

Mitchell D. Roth
Mayor

Ramzi I. Mansour
Director, Department of
Environmental Management



Georjean Adams
Chair

Dorothy Norris
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 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: Wednesday, September 25, 2024
TIME: 9:00 a.m.
IN PERSON: Puna Conference Room of the Hawai'i County Building, 25 Aupuni Street, Hilo
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 AUGUST 28, 2024¹

III. STATEMENT FROM THE CHAIR

IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA

V. UNFINISHED BUSINESS

1. Permitted Interaction Group on Cesspools and Sanitation – Continued deliberation and decisionmaking on the findings and recommendations presented by the permitted interaction group on cesspools and sanitation at the meeting of the Environmental Management Commission on August 2, 2024. The Commission will discuss the following recommendations:
 - a. Wastewater Division should require that

¹ II. Minutes to be distributed if available.

- i. All properties within _ feet of a public or private sewer line should be required to connect, instead of the current 300 feet.
- ii. The County should establish a connection fee for all new connections to a public sewer.
- b. The County should conduct a formal legal review/interpretation of the Konno decision outlining its application/misuse for private sector partnerships regarding County Wastewater projects.
- c. The County should support a Sewer Connection Special Fund to provide sewer connection assistance to homeowners who have insufficient income.
- d. The County should support and encourage the County Council to adopt the Chapter 21 county code changes proposed by DEM.
- e. The County should identify the potential for EPA Technical Assistance Program to address innovative financing strategies such as enterprise funds, franchise organizations, Energy Saving Performance Contracts, and Service Contracts.
- f. The County should support a Water Technician Certification Program to address the workforce shortage.

(Motion adopted August 28, 2024: “DEM and County Council are recommended to pursue legislative amendments to require connection to private sewer works when public facilities are not available.”)

2. Discussion with DEM regarding Inflow and Infiltration of water at the Hilo WWTP system and Wastewater Division’s efforts to address it. *Postponed August 28, 2024.*
3. Discussion on Wastewater Division’s working draft of the proposed new Chapter 21 of the Hawai‘i County Code relating to Wastewater Management.

VI. REPORTS/CORRESPONDENCE

- Correspondence from Wilson Okamoto regarding the availability of the Draft Environmental Assessment for the Nā‘ālehu Large Capacity Cesspool Closure Project and public comment period.²
- Director’s Informational Report
 1. Legislative update
 2. Solid Waste Division Projects and Updates
 1. Recycling, Greenwaste, and Landfill Diversion updates
 2. Solid Waste Operational Study update
 3. Wastewater Division Projects and Updates
 1. Pāhala and Nā‘ālehu Large Capacity Cesspool Closure AOC³
 2. Hilo WWTP upgrades and bid opening⁴
 3. Wastewater Plans
 1. Integrated Wastewater Management Plan and Public Engagements⁵ and cesspool conversion plan presentation by Carollo. Report by DEM on limits placed on Carollo’s scope of work due to issues such as the “Konno decision” and other challenges.
 4. Status of existing staff vacancies and recent hires
 5. Questions from commissioners

² VI: WO letter – <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=138863>

³ VI.3.1: Ka‘ū - <https://www.dem.hawaiicounty.gov/projects/pahala-na-alehu-large-capacity-cesspool-closures>

⁴ VI.3.2: Hilo – <https://records.hawaiicounty.gov/weblink/DocView.aspx?dbid=1&id=138864>

⁵ VI.3.4.1: IWWMP - <https://www.dem.hawaiicounty.gov/projects/integrated-wastewater-management-plan>

1. Update on the chute cover for Wai‘ōhinu Transfer Station (McIntosh)
2. Update on Pua Force Main Installation and Rehabilitation Project (Otsuka)

VII. 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.)

VIII. ANNOUNCEMENTS

The next meeting is scheduled for Wednesday, October 23, at WHCC, and via Zoom. Please contact the Board Secretary or review the agenda posted on the County Calendar within six days of the next meeting for confirmation.⁶

IX. 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‘a 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.

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