

# INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

Council of the County of Maui

## MINUTES

January 12, 2015

Council Chamber, 8<sup>th</sup> Floor

**CONVENE:** 1:36 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Elle Cochran, Chair  
Councilmember Robert Carroll  
Councilmember Stacy Crivello  
Councilmember Don S. Guzman

NON-VOTING MEMBERS:

Councilmember Don Couch (out 2:17 p.m.)

**EXCUSED:** VOTING MEMBERS:

Councilmember Riki Hokama, Vice-Chair  
Councilmember Gladys C. Baisa  
Councilmember Mike White

**STAFF:**

Jordan Molina, Legislative Analyst  
Raynette Yap, Committee Secretary

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

**ADMIN.:**

David Goode, Director, Department of Public Works  
John Smith, Civil Engineer IV, Department of Public Works  
Michael Miyamoto, Deputy Director, Department of Environmental Management  
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

*In the gallery:*

David Taylor, Director, Department of Water Supply  
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works  
Lesli Otani, Civil Engineer V, Department of Public Works  
Brian Hashiro, Chief of Field Operations and Maintenance, Department of Public Works  
Cary Yamashita, Engineering Program Manager, Department of Public Works

**OTHERS:**

Peter Davis, President, Maui Meadows Neighborhood Association  
Craig Haueisen

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Susan Bradford  
Daniel Kanahele  
Joe Ritter  
Debra Greene  
Matthew Kurano, Clean Water Branch, Department of Health, State of Hawaii  
Plus (9) Others

**PRESS:**     *Akaku Maui County Community Television, Inc.*

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CHAIR COCHRAN:    *... (gavel) ...* Aloha. Will the Infrastructure and Environmental Management Committee please come to order? It is January 12, 2015 and around 1:35 in the afternoon. Thank you, Rayna. And I am Councilmember Elle Cochran, the Chair of this Committee, once again, for another two terms and looking forward to great work. Before we begin, please silence all cell phones or any other noise-making devices, Don Couch. And introducing Members that are present, Vice-Chair of the Committee this year is Riki Hokama who is excused. And also Ms. Baisa may be joining us shortly. We have Bob Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon, Mr. Carroll. And we have Stacy Crivello.

COUNCILMEMBER CRIVELLO: Aloha, Chair.

CHAIR COCHRAN: Aloha. Mr. Don Guzman.

COUNCILMEMBER GUZMAN: Happy New Year, Chair.

CHAIR COCHRAN: Happy New Year. And also Mike White is excused. And but joining us is non-voting Member, Mr. Don Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR COCHRAN: Welcome, nice to have you here. And of Committee Staff we have Legislative Analyst Jordan Molina once again.

MR. MOLINA: Good afternoon.

CHAIR COCHRAN: Aloha, Jordan. And Committee Secretary Rayna Yap. Great to have you folks with us still. And then for testifiers in the Chambers, please sign up at the front lobby desk here on the eighth floor. And also testify on the items that are on the agenda today. You will be given three minutes to testify, and when testifying please state name, any organization you might be representing. And we also have a connection to our District Offices. And from those sites people can sign up for testimony. Also we shall rotate equally throughout the different districts. Let me check in with our District Offices. In Hana, Ms. Lono, are you there?

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MS. LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office.

CHAIR COCHRAN: Thank you, Dawn. Do you have any testifiers?

MS. LONO: There is no one waiting to testify.

CHAIR COCHRAN: Thank you. And on Lanai, Ms. Fernandez, are you there with testifiers?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

CHAIR COCHRAN: Thank you. And on Molokai, Ms. Alcon, do you have any testifiers?

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

CHAIR COCHRAN: Thank you, ladies. If you do get testifiers please contact our Analyst here, Legislative Analyst and Secretary. Thank you very much. So, Members, with that I shall now go to our Chambers for testifiers. Mr. Molina, we have people signed up for testimony?

MR. MOLINA: Madam Chair, we have, currently we have six people signed up to testify. The first testifier is Peter Davis, and Peter will be followed by Craig Haueisen.

CHAIR COCHRAN: Thank you. Mr. Davis.

**. . . BEGIN PUBLIC TESTIMONY . . .**

MR. DAVIS: Good afternoon and thank you for the opportunity to come and testify today. I'm Peter Davis. I am the president of the Maui Meadows Neighborhood Association which services the community of Maui Meadows. We were fortunate enough to be the beneficiaries of the pilot program. We've had it since its inception. We love it. Our people are passionate about trying to maintain the curbside recycling in all respects if that would be available. We recently took a survey of our members as to things they thought were important in our neighborhood and this came out number one. It's the only item that was unanimously supported by all of our members saying maintaining the curbside recycling was what they really wanted to see happen. We do not know the costs because we haven't been privy to all the real figures, and I think there's some discussion gonna be had about the real cost of maintaining this program. We think that regardless of what the cost is the benefits outweigh the negatives of the cost factor. However, if it is true that the cost of shipping things to Asia in terms of what we call the blue can is a cost that cannot be accepted in the long term then as a fallback position we would strongly urge the maintenance of the green can which is the green waste. We can understand why it may cost money to ship things over to Asia, but it doesn't seem to us that it's going to cost a lot more money to take the

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trucks to the landfill and turn left rather than turning right and dumping it off at the composting area. Our neighborhood is all at least half-acre lots. We generate a lot of green waste. Personally it's about a five-to-one ratio of garbage versus green waste. One of my other board members tells me he's 90 percent green waste to 10 percent garbage. We generate an awful lot of green waste up there, and to have it going into the landfill as organics when we could just take it next door and drop it there we think defies logic. And even if there's a slight cost added to it for taking that route we think it more than is justified by the benefits of not putting green waste into the landfill. Those are my comments. Thank you.

CHAIR COCHRAN: Thank you, Mr. Davis. Members, are there some clarifying questions for our testifier? Any...I'll see if the voting Members first 'cause I have Mr. Couch here chomping at the bit. If not, then, Mr. Couch, the floor is yours.

COUNCILMEMBER COUCH: Thank you, Madam Chair. And thank you, Mr. Davis, for being here. The question I have for you on the, if you were, if we were to keep the, just the green waste, it would be one day a week would be regular trash and then the next, at the same day, I mean the same week would be green. So you would have only one day a week of regular trash. Is that sufficient? Is that, would that...

MR. DAVIS: That's what we have now and I'm...

COUNCILMEMBER COUCH: Right, but you're also recycling in blue.

MR. DAVIS: Right. You know it's...that's an interesting question as to whether...if the blue has to go in with the brown, what that would be in terms of the volume and whether once a week would be good enough. I don't know the answer to that, but I do know that we can more than fill up a green can in one week.

COUNCILMEMBER COUCH: Okay.

MR. DAVIS: And most people if you drive through our neighborhood and you see the green cans which are picked up every other week, you see the lids up and stuff stuffed in it is sticking out, because once a week doesn't really do it for the green, we generate that much stuff. And it's just the thought of putting that all into the landfill is just, we dread it.

COUNCILMEMBER COUCH: Okay, thank you. Thank you, Chair.

CHAIR COCHRAN: Okay, thank you, Mr. Couch. Members, any further questions needed? No. Thank you, Mr. Davis, for your time. Next testifier, Jordan.

MR. MOLINA: The next testifier is Craig Haueisen, and Craig will be followed by Susan Bradford.

MR. HAUEISEN: Aloha. Good afternoon. Thank you for your time this afternoon. My name's Craig Haueisen and I'm here as an individual homeowner in Maui Meadows,

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and would like to see the three-can recycling plan continue. My understanding is that it might be cost prohibitive and I have not seen figures that state that it's too expensive to ship stuff off island. I personally, if I lose the benefit of the blue can will continue to take stuff to the recycling facility on Welakahao where they have the bins there. Therefore, I'm going to continue to contribute to recycling. I would prefer that it be made easier for myself and for my fellow neighbors and residents in Maui Meadows that they can continue to recycle and keep stuff out of the landfill by making it as convenient as possible in the blue cans. I along with Peter Davis though do support if we can't keep the blue can recycling that we go down to the green can once a week and the trash pickup once a week. I fully believe having trash pickup in the traditional brown can twice a week is overkill for many of the people, so therefore having one day a week as regular trash pickup and another day designated as either the green can or green and blue I fully support. Thank you.

CHAIR COCHRAN: Thank you for your time. Members, any need for clarification from our testifier? Seeing none, thank you for your time.

MR. MOLINA: The next testifier is Susan Bradford, and she will be followed by Daniel Kanahele.

MS. BRADFORD: Good afternoon, everybody. Don't even know what day it is here practically. Okay. My name is Susan Bradford and I'm here to testify too about the curbside recycling and then also the Anaergia system. As you know the County Council in 2012 approved that the curbside recycling should be...and gave money towards curbside recycling being expanded around the island which was the original intent. Because that never happened because the Administration as I understand it did not move forward with that, you have just a few people testifying today because we're the beneficiaries and know how good that system is of having curbside recycling at our homes. But I think it's, for me there's a bigger concern. Of course I like having curbside, it makes it very easy and I care deeply as we all do about the planet and what we're doing, but I feel like this has not been vetted. I don't think it's been vetted by the community and I don't know how well it's really been vetted by the Council what these decisions are by the Administration and what's going on. Because when I look up at the, a website that tells me what the County statistics are and with the statistics I get from Mr. Ginoza's letters, they don't match. And when we talk about what is the real cost of Anaergia in the long term, I know they've come and they've said, you know, for you it's going to be free, \$100 million or something. And then you have to put some money in, but what are the real costs? I mean do we really know what's going on? And I have not been able to find true answers to this. And until we really understand what we're doing, why are we going to do away with something that has been working? And even those costs, you know, one...Mr. Ginoza says it costs millions and millions of dollars to ship things off and then other people who are involved in recycling say that's not so. So I mean the numbers are just too confusing. I don't know what the right answer is, I'm confused. But I'm, I haven't seen anybody bring those things together and really understand the situation here. In the meantime if you...my concern is that if you take the cans away that'll be kind of the end for...I mean now there's 1,700 households getting, you know, curbside recycling. You take

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1,700 or 3,400 cans away and they're not going to be returned. You're going to have to start all over again if this Anaergia thing isn't what it appears to be. So I urge you to, you know, to support the continuation of curbside --

MR. MOLINA: Three minutes.

MS. BRADFORD: --and the investigation of these facts and figures both for recycling and for Anaergia.

CHAIR COCHRAN: Thank you, Ms. Bradford.

MS. BRADFORD: Thank you.

CHAIR COCHRAN: You're welcome. And, Members, any need for clarification from our testifier? Seeing none, thank you, Ms. Bradford.

MR. MOLINA: The next testifier is Daniel Kanahele, and he will be followed by Dr. Joe Ritter.

MR. KANAHELE: Chair, Committee members, Hauoli Makahiki Hou.

CHAIR COCHRAN: Hauoli Makahiki Hou.

