing project in Kona side wanted to put in an additional laundromat for washing clothes, and that the previous private contractor who ran the wastewater plant had cannibalized parts from one half of the wastewater plant to repair the other half. And he stated that he wasn't going to do this project this way anymore, meaning replacing the whole unit with a prepackaged unit because the bids came in at \$500,000 or something and were outrageously high and that they were going to be trying to figure out what parts were missing and to replace those. And I ask that he please post a notice that he was

rescinding or amending his exemption notice. And that hasn't happened. So I'm going to criticize it so that you folks will know what went wrong and that the next time you do this, you can do a better job. First of all, whoever wrote this actually admitted that they didn't consult with any other agencies or interested parties. That violates HAR Chapter 11-200.1-17(b). That requires that if you're doing an exemption, you have to consult with other agencies and interested parties with some kind of expertise. And obviously, Sierra Club is very interested in all of this. The other thing is the exemption notice is noticing a project you don't intend to do. It should notice the project you're intending to do, and it misquotes the exemption list that you folks operate from. It does a partial quote, cuts it off. It's misleading.

Upon further questioning from the Chair, Ms. Rohr clarified she was referring to the Kaloko WWTP at the Ulu Wini housing project.

## **V. UNFINISHED BUSINESS**

Status report on action items from previous meeting

### **1. Pretreatment rule update**

Wastewater Division Chief Dora Back said the Division has been working on the revisions to Chapter 21 pertaining to sewers, and by inserting the EPA's model pretreatment ordinance, and we've reformatted it to match the sewer code format and removed items from the model ordinance that don't apply to us. We've also edited the pretreatment ordinance to match the titles of County personnel. We've edited the definitions and requirement language to be consistent with the state and county definitions, and we've slightly changed some of the definitions as well to fit our requirements. So we do have a draft of the proposed sewer code changes to Chapter 21, and we've also reviewed Chair Adams' comments submitted last month pertaining to sewer monitoring rule, the subdivisions and the residential sewer fees, and address those where we could.

Chair Adams asked if EMC can see a copy of the draft.

Director Mansour said it's up to our Corporation Counsel. A former deputy had said that once we have a final draft with DOH and other entities online, then we could do that. He doesn't have any issues with sharing the document.

DCC Tavares said DEM is near a final draft version of it. When we are at the point that she can review it, we can provide a copy to our board members for review. But essentially it needs to go through the process where we're going to be putting it out for comment and review to everyone. But we do value the information that you can provide for us, Ms. Tavares said. So when we are at that point then she will authorize for the board to be able to look at it confidentially to provide DEM comment.

Chair Adams asked if there is anything that DEM is concerned might be controversial that EMC should be thinking about ahead of time.

Mr. Laude, Civil Engineer V, said an important thing to bring up is we are in the process of updating the sewer rate study, so that ties in with residential and industrial users and what they might be charged. The pretreatment program is just for entities that are not residential users. So it's industries, businesses, commercial entities, and the requirements for those are pretty much set by EPA. So the portion of the County Code that we inserted for Pretreatment is EPA's language. There's not a lot of negotiation there. We have to do it, we have to use their language.

At one time you were talking about doing a more broad sewer- not only pretreatment but looking at the sewer regulations as a whole, Chair Adams said. So now what she is hearing is DEM has narrowed it to the EPA-required commercial-industrial sewer pretreatment requirements.

That's what the pretreatment program addresses, Mr. Laude said. We also fixed some inconsistencies and confusions in the existing sewer code. We could go over those or could just wait. He envisions that we'll have this wrapped up in the next week or so and we'll be sharing a copy. And he agrees it would be much easier if the Commission got a copy of it so they could go through it. Mr. Laude said he is going to need some help from the Commission to go over it and make sure that we're consistent throughout. We don't have any blunders that when you're editing stuff, you have an idea in your mind, but it doesn't always get translated into the written word. So he will need help with that.

Expedite it as fast as you can, Chair Adams said. The more time we've got to give you responses, the better they're going to be. And we can certainly keep it on next month's agenda so that we could address that in detail.

Vice Chair Olson asked when the increasing density of residential lots in Puna would trigger a requirement for sewer service instead of an individual wastewater system.

In a simplistic view, Mr. Laude said, we kind of have a mess on the Big Island and across the state. And the County didn't create this mess. DOH created it by saying, oh yeah, yeah, that'll be fine, but not really think about the implications. And now it seems like the State is going to turn around and say, oh, well, it's too complicated for us to fix, so the County will fix it, but they're not giving us the tools or the funding necessary to make that happen. So at a pay grade higher than me, people have to sit down and decide, how are we going to approach this? There are a number of strategies that can be used to help us along here, but yeah, you're right. We got to take a look at things. How are we going to sewer HPP or Black Sands or any of those developments with the little tiny lots?

In the old days, HPP was just outside of the loop because they're one acre parcels, Vice Chair Olson said.

Right, Mr. Laude said. Keep in mind that's the bare minimum you probably need, but as we know, if you're sitting on top of a lava tube, there's going to be no treatment of your wastewater. It's going to go straight in.

Chair Adams interrupted. We're going to talk a little bit at the tail end about the cesspool conversion process and what's flowing from that. This topic was on pretreatment for industrial/commercial entities and not for the residential mess we have in Puna. So we'll come back around and maybe talk about that unless the Vice Chair is specifically focused on pretreatment. Are there a lot of little businesses sitting on these TMKs?

Yes, the Vice Chair replied. Come to Pāhoa. We're going to get a sewer system or at least a partial sewer system, but there are other areas attached to these small lot subdivisions that have the right to commercial zoning, so that's going to have to be taken care of, too. Just because they haven't been built on yet doesn't mean they're not coming. And the people who own the lot, as things stand, have the right. So we'd better be ready for it when they show up.

That may be one of the things to be looking at these rules and say, all right, somebody's going to put a business and we'll need to conduct pretreatment before they put it in a sewer, and they certainly aren't going to just be able to dump it in a hole in the backyard, Chair Adams said. How is that going to work and does it work? We'll have time to get back to the question later.

2. Update on applying for the U.S. Environmental Protection Agency's Solid Waste Infrastructure for Recycling Grant Program.

Mr. Kawaguchi said that the recycling grant application has been submitted on time in partnership with Zero Waste Hawai'i Island and Perpetual Reuse for the Reusable Foodware system in Hilo. The grant request is for \$1.5 million.

3. Discussion of Planning Department's Zoning Code update and process. Postponed Jan. 17, 2023.

Chair Adams announced a postponement to the next meeting due to time constraints. She encourages commissioners individually to go to the Planning website where they talk about what they're doing. They have a timeline on when they're taking comments. They have been having a series of open houses where everybody gets to vote by Post-It note and put up ideas. And they are at the stage where they're collating that, but there's still an opportunity to send in online individual comments. And she would like to point commissioners to the general plan that is being redrafted for 2040 and how it feeds into the zoning code. And there's a lot of stuff in there about sewerage and trying to incorporate some of this stuff from the Cesspool Conversion Working Group as well as the Integrated Solid Waste Management Plan. More details to come. But there is opportunity. They've got a pretty nice spread of information on their website, so please look at that individually and hopefully we'll get information next month.

