

**ENVIRONMENTAL MANAGEMENT COMMISSION  
COUNTY OF HAWAII**

**MEETING MINUTES**

Wednesday, October 22, 2025  
9:01 a.m. to 11:53 a.m.  
Puna Conference Room, Hilo, and Zoom

*A video recording is made part of these minutes, which is available at*

*Part 1:*

<https://www.youtube.com/watch?v=EZCBy-7-igM&list=PLtluYxDZK7NLxoEY70SEmb9VwqUetmTzf&index=2>

*Part 2:*

<https://www.youtube.com/watch?v=rCDPMddklqM&list=PLtluYxDZK7NLxoEY70SEmb9VwqUetmTzf&index=1>

*Timestamps are provided for reference in accordance with the provisions of Chapter 92, Hawai'i Revised Statutes.*

***Disclaimer:*** *These meeting minutes were generated with assistance from AI and are intended to provide a summary of discussions. While efforts have been made to ensure accuracy, they may not capture the full context or details of the meeting. Readers are encouraged to reference official recording for clarification if needed.*

**County staff present:**

Craig Kawaguchi, Deputy Director; Mike Rivera, SWD Chief; Kelly Hartman, DEM Planner; Alex White, TA Information and Education Specialist; Tiffany Wallace, Private Secretary and Sinclair Salas-Ferguson, Deputy Corporation Counsel.

**Others present:**

Christine Kubat, Laura Acasio, Roy Kodota, and others.

**I. CALL TO ORDER [SEE YOUTUBE PART 1 TIMESTAMP 0:00 – 4:33]**

Chair Perez called the meeting to order at 9:01 a.m., noting that quorum was present.

Present:

- Jim Beets (District 1) In-person
- Dell Otsuka (District 3) In-person
- Erica Perez (District 4) In-person
- Justin Canelas (District 6) In-person
- Gonzalo Garcia (District 7) Zoom
- John Kometani (District 9) In-person

Vacancies

- District 2 seat vacant
- District 5 seat vacant
- District 8 seat vacant

**II. APPROVAL OF MINUTES FOR August 27, 2025 [SEE YOUTUBE PART 1 TIMESTAMP 4:35 – 5:04]**

The Environmental Management Commission will consider approval of the minutes from its meeting held on August 27, 2025.

Chair Perez opened the item and confirmed a quorum with six commissioners present

**Motion 1: Commissioner Canelas moved to approve the minutes, and Commissioner Kometani seconded. The motion passed unanimously.**

**III. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA [SEE YOUTUBE PART 1 TIMESTAMP 5:09 – 6:07]**

1. There were no public statements provided at this time.

**IV. UPDATES FROM THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) [SEE YOUTUBE PART 1 TIMESTAMP 6:09 – 16:46]**

**1. Solid Waste Updates:**

**a. Update on Processing of Mulch in West Hawai'i – Volume, Distribution, and Current Uses**

Mike Rivera, Solid Waste Division Chief, reported that the County has begun backhauling mulch from the West Hawai'i Organics Facility (WHOF) to Hilo, with approximately 200 tons (about 300 cubic yards) transported over the past few weeks. This will continue at a rate of several loads per week. Drone surveys are being used to monitor green waste piles and landfill capacity at Kealakehe and WHOF, and staff are coordinating with Hawaiian Earth Recycling to maintain consistent material movement from west to east.

Commissioners inquired about Coconut Rhinoceros Beetle (CRB) concerns. Mike noted the mulch being transported is processed material, which reaches required temperatures (131°F+) to reduce risk. Deputy Director Craig Kawaguchi clarified that CRB detections occurred in perimeter traps, not in processed mulch. DEM is working with partner agencies—including BISC, DOA, DOH, DOT, and others—and holds regular coordination meetings. The County also has a grant-funded outreach contract with the Department of Agriculture to support public education and CRB detection efforts.

There were no further questions.