MR. KANAHELE: Nice to be before you this morning. My name is Daniel Kanahele. I'm testifying as an individual on Item 11(1). I am wearing my Boy Scout of America Wood Badge hat today. In scouting we teach our boys to leave no trace which means pick up after yourself, pick up your waste. Recycling is a great way of leaving no waste. I live in Maui Meadows and have been a participant in the three-can plan program. The three-can plan program is part of the County's approved Integrated Waste Management Program 2009. That was approved by the County. One of the objectives, recommended objectives of that plan was universal or is universal curbside recycling. The three-can plan program in my view is the study undertaken to test the viability of curbside recycling. Now by all measures that plan, that program has been successful. We as participants received regular reports on what was being diverted from the, you know, from the dump. The objective of the plan is to divert 60 percent of the waste from the dump, and so we felt good that we were contributing to that. I felt very good knowing that my green waste--and we produce a lot of green waste as Peter Davis has stated--was not going to the dump but was going to the compost pile to be recycled. That's a good thing. You know we as Maui Meadows residents can testify to the success of the plan. More has been recycled, more has been diverted. And so based on these results, we feel that this plan should have been moved forward to universal curbside recycling for the whole County. But now what has happened is that the plug is being pulled, and we as participants are wondering why is the plug being pulled and what is the cost to all of us for pulling the plug? So I'm here to ask the Committee to look into this, into the apparent demise of this program and seek to advocate for a suspension until an audit has been completed and the waste-to-energy plans of the Administration that's being proposed has been properly vetted so that there's transparency in all phases so the public and you, Committee members, as well as the

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Council has an opportunity to really look at these things and the numbers and is the waste-to-energy plan really going to solve our problems and is it viable economically? So thank you for the time. That is my testimony.

CHAIR COCHRAN: Thank you, Mr. Kanahale. Members, any need for clarification of the testifier? Seeing none, thank you, Mr. Kanahale.

MR. KANAHELE: Thank you, Chair.

CHAIR COCHRAN: You're welcome.

MR. MOLINA: The next testifier is Dr. Joe Ritter, and he will be followed by Dr. Debra Greene, who is the last testifier signed up to testify.

MR. RITTER: Honorable Chair Cochran --

CHAIR COCHRAN: Aloha.

MR. RITTER: --Council members, and citizens of Maui, I am Dr. Joe Ritter. I thank you for the opportunity today to respectfully request your help in continuing and expanding presorted curbside recycling, what we call the three-can plan on Maui. For the sake of future generations let's not throw this under the bus. I have a few questions on my mind today. I appreciate your help in finding some answers. The Mayor, Governor, and OHA all signed a 70 percent waste reduction sustainability goal by 2030 yet we're about to do away with curbside recycling? Maui County currently pays zero to process residential green waste, why take away green waste? It's my understanding that the initial rollout of curbside recycling costs only \$43 per year per household, only 20 percent of the \$216 per year we pay already for solid waste disposal. Why discontinue this? Why stop it halfway through the fiscal year as funds are already budgeted and it's not costing much? Is it true that it costs 130 tons...\$130 per ton for curbside recycling to process but it costs \$200 per ton to process drop box recycles? So it costs more? So by taking away this recycling program it actually costs more to recycle? Is that true? Does that even include added difficulty and fuel required to recycle and personal vehicle costs? Is curbside recycling as expensive as the Administration claims? In the name of transparency I sincerely thank the Council for seeking answers by Department of Environmental Management audit. As a citizen I'm pleased that in the name of transparency an audit process has been initiated by Council, and I thank you for that. Councilman Victorino had introduced a zero waste resolution I believe now in this Committee. What happened to this? Is curbside recycling a fundamental part of that resolution? Will this still be introduced? Is waste-to-energy the highest and best use of our garbage? Not according to the EPA hierarchy of waste management. Source reduction and reuse is the most preferred use. And if we're looking at sustainable methods for Maui we must consider that preferred hierarchy. Is it true that the contract with Anaergia was drafted not by the Solid Waste Division? In fact they were banned from involvement or contact. Is it true that over the next 20 years the County will be obligated to pay over \$140 million to Anaergia? Was this voted on by Council? Three hundred thousand dollars was

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already spent on recycling cans, do we throw this money away? How will cans be collected? How much manpower will it take to get the carts back? Is it true that this will all be done on overtime? Why are we making moves away from recycling and sustainability? Are we really that backwards? I think not. While our answers to these questions are sought, I respectfully ask you to act to delay the end of the three-can pickup. Once the cans are gone, it will be hard to reestablish and is already funded for the year in budget.

MR. MOLINA: Three minutes.

MR. RITTER: I'm almost done. May I have one more minute, please?

CHAIR COCHRAN: You have a few more sentences. If you have that in writing --

MR. RITTER: Thank you.

CHAIR COCHRAN: --we can take that.

MR. RITTER: I certainly will send it in writing as well. In addition to my questions, I thank you here for the opportunity to voice not only my opinion but the unanimous opinion of the survey sent to approximately 100 Maui Meadows Neighborhood Association members whose response 100 percent unanimously agreed that they wanted curbside recycling and were in favor of the three-can plan. We have about 750 households and 500 properties in Maui Meadows--I think that's right--and the people have spoken very clearly. In this matter I have full confidence and every expectation in our County managers and our esteemed Council to uphold what is best for the people of Maui and to represent the needs and wishes of the citizens of Maui. I thank you all for your consideration of these important questions, and look forward to transparency and answers that benefit our community. Thank you.

CHAIR COCHRAN: Thank you, Dr. Ritter. And yeah, if you have that in writing it will be helpful --

MR. RITTER: I will send it.

CHAIR COCHRAN: --for this Committee to follow up with the questions that you have for us.

MR. RITTER: I certainly shall.

CHAIR COCHRAN: And Members, for yourselves, you have any need for clarification from our testifier? Seeing none, thank you. Thank you, Doctor.

MR. MOLINA: The last testifier is Dr. Debra Greene.

CHAIR COCHRAN: And before Dr. Greene begins her testimony, if there's anyone in the gallery that would like to testify, please sign up at the lobby desk and be in line to testify after Dr. Greene. Aloha.

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MS. GREENE: Aloha. Thank you for your time and attention today. I also live in Maui Meadows, where we're part of the three-can plan curbside recycling program, and we have benefitted greatly from it and are very grateful to have been able to participate. We understand the program is funded through the end of this fiscal year, but it's slated to be prematurely stopped at the end of this month, and we're told it's being stopped because it's not cost effective. But statistics on the zerowastemaui Web site show that the program costs less than \$44 per account per year, and this certainly doesn't qualify as expensive or cost prohibitive by any definition I'm aware of. So the question arises really why is the program being stopped? The planned anaerobic digester factory takes us in the direction of being obligated to produce a substantial amount of waste in order to feed that machine, and this flies in the face of the Environmental Protection Agency's hierarchy of waste management which is to reduce, to reuse, and to recycle in that order. Maui County is a special place where the environment is linked not only to the livelihood of so many people but also to the rich cultural history of an entire race. Why is the Administration so out of step with what's recommended in order to protect the environment? Instead of spending money to build a factory to convert waste-to-energy pellets which may or may not have a viable market, why not put that money into educating people and creating easy ways for businesses, residents, and visitors to reduce, reuse, and recycle? The three-can plan is a beginning and should not only be continued but expanded. Even if the anaerobic digester factory becomes a reality, it'll take a long time before it's operable, and in the meantime we must protect our environment by keeping as much as possible out of the landfill and encouraging people to recycle. Several months ago the Maui Meadows Neighborhood Association of which I'm a member polled its membership on important issues affecting Maui Meadows, and continuation of the three-can plan received unanimous support, and it was the only issue in the entire survey to accomplish that. Further, our Maui Meadows neighborhood website is currently overflowing with residents' comments in favor of doing whatever we can to continue the program. Maui Meadows residents are passionate about recycling. At the beginning of the three-can plan pilot program, we received letters in the mail informing us of how much recyclable material we had saved from the landfill, and the numbers were substantial and encouraging. Please consider continuation of the three-can plan at least until another viable option can be implemented. Thank you very much.

CHAIR COCHRAN: And thank you, Dr. Greene. Members, any need for clarification of our testifier? Seeing none, thank you for your time. Do we have anyone else wishing to testify? Looks like no one approaching. So, Members, without objections, I shall now close public testimony.

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS. (EC, RC, SC, DG)

CHAIR COCHRAN: Thank you very much.

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**. . . END OF PUBLIC TESTIMONY . . .**

**ITEM NO. 11(2): COMMITTEE'S PRIORITIES AND PROCEDURES;  
PRESENTATIONS FROM COUNTY ADMINISTRATIVE  
AGENCIES (ORIENTATION WORKSHOP BY THE DEPARTMENT  
OF PUBLIC WORKS)**

CHAIR COCHRAN: Okay, moving on to our first agenda item which is IEM-11(2), and this in regards to Committee's priorities and procedures where we can receive presentations from our County Administrative agencies. And today we have Department of Public Works. And so this is pursuant to Rule 7(B) of the Rules of the Council. The Committee intends to have an orientation workshop to be conducted by Department of Public Works. The workshop may cover such topics as the organization of the Department and current efforts of the Department Development Services Administration, the Engineering Division, and the Highways Division. The...and so we shall be receiving a presentation. We have representing Department of Public Works Director Davie Goode.

MR. GOODE: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. And do you have others with you from your Department? If you can introduce them.

MR. GOODE: Sure. Well actually I'll start with the gentleman to my right is Matthew Kurano from the State Department of Health, Clean Water Branch, and he's going to be making a presentation on our MS4 program, as well as other staff which I can introduce when I get to our portion of the presentation.

CHAIR COCHRAN: Okay, very good. And from Corporation Counsel we have Mr. Michael Hopper. Aloha. Happy New Year. And let's see, Members, I am encouraging questions during presentation. We now have the big screen here on the wall, and so as we progress through it, if at any time you have questions, feel free to interrupt David Goode. And that way it's fresh in our minds to ask the question and we can address that at the time rather than wait until the end and recall what it was. So at this point then I shall turn the floor over to Director Goode.

MR. GOODE: Okay.

CHAIR COCHRAN: And you may proceed.