4. Presentation and discussion with Council Member Ashley Kierkiewicz regarding award of National Endowment of the Arts Our Town grant for "Transforming Trash: Repurposing Plastics to Enhance Public Parkscopes & Revitalize Communities." The

project is a demonstration of diverting waste plastic from the landfill and creating a new plastic material to be used as functional art installations in County parks. Postponed Jan. 17, 2023.

Council Member Kierkiewicz thanked the Chair and Commissioner for accommodating her request to brief the Commission on some work that her office is doing with a couple of county agencies and departments, including Environmental Management and Parks and Recreation and a number of community stakeholders around the island. But first, she wanted to take a moment to thank all of you for such a very thoughtful and robust discussion and for volunteering your time to help us solve some of our really pressing, expensive issues here on Hawai'i Island. So thank you. She is not the kind of person who is not going to ask you to do something if she is not willing to do it herself. And so she is always harping on County administration to go after federal grants. So she wrote a couple, and my fortunate luck was able to secure a couple of federal grants. One of them that is the National Endowment for the Arts (NEA) Our Town grant. Highly competitive. Only 60 awards are provided to counties across the country every year. This is the first Our Town grant that our County has ever received. City and County of Honolulu and Maui County have received this grant in the past.

And the idea is, how do we use arts to engage community, to build local economy, but also to solve issues? And one of the issues that we wanted to elevate was this over-consumption of plastic in our daily lives and how we might take this, what is seen as a waste, as a liability and turn it into an asset. We were awarded a \$75,000 grant from NEA, required a \$75,000 match from the County administration. So we've got \$150,000 to work with over the next couple of years. And what we're going to be doing is a creative place making project that intersects arts, technology, plastic, waste, innovation, community creativity, and creates functional artwork that will be installed at County parks around Hawai'i Island. We worked with Parks and Recreation to identify communities that would be at the top of their priority list in terms of having these kinds of functional artworks and engaging community. And so those four areas are East Hawai'i for East Hawai'i, that's the King Kalākaua park. And one of our collaborators on that is the East Hawai'i Cultural Center. In Kailua-Kona, Hale Hālāwai, which is often used to host many community events. And this is an opportunity to elevate local stories and culture through artwork. Down south in Ka'ū, Nā'ālehu Park, and as we know, there's a little, very little infrastructure there. So a great way to engage community in technology and design thinking processes. And up in North Hawai'i and Kamuela side, Mahukona has been the other beach park that has been identified for community planning and art installation.

And so, some of the things that we are looking to do with this project is to get artists, youth, community members, engage in planning. We want folks to understand basic principles of planning and design thinking and to be part of co-creating public art. We see this as an opportunity to bring things like technology and allow kids and community members to tinker and find ways to be really creative about solving issues. We see this as a way to diversify our economy and build up the tech and creative industries on Hawai'i Island. Again, really passionate about building up capacity and skills in our next generation. So very intentional about engaging youth every step of the way so that they know how to exercise their voice and know how to leverage the assets within their community.

We are also using this project as a way to raise public awareness of our waste streams and the fragility of our island ecosystem. We don't have the luxury of shipping our trash elsewhere. We've been doing that in the past. This fabrication of oh, that's recycle- all of that recycled waste is actually getting shipped to China and Thailand and being discarded and burned there. And so we have to take responsibility at the production level, absolutely. But these are liabilities that are going into our local landfill and sitting there forever. And so we really want to raise collective consciousness about that. So folks at an individual and community level can start taking a look at their consumption habits and hopefully move away from plastic. But this is not something that we're going to be getting rid of overnight. And so just wanted to engage community around how we might be able to take what is otherwise a piece of waste and create a new plastic material and functional artwork for community. We've got a number of various project partners that are engaged. Temple Children, Miya Tsukazaki, she is the director of that organization, is going to be serving as project director.

I will continue to convene conversations and be out in community working with folks, the Council Member said. We've got East Hawai'i Cultural Center that is going to be leading the youth engagement piece in partnership with Christian Wong at the Hawai'i Science and Technology Museum. We've also got the great folks at Volcano Precious Plastics involved. They're really excited to be collaborating with our thought partner and technical assistant, Thing Thing out of Detroit, Michigan, which specializes in taking waste plastics and converting them into a new material. They were contracted by one of the counties within Detroit to be doing what we're doing right now for that particular community. So a lot of lessons learned and a lot of folks here on island are just really eager to understand Thing Thing's process and how we might be able to build up that kind of tech ecosystem here on island. We're also partnering with various Friends of the Park groups around the island and so we've also met with representatives from the Department of Education. Miya and other team members have met with principals and others in the Ka'ū area. Just to get folks aware that this is happening. We're coming to their community. We're eager to hear what is important to them in terms of stories, histories, and values that we might be able to elevate through local art. In addition to the functional art pieces that will be installed, there's going to be some development of murals to help contextualize and add a bit more context to the art pieces that are created.

The Council Member then shared her screen:

All right. Got plastic here. And these plastics are HDPE, so think soap, shampoo, conditioner, laundry detergent (containers). Highly durable, very colorful. They'd be shredded and poured into molds to be able to create functional products. So this is a process that Thing Thing has utilized, roto-molded plastic, and they've created some "typeface" seating. Again, this is all very experimental just to show community what's possible. This is where they melted down and used an extruder and steel barrels to kind of create some texture around what's been named a "Rainbro." The Council Member would love to see a Rainbro in every park. It's very interesting sculpture, very quirky, very adaptable. Can be used as something to just take a cool picture with and move down. And you can have a chat with friends.

Just wanted the opportunity to share what's happening around the island and how we're leveraging federal grants to kind of do some innovative work here. This is a pillow lamp that's been designed. Thing Thing has also created some home furnishing products like clocks. And then these are their little friends that they've created and they install throughout various parks so that folks can see what exactly you can do with plastic. Anyway, Chair, just thoughts just to give everybody a sampling of what's possible with Thing Thing's technical assistance. We are excited to be working with youth around the island and anybody that has an interest in learning, design, thinking, and how to leverage technology and do something cool and innovative with discarded plastic. Happy to field questions from the commission, and also, with your permission, would love to be able to invite commission members to join our team during community outreach meetings so you can see all the great work that's coming out of outreach ideation and creation.

The Chair said she would have the Secretary forward any notices the Council Member puts out. it looks like fun, and Chair Adams likes the idea that you have multiple reasons for doing it. It's not just we'll make something cute looking out of plastic. A lot of good things.

Chair Adams asked if there is a list of collection points.

Council Member Kierkiewicz said we are trying to determine with thinking the amount of plastic that is needed to support the project. We want to be careful about having too many "sort and collection" days and not being in a position to store all of that really wonderful material. But we do want to be able to partner with DEM and use transfer stations as collection points, local schools, she said. It would be great if there were businesses on board, but these items are incredibly bulky. And so the idea is perhaps we are going to need shredders around the island just so that we're taking up a lot less space than can store some of the plastic material. But that's an active discussion that we're having with DEM and our community partners. And we're going to be setting up a "Collaboratory," a plastics innovation lab where we can come and tinker. How great is that? Invite all of you, once we set that up, to come and tinker and create with us.