**b. Update regarding the operational analysis of the Solid Waste Division:**

Mike Rivera, Solid Waste Division Chief, reported that the operational analysis has been completed and accepted by DEM and is currently being finalized by the consultant. The department has not yet received the final printed version. Once received, it will be forwarded to administration for review and approval before broader distribution.

In response to questions from Commissioner Canelas, Mike explained that the report covers a wide range of operational areas, including infrastructure, staffing, landfill capacity, green waste operations, the waste management contract, transfer station improvements, equipment and maintenance needs, and overall operational efficiency. He noted that while the report is thorough and well written, its findings are not surprising, as the department was already aware of the issues identified. The report also includes recommendations based on staff interviews and operational assessments.

When asked about a completion or presentation timeline, Mike stated that after the final copy is received, it will be reviewed by the Director and Deputy Director, and next steps

will be determined from there. No estimated date for presentation to the Council was provided.

There were no further questions from the Commission.

## 2. Wastewater Updates: [SEE YOUTUBE PART 1 TIMESTAMP 16:59 – 50:58]

### a. Integrated Wastewater management Plan Updates

#### i. DEM Will discuss past and public education and outreach related to the Integrated Wastewater Management Plan.

Kelly Hartman, Planner, provided an update on the Integrated Wastewater Management Plan currently under contract with Carollo Engineers. She reviewed the past and future public education and outreach efforts associated with the plan.

In 2024, the division held four geographically based public meetings (north, south, east, and west) to gather initial community feedback. The project maintains a public-facing webpage that includes project information, dates, and will host plan documents as they become available.

The plan is still in development and not yet in draft form. Once a pre-final draft is ready, DEM will begin the public review process, starting with a presentation to the Environmental Management Commission and then seeking placement on a Council committee agenda. Future public outreach will likely use a combination of Zoom and in-person options, rather than four separate in-person meetings, due to cost. The division anticipates the final draft around early next year, though no firm date is available.

Commissioners asked about the timeline for receiving the draft; Kelly noted the anticipated schedule has shifted from fall to winter of this year, with the possibility of availability after the first of the year.

In response to questions about how public input will be incorporated, Kelly explained that DEM staff will collect, categorize, and analyze all feedback, looking for common themes and identifying areas needing additional clarification. Where appropriate, the team will work with the consultant to enhance plan sections and integrate community input into recommendations as much as possible.

There were no further questions specific to public outreach and education.

#### ii. DEM will discuss the Environmental Protection Agency's administrative order on consent that requires DEM to create a financial plan to comply with the order and financing ongoing maintenance and operations of existing facilities.

Kelly Hartman provided an overview of the Environmental Protection Agency's Administrative Order on Consent (AOC) requirements related to the development of a long-term financial plan for the County's wastewater system. Under the AOC, the County must submit a 5, 10, and 20-year financial plan by June 2028, with an interim draft due in June 2027.

Kelly summarized the required components of the financial plan, which must demonstrate how the County will generate sufficient revenue to support wastewater operations, maintenance, compliance, planning, design, construction, capital improvement projects, and staffing needs. The plan must also detail potential revenue

mechanisms, such as user fee adjustments, customer base expansion, taxes, assessments, or other financing tools.

To provide context, Kelly explained that the financial plan builds upon several preceding AOC milestones:

- A preliminary CIP project priority ranking submitted in 2024,
- Required condition assessments,
- A final CIP priority ranking due December 31, 2026, which will form the foundation for the financial plan.

Commissioners discussed how this financial planning process intersects with ongoing projects, such as the Pāhala and Nā'ālehu wastewater upgrades, noting that some projects must proceed regardless of financial plan timing due to AOC deadlines. Kelly emphasized that for certain projects, work is already underway while long-term financial planning is still being developed.