MR. GOODE: Thank you, Chair. And good afternoon, Members, and one non-Member. Thanks for attending, appreciate it. We really do value the opportunity to come and talk about our Department in general without having a specific item in front of you, no resolutions, no ordinances, no budget amendments. It gives an update as to what's important within the Department, what we're working on, and of course as we move into the budget cycle, how that might affect upcoming budget negotiations or

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discussions. The, we were here last year in February, gave a presentation on the Department, touched on all three Divisions, which as a reminder, Development Services Administration handling primarily permits within the construction field; our Engineering Division which, who plans and designs roadways and drainage infrastructure; and our Highways Division which maintains that infrastructure. And we talked about all three of those at length and some of the programs and initiatives within each Division. And we then wrapped up that discussion by talking about two new programs that at the time didn't really fit within one particular Division or another, and those were the Metropolitan Planning Organization, the MPO and what we call the MS4 program, the Municipal Separate Storm Sewer System program that actually garnered a lot of discussion from the Council. So I was reviewing those minutes prior to coming to this meeting, I was reminded that these new programs, you know, caught the Council's attention and want to understand better how we're going to move forward with them, what our options were, et cetera. And so for this presentation, I thought it would be best that we really just concentrate on the MS4 program. So today we're going to have two presentations, one by Mr. Kurano who I just introduced and he's got a good overview of how this program, you know, emanates from the Federal government through the State of Department of Health and to various local agencies. And then an engineer, John Smith and myself will give a presentation on how we are moving forward now that we have a permit and we have a plan under that permit to move forward. And before I hand it to Mr. Kurano, I just want to mention that ultimately what, you know, is trying to, we're trying to achieve here is that we have, you know, storm waters that move through our system which is typically along the coastlines that enter receiving waters, our shoreline, the ocean. And ultimately the objective here is to have cleaner water going to the ocean which is something I think none of us can argue about as a laudable objective. How we get there and how we plan and program for that will be the subject of many years of discussion and action, and a lot of coordination. And so with that as a background I'd like to have Mr. Kurano take over and he can give his presentation. And then after that and depending on questions we'll give our presentation.

CHAIR COCHRAN: Okay. Thank you, Director. And thank you, Mr. Kurano, for being here. I understand you came from the island of Oahu to be with us.

MR. KURANO: Yes. Thank you, Chair.

CHAIR COCHRAN: Thank you.

MR. KURANO: And thank you, Council.

CHAIR COCHRAN: You may proceed. Thank you.

MR. KURANO: I was asked to present today to talk about the--I'm a regulator so I'm going to use acronyms that confuse people--the NPDS MS4 program. So I, my name is Mathew Kurano, I work for the Department of Health, Clean Water Branch. I'm in the Enforcement and Compliance section and pretty familiar with the different counties' efforts to manage storm water and water pollution in the State of Hawaii. We're here

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today to talk specifically about County of Maui and its MS4 efforts, and as I think the Chair mentioned, if you have any questions, please feel free to ask. I'm really here at the behest of or the behest of the Department and of your benefit. I think everybody in Hawaii is, cares very passionately about the environment. There's no doubt that we're all here and we have come back here and we live here.

CHAIR COCHRAN: Wait, sorry.

MR. KURANO: Alright.

CHAIR COCHRAN: Can everyone see that? Mr. Carroll, you're at the...far.

COUNCILMEMBER COUCH: Can he put it in slide mode? There you go.

MR. KURANO: How's that?

CHAIR COCHRAN: Oh, okay.

MR. KURANO: Is that better?

CHAIR COCHRAN: Just wanted to make sure.

MR. KURANO: I can maximize.

CHAIR COCHRAN: 'Cause I could barely...and we also have it in print too, hard copies.

COUNCILMEMBER GUZMAN: Actually...

CHAIR COCHRAN: What? Mr. Guzman.

COUNCILMEMBER GUZMAN: Chair, where is this on the...I don't think we have that, Hawaii's water quality on...do we?

CHAIR COCHRAN: There's two handouts, Mr. Guzman.

COUNCILMEMBER GUZMAN: Oh, two handouts.

CHAIR COCHRAN: You have...

COUNCILMEMBER GUZMAN: Okay, I got.

CHAIR COCHRAN: Okay.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR COCHRAN: So it'd be the other...

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MR. KURANO: Okay? Thank you, Chair.

CHAIR COCHRAN: Okay.

MR. KURANO: Everyone feels very deeply connected to the land and we pay a premium to live in Hawaii or to visit Hawaii. Water quality obviously is something that is very obvious as Director Goode said. We in general have a pretty good regulatory control on all the traditional water pollution issues like wastewater or industrial processed waters, but Hawaii's waters are largely impaired by storm water and storm water quality. And this is storm water that falls on Agriculture or Conservation land or also storm water that falls in urbanized areas. There are a lot of reasons to care about storm water. As somebody who came from a science background, the first one that comes to my mind is ecological reasons. As we have more and more impact on this Earth, we have to temper that impact. If not, it's not in our best interest, we are animals of this planet. There are large ecological impacts to not managing storm water correctly, and it has to do with not protecting our drinking water and water quality and coastal and stream resources. There's also really strong social impacts. You know as I've already said and which everybody agrees with, in Hawaii we are very deeply connected to the aina, or our culture is so deeply embedded into enjoying the environment. It's huge for tourism, it's really important culturally and otherwise. There's also a really practical aspect to managing storm water and storm water infrastructure. In the slide that's on the screen, all the red and green and black lines come from the City and County of Honolulu's GIS or mapping system that they use to identify and manage their storm water infrastructure. And as you can imagine for every street that you have drainage, you have catch basins and miles of pipe. And these are all assets owned and operated by the County. And they're in need of maintenance and operations and are critical pieces of infrastructure for all of us living, either through transportation or to prevent flooding and for water quality. So when it comes to the world of storm water, who writes these storm water regulations? To whom are we subject to regulatory authority? It stems from the Federal government with the Clean Water Act, and the US EPA is really the executive agency responsible for implementing the act. But it also gets promulgated down through the State, and at the Department of Health, we the Environmental Health Management are...in the Environmental Health Administration, Environmental Management Division are responsible for issuing permits that regulate things like storm water. And what it does at a county level, when you hit a certain geographic urban density, is that the counties are also very much a part of the storm water program and regulatory oversight, issuing ordinances, issuing...or, you know, getting ordinances and providing enforcement and overall operations and maintenance of the storm water system. Here's a very confusing slide of how you get triggered and become part of the MS4 regulatory universe. There are really two ways. One, you hit a certain urban density based on the last census. So as you all know, Maui's population has grown and the urban density within the Kahului-Wailuku area automatically triggered the regulatory NPDS requirement or permit. But there's another way into the system as well and it has to do more with when a specific urban area and discharger, storm water discharger either discharges to sensitive waters or has a high growth or growth potential, these are some of the other factors in which the MS4 can grow or be

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designated outside of just the areas that have high urban density. And I think in Hawaii we can all acknowledge that we have sensitive environmental resources and assets worth protecting. So we talk about what is this MS4 program. So it's this county program that manages storm water so that the storm water quality is fishable and swimmable in nature. But what is that and how is that done? Well the permit that comes down from EPA through the State to the County requires the County to implement a storm water program that has at a minimum six discreet elements that the County must implement in order to have an effective and compliant program. It involves pollution prevention and housekeeping, public involvement, public outreach, post construction and construction site runoff controls, and illicit discharge elimination. I'm going to go very briefly over each of these subjects. It sounds like it stands alone but really there are just six practical areas in which a county will put together a comprehensive storm water program to effectively manage what goes in and what comes out of its system. We all acknowledge that what comes out has to be clean and we have to acknowledge what goes in must be clean as well, and collectively that's what this program does. From a pollution prevention/good housekeeping program, this really talks about, okay, you have a storm water system in the ground, miles of infrastructure, hundreds of catch basins, they're going to collect garbage essentially or waste. They're also going to fall into disrepair if not operated and maintained, and may become sources of pollution. You need to manage those assets, and that extends upstream into the County baseyards as well. Now illicit discharges and detection and elimination, what does that mean? I kind of come back to once you accept that the water that comes out of your storm drain system which enters coastal waters and streams has to be fishable and swimmable, then you start recognizing that the best way to do that is to prevent pollutants from getting into your system. And that's essentially the illicit discharge detection and elimination program. You methodically prohibit pollution from coming into your system, and you look through your system at places where people might be illegally connected or where you've had people that dumped in and you try to eliminate all of those sources. Just one last thought on the illicit discharge program. We would all be aghast if you saw someone at the beach take their used oil from their car oil change and throw it into the water. Right? No one...that would be just mortifying I think for everyone. But sometimes we don't think twice if we maybe saw someone pour it into a storm drain. I think we'd all think twice but perhaps not have the same type of visceral response. But when you take a step back and think well this is Hawaii, the weather's going to change in about five minutes, and whatever's in that system is going to come straight out with the storm water, I think then you start appreciating the illicit discharge program. Going to the construction site runoff control program. There's a lot of construction. Construction sites are bare dirt. When it rains, if that bare dirt is not managed, all of that dirt gets transported out into the storm drain system and into the beaches. I think we're all very familiar with this. The County often has programs already to start working on these things, the MS4 program just makes them more detailed, slightly more complex but largely more effective. The post-construction BMP program or post-construction runoff control program, this is something a little bit more prevalent, and Maui County has been actually very proactive in this. You already have ordinances for post-construction runoff control. But I think like testimony talked about prior but with trash in mind, it's all about source control and preventing

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pollution. Not treating storm water like waste, treating storm water as the resource that it is, and having a program of just because construction is over doesn't mean pollution problems stop. It means we need to plan and design and build structures such that it really mimics the natural ecology as best as it can and treats storm water as a resource. The two last sections are public involvement and this is getting buy-in from the community to implement its programs, and public outreach, teaching the community what those practices really are. Lastly, all of those ideas are embodied in a county storm water management plan, and this plan is a plan that goes out to public comment and testimony so that the public can really have an integral part in implementing this program. At the end of the day, it's really about the preservation, protection, and restoration of water for the State, of drinking water sources, of coastal water sources, of streams, and the critical lifeblood and arteries of this land. But if nothing resonates with you, if practical ecological social values don't really resonate with you, the sense of urgency is this, once you've become part of the MS4 universe which Maui County is, you have specific legal obligations. And in the Federal government's eyes, through the EPA and Department of Justice as well as through the State, you are a permittee that must comply with your permit. And if you don't comply with your permit there are legal regulatory consequences. And I think this is something that the Department of Justice has really emphasized as being important and it being important to the EPA which is storm water pollution sources and regulating and controlling them. And even in the State of Hawaii, in 2005, the Department of Transportation's Highways paid a large penalty, \$2 million of penalty and over \$50 million of injunctive relief or corrective actions. And even recently in 2014, the Harbors Division in Honolulu paid a \$1.2 million fine for not implementing an effective storm water program that was in compliance with its permits. It's this big task. The MS4 program sounds like a permit and permits are thought of as one department, one director, one person, but implementing an effective Countywide program obviously takes buy-in and resources from the County, from multiple departments, through multiple agreements, and even partnership with the State. So in November of 2014, once the County had become a permitted entity, the Department of Health, we came and instead of just taking the standard regulatory approach which is waiting and then doing a compliance audit, we came proactively to try to talk to the County about what it is and what it needs to do. And just preliminarily and this was just in November, just preliminarily we found a couple really, of trends that I kind of wanted to share with you today. And one...and I can't emphasize this enough, the people in Maui County are really great. From the public into levels of participation to the staff and their attitudes towards this program, we thought we were going to have pitch why this is important, why all of these extra duties and efforts and work is really important and hold the big penalty stick over everyone's heads, and that was not the case. Everyone receptively heard this is a better way of doing things. I get it, we can't be married to just because we've done it a certain way. There's got to be better ways. We have to keep moving forward. The standard, the status quo might no longer be appropriate for what we want. And we already saw people moving towards those end in you have already ordinances for post-construction BMPs, you have a good construction program. But of course there's additional obligations, and change is not always easy or cheap. And we identified areas that the County management is going to need support both from personnel to technology and obviously resources. And I

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think maybe, you know, that's a good place I can hand it off to Director Goode. Thank you.