##### 5. Status and membership of the Permitted Interaction Group on Barriers to Commercial Recyclers

This has been frustrating, Chair Adams said. She did have Commissioner Otsuka look at what we were trying to accomplish in that Permitted Interaction Group. Unfortunately, she doesn't have other people helping her do that. And if there's going to just be two of us working on this, we don't need a PIG. And we could all individually gather information and report back as the need arises. She would like a motion that the PIG be retired. And she can write up the information she has collated so far. Otherwise she will incorporate it into discussions that we have in the future.

**Motion, second, and vote:** Vice Chair Olson made a motion, to which Chair Adams seconded, to retire the Permitted Interaction Group on Barriers to Commercial Recyclers. Ayes: 5 (Otsuka, Olson, McIntosh, Gaffney, Adams); Absent 3 (Burns, Cardwell, Fulton). Motion carried.

Chair Adams said if anyone wants to discuss these issues on a future agenda, let her know and she will put it up.

#### 6. EMC Tracker assignments and updates<sup>2</sup>

Chair Adams said she would postpone discussion on this due to the low number of commissioners present. But if there are any of these items that you would like to grab hold of, have ideas for, let her know and she can amend the tracker. And then we need to talk about bringing it back to our group to see if there's some additional action that we need to do.

### VI. NEW BUSINESS

1. Land acquisition for solid waste management. Discuss locations for recycling and other diversion activities by county and third parties; and options for locating a new sanitary landfill.

We want to do more reuse, we want to do more recycling, we want to divert from the landfill, but you've got to have land where those facilities can exist, Chair Adams said. And Commissioner Otsuka had brought up some ideas about available land. She wanted to give it a more fulsome address as a new business item. Where can we as a County find and dedicate some property, whether it's the County or whether it's a third party, can actually do some of the collection and sorting and fixing, selling of materials that are now going to landfill? Other comments, ideas people had, things that we should try to investigate?

Commissioner McIntosh said the bigger problem they're running into was there are lots of regulations that the DOH has that makes it very difficult to do enterprises like that. Even the County has to go through hoops for the transfer stations to keep them open and operating. It's not like you can just get yourself a metal building and get you some equipment and start recycling. It doesn't work like that, at least in Hawai'i. That's the major problem that we're facing. Besides that, land is at a premium. The County has lots of land, but lots of stuff gets in the way.

Chair Adams said that is certainly one of the barriers that in talking with different businesses and the former PIG, that they can't expand, they aren't permitted to do certain things, there's no room at the transfer stations to even drive your trailer, much less have another section where they could store up enough quantity of recyclable material or to have a little fixit shop or whatever, as we were talking before about the resource recovery centers. And how do we get rid of some of those barriers? Are they all necessary to make sure- some collection of what used to be trash can be a health and safety hazard, an environmental hazard from stuff oozing into the ground or flying away. You don't just put up a shack and say, hey, bring me all your waste because I could figure out what to do with it. So there are some minimum standards that

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<sup>2</sup> V.6: EMC recommendations: tracker: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=121744>

we want to encourage to continue to happen, but how can we safely lower some of those barriers?

Vice Chair Olson said that when we did the conversion of the Kea'au Transfer Station to be a starting of a multi-venue for recyclables - because we ran it by EPA, EPA helps us with the layout. The infrastructure to accomplish the ends was never completed there. In other words, the road access was never addressed. You know, we're killing people on the highway there because they pull out into traffic that's going 50 miles an hour. The lane widths were never accommodated. The other access points were never created. But in theory, on the ground, all of these issues were to be addressed. He will try to see if he can find that original document or maybe somebody in the county can come up with it. It was paid for with a federal grant, and a lot of work went into it, but nothing beyond what you see, which was basically done under the first administration of Harry Kim, has ever gone forward. Everything else has just been let go as it is.

That's the issue of coordination between agencies, Chair Adams said. Maybe next meeting we can talk about how are there zoning issues that get in the way and represent a barrier to setting up some localized facilities, whether it's appended to a transfer station or it's a standalone in a subdivision. Are there some things that we could do from a zoning standpoint? There are transportation issues, you've got to do the road so people can get to it. So, yeah, it's not easy, and that's why it hasn't been done.

Chair Adams asked Chief Rivera and Mr. Kawaguchi, about locations for diversion, where people can go and collect, sort, and distribute out good stuff, whether it's for sale, as they do at the ReUse centers, or to package up materials that have some local use and the whole key of diversion is you have to have locations. And so have you been thinking about how you would tackle that problem?

Commissioner Otsuka asked for an update on the different state or county correspondence or communication regarding land from them for the landfill, or even DHHL. Because it's one thing to have all these things planned for recycling, but if you don't have the land for it, no sense going through all of that. She was wondering, what's the update on the county's position on the land acquisition so far?

We really haven't done anything on land acquisitions, Chief Rivera said. We've discussed putting out some pilots at various transfer stations that will do what you're talking about, become a more full-service type transfer station, more of a convenience center than what we're doing now at the facilities. We just haven't implemented that into our operations. Part of it is due to the staffing and resources that were discussed earlier. We have a tremendous struggle right now just conducting daily operations, whether it's recycling and/or the collection of the materials. So at this time, we haven't pursued further operations on that type of activity.

Chair Adams asked who in the government looks at acquiring or rezoning or allocating a chunk of land for a purpose, such as collecting non HI-5 plastic? Who does that? Who gets the land? Who do we need to bring in?

It's within Finance Department, and with the assistance of Corporation Counsel, said DCC Tavares. There is a major procedure. It's not just one person.

Vice Chair Olson said to his knowledge, the only other time that this has been done is with the conversion of the Kea'au Transfer Station because it was expanded, they acquired additional acreage, and all of these other things. We mapped out at least roughly what it would take to do all of these things based on the population of the service area.

It behooves us and DEM to go digging in their files for those old plans, Chair Adams said. But that's basically the concept of these resource recovery centers. And how would we implement it here on this island? Does EMC want to support and further investigate? How do we make that kind of thing happen? How can we eliminate the barrier of land availability?

Commissioner Gaffney said a couple of things come to mind. The first question is, does anybody define how much land is required for one of these consolidation stations? That's a starting point. And then secondly, it's obvious that the location of these would best be immediately adjacent to a transfer station. So the first question is, if we need 1 acre or we need 2 acres or we need 5 acres for this facility, then are there 2 or 5 acres of county land immediately adjacent to the facility? Because acquiring county land for this purpose is going to be the easiest thing to do. If the land adjacent to the transfer station is owned by the State or DHHL, then that opens up a whole other can of worms that's going to take it further down the road. But the obvious thing is to start at the low-hanging fruit. And the low-hanging fruit, in his mind, is Kea'au. It's already been planned and designed. Finish it, make access, build the pads, whatever is necessary to make it happen. The other place is really obvious is Kealakehe. The facility was built early on to accommodate multiple recycling opportunities. And interestingly, Atlas Recycling has chosen to lease or own private land on the same roadway that goes into the county's transfer station. And the area that was built to recycle materials is currently abandoned. So there's effectively a building, there's a space, there's a place to put bins behind the building that used to be run by a nonprofit agency in town, and they're gone. So some of the questions that need to be asked of people like Atlas are: Why are you not on the property that the County is providing for this purpose? Because there may be a really good reason. From a business perspective, he does not know what that is. And secondly, why did the nonprofit move out? And thirdly, why isn't the rest of the space that's available at Kealakehe repurposed for this purpose? And I think that every one of these that we create makes it easier to create the other ones. And the highest hanging fruit is going to be the most difficult. That's going to be when we have to reach out to DHHL or the State and say, we need property here to be able to do this. Then you got to go through the legislative processes and boards and commissions and all the stuff to get the permissions to be able to do these things. But let's start with the ones that are easy and obvious and build them one at a time, so that we learn from each one and we

get successes in each place. And let's find out why those spaces that are available right now are not being fully utilized.

