

**ENVIRONMENTAL MANAGEMENT COMMISSION
COUNTY OF HAWAII**

DRAFT MEETING MINUTES

Wednesday, January 28, 2026

9:02 a.m. to 11:51 a.m.

Puna Conference Room, Hilo, and Zoom

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

https://www.youtube.com/watch?v=n_HnuldwM34

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:

Daniel Girvan, Director of Department of Environmental Management (DEM); Kelly Hartman, DEM Planner; Alex White, Temporary Assignment (TA) Information and Education Specialist; Tiffany Wallace, Private Secretary; and Sinclair Salas-Ferguson, Deputy Corporation Counsel.

Others Present:

Peter Sur and Alan Fukamizu.

I. CALL TO ORDER [SEE YOUTUBE TIMESTAMP 0:00]

Chair Perez called the meeting to order at 9:02 a.m., noting that quorum was present.

Commissioner's Present:

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

Vacancies:

- District 2
- District 3
- District 5
- District 8

II. APPROVAL OF MINUTES FOR October 22, 2025 [SEE YOUTUBE TIMESTAMP 1:25]

The Environmental Management Commission (EMC) will consider approval of the minutes from its meeting held on October 22, 2025.

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

Motion 1: Commissioner Kometani moved to approve the minutes, and Vice Chair Canelas seconded. The motion passed with a unanimous aye voice vote.

III. INTRODUCTION OF NEW STAFF MEMBERS AND DIRECTOR OF ENVIRONMENTAL MANAGEMENT [SEE YOUTUBE TIMESTAMP 2:22]

DEM welcomed a new Director, Daniel Girvan, who began his position on November 15, 2025. Director Girvan is from Michigan and previously worked in the automotive manufacturing industry, where he served as an Environmental and Energy Manager. He also owned and operated his own engineering business for over thirty years.

Additional new staff members were introduced: Jarrett Kodani, Civil Engineer II, and Jonathan Simonds, Civil Engineer II.

IV. PUBLIC STATEMENTS ON ITEMS ON THE AGENDA [SEE YOUTUBE TIMESTAMP 8:57]

There were no public statements provided at this time.

V. UPDATES FROM THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)

1. Solid Waste Division Updates:

- a. **DEM will address community request for presentation on the solar panel reuse program and disposal and management of electric vehicle (EV) batteries, noting hazards, shipping complications, and limited acceptance by current handlers. [SEE YOUTUBE TIMESTAMP 10:03]**

Ms. Hartman reported that Michael Rivera, Solid Waste Division (SWD) Chief, along with members of the recycling staff, briefed officials on the status of EV battery and solar panel recycling, noting that no formal recycling program currently exists on the island. While a few local vendors provide these services—such as Mr. K’s Recycle & Redemption Center, which accepts solar panels at \$0.55 per pound, Inter-Island Solar Supply, and hazardous materials companies that handle EV batteries—recycling, particularly for EV batteries, can be costly due to shipping expenses. There are no extended producer

responsibility (EPR) ordinances in place beyond a statewide electronics program.

She referenced a 2021 report on clean energy waste management and in 2025, a working group formed to develop EV battery recycling best practices, with recommendations due next legislative session. However, the working group does not include neighboring islands, and the department plans to request participation.

Staff recommended advocating for statewide EPR legislation rather than county-by-county programs to ensure consistency. The department will continue coordinating with other counties to lobby the Legislature, push for inclusion of EPR recommendations in the State Department of Health (DOH) Solid Waste Management Plan, update its own integrated solid waste management plan, and formally seek a seat on the working group.

Director Girvan noted that there is an active market for used solar panels, as some consumers are willing to trade peak performance for lower cost, and he does not anticipate solar panels becoming a significant disposal problem. He expressed greater concern about lithium-based batteries, including EV batteries and other lithium storage batteries used with solar systems, particularly given the island's large off-grid population.

He reported that Matson had recently adopted a policy to stop shipping EV batteries to the island, which could limit future EV imports, though lithium batteries are already in use locally. He emphasized the risks associated with lithium batteries, explaining that while they are highly reliable, failures can result in intense fires that are difficult to extinguish—posing serious hazards, especially in large storage settings.

Director Girvan concluded that if the County were to take responsibility for managing used lithium batteries, it would need to proceed carefully and fully understand safety risks and best practices. For now, he believes the private resale market will likely prevent most functional lithium batteries from entering the waste stream.