Commissioners raised questions about alternative revenue models, including cogeneration, waste-to-energy concepts, and R-1 recycled water applications. Kelly noted that such concepts are not included in the current AOC-mandated plan and would require separate feasibility studies, particularly due to challenges such as limited wastewater volumes, customer base constraints, and the high cost of distribution infrastructure. A future R-1 feasibility study is planned, but advanced revenue-generating strategies would require significant additional resources and evaluation. Commissioners and the Chair also discussed whether the EMC could help explore innovative funding strategies, such as enterprise funds, external technical assistance, or reviewing models used by other counties. Kelly indicated that DEM's current staff capacity is limited but welcomed the EMC's support in exploring and researching these ideas. The Chair noted that such work could occur through public agenda items or a newly formed Permitted Interaction Group (PIG), allowing commissioners to gather information, invite experts, and develop questions for future discussion.

Additional discussion covered timing concerns, with the Chair noting that some financial requirements appear earlier in the AOC than the 2028 deadline and suggesting that DEM may consider engaging EPA about the feasibility of developing financial planning components sooner. Kelly agreed that this topic could be raised during DEM's quarterly meetings with the EPA.

The item concluded with Commissioners expressing interest in creating a PIG to compile financial questions, explore funding models, and identify subject matter experts who could assist both DEM and the EMC in evaluating long-term wastewater financing strategies.

- 3. DEM will provide a short presentation regarding the Operations and Maintenance Budget process, timeline, and optimal time for the Commission to provide comments and recommendations. Robin Bauman, Business Manager for the Department of Environmental Management, provided an overview of the Operations and Maintenance (O&M) budget process,**

**including key deadlines and opportunities for EMC input.** [SEE YOUTUBE PART 1 TIMESTAMP 51:02 – 56:52]

Robin explained that the O&M budget follows a lengthy annual cycle beginning in September and concluding in June, when the County Council adopts the final budget for the upcoming fiscal year. DEM is currently preparing its first draft, which will undergo internal review with the Department of Finance before the Mayor submits his first draft budget to the County Council by March 1.

The budget review schedule is as follows:

- March 1: Mayor submits first draft budget to Council
- April 14–17: Council holds special budget review meetings
- May 5: Mayor submits second draft budget
- June 4: Council conducts second reading and final approval (with the possibility of amendments)

Robin noted that the optimal time for the EMC to review and provide comments is after the March 1 submission of the Mayor's first draft budget.

The Chair requested a bullet-point version of the timeline for reference; Robin will provide this to Tiffany for distribution. The Chair also clarified that this presentation complements last month's review of the CIP budget process, and that both processes generally follow consistent annual schedules.

A brief discussion followed regarding succession planning for the EMC. Chair suggested developing a standing calendar or reference document to pass on to future commission members. Deputy Corporation Counsel Sinclair Salas Ferguson confirmed that the EMC may create and maintain such a resource.

There were no further questions from the Commission. The Chair thanked Robin for the presentation before moving to the next agenda item.

**V. NEW BUSINESS** [SEE TOUTUBE PART 1 TIMESTAMP 59:09 – 1:08:58]

**Public Testimony - Agenda item 5.1 Bill 83** [SEE TOUTUBE PART 1 TIMESTAMP 59:09 – 1:08:58]

**Mary Jennings** testified that she has a background in research management and environmental science, but was speaking today as a parent and teacher. She shared concerns about the community's limited awareness—among both students and adults—regarding issues related to trash, landfill capacity, and the volume of waste generated across the island. She stated that the data are “staggering” and indicate a need for immediate action.

Ms. Jennings expressed support for Bill 83, noting that it represents an opportunity to address waste and plastic pollution while also increasing education and awareness for residents, students, and visitors. She highlighted that large county events bring significant numbers of visitors who value Hawai'i's natural beauty, and that Bill 83 can help reinforce both aloha and environmental stewardship. She added that some students have commented that the proposed fines for large events seem low, but overall she personally supports the bill and urged the Commission to do the same.

The Chair thanked Ms. Jennings for her testimony.

**Kristine Kubat** (Executive Director of Recycle Hawai'i) provided testimony in strong support of Bill 83. She stated that her organization submitted written testimony and offered additional comments based on her experience working at waste-sorting stations during public events. She noted that when plastic

items are eliminated from events, diversion rates can reach 99–100%, allowing nearly all materials to be directed to composting.