Vice Chair Olson said the State or the County will want to be indemnified about anything that goes on there. They're going to want a lot of oversight. That's the reason we ended up where we ended up in Kea'au, because it was land that was purchased, and it isn't a governmental agency that was going to be totally liable where the transfer station for Kea'au is now with the recycling center on it. The recycling center on it sits on private property. And all of the additions that were to be made to it would all crawl out in that direction ...

As far as the Kealakehe site is concerned, Mr. Kawaguchi said, Atlas Recycling was on the transfer station, and they were running the HI-5 redemption center. So they had the contract to operate the redemption center, and then they decided to also open another redemption center at the front of the entrance to the Kealakehe transfer station. And then eventually, when that contract had ended for the transfer station HI-5 site, we put it back out to bid, but no one put bid on it because there was a private redemption center in the front. So that's kind of the history of why there's that open space currently.

And it could be repurposed for something else, Commissioner Gaffney said. The fact that it was used for HI-5 recycling to start doesn't mean that somebody else couldn't repurpose that location to further our desire to see more things recycled.

We're also looking at other uses for that area, Mr. Kawaguchi said.

Commissioner McIntosh said that for the Wai'ōhinu Transfer Station, there is a thrift store on the premises where they will take usable items and you can drop it off and then they'll try and sell it. It sounded like they had a grant for several other transfer stations as well. But he hasn't been to the other ones. They do have reuse facilities, at least at Wai'ōhinu. So if they could apply that to the other transfer stations, they're at least big enough to house it because they put it in a trailer, then that's another option available to the County if they can find someone willing to do that.

Mr. Kawaguchi confirmed we have seven Reuse centers that are run by a private for-profit organization. There's Keauhou, Kealakehe, Wai'ōhinu, Hilo, Pāhoa, Kea'au, and Laupāhoehoe, and that's run by a separate group. These sites aren't grants. They went out to bid and it's zero cost.

So we do have reuse centers, Chair Adams said. They are in some cases hurting for space because they get a lot of stuff donated to them. So that aspect of it is going. That's the straight reuse as-is and hope somebody will come and buy it for a nickel. The other more challenging, which we can also talk about, is the other materials that need some processing, some sorting, and fixing, separation that needs to occur before it can be recycled. That takes a little bit more space, a little bit more knowledge and capability of staffing to handle pulling out the good stuff from the equipment or whatever the waste may be. So that was the recommendation that she

was pushing for the infrastructure grant, a let's do a resource recovery center and build on Kea'au. But that's not a trivial exercise and it's something that we could still try and pilot and do in baby steps by adding two, and adding two, and one more function. But a lot of pieces have to come together for it. Somebody is going to accept and manage the materials, somebody who wants the materials, transport, storage, getting rid of the actual trash that needs to go to the landfill. So it isn't just, blow it up with an air pump and it's there. It's a lot of work. And basically, that was the reason we won't be able to get ourselves together to do the Recycle Grant EPA one, because there needs to be an ongoing commitment from several parties to make it happen. And the question that she would like to put to you all is, do we as a commission want to keep working on it and see what we can do to help make that happen?

Commissioner Gaffney said it sounds like it's not just a land problem, it's also a staffing problem. So at a certain point, the Council is going to need to get involved and start supporting DEM financially to a greater degree. The Director has asked for more money and has not been able to get it, but this can't happen without staff involved in the planning process and involved in oversight and probably also involved in assisting with pursuing federal grants to support these kinds of stations. The other thing that was pointed out a minute ago is that Atlas Recycling figured out another way to do what they want to do. And there are other recyclers in the community who are essentially off campus, they're operating out of private property. We have Reuse Hawai'i is a good example. Someone needs to reach out to them and this is probably a staffing problem as well, but it could be an EMC problem. Somebody needs to reach out to Re-Use Hawai'i and say, if we could give you space at the transfer stations, would you take it? Could you use it? So we need to be talking to the recyclers. We've talked to Mr. Kadota. So clearly he's operating on private property. And interestingly the last time he did recycling in West Hawai'i, it was in the parking lot of the old Safeway above Walmart. He didn't even choose to go back to the transfer station where he has worked in the past. Bottom line is that there's a lot of recycling going on that's outside of our purview. But it's reasonable to assume that it's easier to recycle if you can do it all in one place and don't have to drive to five different places to recycle your stuff. So, again, it's a coordination thing and I think we need to hammer on the Council that they need to support the staffing requests that are coming out of DEM because this is not going to happen if there's not enough people in the Director's staff to manage it.

Chair Adams said that she has reached out via email to Atlas and to Re-Use Hawai'i and just haven't been able to get the connection as part of this PIG effort. She will continue to try to get hold of them and invite them to EMC meetings, talk about, can you do it? Do you want to do it? What's keeping you from doing it? was basically the issue. And so she is wanting to try to connect with them and see if she can get some information. But certainly if you know people at Atlas or Re-Use Hawaii, be my guest, talk to them, she said. Otherwise the Chair will keep trying to plug along.

Commissioner Otsuka asked if DEM has a list of all the potential recyclers. They should have a list. Are they contacting them rather than having us looking for people who do it? A lot of the disposal companies like Leo's, there's an Araujo, they have companies that they recycle tires

and things. But now it's become a problem for them because people are just turning in their the tires. It's getting costly for some to take it to certain recyclers. So if the County has a list of other businesses that do that, it would help us to have that so we can contact them if that's where it's needed. Or they should have someone in the Department that does reach out rather than putting everything else a bid. And sometimes they don't have time to look for any notices. So that's where we would come in and probably notify them or ask them, because she heard it from a refuse disposal that the County makes it really difficult for them. So she was just wondering, can we have a list of the different businesses?

Mr. Kawaguchi said we could create a list. He has a list with the HI-5 program. And it's a common theme that staffing is an issue. Like with Atlas Business Services Hawaii, a good example is of the Volcano Certified Redemption Center, and the reason why it shut down is because of staffing and vandalism and theft. And we put it back out to bid three times and no one bid on it. And we kind of relaxed the requirements, hoping that a nonprofit would work with the recyclers. But it still it was just too much of a hurdle. But we're still trying to figure it out. Maybe one day we could get it back at Volcano again, because we worked hard to get it there in the first place.

Chair Adams said she would share the list that she has been working off, and maybe we could put one together and figure out, all right, how do we go through process to learn what they need and what we might be able to partner with. In the spirit of time, she would like to bring this one back up as unfinished business for next meeting and with a little bit more information.

Commissioner McIntosh said there is a partial listing of recyclers where you can take your stuff on the County website.

2. Solid waste EMC recommendations for significant landfill diversion by county ordinance.<sup>3</sup>

Chair Adams announced this discussion was being postponed to the next meeting.