Vice Chair Canelas asked whether solar panels could be rehabilitated and reused on the island and whether the County could help create or operate such a market. Director Girvan responded that an active resale market already exists and that the County does not operate in that space, noting that solar users are typically well connected, particularly online.

Vice Chair Canelas observed that while the market is still emerging, end-of-life lithium batteries could become a significant issue in the next decade. Director Girvan agreed that lithium batteries cannot be disposed of in the landfill and said managing them could require a new function within the County's solid waste operations. He acknowledged that processing or reusing batteries would likely be costly and added that the future of the lithium battery waste market remains uncertain, though there is potential value in recovering essential metals.

Chair Perez asked about the quantities of EV batteries, lithium batteries, and solar panels currently being managed by the County. Director Girvan said he was unaware of specific volumes, noting that local retailers are small businesses and that no volume tracking is in place.

Chair Perez suggested that conducting market research could help inform the statewide effort, particularly given the lack of outer-island representation in the state working group's report due in 2027. She asked whether the County had the capacity to undertake preliminary research to better prepare for managing this waste stream.

Director Girvan responded that the market remains relatively small and self-regulating and said he did not believe research could be justified at this time, as the technology is still developing locally. He clarified that large solar farm projects in Kona and Waikōloa serve utility-scale or industrial purposes and are separate from the smaller consumer market under discussion.

Chair Perez emphasized the state's goal of transitioning to 100 percent renewable energy by 2030 and suggested that proactive market research would be prudent. Director Girvan replied that such an effort could be considered if funding were available.

Vice Chair Canelas stated that he was also considering the potential for job creation through repair and reuse, suggesting that the private sector could fill that role rather than the County managing lithium batteries directly, as they could become a valuable commodity. No further discussion occurred.

- b. Update regarding the passing of Bill 83 relating to plastic and the strategy for implementation, approach to addressing recommendations for success, and timeline for engagement. [SEE YOUTUBE TIMESTAMP 29:20]**

Following passage of Bill 83, Ms. Hartman reported that the Director requested a 12-month implementation roadmap. DEM staff would lead the effort,

including drafting rule changes, conducting a required small business impact assessment, engaging small business stakeholders, and coordinating review with the EMC, since appeals would come before that body.

The process would include legal review by Corporation Counsel, a public hearing and comment period, final action on the revisions, Mayor's approval, and filing with the County Clerk before the new rules become effective.

Mr. White stated that significant consumer and business education would be required due to the bill's complexity and the variety of materials involved, particularly compostable and bioplastics, which present environmental and processing concerns. He noted there is currently no County-led composting plan, existing in-vessel systems cannot process polylactic acid (PLA) or similar plastics, and no funding has been allocated. He added that implementation would require creativity, potential community partnerships, and that they were still awaiting the bill's effective date.

Chair Perez requested the 12-month roadmap and asked about funding and prioritization. Ms. Hartman said those questions should be addressed with the SWD Chief, noted the budget would be released publicly in March with a public hearing, and added that enforcement staff and vehicles would be needed if the County plans to enforce the new rules.

2. Wastewater Division Updates:

- a. DEM will provide an update on the Environmental Protection Agency's (EPA) administrative order on consent (AOC) and identify the objectives and goals for this year, outlining important review timelines and opportunities for EMC to provide input. [SEE YOUTUBE TIMESTAMP 39:26]**

Ms. Hartman noted that the EPA annual reporting period will end in March, with the report due one month later. The semi-annual reporting period ends in September, and at the EMC's request, those reports could be submitted.

For the next year, the team was tracking all projects and programs. They noted the need to begin designing the Kulaimano Wastewater Treatment Plant (WWTP) and finalize the capital priority ranking. A wastewater connection compliance program was scheduled for submission in December, and it was agreed that it would be appropriate to present it to the EMC in case of any appeals.

Construction on Hale Halawai force main replacement project was underway, with completion expected in summer 2027. Following completion, the financial plan would need to be developed and contracted out. The team also reported managing 13 capital projects. Chair Perez requested that the EMC be kept updated regarding any appeals.

b. Integrated Wastewater Management Plan Updates [SEE YOUTUBE TIMESTAMP 43:25]

Ms. Hartman reported that a draft integrated wastewater plan is anticipated by spring, although no official completion date has been provided. Chair Perez asked about the contract timeline, including whether an extension for the consultant, Carollo Engineers, would be necessary and when the final report would be completed. Ms. Hartman stated that she expects additional information within a few weeks, confirmed that project management has transitioned to her, and noted that she is reviewing invoices and updating the budget. She emphasized that the final integrated wastewater plan must be completed by January 2027.