CHAIR COCHRAN: Thank you. You're completed? Members, at this point do you have questions for Mr. Kurano? Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. I have a few. And also thank you for being here as well, Mr. Kurano. When we were looking at the slide where why storm water matters, legal, I noticed that the entities are all State department entities that were, that had incurred the fines. So what you had said earlier, the County of Maui is now within the jurisdiction of the, I guess the water, storm water regulations.

MR. KURANO: Yes.

COUNCILMEMBER GUZMAN: Is there any other...is Honolulu also involved in that?

MR. KURANO: Very good question. Honolulu, the City and County of Honolulu has had a storm water program, MS4 program since 1994.

COUNCILMEMBER GUZMAN: Ninety-four, I see.

MR. KURANO: To just kind of illustrate what that is...to give credit where it's due, the City and County has really, some really good managers and the storm water program in the City and County has had some very good managers and it still do. So there has never been a legal enforcement against the City and County of Honolulu for storm water issues, but they have a very mature storm water program. To put that in some perspective, I don't think Maui has any designated storm water personnel. The City and County I believe has somewhere in the ballpark of 26 positions to manage their program, as well as buy-in, an MOU from the MD level, managing director level with all the multiple departments. Now obviously it's a little more complex, their permit, and the expectation is not to have a 20-year mature program for Maui today. But the two enforcement cases that you brought up I use to highlight because they are governmental ones. I didn't want to provide the notion that, you know, sister agencies kind of get a pass which is largely not true, because the MS4 program is mostly centered around municipal systems. So if you do a search for MS4 enforcement cases throughout the nation, it's generally municipalities.

COUNCILMEMBER GUZMAN: So on the enforcement side of it, does the Federal government come in and enforce those? Or is it...how does it operate with the State? Or...

MR. KURANO: That's a very good question. The Clean Water Act is something which puts potential violators under multiple enforcement suits from multiple parties. I'll defer any really legal questions to Corp. Counsel, but I can give you kind of my experience with it which is the way Clean Water Act Permits or NPDS Permits are issued, the permittee is liable to three separate parties: the Federal government with the EPA, typically represented by the Department of Justice; the State government which issues the permit and which is the Department of Health represented by the Attorney

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General's Office; and the citizens of the area which may be subject to the provisions of that permit. So if a citizen were to take a suit, the citizen could take a separate suit against the permittee for not fulfilling its permit obligations. That's a slight oversimplification but --

COUNCILMEMBER GUZMAN: Right.

MR. KURANO: --that kind of captures the idea.

COUNCILMEMBER GUZMAN: Okay. Thank you. Thank you, Chair.

CHAIR COCHRAN: And thank you, Mr. Guzman. Members, any further questions? Yeah, Mr. Kurano, there's been I guess quite a few outbreaks in MRSA, and so I just wanted to know if you have any insight as to, has your Department looked into the correlation between, you know, water quality or lack of and the rise in MRSA rates? I just lately I've had several friends who have passed away from the flesh-eating stuff, and a gentleman just very recently and it took him down within two days. So I feel like it hasn't been spoken, you know, let's not scare the visitors or whatever, but I think it's important because I literally see people dying in front of my eyes.

MR. KURANO: Sure. And I've, I will unfortunately not be able to answer that question. We have a State epidemiologist and I think her name is Dr. Sarah Park who answers the infectious disease questions. Her office or through the Director obviously can probably give you a better idea. I know it is a question that we field often because of what, exactly what you pointed out which is the severity of the issue.

CHAIR COCHRAN: Okay, thank you. And then lastly from myself, in regards to managing water quality and storm water runoff, how...what's the I guess silver bullet to address the fallow fields that we have here from old ag lands that have been in cultivation and no longer in production? Lots of runoff coming off of these roads. I know there's many organizations here that we do fund, County level, to help assist, but, you know, where is it that the people who own, the landowners in particular who once upon a time had production but no longer, where are they held accountable? And where is it in any of your rules, regs or whatever that address that?

MR. KURANO: Very good question. The silver bullet is people changing their practices to really try find mutually beneficial solutions for all of these issues. The question you have about where do we find that in our regs, there are two places in our regulations, in our laws: Hawaii Revised Statute 342D which is generally for water pollution, and Hawaii Revised Statute 342E which is about nonpoint source pollution specifically for the question you brought up which is what you have an agricultural field and agricultural storm water associated with those discharges. I believe those bodies, those two laws are both overseen by the Department of Health, our office, and that's the place to start.

CHAIR COCHRAN: Okay, thank you. And I'll probably ask Director Goode, but last term we spoke about...I don't know what their technical names are but the baskets, the debris

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collector baskets within the storm water system itself to field out the, you know, solid cups and litter. And so if that's, you know, being implemented. Or but anyways I think we'll, we can talk later about that, Director Goode. Okay. And thank you, Mr. Kurano. Members, any further questions? Yes, Mr. Guzman.

COUNCILMEMBER GUZMAN: Yeah, I have one more follow-up --

MR. KURANO: Yes, sir.

COUNCILMEMBER GUZMAN: --question. On the, the triggering of the requirement of the MS4 Permit for the County of Maui, is that just Kahului area and Wailuku area?

MR. KURANO: Okay. The question is about, yeah, what triggers, what part of the County is covered by the MS4 Permit. I think Director Goode is going to talk a little bit about it. Initially it's just the high urban area based on the density, so I believe for the County of Maui that extends from Wailuku to Paia.

COUNCILMEMBER GUZMAN: Oh, from Wailuku to Paia.

MR. KURANO: But I think Director Goode will cover that.

COUNCILMEMBER GUZMAN: Okay. And is that when we had the designation from the Federal government --

MR. KURANO: Yes.

COUNCILMEMBER GUZMAN: --that we, the map, I believe Map 22, I think?

CHAIR COCHRAN: Map 21.

COUNCILMEMBER GUZMAN: Twenty-one. Is that correlation to that when we were designated as urban?

UNIDENTIFIED SPEAKER: No.

COUNCILMEMBER GUZMAN: Oh, no, it's different?

MR. GOODE: Yeah, I'll cover a little bit of that --

COUNCILMEMBER GUZMAN: Okay.

MR. GOODE: --in my presentation.

COUNCILMEMBER GUZMAN: I'm just trying to...

MR. GOODE: Yeah. The Map 21 --

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COUNCILMEMBER GUZMAN: Yeah.

MR. GOODE: --is the Federal Highways Administration funding for Federal funding for roadways.

COUNCILMEMBER GUZMAN: So there was a separate determination or designation?

MR. GOODE: Yeah, both those two separate Federal laws looked back to the census designation.

COUNCILMEMBER GUZMAN: Okay.

MR. GOODE: So census designation just went into two different areas of Federal law.

COUNCILMEMBER GUZMAN: Okay, got it. Thank you.

CHAIR COCHRAN: Okay. Done? Any further questions for Mr. Kurano? Seeing none, and, Director Goode, you're going to go into a presentation also?

MR. GOODE: Yes, sir...or yes, ma'am.

CHAIR COCHRAN: And before we do that I just want to have a real brief recess and...just real brief. Be right back. . . .(gavel). . .

**RECESS: 2:25 p.m.**

**RECONVENE: 2:36 p.m.**

CHAIR COCHRAN: . . .(gavel). . . Will the Infrastructure and Environmental Management meeting please reconvene. And the floor is yours, Director Goode.

MR. GOODE: Okay, thank you, Chair. So now we'll talk about where we are as it relates to this new permit that we have. So want to go the next slide. The, basically we got an NPDS permit which is for this MS4 program I believe around April of last year. And we've been working to come up with a storm water management plan which we have done. And essentially again we're here to start to take the steps necessary to comply with the permit and the goal of having cleaner water enter our oceans. Now as a refresher, this is a rough map, pretty close actually to this urban zone as identified in the 2010 census. This particular zone which is outlined in red does stretch from Waikapu to Waiehu, through Kahului, the airport, Spreckelsville and into Paia, and Upper Paia as well. It looks like even a portion of Kuau. All those areas are basically urban if you look on a map. Although it's a very gerrymandered looking district it is, it's what the census came up with, and that had a population of 55,000 in the last census. And I'd also like to point out that it does include a lot of Waikapu which is currently not developed and is slated for growth in the General Plans. So our permit required us to come up with a storm water management plan which we did, and we're now developing the programs under that. And so Mr. Smith here will be talking more

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about some of the details of that. The first report due to the Department of Health is due at the end of this month, and we've had to hire consultants in order to get us to this point where we've developed the plan and do this report. The Council did appropriate funds in the FY '15 Budget. We thank you for that. Those funds were used to procure the consultant to get us to this point. What's next? So as...this is...thanks, Matt, we kind of cut and paste your slide here. You can see we're in the center here and we have to hit these six areas that are actually called for I think in the Federal law, and develop various programs and goals for those areas. I think that would be on the next slide. Okay. So one of the difficult parts of this is in analyzing the various six areas and what we already do, it seemed to us that within our Department that about 80 percent of the activities are within our Department. And I think it's important to note that, you know, here in the audience are, or have been representatives from all three of our Divisions, so Highways, Engineering, and Development Services Administration all have a role in this program. So it's one of those, it's a requirement that doesn't fit...it fits within the Department as a whole, it doesn't fit squarely into any one Division. But it also affects other departments, and so we need to develop a Memorandum of Agreement which is basically a template that the City and County uses. Seems likely will work for us. And so that needs to happen because ultimately I sign on the permit and we need to have all the departments play ball, if you will. So in that MOA, it will, we'll set forth who does what. As Mr. Kurano mentioned the, for instance the Police Department, that facility is within urbanized area. I, our Department does not have control over that facility. That facility may have requirements under the permit. We need to make sure that the Police Department implements those requirements, and that's what the Memorandum of Agreement will do between our Department and the Police Department most likely through the Managing Director's Office who does oversee at least most or all those departments. I also want to make sure that there's not a duplication of work. And let's see, next slide. So here's just kind of, here's a pretty good sample of all the various departments that have, will have a role in this. In fact when the Department of Health and EPA came in November, all these departments did participate with us in these three-day exercise. We had a big round table meeting at the end of it. I feel confident that all the departments understand their roles and responsibilities. Some of them perhaps are not accustomed to these types of things and so we're going to have to help them through it, but I was pleased to see their willingness to move forward. And we call this the spider. This kind of gives an overview of what our office, the back and forth if you will in moving forward in this program with our Highways Division, you know, primarily on the maintenance side; with Development Services Administration with construction runoff control and post-construction runoff control; Engineering Division, who's actually currently helping to put all this together in certainly in design of the new systems moving forward and technical expertise; and then ultimately all the other departments that we need to work with. And finally reporting back to the Department of Health on at least an annual basis and every three years as the permit gets renewed. So there's been I would say an awakening if you will within the Department about the entire NPDS process, the MS4 program, the need to do essentially a lot of work. Some of it will be coming back here, Chair. We will be in front of one committee or another talking about ordinances like on illicit discharge. Currently we do not have an ordinance that would prevent someone from

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putting something down a drain storm. We need to develop that ordinance. We need to bring it here. I think we'll all find common ground and...or you'll find common ground in passing it out, and that's something that we can implement. We'll need to come back to the Council as it relates to the budget. Again, I was pleased that the Council saw funding available in this current fiscal year, and we're likely again to need more funding in the next fiscal year. Exactly what type of funding I'm not sure yet, but that is something that we're actively working on. So hopefully we can pinpoint in this coming budget cycle. And next I'd like to introduce John Smith, who's a Civil Engineer IV in the Engineering Division in the Design Section. Works for Mr. Ty Takeno who's in the office. That's his boss I should say. And I really want to thank John now I guess publicly for the effort he's put into this, because he had a full plate before we topped it off with another activity. He does understand the program very well. He's helping to coordinate the activities of the consultant. And I just want to thank him for, you know, moving forward on this program and Ty for giving him the time to do it. But, you know, the entire Department has really had to roll up their sleeves on this, it's not just one person or one section, it's really the entire Department. And there's other representatives from Highways and DSA here too because it's really, it's important to us. And with that, John, it's yours.