## **VII. REPORTS/CORRESPONDENCE**

### **Director's Informational Report**

1. County legislative update, including DEM initiatives

Director Mansour said there are lot of bills at this time of the year. So far, we've been very supportive of submitting written testimonies, and he imagines that the Secretary had shared the list of legislative matters that we have submitted testimony for. There are things that could benefit our diversion program. As you were talking about diversion, the extended producer responsibility is still a big issue in the packaging. So there's a few about electronics collection. We supported a law last year, but there's more of certain clarifications to come because there are the accessories that come with the electronic waste. It was not included in the original bill. So there's something that we need to do just to make sure that all component of electronics get disposed of and recycled.

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<sup>3</sup> VI.2: County SW Ordinance Initiatives: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=121745>

Chair Adams said there are many state laws that go basically, if you have a plug, it's electrical, and you can't landfill it. We have a much narrower scope. It wasn't clear to the Chair how much bigger were you trying to make it.

The Director said that the last electronics collection in West Hawai'i brought in a lot of accessories. The vendor will collect all that and handle the recycling and the shipment. So they were worried about that adding tonnage to their weight. They want it more explicit about the definitions and it was not including accessories of computers and what have you. It just talked about computers, laptops, and what have you, but it lists out accessories and they felt that since it was not specified in the bill, should they take it from the public or not? And he said "take it." Because it comes as part of the electronics, right? Because without it you cannot run your electronics. But now it's arguing the definition of semantics, is it or is it not? Because right now they get paid based on getting certain things. So they're afraid that nobody has an end use to these accessories. And that discussion is going to continue, I would imagine. The recycling group will continue talking to Mr. K's as we move forward and see if there's any other modification to that. Hopefully Chief Rivera and others will cover it in the Solid Waste Division updates.

On wastewater, after the cesspool conversion report was submitted to the Department of Health and presented to the House and Senate, that was followed up with lots of different legislation through Rep. Nicole Lowen on getting the cesspool conversion funding. There are certain requirements that requires priority areas 1, 2, and 3 to have different deadlines rather than wait for 2050. There is one that specifies the priority 1 cesspools are to be closed by 2030, seven years from now. That's going to be challenging, even though everybody was in support of it. If you have seen our presentation to County Council just a week ago, if that gets accelerated and us not having the infrastructure within the sewer area, then they'd be forced to convert to a septic tank. And once they do that, it's hard to get them back on a connection. So it's kind of a Catch-22 unfortunately. He has spoken with our consultant trying to figure out if we could come up with a cesspool conversion master plan right away and define areas that must connect versus areas where they could go septic because there's no other way for them to convert. But you also have the cluster areas where you have more cumulative flow that also require a decentralized package unit. So it's a bit complicated. But if we could put it on a virtual map in areas and maybe present it to EMC and to the County Council to adopt it and become the law of the land, that will be applicable to everybody. But we need to get on the wagon and get that moving. If the first deadline is 2030, we only got seven years. And the likelihood to get any infrastructure in seven years, probably it's zero to none. But it's going to make it complicated. For other counties it's going to benefit them because they already got the infrastructure. Our County, unfortunately, we're so much behind. It's a shame to see Priority 1 deadlines to go through without getting it organized to connect to these facilities that exist.

## 2. Budget – background and process for FY 23-24

Director Mansour said there are challenges with the CIP project versus the status quo budget that we have to submit every year.

### 3. Solid Waste Division Projects and Updates

Solid Waste Division Chief Mike Rivera made the following updates:

- Wai'ōhinu Transfer Station: Work is winding down; the asphalt will be initiated tomorrow.
- Kailua Landfill: There's a construction meeting out at the site tomorrow to remediate the sinkhole out there at that facility.
- Hilo scalehouse: We have refurbishment of the inbound and outbound scale. So the outbound scale is complete, the inbound scale is being worked on and that should be completed by the end of this weekend.
- Laupāhoehoe TS: We are in initial contract negotiations. That will replace the retaining wall, the chute, and do some upgrades to the leachate stormwater systems.
- Curbside collection: This is upcoming. Along with that study we would determine how many full service transfer stations will be needed in order to handle the collection vehicles that are around the site.
- Landfill siting study: This will also be assembled this year and put out for bid. And that will basically determine, is it feasible to actually construct a landfill on the east side of the island or on the south side of the island, as well as what is the feasibility of expanding out the West Hawai'i Sanitary Landfill, as well as determine other sites that make sense to put a future landfill there.

Vice Chair Olson asked if there is any discussion about ingress and egress for the Kea'au Recycling and Transfer Station. That is a major sore point because you're pulling off of and into 50 mph traffic on the bypass lane there, and it's hairy.

Chief Rivera said that there are some issues with the Kea'au site that we are working on as a Division, and one of them is the structures of the reuse center there that needs to be addressed along with the traffic flow, as well as land acquisition out there. So those three things are in the works as well as developing a master plan for the Kea'au site. It's in the preliminary stages but that is something that we need to do for that facility.

The Vice Chair hoped it would be sooner rather than later because the numbers of people that are moving into Puna is just astounding.

#### 1. Recycling and Landfill Diversion updates

Recycling Coordinator Kawaguchi said we completed all the e-waste events and now the manufacturer-funded e-waste collections has started. And the designated drop-off center is Mr. K's. And as the weather gets better, then we'll probably look at doing small repairs at the Hilo Reuse and Pāhoa Reuse centers also.

#### 2. Status update on report regarding allowing trailers at transfer stations

Chief Rivera reported the trailer study is done. There's some issues that need to be done for those facilities to be approved by the Director.

The sites where trailers may be approved with conditions will need to go through a series of design work and upgrades on signage, traffic flow, that type of thing. So based on the study, which was using AutoTURN software, we used a full-size pickup, a 6 by 9 foot trailer, and studies were conducted on all 21 transfer stations around the island. Some of the conditions that we put forth as a Division in this study was that the trailer and the truck must be able to turn around without reversing. Then the trailer could not stop in a major roadway or outside the facility, and there had to be sufficient room for other vehicles to maneuver around the truck and the trailer. And the main point here on this study was that reversing within the facility was considered unsafe. The next step from here is to go into some design work with a consultant. That hasn't been done yet, and then work on facilities at Glenwood, Hilo, Honoka'a, Kea'au, Kealakehe, Ocean View, Pāhoa, Volcano, and Waimea. And then when Wai'ōhinu is finished in the new facility, that facility will be ready to go with trailers and trucks. The issue with Wai'ōhinu is that we have equipment being delivered in August for a truck and tractor, trailer as well. So that facility will, as well as staffing, be in kind of a delay, but we'll open up sections of that at the time.

### 3. Status update on Life Cycle Analysis report

Chief Rivera reported the LCA study is done and being reviewed by the administration right now before we report out on it.

### 4. Upcoming proposed amendments to DEM administrative rules relating to solid waste.

(No discussion)

## 4. Wastewater Division Projects and Updates.

### 1. Pāhala and Nā'ālehu AOC

Director Mansour said that the original design for Pāhala and Nā'ālehu was for aerated lagoons. And we came in, we said, you don't need that big of a design. Let's bring a package unit. That's the one that got us to trigger reopening the discussion with EPA. And we got away from the aerated lagoon at Pāhala and Nā'ālehu and right now under the new revised AOC with the idea to look at these package units in addition to the Individual Wastewater Systems as well. So we were successful to renegotiate that AOC with EPA when we first started. Right now we have a revised AOC, allows us to do the preliminary engineering report to evaluate the options. When we first started, he presented the package unit with two units running, and one unit could be taken out of service as you are maintaining it. We may look into these units for Puna. These type of units are options as well. So, always, package units will be considered as an option.