Kubat acknowledged that the island lacks formal composting infrastructure but explained that an informal network consistently accepts compostable materials from events. She referenced past discussions with Department of Health staff who indicated that changes to composting regulations were not anticipated.

Kubat also shared her perspective from participating in global plastic pollution negotiations and speaking with people across the world. She stated that while the public broadly recognizes the plastic pollution problem, many do not know what actions to take. She emphasized that measures such as Bill 83 represent meaningful local action to phase out unnecessary plastic use.

She additionally cited discussions from an event held during Plastics Treaty negotiations in Paris, where organizers noted that producers are unlikely to stop using plastic unless it is prohibited. Ms. Kuba concluded by urging support for Bill 83.

**Roy Kadota** (Mr. K's Recycling) testified regarding challenges associated with recycling PET (HI-5) plastic on Hawai'i Island. He explained that the cost to ship PET plastic off-island is approximately \$0.14 per unit, while the current payout from end users is about \$0.04. Due to this financial imbalance, many recyclers are no longer accepting PET plastic, resulting in increased disposal into the island's limited landfill space.

He stated that in the past, County diversion funds helped subsidize off-island shipping of recyclables such as cardboard, newspaper, and plastics. He shared that he recently heard the HI-5 program may have accumulated significant excess funds from unredeemed deposits and suggested that these funds—reportedly in the millions—could be used to support plastic diversion efforts.

Roy urged the County or State to consider allocating diversion or HI-5 funds to help ship recyclable plastics off-island rather than sending them to the landfill.

**V.1 NEW BUSINESS, Bill 83 (Relating to plastic and polystyrene waste):** [SEE TOUTUBE PART 1  
TIMESTAMP 1:09:34 – 1:57:14 & PART 2 TIMESTAMP 0:00 – 11:49]

Chair Perez opened Item 5.1 noting that County Council Bill 83 relates to plastic and polystyrene waste at County events and that the Council had formally requested the Environmental Management Commission's input and recommendations. The Chair stated that, based on the October 15 transmittal date from the Council, there is a 45-day deadline for the Commission's recommendation, making this a time-sensitive agenda item. Staff confirmed the Commission would still have the following week (including the November 26 meeting) available, provided quorum is achieved.

The Chair emphasized that this portion of the agenda was an open discussion for commissioners to consider Bill 83 and what recommendation to forward to the Council.

**Commission Discussion:**

**Commissioner Justin Canelas (District 6)**

Commissioner Canelas reported that he had reviewed the written testimony submitted on Bill 83 and placed on the record that the Commission received approximately *60 written testimonies in support* of the Commission supporting the bill and *one in opposition*. He highlighted the breadth of testimony and the indication of strong community concern about systemic plastic and waste issues.

Drawing from his experience as a former restaurant owner, he acknowledged that single-use plastic containers can be slightly cheaper (by 5–10 cents per unit), which affects margins. However, he noted that current cost discussions often omit the broader costs borne by taxpayers and businesses for landfill space and solid waste management. He framed the bill as a strong first step toward where

Hawai'i County and the State want to go: a more sustainable, circular economy, in which plastic—being inherently single-use—is replaced by compostable alternatives.

Commissioner Canelas described existing in-vessel composting in District 6, where compostable utensils (e.g., PHA/“PPI” forks) fully break down in a day, and where such systems can safely eliminate pathogens and create soil for local food production. He argued that Bill 83 would help build local feed stock and market conditions to make commercial composting financially viable. He also suggested that the County and State should work to change existing regulations so that compost and related products are treated more as agricultural commodities, rather than primarily as biohazards.

#### **Commissioner Jim Beets (District 1)**

Commissioner Beets agreed with Commissioner Canelas' comments and stated that if the Commission supports Bill 83, it also has a responsibility to identify additional issues that should be addressed, including compostable and recyclable infrastructure, and to raise those in its recommendations.