MR. SMITH: Thank you, Director. Chair.

CHAIR COCHRAN: Aloha.

MR. SMITH: I appreciate the kind words. It's not just me working on this, trying to get it off the ground it's been a challenge but it's been really great getting to work with all the different Divisions in DPW and all the different departments. The purpose of, you know, me being here is to just kind of go through the nuts and bolts of what we're doing this next year. So we'll take those, you remember those six program elements that Matt talked about and then that we reiterated earlier, and I just want to run through just some of the highlights of what we're doing. The first one, I put up illicit discharge detection and elimination. Fancy word for don't let anything that shouldn't go down the drain go down the drain. So how do you do that? We're taking a, both a proactive and a reactive approach to this. So as part of the...it's a very prescriptive program. And like Director Goode just mentioned, one of the first things we'll have to do is look at our existing rules and ordinances and probably make some changes. But after that, we'll be looking at how is our current system mapped. We have maps of all of our roads and drainage systems, we don't have a comprehensive map that shows where everything goes and how it's connected. That's part of this program element. When you think about illicit discharge detection and elimination, just to put it in common terms, this is the motor oils that people are, you know, changing their motor oil at home. This is dumping chemicals down the drain. This is spills that happen in an accident. That type of thing. We need to understand where those things are happening, track them, and try to prevent them. The next program element that we're looking at is construction site runoff. And construction site runoff, we're all familiar with all the construction projects going on on Maui right now. The biggest thing that we need that's been identified in our compliance assistance in November when Matt and his group was here is we need a training program and most likely some additional

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inspectors. Post construction is a completely separate element. Again, Matt talked a little bit about it too. What we'll be looking at the next year is starting to develop our training program for that, giving our reviewers and our inspectors the tools that they need to effectively manage this program.

CHAIR COCHRAN: And, Mr. Smith --

MR. SMITH: Yes.

CHAIR COCHRAN: --if I can just have a quick question right at this point?

MR. SMITH: Yeah.

CHAIR COCHRAN: So this would only pertain though and this goes for the entire presentation, only to the area considered urban? So anything outside it's...this...you know what I mean? That's my, I think my overarching questions for these presentations is, is that all it pertains to?

MR. SMITH: That's a great question and it's a question we've asked ourselves as well, and I think Mr. Kurano could to speak to it some. But it basically depends on which program element you're looking at. So if we pass a new ordinance it's most likely to affect the entire County.

CHAIR COCHRAN: Okay. Well, very good. That's --

MR. SMITH: Yeah.

CHAIR COCHRAN: --yeah, what I was looking for.

MR. SMITH: It's a simple way to look at it. Yeah.

CHAIR COCHRAN: 'Cause big issues in West Maui in this particular --

MR. SMITH: Right.

CHAIR COCHRAN: --area. Thank you.

MR. SMITH: Understand. So another part of the program is...this is two program elements together, highlights from what we're doing now. We're getting involved with community groups in West Maui. I'm actually on one of the working groups now because of this program.

CHAIR COCHRAN: Oh, good.

MR. SMITH: West Maui Kumuwai Ridge to Reef Initiative. You'd be familiar with those. So we are getting much more involved as Department with those types of initiatives and with those groups. So this permit basically makes us do that. So not only do we get

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involved, we give presentations. We're developing, in the process of starting to develop a new Web site. That'll be on the County page. That's something we'll be doing this year. It'll give the public a new way to interact with storm water related issues, and we'll also be developing volunteer activities. Yeah.

CHAIR COCHRAN: Very good.

MR. SMITH: The final out of the six measures that we're talking about, last but not least is just good housekeeping/pollution prevention. Some of the things that we're doing this year are looking at like our street sweeping program, how can we enhance it; litter management; and how do we currently manage our baseyard facilities, the BMPs or best management practices that we have in place, are they adequate. And we took a look at some of our facilities already and we're doing a pretty good job, but there are some areas that we will be working on.

CHAIR COCHRAN: And also real quick, the basket question I asked earlier.

MR. SMITH: Yeah. The basket question, those...

CHAIR COCHRAN: Debris...what are they called? Debris baskets or something?

MR. SMITH: I think...

CHAIR COCHRAN: Catch basket...

MR. SMITH: Yeah, like a catch basin insert or, yeah. They're what's considered a post-construction BMP, a best management practice. Yeah, that's, that'll fall under the post-construction BMP section of the program. It has its whole section.

CHAIR COCHRAN: Okay.

MR. SMITH: So we'll be evaluating all of those types of BMPs as part of this program --

CHAIR COCHRAN: Okay, very good.

MR. SMITH: --and figuring out what's best for the County to maintain. 'Cause as you know it's fairly expensive.

CHAIR COCHRAN: Cost, yes.

MR. SMITH: Yeah. So that in a nutshell, that is by no means everything that we're doing as part of this program. So I'm going to show you this slide, you're not going to be able to read it, but I wanted to get the sense of there's a whole lot more than what I just talked about going on. This is just program management. I've got another one coming for program administration. So all of those six elements, they have a lot of interaction with each other. So how do we get down to the nuts and bolts of doing what we need to do within in each element? So what we're doing is breaking it up into like

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communications and training, lumping that together. And just for example I'll zoom into compliance. This is primarily with our Development Services Administration. Things like construction inspections and how do we currently manage complaints, and then once we get a complaint how do we investigate it, track it, report it and then ultimately enforce our rules. On the administration side of things, there's a number of tasks, major tasks that we will be doing and are doing, policy decisions, strategic planning, et cetera. Just to zoom into funding. As Director Goode mentioned earlier, a big part of this, the resource planning, it goes with our consultants, our current consultants. So the lion's share of the load of the work that we're doing now is being farmed out. And at this point, I think I'm going to turn it back to Director Goode.

MR. GOODE: Thank you, John. Well the last slide is real easy for me to read, and I just want to thank you again for the time. And we're open to any more questions you have. But we need to talk a lot about this program today, so again, really glad we had the chance.

CHAIR COCHRAN: Okay, very good. Well thank you, Department, for all your efforts in this. I know it's a tall order but you folks seem to be on it and moving forward and quite positively. So looking forward to budget and things you need to assist that. So thank you. Members...yes, questions? Mr. Guzman and then Mr. Carroll.

COUNCILMEMBER GUZMAN: Thank you, Chair. I had a question either for you or Mr. Kurano. This MS4 Permit, is it applicable to privately owned storm drainage areas or just the County-owned drainage?

MR. GOODE: I believe it's just, Mr. Guzman...Ms. Carroll...Ms. Cochran, I believe it pertains just to publicly owned infrastructure.

COUNCILMEMBER GUZMAN: Just publicly owned...

MR. GOODE: For instance, I also understand the Department of Transportation here in Maui has, is now falls into the same permit requirements as well as Department of Education because they have, you know, larger facilities within the area. So we will be doing some coordinating activities, because some of our storm drain systems go into the State highway system --

COUNCILMEMBER GUZMAN: Right.

MR. GOODE: --which then goes out to the ocean.

COUNCILMEMBER GUZMAN: Do we have any of our systems that go into private areas and then private areas into our storm drainage?

MR. GOODE: Like we do have a couple here and there.

COUNCILMEMBER GUZMAN: Maui Lani or...

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MR. GOODE: Yeah. It...yeah, it...and some like Maui Lani are self-contained, primarily within the golf course --

COUNCILMEMBER GUZMAN: Right.

MR. GOODE: --there's maybe a special situation there. We do in a couple areas have where we'll have a County drain and then it goes through private property back to County. And those do present some challenges, you know, 'cause if one person doesn't maintain properly then the other person who's downstream will likely complain about that.

COUNCILMEMBER GUZMAN: But that's something that the, your, the County program will try to get the logistics on or try to work with...

MR. GOODE: I would think so. I think that would be probably another box that wasn't on that spreadsheet.

COUNCILMEMBER GUZMAN: Right, right.

MR. GOODE: We'd have to add.

COUNCILMEMBER GUZMAN: Okay, thank you.

CHAIR COCHRAN: Good question. Thank you, Mr. Guzman. Yes, Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. Looking at that area, Kahului Industrial area is all inside that area over there that we're talking about.

UNIDENTIFIED SPEAKER: Yes.

COUNCILMEMBER CARROLL: Quite a few years ago, too many years ago, 20 over, there was a lot of talk about we have the drainage canals over there that go through the industrial area and all the parking lots, you know, everything goes inside there. Just about everything in that area ends up in those drainage canals. There's enough heavy metal in there that you could probably walk across the water, and that all goes into the pond down there. And there was talk at that time about requiring newer parking lots and what to have receptacles where they catch all of the bad stuff over there, the grease and the heavy metals and everything else. And then it was brought up, they tried to, somebody had proposed to fund the existing parking lots to try to get some kind of control where Standard Motors is and the others over there where it all goes inside. Is there any chance of pursuing anything like this in that area?

CHAIR COCHRAN: Director or Mr. Kurano, you have answers on that? Oh, it looks like Mr. Smith. Thank you for the question, Mr. Carroll. Good.

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MR. SMITH: Yeah, I think we'll be looking at retrofit projects--I'll call them--as part of this program for items specifically as you described and as well as requirements for new projects that will be developed in that area. Or redeveloped, yeah.

COUNCILMEMBER CARROLL: So would there be anything about existing projects to have some type of, something in place to where we could address what exists already? Because we can address all the new ones but unless we address the ones that exist you're not getting much of an improvement.

MR. SMITH: Right. And that's the illicit discharge detection and elimination portion of the program is specifically \_\_\_\_\_ designed to seek out those types of issues currently and correct them.

COUNCILMEMBER CARROLL: Thank you. Because that whole industrial area needs correction.

MR. SMITH: It will be a target area, we'll call it.

CHAIR COCHRAN: Very good.