Environmental Planner Kelly Hartman said that we are in compliance with the AOC deadlines. We're continuing to update the web page monthly. We evaluated and submitted the feasibility of potential projects to the EPA, which is approved. We submitted our January semiannual report. We had a quarterly EPA meeting in January and February. We just had our public meeting. They had about 30 people in attendance. Things went well. The Deputy Director did a great job on that. The milestones that are coming up on deck, we're currently reviewing the draft preliminary engineering report for Pāhala, and then that is to be submitted to the EPA in

May. We're looking at a quarterly EPA meeting in April. And then further down the line, we have to submit our Environmental Information Document after the PER's approval and develop a Cesspool Closure Implementation Plan 30 days after the environmental documents. And so we're starting to talk about maintenance models, reviewing the maintenance models and evaluating the code for each model. So things are going well for that project.

## 2. West Hawai'i wastewater projects

Director Mansour said that we've been working with Carollo Engineers to bring an R-1 mobile unit, to be able to station it at the Kealakehe WWTP to educate the public and our operators and anybody that's interested in the wastewater to assist in expediting and understanding the reason for these decentralized clustered cesspool conversions. Because they are eventually going to be required to construct a package unit because of that cumulative flow. So that's being worked out. We are trying to figure out the details. But he could share the vision he has for Kealakehe WWTP with you as well. We're working on getting that sand filter design finalized. With that in mind, our effluent quality will be fine to R-1 level and way better than the effluent quality that we have currently. So with that- Kealakehe WWTP, as you all know, it's also a bird sanctuary.

The Director saw some of the pictures of the birds at the plant and thought, wow, how could we turn that to a revenue source? And given the difficulties that he has to deal with from a financial point of view, he figures that Kealakehe WWTP could be actually be great ecosystem. We get the sand filter, see if we could get additional land to grow native Hawaiian plants that could be irrigated by the R-2, R-1, because it's not for human consumption, but yet get that mobile unit that we're working with Carollo, to allow the educational aspect of the wastewater, because a lot of people really don't know what happens to the wastewater when they flush the toilet. So with that educational unit on site and the bird watching on site, where we could build rails, people could be able to go in and take pictures, understand the wastewater, see the mobile unit, see the end of product of producing Hawaiian native plants or a garden with the R-1 water coming out of that education unit, become a full ecosystem. And that could generate revenue from tourism and locals alike.

My husband's a bird watcher, so he's been pushing on making it easier to get out there, Chair Adams said.

Director Mansour said he could see that to really be the ultimate solution for that treatment plant with the idea that we inherited some aerated lagoons, but it was a sanctuary, so let's put it to good use. So with that said, there's a lot of things that we're working on and he is hoping there will be an ultimate solution for that community. That will take us away from discharging that water into the sump, and put it to a better use. If we cannot get the North Kona SPS constructed in time because it has the conveyance system that's going to take the R-1 to other facilities- in the meantime, we could create that sanctuary ecosystem facility that could generate revenue until we fight the other battles pertaining to the infrastructure being constructed along that highway. So it's a challenge because of the lack of staffing, as you heard from our staff. That's why he gave kudos to Mark Grant, Chris Sparber, and Kelly Hartman,

because the Director has been dependent on them to deliver the master planning, the AOC negotiation, and Kealakehe.

On the Kaloko WWTP, the Director said that the package unit is a replacement. The reason we did an EA exemption is similar to what we did at Hilo, so it's nothing new. It was a replacement of the in-kind to the same unit. The information a public testifier presented is inaccurate regarding the price. Initially, the first bid package came at \$5.2 million, not \$500,000. That's why it was rejected. The idea was to replace the current unit with something in-kind. We went through the sole sourcing from the same manufacturer just to come take the old unit and put a new unit. And that under is HRS Chapter 343, we were exempted as well.

Chair Adams acknowledged that the team has done a tremendous job in moving a really complex bunch of projects fast, and working to get EPA to go along with your ideas is admirable. And there is action as if there were a fire under all you guys to get that going. And that's part of the, "well, we maybe needed a deadline and we needed some really creative people who are now at DEM to make it happen." So thank you for that.

Chair Adams also noted we did provide information about the integrated waste water management planning. She hoped that outgoing Commissioner Rick Gaffney would be watching to make sure that the basic concepts that we've recommended be, whether it's a mini master or the master wastewater resource management plans are looked at carefully. And so far, so good, from what she has been able to tell.

Commissioner McIntosh asked whether this package plant replacement is that the one the Director said would be easier to hook up, it was a mile away from the sewer system to run a pipe rather than replace it or continue running it. Did you all change your minds?

The Director was unsure. The one that was brought up is in Kaloko. It's already existing to provide treatment to affordable housing. One of the units went out, so we're replacing it in kind. He is trying to remember which one - you're talking about having a package unit with a sewer extended. There is during that conversion presentation, they were talking about having a decentralized clustered package unit within isolated communities that may have a cumulative flow, and where you have to bring the unit and you have to do a sewer line to connect that sewer line to the unit. But you have to build that sewer infrastructure and take it all the way where you're going to put the package unit. And the mobile unit he was talking about, it's educational. It's very small. You tow it in your truck or your vehicle just to go around. So what we're going to do is station it in Kealakehe for the educational purpose so people get a visual of wastewater coming in, wastewater being treated, wastewater exiting out treated.

Commissioner McIntosh remembered when the Director came on, he had mapped out all the different projects that the DEM was in charge of, and then listed all the problems. And this sounded like one where it had two units. They cannibalize one to keep one unit running.

### 3. Hilo WWTP upgrades

Commissioner Otsuka asked the Director to address the testimony provided by the Sierra Club.

With all due respect to the Sierra Club, as they know, the Director said, he is probably the most environmental Director, and he takes their concerns to heart. But at the same time, under HRS Chapter 343, Exemption Class 1, Item 37, allows us to do what we're doing. So the intent for Hilo is we're really not changing- It's an operation and maintenance and replacement of a structure that deteriorated over time. So we met the exemptions. And also in addition to that, Phase 2 is going to have the EA process attached to it to cover both. So just to cover our bases. So when we took this challenge on understanding that to be a catastrophic environmental disaster that could happen, given the situation that we were in, talking to everybody around, he felt comfortable on moving forward with the exemption to replace and maintain the current structure to the current design standards. We have not designed for expansion.

Commissioner Otsuka asked whether solar power was being considered for the Hilo plant. In Waikoloa they have acres of solar panels. With the design and everything that you're doing to help with the environment, are they looking at something like solar to generate power?