#### **Chair Erica Perez (District 4)**

Chair Perez stated that she saw “no negative” in Bill 83 and viewed it as a stepping stone rather than a complete solution to plastic use. She noted that Bill 83 is aligned with:

- State Senate Resolution 38;
- The Aloha 'Āina Economic Futures assessment tools;
- The Hawai'i County Integrated Climate Action Plan; and
- Actions supported by the State Climate Commission.

Chair explained that these plans and tools collectively already envision reducing single-use plastics and moving toward zero waste, and that Bill 83 fits within those previously adopted policy directions. She identified four draft recommendations she had developed during her review, including:

1. Re-evaluating the fine structure and dollar amounts for violations;
2. Developing processing and mulch/collection centers (possibly at community or regional scales);
3. Modifying language around pre-packaged foods to include bottled water; and
4. Ensuring robust public education and outreach.

On fines, Chair provided an example: if a vendor at an event of roughly 175 attendees sold \$5 plastic water bottles, the vendor could gross around \$875; under the current bill, a fine might be \$400, allowing the vendor to pay the fine and still retain approximately \$475 in revenue, thereby undermining compliance. She suggested adjusting fines to better exceed potential revenue from non-compliant sales, to promote compliance. She also underscored the need for collection/processing infrastructure and described the bill as an important first step in “socializing” a zero-waste culture for businesses and consumers.

#### **Commissioners Kometani (District 9)**

Commissioner Kometani voiced support for the bill and agreed that community education will be essential. He stressed that without sufficient education, residents might not see the need for these changes, regardless of long-term environmental benefits. He suggested that the public would need repeated messaging over time for the changes to be effective.

#### **Commissioners Otsuka (District 3)**

Commissioner Otsuka agreed and referenced existing outreach and zero-waste education programs. She noted that such programs can teach civil responsibility beginning at a young age and can be powerful when combined with hands-on learning.

Later in the discussion, Commissioner Kometani repeated that any effort to include plastic water bottles (e.g., pre-packaged beverages) or more ambitious measures would require constant, repeated public messaging—“almost barraging” the public so that concepts like recycling or returning bottles become routine.

Commissioner Otsuka raised concern about enforcement: given the number of events and the need for permits, she questioned how the County would monitor event size and compliance to properly apply fines. She did not see a clear enforcement process in the bill language and asked for clarification. This led to discussion about including a recommendation that the ordinance clarify how it will be enforced.

### **Additional Discussion – Water, Youth, and Education**

Commissioners discussed the heavy use of plastic water bottles at events and the availability of good drinking water on the island. Commissioner Canelas said seeing “crates and crates” of plastic water bottles “hurts the soul,” and pointed out that alternatives such as aluminum-bottled water and refillable containers exist. He suggested the County consider investing in potable water infrastructure (e.g., refill stations, fountains) at community centers, ball fields, and other high-use public venues to reduce reliance on single-use plastic bottles and to normalize refilling reusable bottles.

Commissioners Otsuka and others suggested working with the Department of Education to provide reusable water bottles to students—potentially as part of first-day-of-school welcome packs—possibly with sponsor logos to offset costs. They noted that schools already provide T-shirts and other items and that students take strong ownership of items that are supplied to them.

Commissioners also discussed learning from other counties. Chair Perez noted that Maui County’s zero-waste program took effect on January 1, 2022, and that O’ahu’s single-use plastic ban was implemented in 2019. She suggested that Maui and O’ahu could offer useful “lessons learned,” and that the Commission might place a future agenda item to hear from those programs and adapt their approaches for Hawai’i County.

Chair Perez also remarked on the “overwhelming support” from youth across the island in testimony for Bill 83 and saw this as evidence that young people are asking for change.

Commissioner Canelas reported that zero-waste youth programs at Kau High, Pāhala Elementary, and Nā’ālehu Elementary—led by Kumu Makuakāne—use tools like flashcards and mock sorting to teach students. He observed that youth pick up these practices more easily than adults and that education has translated into higher diversion rates; at his school’s cafeteria program, he reported an 83% diversion rate, of which students were “really proud.”