COUNCILMEMBER CARROLL: Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Carroll. And thank you, Mr. Smith. And in reference to the illicit discharge ordinance, I just want to let Department know very much in favor, so looking forward to working with that and seeing it come to the table for discussion. Thank you.

MR. KURANO: Chair, if I have a second?

CHAIR COCHRAN: Yes, go ahead, Mr. Kurano.

MR. KURANO: Just to finish the answer on that. One of the reasons I said Maui has a particularly impressive staff and people, it's because the notions that actually the Chair brought up and you brought up are ones that the program covers but it's much more of an abstract notion. Which is all the construction practices and post-construction practices can protect going forward to maintain what we have, but if we recognize that it's not just about maintenance and protection but restoration then we have to look at all of these other sides of it which is how do we identify our current problems, be them agricultural practices or industrial practices, and how does the County as a whole move towards restoration of our receiving waters so that it does more than just protect a slow decline or a slow decline that we're all recognizing is occurring from the existing practices, but stems it and reverses it over time in a sustainable way that can be planned and practiced out. But that was an incredibly insightful two questions to the program which we didn't address as a whole, because sometimes it becomes too nebulous as we start talking about the whole discourse of approach. Thank you.

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CHAIR COCHRAN: Thank you. Yeah, it's definitely not an easy one to answer but it's as Mr. Carroll and I and others, I know it's at the forefront of our minds every day. So thank you. Members, further questions? Mr. Guzman, you had something?

COUNCILMEMBER GUZMAN: Yeah.

CHAIR COCHRAN: You always have a puzzled look. No, just kidding.

COUNCILMEMBER GUZMAN: I was just thinking about the terminology, permit, and to me the way it's set up it's like a Federal regulation that's being enforced on us. Because what is the Fed's permitting us to do, allowing us to do? So why is it termed permit? It just seems like a vehicle to enforce a Federal regulation. Why is it termed permit? It should just be a straight out Federal law. I don't get it.

MR. KURANO: The permit is...this is a nuance of the regulatory world, but under the Clean Water Act, anyone who pollutes can be held liable for that pollution unless they're polluting consistent with their authorized permit. Okay. So if we recognize that we have a storm water pollution problem which is we immediately or automatically recognize it when we have 50,000 people or more in this...or urban area, but even outside of that which is the other triggers. Remember, it could be like sensitive --

COUNCILMEMBER GUZMAN: Right.

MR. KURANO: --waters. Then anybody can come after the discharger, in this case the County, for those polluted discharges unless they're consistent with an authorizing permit which is what you are permitted to do.

COUNCILMEMBER GUZMAN: Wow, that's pretty nifty, how you're able to do that. Thank you very much. I just was bothered by that term. So thank you.

CHAIR COCHRAN: Thank you, Mr. Guzman. And, Members, any further discussion for Public Works? That's quite a bit. And again, I just want to thank you folks for being here and enlightening us on the program you folks are charged to deal with. And so far looks like you're making headway. And thanks for all the hard work. So we'll...this won't be the last time we'll discuss this, there'll be more to come. And, Mr. Smith, it's nice to meet you and thank you for all your hard work. You've been hiding him there, Mr. Goode. Glad to have him out, surfaced and working in the forefront. So thank you and to the rest of your Department that's here in the gallery too. And with that, Members, we'll let I guess Department of Public Works hele on to their work. And next up will be Department of Environmental Management. And I'm not, I think Mr. Miyamoto is supposed to be here. I guess we're going to have to take a brief...a one-minute recess. . . .(gavel). . .

**RECESS: 3:03 p.m.**

**RECONVENE: 3:08 p.m.**

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CHAIR COCHRAN: . . .(*gavel*). . . Will the Infrastructure and Environmental Management Committee please reconvene.

**ITEM NO. 11(1): COMMITTEE'S PRIORITIES AND PROCEDURES;  
PRESENTATIONS FROM COUNTY ADMINISTRATIVE  
AGENCIES (ORIENTATION WORKSHOP BY THE DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT)**

CHAIR COCHRAN: And, Members, we are on our Item No. 2, IEM 11(1). And this is also in relation to our Committee's priorities and procedures about presentations from departments. And today we have Department of Environmental Management. So this is pursuant to Rule 7(B), Rules of the Council. The Committee intends to have an orientation workshop to be conducted by Department of Environmental Management. The workshop may cover such topics as the organization of the Department, the current efforts in wastewater reclamation and solid waste management, including waste-to-energy opportunities. And we will have a presentation looks like from Mr. Miyamoto. And I shall turn the floor over to you. Thank you for being here.

MR. MIYAMOTO: Thank you, Madam Chair. My apologies for the Director, he was called to Oahu to meet with Department of Health regarding some of our issues regarding wastewater. So he's, he won't be here today. He has to go back again on Wednesday for another meeting with them. So I'll start today's update by giving you an idea of where we're headed. So what we've done is we've gone ahead and started thinking about the 2016 Budget proposals. In our Wastewater Division as you can see, we're getting increased costs because of union contract agreements. Obviously everyone is getting a raise, and that impacts not only our straight salary but also our premium pay which includes overtime and how we look at standby pay. Standby pay is going to be a significant one whereas we used to pay a small fee previous. Contracts now, we're getting to, required to pay a higher amount, I think it's a quarter of their salary we're required to pay them on this standby pay. For our Wastewater we continue with our increasing regulatory compliance projects. As we get those projects we try to get as many SRF loans which is a very low interest rate so we can keep our Debt Service down, but that continues as our facilities get older. In our Solid Waste Division we have the same union contract so we have the same types of increases. We may not get as much standby, we don't have as many people on standby like our Wastewater Division does. We continue to seek, request an increase in resources so that we can move towards a sustainable operations. We've had a lot of delayed refuse trash collection routes and we want to try and address those types of delays. The third item there is the Sustainability Division. We're going to revise a proposal that we sent to you last year, and this revised proposal is going to be just the initial Division, just go ahead and relocate existing staff into the Division to start it up with no new expansion positions. So we're, that's one of the things we're looking to do. For our Wastewater Reclamation Division, again the salaries, premium pays. Cost of services provided by others. The main one here is primarily the billing. Our Water Department does our billing so slightly, slight increases are there and maybe some in utilities. We need additional resources for our emergency response team. This isn't a big item but it's

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worth mentioning because a lot of our facilities aren't always near an outlet or near something that's very convenient for us to affect the repairs that we need. So we're looking to beef up our equipment base and to...so that we can respond better to these types of emergencies. We're also increasing the preventative maintenance to extend the life of our infrastructure and equipment. The last item sort of tells you why. We haven't had a rate increase in four years, so as we try to make it work within the budget that we have with no rate increase, we sacrifice something. And generally what we're sacrificing is a lot of the preventative maintenance type work. I mean they're not urgent, they're not things that are completely falling apart, but we're delaying those maintenances on those facilities given that we don't have the rate increase. So then we look at the Maui island direction, where are we headed for Maui island. One of the things we're being asked is to increase our use of reclaimed water. It's sort of counterproductive to collect all that water in one central location like we have on Maui, three locations, and then trying to redistribute that water back out far, as far away from the plant as possible. So we're collecting it one way, cleaning it up, and then pumping it back the other way. So one of the things we're looking at this year is scalping plants. So what is a scalping plant? Basically a plant is, scalping plant is something that's along the collection system that where we collect a lot of the refuse, the wastewater and then we take out some of the water that's going to go to the plant. We try to collect some of that water, clean it up to the standards, the R-1 standards where somebody can use, and maybe extend our network of people using reclaimed water further away from the treatment plant. So that's one of the things we're going to be looking at, opportunities for that. That would also help us reduce the amount of water that goes down our injection wells. Of course we want to increase our preventative maintenance efforts and to extend the life of our infrastructure and equipment. Enhance emergency response. Rehabilitate and replace 30 to 40 year old infrastructure and equipment to improve processing efficiencies and reliability. We're looking at newer technologies that may be a little bit more energy efficient, little bit...provide us with a smaller footprint. So we're evaluating a lot of new technologies also. And then of course we have a Consent Decree as you all know. That is scheduled to end in the year 2019. A lot of the programs that were established as part of this Consent Decree are going to be continued on because they're necessary. We can't just forget about the program now that we've met the requirements of this Consent Decree. The Consent Decree was to set up these programs, keep these programs in place so that we don't have any more wastewater spills. So those programs will continue on. For our island of Lanai we're looking at operating the existing facilities within regulations. One of the things we're looking at is if you're aware of where the facility is located, it's located very close to town. So the idea was floated to us that possibly the major landowner may want to relocate that facility somewhere further away from town so that he can develop the lands close to town. So we're working with him, trying to get, seeing what ideas he may have, and of course we're going to ask him to build it all if possible. So island of Molokai direction. We're going to continue to operate and maintain that facilities within the regulations. We've done some small modifications. One of the big challenges we had on Molokai was with grease traps. We passed an ordinance requiring all of the restaurants to put in grease traps and collect that waste product, but we didn't give them a place to dump it. So what they've been doing is shipping it off to Oahu. So to try and get that cost down,

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what we're going to be looking at is putting in a facility at our wastewater treatment plant. We're doing some modifications that they could possibly dump it there. We'd skim off a lot of the solid material, thicken it, and then that could go to our landfill. So we're looking at that type of a modification this year. And we're also looking, obviously it's a very old facility so we're going to rehabilitate, replace old infrastructure, look at efficiencies and reliability. So now we get into our Solid Waste Division. They have the same challenges with salaries and premium pay. Not as much in premium pay but they still do have challenges. The cost for services contracted by others. A lot of our landfill diversion activities are all contracts, so we always bid those out. The lowest responsible bidder gets those contracts. We have landfill cover that we utilize. That's got, that's always a cost. So we're trying to keep those costs as much as possible down. We need to replace a lot of our equipment reaching the end of their life. If you think of the average refuse truck, automated refuse truck, if they have 1,700 accounts that they service per week, they do it twice per week, you figure that's 52 times in a year. So you figure that's almost 175,000 times a year that arm on that truck is going up and down. That's where we're having a lot of problems is something that's doing that many operations is wearing out. The truck has to do a lot of starts and stops also to accommodate the account. Refuse collection is really hard on our vehicles so we need to get those replaced. It's a challenge to keep the old ones running. And when you think about our landfill equipment, they operate 6 days a week, 52 weeks in a year, so 312 days out of a year they're up and running at least 8 to 10 hours a day. I say 8 to 10 hours, we may be only open 6 to 8 hours but they have to do prep before and then they have to cover the trash at the end of the day. So they're spending more time at the end of the day also once the landfill is closed, covering it up so we meet our permit requirements. With the amount of challenges we experience with our equipment we thought we should create a preventative maintenance program very similar to like how we have in our Wastewater. Director Taylor probably can tell you more about that than I can. But we have a good preventative maintenance program in our Wastewater Division. And we're looking to create something like that in our Solid Waste Division to extend our heavily used equipment. And also for the Solid Waste Division we assume going forward to our 2016 Budget, we assume that the FY '15 supplemental budget request that we made were going to be part of our 2016 in order to maintain the operational levels of service that we currently enjoy. So refuse collection, where do we want to do...where are we headed? We're looking at ways to reduce the amount of delayed pickups we get per year. A lot of times it's due to staffing challenges. As I pointed out in a previous presentation, we have a lot of senior guys who have been with the Department a really long time, and if you know the vacation policy, once you hit 90 days storage of vacation, anything beyond that you would lose at the end of the year. So we have a lot of our employees who have to take literally 21 days a year vacation, if not, they lose it. So when you...if you look at it from the point that we don't have many spares like they do on City and County where people sit on the bench and wait for somebody not to come in. We have people that are there, they work, if they take a day off someone has to fill in that position. Previous years when Environmental Management was part of Public Works we would tap the Public Works Highways Division to provide us with an extra body, a driver or a refuse collector to help us do that. And we paid an amount for that, we paid them for the services. The challenge there is now we're stealing their