Director Mansour said Phase 1 will replace the headwork and the digester system and do some minor repair to get us out of this potential catastrophic failure of the current headwork, because it is deteriorated so badly that the wall is not structurally stable. So our intent is to jump and replace the structure, the concrete structure in the units, so we'll have better equipment, better structure to avoid such catastrophic disaster. And our intent, we've been working with Department of Health, our consultants, and we put in measures to make sure during construction that we don't have any potential mishaps. But sometimes with big construction like this, you're going to anticipate some. But we have an operational plan so it will be controlled to minimize such exposure. As far as talking about solar versus other technologies, we've been looking at extracting hydrogen out of the wastewater and also our gases out of the digester to connect it to the landfill and be able to produce hydrogen that could be sustainable enough to give our transit department enough hydrogen to run the entire County fleet. But that's being discussed, talked about. Technologies are emerging. Back in the old days, you could not extract hydrogen from wastewater because it's not as clear and pure as river water. But his understanding is now that if you have watched Riley Saito's presentation about the hydrogen at the County Council meeting last week, he was alluding to the new technology that coming out where it actually could capture wastewater and extract hydrogen. So that could be a plus. Our intent is, yes, to as we are replacing structures and components of the current plant, is always, how could we capture the resources? Unfortunately, Hilo WWTP is less than 3 MGD. It was designed for 5 MGD, with a maximum of 13. We need to encourage cesspool conversion connections to that treatment plant. We need to bring that plant ultimately to the designed requirements so we could start producing more energy and more gases out of it to be efficient and sustainable to get your return of investment. Because currently with half flow, the amount of gas that we produce is barely enough to heat the boiler that we have. So the designed intent is what we produce from these digesters is going to go back in the system to heat the water, the sludge as it goes back into the digester. That question of energy efficiency is always in our mind. For solar, it rains a lot. And from a solar point of view,

we are always looking at it. The west side, definitely it could benefit us, but we are always looking at these type of options and we're going to continue season opportunities as it comes along.

The good thing is the Hilo waste treatment plan out on the streets, the Director said. This is a major accomplishment. We came in, we knew we faced a potential environmental catastrophe.

The Director said that every elected official was involved in the process and had seen it firsthand. Coming in and finishing a project that big with this magnitude within less than a year, it's never been heard of. Kudos to the staff, definitely Chris Sparber, Mark Grant, Kelly Hartman, and our consultant, their engineers were working around the clock just to get the design going. It's about an 8-inch thick document, just the technical specification without the plan itself, which is about 3 inches thick. So he can't wait till we break ground this summer and get going on that as we work with Phase 2 to get it finalized and ready to go as well. So there's definitely good stuff.

#### 4. Wastewater plans

##### 1. Addition of wastewater services for the Puna District<sup>4</sup>

Vice Chair Olson called out the 12,000 lots in HPP or Nanawale with 5,000 8,050-square-foot lots.

Director Mansour said this would be a good topic to bring up for the discussion with the Planning Director. But as you all know, we have AECOM working on the Puna district wastewater feasibility options as well as Pāhoā. We've been working on that to figure out, is it feasible to sewer that district, and to what extent. ... You could upgrade the building requirement to make it more stringent if you feel that it need to be more stringent. If there's no buildings or houses on these lots, that's the time to start getting involved in the building code updates as well. Because prior to anybody getting a building permit, they need to meet certain requirements. And if you feel these lots are not buildable because of infrastructure, then that become a permit issue. And I think you guys need to bring it up through that type of channel.

Ms. Hartman said the project is on schedule. We've completed the review of the draft Programmatic Environmental Impact Statement. The draft is going to be submitted for March 23. So look for that and please comment. We have a 45-day comment period. The draft facility plan has been completed and submitted to the County where the review is currently in progress. And the next step on that project, we have to complete the facility plan.

Ms. Hartman also mentioned two other projects on the agenda. The Pāhoā Wastewater Feasibility and Cost Study is underway. And we also have a Capital Improvement Project plan that we're developing in partnership with the EPA who helped us get a consultant.

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<sup>4</sup> VII.4.4.1: Puna wastewater website: <https://storymaps.arcgis.com/stories/50e624065fa641598326febe6316327b>

And so what we're doing is we have compiled our Capital Improvement Project inventory for wastewater, and then we're developing a cost-benefit analysis. And so right now, we're in the process of setting up our higher-level goals, our criteria, and then the actual metrics we're going to use to prioritize our projects. And this will help us when we submit our CIP budget annually. And the second part of that project is going to be our financial plan. So more on that in the future.

Vice Chair Olson asked that given the lava inundation of the subdivisions along the Puna coast and Leilani Estates, was there any discussion there about getting the conversion systems moved into those subdivisions that they're rebuilt? Basically, all of those areas that were inundated by the lava, all of those TMKs were being served by individual cesspools. Now they're going to rebuild. The County is in the process of rebuilding the roads and they already are planning on laying new water infrastructure into the new roads. So this would be an opportunity to simultaneously get a wastewater system going in that area.

That area is going to be evaluated in the facility plan, Ms. Hartman said. But she doesn't think we're considering going into the private neighborhoods. It's going to be more focused on the business development area of those communities because it's private.

Those communities were major destinations for tourism, Vice Chair Olson said, because they were raising some very unique plants down there in that area and they weren't growing on the ground. These were all the greenhouses. The climate of that area was unique for these particular plants. And then there was of course, there was the visitor part of it as a tourist destination, which it still will be simply because the lot was quite interesting to look at. And those people are all planning on moving back and going back into those businesses. So we are talking about a business environment.

We looked at the density, because the cost effectiveness is dependent on density and the number of customers that you can bring in, Ms. Hartman said. They're estimating \$1,500 for a linear foot of pipe. And so when you start looking at expanding beyond the businesses, it becomes ineffective really quickly. She recommends reviewing the facility plan draft when we submit that. And we'd love to have your comments and those types of community concerns rolled in because we're from looking at it from the population growth, business economics and engineering and cost effectiveness. So we do need to solicit that public feedback.

Vice Chair Olson said Pāhoa Main Street Association has been following this because of course, it's important to the town because as a visitor destination, the business is there. Are they being counted?

We've completed the Project Definition Report, so really it's just the area and the general description of the town when we held up the feasibility workshop internally, Ms. Hartman said. And so we're looking at the draft feasibility study coming out in April, end of April. And because we're not doing an EA with this, it doesn't require public feedback. But we should work with Council Member Kierkiewicz. She's going to have a town hall meeting coming up March 23. She

has invited us. So we will be working with the Council Member to get some community input because there's no requirement for it in this specific project. But we definitely want to keep the community involved.

The town wastewater system is already on the books, the Vice Chair said. The money has been appropriated and they've already drawn the plans for it and they're already looking at its expansion because of course the town is expanding with a new library and new medical facilities and there's all kinds of new stuff coming in. So connectivity for that, of course, to the new sewer system. But thinking about where those visitors are coming from, from the surrounding area, for services in Pāhoa. That whole section along the coast, part of which was inundated, was a major, major attraction. And now with this, the town is now flooded with people going out and looking at the flows. It is a major destination in and of itself. And of course the County helped out by putting the road back right down the middle of the erupted stream. You can literally drive down the flow corridor from where it came out of Fissure 8 all the way to the ocean. So we're not having any trouble there getting customers.

Well, it sounds like a report is coming out in April for you to look at, Chair Adams said. And if you want to separately ask some individual questions, she would refer him to the Director.