Commissioner Beets asked how the financial plan and integrated wastewater management plan would align. Ms. Hartman explained that the integrated plan provides high-level cost estimates for AOC projects, other facility needs, and potential sewer expansion, aligned with the County's six-year budget and long-term 30-year outlook. She noted that a separate sewer rate study will assess cost of service, current and potential revenues, and funding capacity for operations, maintenance, and capital improvements. In response to a question about draft reviews, she stated that the draft plan would be submitted to the Commission for review.

i. Presentation from DEM on the Mayor's 2025 Cesspool Task Force Report and Recommendations for cesspool conversion and how this integrates with the IWMP and timeline. [SEE YOUTUBE TIMESTAMP 49:44]

Ms. Hartman noted she was not prepared to present on behalf of the Mayor's cesspool task force report but noted that the Commission had received the report and executive summary with recommendations. Chair Perez then asked how the plan would be integrated with the integrated wastewater master plan. Ms. Hartman explained that the department could not simply take over implementation because certain elements of the plan conflicted with state law and County policy. She stated that the department does not propose community

facilities or improvement districts, as those must be initiated through community and Council member petitions. Once petitioned, then the department becomes involved. The Finance Department reviews the financial aspects, Corporation Counsel reviews the legal components, and DEM reviews the engineering. The community is then presented with the information, followed by a public hearing.

She emphasized that the department does not implement such projects without community involvement, particularly since some communities could face multiple wastewater bills. She described the task force report as advisory in nature and stated that responsibility for next steps would vary. She noted that the department is responsible for managing the municipal sewer system and addressing necessary repairs. In light of cesspool conversion requirements, the department would at least evaluate where sewer extensions could occur. She added that proposals such as constructing a new wastewater treatment plant would require funding through an improvement district or community facilities district, which would be initiated at the Council level.

Chair Perez outlined six task force recommendations, including continuing cesspool conversions in four case study communities, identifying creative financing solutions tailored to Hawai'i County, working with priority communities to evaluate and demonstrate solutions, sustaining long-term community outreach, considering County and state policy interventions, and developing a phase two focused on implementation, partnerships, workforce development, operations and maintenance, and further research.

Ms. Hartman explained that DEM would become involved if the case study communities pursued sewer improvement funding through improvement districts or community facilities districts, and that continued collaboration with the community would be essential. She noted that initiating phase two of the task force would be at the Mayor's discretion.

She also clarified that while the report recommended DEM to enforce cesspool conversions, that authority rests with the State. However, through the County's connection compliance program, the department should coordinate with DOH to identify properties with sewer access that are not connected and communicate that information to the State, with further discussion planned in the coming year.

Vice Chair Canelas asked whether residents in communities like Pāhala and Nā'ālehu, who may receive separate sewer bills, would be informed about costs and community impacts. Ms. Hartman responded that outreach is planned, including a semi-annual community meeting on February 19th in Pāhala. She also noted that information is available on DEM's project website, including history and past presentations, and that recorded presentations can be viewed on YouTube. She explained that Pāhala is a special case because the County assumed responsibility for a large-capacity cesspool from C. Brewer. Since it is the County's cesspool now, it must be closed to comply with EPA requirements, and the communities are not required to form an improvement district because they already have access to sewer.

Director Girvan noted that a recurring question is the County's role in successful cesspool conversions. He explained that the integrated wastewater management plan had been delayed because Carollo had raised questions about funding and intentions that the County could not answer given current project expenditures. He emphasized that the County's role is to help complete the report and communicate to the public the plan, next steps, and available options. Chair Perez added that Nā'ālehu and Pāhala were prioritized due to large-capacity cesspools, which were banned in 2005, and noted that Miloli'i is one of the four priority communities identified in the cesspool task force report.

c. DEM to provide an update on the National Pollutant Discharge Elimination System (NPDES) permit applications that are in process. [SEE YOUTUBE TIMESTAMP 1:09:16]

Mr. Chris Laude, TA Wastewater Division (WWD) Chief, reported that the Hilo NPDES permit was issued in November, with no significant changes to plant monitoring, but it includes requirements to implement a pre-treatment program and a fats, oils, and grease (FOG) control program. The Kealakehe WWTP NPDES permit was submitted last year and is under review, with no feedback yet from DOH regarding a draft permit.

Chair Perez asked about the FOG program and how it would involve local businesses. Mr. Laude explained that there has been no prior meaningful regulation of FOG locally, so the program would begin with outreach and education. The department is assessing the number of food service establishments, available facilities to accept and process FOG waste, and

potential opportunities for new businesses to assist. He emphasized that these steps are necessary before establishing a fully functioning program similar to Maui or the City and County of Honolulu. Currently, there are no FOG problems in the collection systems here.