### **Guidance from Corporation Counsel**

Deputy Corporation Counsel Sinclair explained that:

- The Commission must act as a body and needs at least five votes to adopt any position or recommendation;
- The Commission may adopt a single comment, multiple comments, or an entire written paper of recommendations;
- Drafts can be brought to a meeting and publicly revised and adopted;
- The Commission has procedural flexibility (e.g., drafting a letter now, adding detail later, or having one or two members draft language for consideration at a subsequent meeting), as long as final action is taken in a noticed meeting.

Sinclair later clarified that the Commission had already voted to prepare a letter of support, but had not yet voted on what specific recommendations should be included in that letter, and that additional motions would be needed to formally adopt those recommendations.

### **Quorum and Deadline Considerations**

Chair Perez asked whether commissioners could attend the November 26 meeting (the day before Thanksgiving) to ensure quorum, noting that failure to meet could jeopardize the Commission's ability to transmit recommendations within the 45-day deadline. Because several members were uncertain about their availability, the Chair suggested that the Commission proceed with substantive action at the current meeting, rather than relying on the November meeting.

### **Motions and Votes**

#### **1. Motion to Draft a Letter of Support for Bill 83**

- **Motion 2:** Commissioner Canelas moved “to draft a letter of support to the County Council in favor of Bill 83.”
- **Second:** Commissioner Kometani seconded the motion.
- **Vote:** The Chair called for a vote; six commissioners voted “aye,” with no “no” votes noted on the record. The motion to draft a support letter for Bill 83 **passed** (6–0).

Following this motion, the Commission continued discussion on what specific recommendations should accompany the letter.

#### **2. Refinement of Approach After Break**

After a brief recess and reconvening, the Chair proposed a “slight pivot” in light of time constraints and remaining agenda items. She suggested:

- Confirming a letter of support and recommendation for the passage of Bill 83;
- Highlighting that the Commission received approximately 60 written testimonies in support of the bill; and
- Including a limited number of key recommendations—focusing on outreach and education, with the possibility of adding further detail at the November meeting if quorum is achieved.

Commissioners generally agreed with this streamlined approach.

#### **3. Content of the Recommendation Letter**

Chair Perez summarized the intended structure of the letter as:

- A statement that the Environmental Management Commission supports Bill 83 and recommends its adoption by the County Council, pursuant to Hawai'i County Code § 2-207(c);
- Background noting that solid waste is the third-largest greenhouse-gas emissions contributor in Hawai'i County (after commercial energy and transportation);
- Acknowledgment that the Commission received approximately 60 written testimonies in support of the bill; and
- Three specific recommendations:
  1. **Re-evaluation of the fine structure and amounts** to increase the likelihood of compliance (e.g., ensuring fines are not outweighed by potential revenue from non-compliant sales at special events).
  2. **Clarification on enforcement**, recommending that the ordinance clearly explain how Bill 83 will be enforced, including how event size and compliance will be determined.
  3. **Public education and outreach**, recommending that the County invest in clear communication about product labeling, acceptable materials, and disposal/composting

procedures, and collaborate with businesses, schools, and sustainability programs to support behavior change.

During this phase, Commissioner Garcia (District 7) stated that he supports the bill overall but would abstain from voting on language related to fees and fines because he had recently accepted a position as Executive Director of the Kona Brewfest and considered that a potential conflict.

#### 4. **Motion to Include the Three Recommendations in the Letter**

- **Motion 3:** Commissioner Otsuka moved to include **three recommendations** in the Commission's letter of support for Bill 83:
  1. Re-evaluate the fine structure.
  2. Provide clarification in the ordinance on how Bill 83 will be enforced; and
  3. Incorporate public education and outreach.

- **Second:** Commissioner Kometani seconded the motion.

Chair then asked if there was any further discussion; none was raised.

- **Vote:** Chair called for a vote "in favor of supporting Bill 83 through a letter to the County Council" inclusive of the three recommendations. Four commissioners initially responded "aye," after which Commissioner Garcia stated he would abstain due to the fee/fine issues. The Chair then added her "aye," stating the tally as **five (5) in favor, one (1) abstention, and three (3) vacant/absent seats**. The motion **passed** (5–0–1).