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people away from doing their job. So it became a real challenge. Since the Departments broke apart, it's been an ongoing discussion I'll say between the two Departments to try and reconcile the borrowing of people. So also we're looking at evaluating our service area and we're looking to possibly expand it. We've gotten a lot of requests from new developments that have come up. Many of them have their own private trash collection so we're not picking their...but they want to see if they can get public trash collection. One of the things that was brought up, I don't know if you saw the Mayor's Q&A column this morning. I think it was this morning. It mentioned about how refuse collection prices cost is being kept down so that, you know, those who can't really afford it can afford it, you know, the people who don't have a truck, people who can't get to the landfill can afford it. They're trying to keep the cost...not the cost, but...yeah, I guess it's the cost to the citizen down. But the cost for the Department is continuing to rise 'cause we now have raises and we have additional requirements, permit requirements. So the longer we go on, the greater that gap comes in, the greater the subsidy by the people who don't have County refuse accounts. I live in a condo, I don't have a County refuse account, yet my taxes are being used to pay for the people who are, who do have County refuse accounts. So that's the struggle we're having, is it fair to those people also? So then we look at landfill operations. You know we're looking at the...you know we had done in previous years, we looked at tarping. Tarping helped save us the cost of cover material, so we tarp three to, I think about three days a week we try to tarp. That saves us a lot of the cover material 'cause we're required to cover the trash every day with a minimum of six inches of dirt. So that saved us the cost of the dirt, it saved us some air space, at least six inches a day that we used the tarp. And it pays for itself within two to three years. So we're looking at things like that to help us save money. One of the things we're trying to get approved is recycling glass is expensive 'cause it's heavy. There's no processor on, in Hawaii that can utilize glass locally. We tried to use it in asphalt but if you look at our Maui Community, UH at Maui campus facility, our recycling facility, the glass migrates up. It doesn't stay in the asphalt, it migrates its way up. People have used it in the MCC, the college as a parking lot, they used it in landscaping, but you see people walk through it and it's kicked all over the place. Right now it's costing us \$103 to transport it from our recycling center, \$200 for the processor to go through it, containerize it, and send it to a processor on the mainland. So we're paying \$303 a ton to get it there. When he gets it there, the highest price that I heard of he gets is \$9. So we're looking at ways, well that doesn't make sense, from a carbon footprint that's terrible. Glass is very plentiful, why don't we find a use for glass here locally. So we're looking at crushing it and we're trying to work with Department of Health to try and get, allow us to use that as a leveling layer at our landfills. 'Cause the landfill isn't like dirt, you always have air spaces, and right now when we use dirt the dirt's filling the air spaces. Well if we can get the glass for really cheaper than the dirt, why not used that crushed glass and fill in those spaces. That would help reduce our cost on processing the glass. That'll reduce our cost on covering the dirt at the end of the day. And lastly, we're also looking to expand services at our Central Maui Landfill. As was passed in the last budget, our RFP for household hazardous waste at Central Maui Landfill is out. We're in the process of reviewing the proposals. That'll allow us to do event-based type services for collecting household hazardous waste. I think over the last month, I've had maybe two or three phone calls about residents asking what

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to do with their household hazardous waste. Small quantities mixed with cat litter or paper, something to thicken it up can be accepted at the landfill, but the calls that I got were people who bought a house and discovered there were gallons and gallons of these chemicals underneath the house. So we ask them to hold on and when we can get this household hazardous waste program started, they can bring it to that program. So our Landfill Diversion Section, we're going to probably propose to move that to Sustainability like we did last year. That'll be utilizing existing staff and funding. We hope this will improve efficiency and sustainability for them. Because what it does, it separates our regulatory programs, you know, the programs that we need like our landfill and our refuse collection, these are type...heavily regulated programs from these discretionary programs. So long as the two are together, inherently we have to prioritize regulatory requirements over these discretionary type programs. So if we separate them like we had talked about last year and as Council did in the proviso for the approved budget, let's formalize that separation so we don't argue about it every year. So we said let's put it in this Sustainability Division. That way if you look to give them more money it stays with those programs. And also the Abandoned Vehicle and Metals program, we're looking to move that to Sustainability Division, again utilizing the existing staff and funding. We're also looking at in that, for that section evaluating proposals, how we can recover some of the expenses that we suffer when we pick up an abandoned vehicle on the side of the road. Many years ago when they were part of Public Works and Environmental Management, the Director's Office, Director Arakawa and myself, we tried to do something like this where we would look up, we would have staff look up the last registered owner for an abandoned vehicle. And we would send them a letter saying you owe us for the cost of disposing of your vehicle. The recovery rate was extremely low because the ownership, you know, this is when I realized when you sell a vehicle you need to make sure that piece of paper, that title gets turned in, because if not, you will be the last person even though that guy may have sold it several times beyond you. We, I recall many unfortunate people who had to pay for a vehicle that was probably sold two or three times after they sold it. So we're looking at what can we do to help recover some of that cost that we experience. And in summary for, you know, for our Wastewater Division, obviously we're having increase in costs, we're trying to do some expansion, we're trying to do efficiencies and reliabilities, those types of projects. Our scalping plant, hopefully that'll give us some expansion of our reclaimed water system and some better efficiency down the road. Solid Waste, we have increased costs, regulatory compliance and safety issues that we have to deal with. One assumption is our 2015 supplemental budget is part of our '15, our '16 Budget so that we can continue the services at the level that we currently experience, and then finally the creation of the Sustainability Division. Thank you, Madam Chair.

CHAIR COCHRAN: Thank you, Mr. Miyamoto. Members, we have some questions for Mr. Miyamoto on his presentation? Did you want to start, Mr. Guzman?

COUNCILMEMBER GUZMAN: Sure.

CHAIR COCHRAN: Okay.

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COUNCILMEMBER GUZMAN: Okay. First of all, I have several questions, but one of them was just on Page 4, the, in reference to the Wastewater Reclamation Division, the scalping plants. Are you talking about biofuel plants that are going to be grown in order to I guess --

MR. MIYAMOTO: No.

COUNCILMEMBER GUZMAN: --filter through some of the...

MR. MIYAMOTO: No. Actually a scalping plant will scalp water off of what's in a pump station --

COUNCILMEMBER GUZMAN: Oh.

MR. MIYAMOTO: --so that we can use it locally. Like say for example let's say the pump station at Kaanapali Golf Course --

COUNCILMEMBER GUZMAN: Right, right.

MR. MIYAMOTO: --there's a pump station right there. If we had a scalping plant, rather than pumping that water all the way to the treatment plant and then pumping it back to them, if we can scalp it right then and there and we can put it into their pond and save the cost of all of that transporting of the water.

COUNCILMEMBER GUZMAN: Okay, okay. And then in general on, in your presentation, I didn't notice the utilization of any recycling. Are you planning not to pursue that portion, I guess that component of waste or...I know that we budgeted some drop boxes and just wanted to see whether that's, what the status is on that.

MR. MIYAMOTO: Yeah, for the...that's part of our landfill diversion program, the recycling section's in there. And we have a lot of existing contracts, and unfortunately the processing costs of some of those contracts have increased. And so we're having to make priority adjustments as to which programs do we continue, do we continue the drop box, do we continue some of these other smaller programs that don't divert as much as the drop box do.

COUNCILMEMBER GUZMAN: Okay.

MR. MIYAMOTO: So that's where a lot of this, a lot of it is. It's within the landfill diversion program and that includes all of the batteries, the grants that they provide to the various people who...I hate to call them processors because really, nothing really is processed here. We're, we package it up and then we ship it somewhere else. You know we have the ReStore who reutilizes a lot of the products that builders can't utilize.

COUNCILMEMBER GUZMAN: Okay.

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MR. MIYAMOTO: But typically like for example the e-waste, e-cycling, they package it up, they ship it to the mainland. They put it in a container and they ship it to the mainland, which goes to Oahu first and then to the lowest bidder, whether it be the mainland or Asia.

COUNCILMEMBER GUZMAN: I just...Chair, if you don't mind, can I ask some of the questions that testifiers --

CHAIR COCHRAN: Oh yeah.

COUNCILMEMBER GUZMAN: --presented?

CHAIR COCHRAN: By all means. I was going to go there if no one else did.

COUNCILMEMBER GUZMAN: Okay.

CHAIR COCHRAN: So yeah, by all means.

COUNCILMEMBER GUZMAN: I guess one of the questions that I think Dr. Ritter had proposed and he had several questions. One of them was the, in regards to the recycling program, the pilot programs in Maui Meadows. And I guess the public may not be, may be knowledgeable on the Department's rationale in terminating the pilot program. And the prevailing question that always comes out is what is the benefits of the recycling versus the cost? And where are the actual numbers of the cost? I mean are we spending more for that collection? And in addition to that, I know it's a compound question but in addition to that what was the pilot program's initial intent? And if you had foreseen it as being successful, wouldn't you have already had those numbers in projecting the success of the pilot program and therefore expansion? I would assume that when you did the projection costs of continuing the program, where would that additional money come from? You know I just, you know, what was the intent, and you must have known at some point that it could have been successful and you'd need additional monies. Were you prepared to go into that and appropriate additional monies to expand the project?

MR. MIYAMOTO: Madam Chair?

CHAIR COCHRAN: Yes, Mr. Miyamoto, please.