Chair Perez asked whether a FOG program is required by the AOC. Mr. Laude clarified that it is not AOC-mandated but is included in the Hilo NPDES permit and is expected in future NPDES permits. Regarding a timeline, Mr. Laude stated that the program is expected to be deployed sometime this year. He added that compliance management with local businesses would involve coordination between DEM and the Department of Public Works (DPW) plumbing division through the EPIC program.

Chair Perez recommended continuing the discussion on how the Commission could support tasks such as outreach, engaging businesses, and promoting compliance with the FOG program. Mr. Laude agreed and added that the EMC would handle any appeals arising from the program.

Commissioner Beets asked whether a countywide inventory would be conducted to identify primary users affected by the requirements. Mr. Laude responded that DEM staff, particularly the pre-treatment group, would conduct the inventory to determine who the users are, how many there are, where they are located, potential solutions, and strategies for achieving compliance, noting that suitable FOG disposal locations have not yet been identified.

Public Testimony – Alan Fukamizu [SEE YOUTUBE TIMESTAMP 1:21:20]

d. DEM to provide update on the past EMC recommendation and input on how to proceed with current planning:

i. Kealakehe Water Reuse – EMC Recommendation 2021 [SEE YOUTUBE TIMESTAMP 1:23:30]

Ms. Hartman reported that the County's settlement agreement with Earthjustice remained active litigation and required two separate efforts: upgrading the Kealakehe plant to produce R1 water and developing a plan for its reuse.

The County met required deadlines to submit the Kealakehe NPDES application and issue a request for bids, with construction of the R1 upgrade project expected to begin in March and be completed by

summer 2029. A reuse feasibility study is due by October 2026, and the County must select and complete a reuse project by 2031.

Mr. Laude reported some R1 pipeline infrastructure exists from a prior County initiative tied to the Queen Ka'ahumanu widening project, none currently connects to the plant. Director Girvan noted that development in the area is expected to exceed the original reuse requirement of 100,000 gallons per day. The plant is currently processing about 1 million gallons per day, with flows anticipated to increase.

Director Girvan emphasized the strong potential for R1 water reuse and stated his goal of establishing market value for the water rather than providing it at no cost. The department is evaluating options and considering incorporating R1 water into its rate structure study to determine potential users and pipeline expansion feasibility.

VI. UNFINISHED BUSINESS

- 1. DEM to provide timeline for optimal participation from EMC to offer support and recommendations to the Operation and Maintenance Budget and Capital Improvement Budget processes so Chair can develop a standing calendar and reference document to support future actions. [SEE YOUTUBE TIMESTAMP 1:36:56]**

DEM provided a timeline for the budget process. Chair Perez opened the floor for discussion regarding how the EMC would like to participate and engage in the process and requested guidance and insight from DEM. Ms. Hartman clarified that the schedule applied to both the Capital Improvement Program (CIP) and operations budgets. She stated that the public hearing for both budgets would take place in March. If the EMC wished to review draft budgets and provide public input, March would be the appropriate time. She further explained that if the EMC wanted to provide high-level guidance prior to DEM's submission of the draft budget—without reviewing a copy—they could do so around September.

Ms. Hartman explained that DEM submitted its draft budget to the Planning Department, after which it was forwarded to the Mayor. The Mayor then presents his proposed budget to Council. She advised that if the EMC had items of interest, they should consider planning within a six-year timeframe for the capital budget. Chair Perez requested that the matter be agendaized for the February or March meeting to allow the EMC to submit its support to the Council.

At 10:50 a.m. the commission took a recess, and the meeting was called back to order at 11:00 a.m.

VII. NEW BUSINESS

- 1. Discussion on how the Environmental Management Commission (EMC) can facilitate efforts to identify financing options for sanitation improvements and promote cesspool conversion. This initiative may be addressed through future public agenda items or by establishing a newly formed Permitted Interaction Group (PIG).** [SEE YOUTUBE TIMESTAMP 1:47:57]

Chair Perez revisited prior discussions about forming a PIG to further explore financing options and past recommendations. She opened discussion on creating a new PIG focused on wastewater issues. Mr. Salas-Ferguson clarified that a PIG may include up to four commissioners, must define its scope, conduct research, and submit a report of findings to the full Commission with discussion of the report to occur at the following meeting.