## 2. Puakō and South Kohala Regional Wastewater Master Plan

Puakō has a really long schedule, so we're not making a ton of progress. We are on schedule. The project was executed in August, and the next deliverable we're looking for is in April. So we're looking for the Project Definition Report to come to us in April. And we will be completing the Wastewater Master Plan draft in August 2024. So the project is a long schedule.

## 5. Information requests to DEM from Commissioners

### 1. County options and responses to Cesspool Conversion Working Group recommendations<sup>5</sup> (Otsuka)

Chair Adams noted that Commissioner Otsuka had some questions about the cesspool conversion costs.

In Keaukaha alone, the Commissioner said, there's maybe there's 2,500 cesspools on Hawaiian homelands that she knows of. But in Keaukaha the sea level is rising. We've got rock underneath us, so a septic tank would not be an option. And the sewer line, she is sure. But if we get federal funding for the sewer and to do this process to convert, why would part of your cesspool group said that they're looking at short term, long term financial assistance? But being, of course, county, she doesn't see how it would be feasible to expect the homeowners to foot the bill if they're getting federal funds to have it done. Is that clear?

The homeowner conversion is a challenge, the Director said. We are working with DHHL on sewer in that area because your area is priority number one. So definitely septic, ATU is not recommended. So we're going to recommend DHHL to sewer the entire area for you. And we

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<sup>5</sup> VII.5.1: CCWG recommendations: <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=121766>

are working on a memorandum of agreement with them. They did Phase 1. And they're going to continue doing that because you're 100 percent correct, that area cannot sustain any septic or ATU, and it has to be connected to the Hilo facility.

Yeah, they're working on it, Commissioner Otsuka said. She lives further in, so they haven't put in any lines for her area. And she mentioned DHHL because they have funding and they are helping to fund where the City and County of Honolulu failed with their project there. So she was just wondering because she has no problem, and she does not think anybody in Keaukaha has a problem paying the monthly fee once we're converted.

Speaking on the cesspool conversion presentation to council members, Commissioner McIntosh watched the whole two hour segment. He was just kind of disappointed. For the other islands, Oahu has a well mapped out infrastructure for the sewer system. But for the Big Island, they're all rushing forward and not thinking about us. We have the most cesspools in the entire State, and the County is probably the poorest in the entire State. And the people, we don't have high income, and they want us to jump to all these hoops and meet these ridiculous requirements that are technically and physically impossible to meet. And so he doesn't understand why they're pushing forward with these dates. A better solution or alternative would be like what you're doing, identifying phases and working on those and not try to rush and just meet some arbitrary date self-imposed by a working group because it's not state law yet for 2030. And work toward solutions that are long-term and cost-effective. Rather than saying, okay, you all have to do a septic system and then when the county finally builds out the sewer, you're going to have to hook up. That's a waste of money and time, materials. And Hawai'i is creating a crisis that doesn't need to be created, and they just need to step back and especially for the Big Island, and take stock and look at reality and not panic. And all he sees is panicking, and it's very concerning.

Well said, the Director said. It is an unfortunate challenge that our County is the biggest in the whole State, with the number of cesspools and the cesspools converting to septic tank within the sewer area, which is kind of even more concerning, especially when you have a sewer area that potentially could allow for additional revenue and environmental protection to our County. And that's the challenge that he cannot get over. We need to continue working with that in mind to avoid any potential Catch-22 that could allow us to accelerate and make the wrong decision and regret it down the road, because once people convert to septic, it's hard to get them connected.

Chair Adams said that from my side, we do need a kick in the pants. This island is good at postponing stuff forever, and so having some sort of deadline is critical to get us to move. On the other hand, you're right. You got to make the best decision. So it may be that Priority 1 in the poorest neighborhoods on Hawai'i Island, no, they're not going to be 2030. They're going to be 2040 or whatever the right number is, because the best solution, net cost over the lifetime, several lifetimes, would be to put in sewer. But (there should be) some kind of deadline to force action, or we're never going to do it. We'll wait for the sea rise, and all the cesspools will be

gone along with the houses. So there's a balance. And you're right that the single target may not work for each island because we are different.

If you watch the presentation, the Director said, you have seen that based on the number of cesspools, we're looking at 1,700 to 2,000 conversions per year just to meet the deadline of 2050. If we going to go to the 2030, just for the Priority 1 area of about 5,200. We're looking at 720 conversions per year just to be able to meet the 2030 deadline. If we end up having money, let's say magically, we get all the money we need to build the sewer infrastructure, and going through environmental documentation, we're probably already behind the 8-ball to start with because it's going to be a massive construction project. So yeah, I don't know what I signed for when I took the job, he said.

The Director said Council Member Inaba raised the question about the Integrated Wastewater Management Plan that the Director has been preaching to have since his nomination. That was a hot topic that we needed to create one.

But given the cost- and we work with former Council Member Tim Richards, he assisted us in trying to secure some money to do the Integrated Wastewater Management Plan - we were able to secure \$500,000 last year, which is in this current year. The AECOM study, just for the Puna District and Puakō area added up to almost \$4 million just between these two. And that's just the two districts. So imagine trying to do an integrated wastewater management plan for the whole island. His intent and strategy is to secure more grants to do these studies, unless the county willing to put up \$5 million, possibly, just to do such a report. But it's going to be the law. Also, there's a bill or a recommendation from the CCWG to recommend by a certain number of years that every county must have a Wastewater Management Integrated Plan, so we need to accomplish that. The way to accomplish it here, because we are so decentralized, is we have to do it in pieces and bring it back together.

But the one that we really need to do first is the Cesspool Conversion Master Plan. That will allow us to assist the homeowners of decision making of what they need to do to convert and what options they have. So these are in the hopper. We have not added that \$5 million for the Wastewater Integrated Management Plan in the budget, because it will go under capital improvement. And as you all know, the Director's priorities for capital improvement are the Hilo WWTP, the Kealakehe WWTP R-1, the Pāhala and Nā'ālehu large capacity cesspool closures, and the North Kona Sewage Pump Station. Because eventually we may lose that \$19 million grant if we don't start acting and delivering on such a project.

These are the challenges that the Director would like you EMC to think about. Nothing easy in the wastewater, nothing easy in the solid waste.

## **VIII. FUTURE AGENDA ITEMS**

1. Follow up on action items determined today.

Commissioner Gaffney, Vice Chair Olson, and Director Mansour initiated a non-agenda discussion<sup>6</sup> regarding public-private partnerships for wastewater treatment. Chair Adams said she would put it on the next agenda for discussion.

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

Chair Adams said she has a whole list of things that we had to carry over because we didn't have time to talk about them.

## IX. ANNOUNCEMENTS

The next meeting is scheduled for March 29, 2023, at the Community Meeting Hale (Building G), West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Kailua-Kona and via Zoom.<sup>7</sup> 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>8</sup>

## X. ADJOURNMENT

**Motion, second, and vote:** Vice Chair Olson made a motion to adjourn, to which Commissioner Otsuka seconded, and the motion was adopted. Ayes 5 (Otsuka, Olson, McIntosh, Gaffney, Adams); Absent 3 (Burns, Cardwell, Fulton). Meeting adjourned at 12:15 p.m.

Respectfully submitted,

Peter Sur, Secretary

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<sup>6</sup> VIII.2: PPP discussion: <http://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=122042>

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

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