#### **V.2 NEW BUSINESS, Bill 72 (Relating to the Director of Environmental Management): [SEE TOUTUBE PART 2 TIMESTAMP 11:51 – 13:32]**

Chair Perez introduced Item V.2, noting that the Commission was scheduled to discuss and determine what comments and recommendations to provide regarding County Council Bill 72, relating to the Director of Environmental Management.

Commissioner Otsuka asked why the Commission was still considering Bill 72, explaining that the bill had come before the County Council a few weeks earlier and did not pass.

The Chair thanked Commissioner Otsuka for the question and clarified that the agenda had been drafted during the interim, before it was clear how the Council's action on the bill would proceed. Since that time, Bill 72 had been heard and voted on by the County Council and was now considered "dead."

Chair stated that because the bill has already been acted upon and is no longer active, there is no need for the Commission to provide comments or recommendations. The Chair asked if commissioners were comfortable with not proceeding further on this item; commissioners voiced agreement, with the understanding that there is "no point" in offering recommendations on a bill that is no longer pending.

No motion was made, and **no further discussion or action** was taken on Bill 72.

#### **V.3 NEW BUSINESS, Paving DEM's metal recycling areas: [SEE TOUTUBE PART 2 TIMESTAMP 13:32 – 17:00]**

Chair Perez introduced agenda item V.3, explaining that the Commission was scheduled to discuss the condition of the Department of Environmental Management's (DEM) metal recycling areas and determine whether to provide any comments or recommendations to DEM regarding the potential need for paving.

Commissioner Canelas referenced the written testimony submitted by Alan, noting that the testimony stated a rolling magnet is currently used at the site but is largely ineffective due to the gravel surface. According to the testimony, this has resulted in frequent punctured tires for facility users. Commissioner Canelas stated he has not personally used the facility and asked whether DEM has a cost estimate for paving the area.

Craig Kawaguchi (DEM Deputy Director) responded that DEM does not currently have a cost estimate but is already examining the issue. He explained the department is evaluating the metal recycling area as part of a broader master planning process for the larger facility footprint. Commissioner Canelas then asked whether the County faces potential liability if tires are punctured on County property.

Deputy Corporation Counsel Sinclair clarified that members of the public can always file claims for damaged personal property, such as vehicle tires damaged by potholes. He explained that while the County reviews such claims through an established process, there is no indication that the County has received punctured-tire claims related to this specific facility, and at present it does not appear to constitute a significant liability issue.

Chair observed that the concern is already being addressed internally by DEM through its master planning work and suggested that once DEM's review is complete, a more detailed update may come before the Commission in the future.

No commissioners offered additional comments. The Commission determined that **no recommendations** would be provided at this time.

**V.4 – New Business: Discussion on the Optimal Timing for the Commission to Provide Comments and Recommendations on DEM's Capital Improvement Budget: [SEE TOUTUBE PART 2 TIMESTAMP 17:15 – 23:34]**

Chair Perez introduced agenda item V.4, explaining that its purpose was to discuss when the Commission should provide comments and recommendations regarding the Department of Environmental Management's (DEM) capital improvement (CIP) budget, and how best to engage in the annual budget process.

Deputy Corporation Counsel noted that this discussion relates to the broader County financial planning schedule.

Chair stated that this agenda item was included to allow the Commission to consider how it would like to participate in the CIP process going forward. She noted that the CIP discussion is already scheduled as an agenda item for the November meeting, and that the Commission had received updates from DEM earlier in the meeting.

Commissioner Canelas suggested that Commissioner Beets' idea of compiling all relevant annual budget timelines—including due dates for reports, EPA-required submissions, AOC timelines, operational budget milestones, and CIP milestones—would be beneficial. He recommended creating a consolidated working document so the Commission can easily monitor when its input is most useful. Commissioner Otsuka stated that she had previously requested such information but had not yet received it.