Commissioners discussed whether to focus on district-specific needs or island-wide solutions, noting the complexity of areas such as Miloli'i and the potential for overlapping solutions. Interest was expressed in exploring alternative funding mechanisms, including expanding or refining an enterprise fund model. Mr. Laude explained that wastewater already operates similarly to an enterprise fund and suggested that broader user fees or a non-point source program (including possible MS4 authority) could help generate revenue, support water quality efforts, and provide matching funds for grants such as Section 319 funding.

Chair Perez noted ongoing financial constraints within DEM for studies and financial analysis and recommended deferring the item to the next agenda under unfinished business.

- 2. Discussion on how the EMC can assist the DEM in addressing the Hawai'i Cesspool Task Force recommendation's 2025 report that will support cesspool conversion outreach and implementation.** [SEE YOUTUBE TIMESTAMP 2:08:00]

Chair Perez stated that the recommendations she reviewed with Ms. Hartman were drawn from the executive summary of the task force report. She recommended placing the item on the next meeting agenda under unfinished business. She also stated that she would contact Joselyn at RLF to request a presentation explaining the purpose of the effort, why the task force was convened, and the intent of its recommendations. Chair Perez indicated that the Commission should receive a

presentation on the full report before determining how it wished to support the recommendations.

- 3. EMC will review the 2026 Hawai'i County Bill Package for Cesspool Conversion and discuss if they will offer input or recommendations. [SEE YOUTUBE TIMESTAMP 2:09:44]**

Chair Perez stated that the bill package had been developed regarding cesspool conversion and included recommendations that would proceed to the State Legislature. She explained that the proposal modified the conversion timeline by establishing new deadlines for designated priority areas.

Chair Perez expressed concern about extending cesspool conversion deadlines beyond 2050. She stated that research indicated that such delays could negatively impact coral reefs and natural systems. She further expressed concern that extending the deadline for Priority Two cesspools to 2060 would knowingly allow continued contamination of drinking water sources. Mr. Salas-Ferguson clarified that the EMC could provide comments to the DEM, urging the department to submit specific comments to the State Legislature. Commissioner Garcia stated that he supported efforts to expedite conversions for Priority One areas.

Motion 2: Vice Chair Canelas moved to support expediting the conversion of cesspools and to oppose any delays. Commissioner Kometani seconded the motion. Chair Perez opened the floor for discussion. Commissioner Beets requested clarification that the intent was not to support the current bill document as written, but rather to support expediting certain components. Commissioner Beets then moved to amend the main motion to specifically reference House Bill 2060 and to urge DEM not to support delayed cesspool conversion timelines and instead to support efforts to expedite conversions. Commissioner Kometani seconded the amendment. The amended motion passed with a unanimous aye voice vote. With no further discussion, the main motion, as amended, also passed with a unanimous aye voice vote.

- 4. Annual election of EMC Chair and Vice Chair. [SEE YOUTUBE TIMESTAMP 2:34:11]**

Chair Perez opened the floor for nominations for Chair and Vice Chair.

Motion 3: Vice Chair Canelas moved to nominate Erica Perez as Chair for 2026; Commissioner Kometani seconded the motion. The motion passed with a unanimous aye voice vote.

Motion 4: Chair Perez moved to nominate Justin Canelas as Vice Chair for 2026; Commissioner Garcia seconded the motion. The motion passed with a unanimous aye voice vote.

VIII. FUTURE AGENDA ITEMS

- 1. Commissioners and members of the public may email items for consideration on the next agenda to Chair Perez by Friday, February 6, 2026. [SEE YOUTUBE TIMESTAMP 2:36:19]**

IX. ANNOUNCEMENTS

- 1. The EMC has Commissioner vacancies for Districts 2, 3, 5, and 8. [SEE YOUTUBE TIMESTAMP 2:36:57]**
- 2. The next meeting is scheduled for Wednesday, February 25, 2026, at Community Meeting Hale (Building G). Please contact the Board Secretary or review the agenda posted on the County Calendar within six days of the next meeting for confirmation. [SEE YOUTUBE TIMESTAMP 2:37:35]**
- 3. See current schedule for EMC for 2026. [SEE YOUTUBE TIMESTAMP 2:37:53]**

X. ADJOURNMENT [SEE YOUTUBE TIMESTAMP 2:38:09]

Motion 5: Commissioner Kometani moved to adjourn the meeting; Vice Chair Canelas seconded. The motion passed with a unanimous aye voice vote.

The meeting was adjourned at 11:51 a.m.

Respectfully Submitted,

Ashley DeVera, Secretary