Chair clarified that DEM had begun providing the information. She noted that DEM shared its CIP process overview in August and provided the operations budget process at the present meeting. The Chair stated she could compile both into a draft timeline for the Commission.

She explained that DEM's CIP process is currently underway and that October through November appears to be the appropriate window for the Commission to provide input. She also highlighted specific DEM-related CIP items, such as the Kahaluu Accessible Conversion Area along Ali'i Drive (currently funded for design drawings) and a \$1 million allocation for the Puako Community Facilities District study. She suggested these items may warrant Commission review and comment once members are familiar with the CIP process.

Deputy Corporation Counsel Sinclair encouraged creating a calendar that pairs the County's yearly budget milestones with the Commission's meeting cycle so the Commission knows the optimal months to engage.

Chair agreed, stating she would prepare a draft budget-process calendar showing recommended windows for Commission input—such as DEM's guidance that the optimal time for operational budget comments would be around March 1, 2026.

She assigned Commissioners "homework" to review the FY2026 Capital Improvement Budget—which has already been approved—prior to the next meeting, even if that requires independently locating the document. She reiterated her commitment to drafting the calendar and including it on the November agenda.

With no further comments from commissioners, the Chair closed agenda item V.4 and proceeded to agenda.

## **VI. FUTURE AGENDA ITEMS [SEE TOUTUBE PART 2 TimestamP 23:36 – 28:38]**

Chair Perez opened Item VI and requested that commissioners submit any future agenda item requests by October 31, noting she would send a reminder before the deadline. She asked that requests to be sent electronically so they can be easily tracked. The Chair then asked if there were any additional items commissioners wished to raise at this time.

Commissioner Beets requested that NPDES be included as a future agenda item. Chair confirmed that NPDES is already noted.

Commissioner Canelas suggested creating a Permitted Interaction Group (PIG) focused on funding mechanisms for wastewater systems and recommended beginning that discussion at the next meeting. Commissioner Beets supported the idea and noted the need for a compiled list of responsibilities for the PIG.

Commissioner Canelas asked for clarification on the acronym, and Corporation Counsel Sinclair explained that *PIG* stands for Permitted Interaction Group, a mechanism that allows commissioners to work together outside of a formal meeting under specific rules.

Commissioner Otsuka requested adding staffing as a future agenda item, noting she had been in communication with Alu Like. The Chair clarified that staffing can be listed as an agenda item, but no discussion could occur at this meeting.

Commissioner Beets suggested inviting DEM to provide an introduction of new staff members, referencing that DEM recently hired two new engineers. Deputy Director Kawaguchi confirmed the hires.

A member of the public, **Roy Kadota**, then requested that the Commission consider adding an agenda item regarding **solar panel reuse** and the growing issue of disposal and management of electric vehicle (EV) batteries, noting hazards, shipping complications, and limited acceptance by current handlers. Corporation Counsel clarified that this testimony was allowable as a request for a future agenda item. The Chair acknowledged the request and stated it will be added to the November agenda.

Chair then asked for any additional recommendations from the virtual participants; none were offered.

**VII. ANNOUNCEMENTS** [SEE TOUTUBE PART 2 TIMESTAMP 28:41 – 29:39]

Chair Perez announced that the Commission currently has three vacancies, specifically in:

- District 2 – South Hilo
- District 5 – Upper Puna
- District 8 – North Kona

Chair noted that these vacancies offer a valuable opportunity for community members to join the Environmental Management Commission and participate in its ongoing work.

The Chair then announced that the next Commission meeting is scheduled for Wednesday, November 26, and will be held in Kona.

No further announcements were made.

**VIII. ADJOURNMENT** [SEE TOUTUBE PART 2TIMESTAMP 29:40 – 30:35]

Chair Perez called for a motion to adjourn.

**Motion 5: Commissioner Otsuka moved to adjourn the meeting, and Commissioner Canelas seconded. The motion passed unanimously.**

Meeting adjourned at 11:53 a.m.

Respectfully Submitted,

Tiffany Wallace, Secretary