MR. MIYAMOTO: When we started...when we came in in this Administration in 2011, this program was pretty well moving down the road for implementation. And why it got delayed in implementing, we can't answer that, that's a previous Administration. But when we looked at it and read through the Integrated Solid Waste Management Plan, you know, and we did some research about these waste conversion, waste-to-energy type facilities and we saw that, you know, these types of facilities can divert upwards of 80 percent of your waste stream that would normally go to your landfill. And so it puzzled us, why did we, why did the Integrated Solid Waste Management Plan wait 'til you reach the 60 percent? You're only going to gain 20 percent by implementing the

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waste-to-energy so it just didn't seem to make sense. So our thought was okay, if you can do waste to...conversion of some sort, they can put a materials recovery facility upfront and they can harvest the recyclables. As right now with our drop box, curbside recycling, we're only looking at residential clients. Residential is only about 30 to 35 percent of the waste that we get at the landfill. The commercial sector brings in much more waste than the residential side. So with the waste to, with this waste conversion facility and a materials recovery facility upfront, now we're going to pick through that 65 percent of trash for additional recyclables. So the thought there is we gotta be increasing the recyclables, the amount of recyclables we're going to be pulling from the waste stream. So that was why we sort of had a slight shift in the philosophy. Why did we...how did we do the pilot project? If you notice that we selected a route really carefully, the two routes. One is in a very rural community, the Maui Meadows, they have a lot of land there, they have a lot of green waste, they have a lot of affluent people in that area. Then the other route is in the urban area of South Maui. So we have two...and we isolated them specifically based on one's on Monday, one's on Tuesday. So we could get the data. You can follow national data but that really doesn't represent...that isn't better than collecting your own data and seeing what your community is willing to do. So when we started out the program, we were seeing very low contamination rates like 5 percent contamination overall. One of the last ones we did that I recall, we had 20 percent contamination in our recycling facility, the curbside. And then we had a setout rate that was even, you know, at first it was somewhere in the 80 to 90 percent setout rate. And now we're down to about 57 percent setout rate. So we're losing, you know, the participation has started to lost its, lose its attractiveness in one of the communities. Hearing the six testifiers this morning, obviously the Maui Meadows would like to do it. They understand the recycling costs more, 'cause there is an alternative. Maui Recycling Services has its Web site, I checked it out, it says for \$30.44 which is less than what we projected is what he could do it for, and he collects a lot more than we currently do in our curbside recycling. We don't collect glass, he collects glass. We don't collect small appliances, he would. You know so there's a lot more value for that private sector guy to do the job. When we did the Budget hearing for the curbside recycling, I remember Councilmember Couch asked the question, are you going to be putting this guy out of business? And we said, you know, there's a lot more areas other than those two communities that we're servicing. So, you know, we said we don't expect him to go out of business and thank goodness he didn't go out of business 'cause now there's the opportunity. If they want that curbside recycling he's available. He's much more, he collects a much bigger broad of things than we would. The green waste side of it. Right now the cost is zero to the pilot project because that's how the bidder put it in. If he does it for the pilot he says, you know, I want the pilot to work, I won't charge for the pilot, anything other than the pilot I have to charge. So right now we're paying him \$20 a ton with a \$10 recycling fee on top of it. So if the program, pilot program changes we may have to renegotiate with him what he was going to charge us now. But we see the difference in green waste, and again, it sort of causes me to pause a little bit. You know the larger lots you would hope that they would be composting on their lots, because they, if they're generating a lot of green waste, should they be composting it also to utilize it to continue to green? If they're not using their own compost, are they buying compost? Right now the amount of green waste that we get

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at the landfill, we have a hard time selling the compost. We have a lot of surplus there at, for...at the end of the year we always ask him for a donation of compost and the vendor is willing to donate. I think one year he donated I think it was upwards of 1,800 cubic yards of compost for our golf course. If you go to Maui Waiehu Golf Course you'll see that pile still exists.

COUNCILMEMBER GUZMAN: I think...

MR. MIYAMOTO: So the challenge is...and, you know, when we talk to the organic farmers, they don't want to use his compost because wastewater sludge is in it. So they can't maintain their organic certification with that compost. So it's a challenge getting rid of that compost at this point.

COUNCILMEMBER GUZMAN: So it's...just to clear the air, it's my understanding that the curbside pilot program is cancelled, it's not going to proceed?

MR. MIYAMOTO: At the end of this month, yes.

COUNCILMEMBER GUZMAN: At the end of this month. That's correct, right?

MR. MIYAMOTO: Yes.

COUNCILMEMBER GUZMAN: Okay. And then it was the Department's decision or the Mayor's decision to basically put an end to it?

MR. MIYAMOTO: It was...it starts with the Department to decide and we convinced the Mayor to agree with us.

COUNCILMEMBER GUZMAN: Oh, okay.

MR. MIYAMOTO: And for a lot of the questions that we've gotten about well, what are you going to do with the carts...

COUNCILMEMBER GUZMAN: Right. And the blue and the green --

MR. MIYAMOTO: Yes.

COUNCILMEMBER GUZMAN: --carts, yeah.

MR. MIYAMOTO: And we've examined a lot of alternatives. Like we wanted to possibly sell them back to a vendor at a great discount because obviously it's been used, and we haven't gotten much traction in that aspect of it. Considering we pay upwards of \$70 to \$80 a cart for replacement carts, we're always in need of replacement carts. I know two years ago we were short in November and wasn't about to get another shipment 'til February, so we can always use the extra carts. So that's what we're looking to do. It costs us \$19 to buy a new brown lid for those carts. So if we put a brown lid on those

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carts that'll designate them as refuse substitute carts. So that's what we're looking to do is collect those carts and use them as backup for our refuse accounts.

COUNCILMEMBER GUZMAN: You mentioned that you collected data in regards to the pilot program, and was that data ever...Chair, was that data ever provided to you?

CHAIR COCHRAN: No. Is there a data sheet of some kind or anything --

MR. MIYAMOTO: Yes, there is a --

CHAIR COCHRAN: --Mr. Miyamoto?

MR. MIYAMOTO: --datasheet. I'll have to check with our staff, when was the last time we provided that. But yeah, there is a data sheet that gets put out. The vendor, both our green waste, EKO Composting and Maui Disposal provide us with data sheet. That's how we get the contamination rates. They give us the data that they collect. I can check, Madam Chair, when's the last time we submitted that.

COUNCILMEMBER GUZMAN: One of the...sorry, Chair. One of the testifiers mentioned the cost per account was about, was it \$43 or \$44 per account, average account. Is that correct in terms of your calculations on the data?

MR. MIYAMOTO: You know the interesting thing is data can be manipulated or put together anyway you want. The data that we have doesn't agree with that. Our numbers are higher because we look at all aspects, the cost of the cart, the cost to deliver the cart, the cost to maintain it, the cost for staff to do their audits. Our costs are higher when we look at all that. And I'm sure the audit will show it when we, they go through that.

COUNCILMEMBER GUZMAN: Okay. And you have a recycling division in the...

MR. MIYAMOTO: They're part of our landfill. It's a recycling section in our landfill diversion.

COUNCILMEMBER GUZMAN: In landfill diversion program. Chair, I have never...do you usually bring them down to the floor? Because I can't remember whether they have ever been called in as a source, a resource.

CHAIR COCHRAN: No, I haven't --

COUNCILMEMBER GUZMAN: Just to ask questions --

CHAIR COCHRAN: --seen...

COUNCILMEMBER GUZMAN: --in terms of the recycling and Maui County.

CHAIR COCHRAN: Yeah, I don't...Mr. Miyamoto, did we have...would that be Hana?

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MR. MIYAMOTO: No, we haven't brought our staff down at this point. You know I guess it's philosophical. I mean for them, you know, the recycling section is first and foremost, for us it's about cost to the people. So prior to us coming in, grants were given out to, based on what people wanted. When we came in, we asked the question, well what is the cost per ton of diversion that you're giving these grants to? Because they were giving grants to programs that were costing like \$3,500 per ton to divert from the landfill. It costs us \$70 but we're willing to pay someone \$3,500 to divert a ton from the landfill. So we asked those difficult questions of our recycling section, and so we're trying to change their mindset to be a bigger picture. And it's an ongoing process at this point to get them to see the bigger picture rather than just be pure advocates of recycling, pure recycling and, you know, not look at the bigger implications of just recycling.

COUNCILMEMBER GUZMAN: Did that division come up with any solutions as to the cost effectiveness versus maintaining the pilot program? And did they...is there any other suggestions or options that they may have come up with that could have maybe added or allowed the Council to explore?

MR. MIYAMOTO: Chair?

CHAIR COCHRAN: Yeah, go ahead, Mr. Miyamoto.

MR. MIYAMOTO: I guess the biggest challenge I have is that the bottom line is we don't have a processor of these materials here locally, so our cost is always going to be much greater than it is on the mainland. You know you can't...on the mainland the guy can collect the recyclables from a facility and he can truck it to the re-processor down the street. Here in Hawaii we gotta collect it, put it in a container, ship it to Oahu, and then from Oahu ship it either to the mainland or to Asia. So our costs are way out there expense-wise. If you were to ask our recycling section, that cost doesn't even come into effect, it's primarily well, we need to do it. And for us it's is that the best use of money, because we go through that challenge every year about our budget. And for a while we were trying to reduce our dependence on the General Fund. At one point it was over 9 million, in the past few years we got it under 6, under 7 million, we got it down to about 7 million. So we're trying not to make the other people, you know, the people that don't utilize our service pay for it. So we look at it as how do we best serve the people, all the people of Maui County, not just those who utilize our service, and then use the money from everybody that pays their property taxes. So we have a sort of bigger picture in mind and that's the philosophy that we currently have at this time.

COUNCILMEMBER GUZMAN: So I guess my last question before I yield to my other Members is why would you even have a recycle division if you don't want to listen to what they're saying?

MR. MIYAMOTO: You always have to have critics, and they have great ideas that we come up with. And, you know, for example one of 'em is we want to show that government does recycling, so all of the County facilities have paper recycling. Our, that section pays

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for that. Is that the best use or should they be doing it? Or should recycling be just part of everybody's mentality and so all of these people who manage these facilities take it over? And that's something that we want them to understand. So it's a great idea but we need to have them take one step further and start pushing the various operators of these facilities to start taking ownership of recycling. Not just let it all be in this one division, this one group of people get this bad image of, you know, being, pushing these programs on you. We want everyone to embrace the program and move forward with it.

COUNCILMEMBER GUZMAN: Just a statement, Chair. I am one of those in Kahului that would support recycling, and every constituent I speak to wants recycling. So what I'm looking for are options, not it cannot be done, you know, we're costing too much. We need to find some solutions to the whole recycling issue. We have so many issues in the County as it is right now, housing, finance, but I think this one hits close to home, this recycling issue. And I think if we all start trying to look at options and maybe even allowing the recycling division to come down and propose some options, maybe that in combination with nine other Members that have heard from other ideas. I know we go to NACo, we go to HSAC, we go to the...these other conventions that we go to there's a, there's something about a collaboration of the minds. And that's where I'm pushing or my viewpoint is that I, you know, I'm not going to be negative with your Department or the recycling division, I just want the opportunity to hear it all. And you, and we can filter through it and we can create new ideas. And that's where I stand. But thank you, Chair. I will yield the --

CHAIR COCHRAN: Thank you.

COUNCILMEMBER GUZMAN: --at this time my other Members to --

CHAIR COCHRAN: Thank...

COUNCILMEMBER GUZMAN: --ask the questions.

CHAIR COCHRAN: Thank you, Mr. Guzman. And, Members, Ms. Crivello or Mr. Carroll? And so real quickly though, in regards to all the questions about solid waste, landfill diversions, what have you, you're talking about the Sustainability Division once again. And I guess things of the proviso, drop boxes that were never utilized this past budget and what have you, is that where you're saying those funds could be put into and utilized through that --

MR. MIYAMOTO: Yeah. Pull...yeah.

CHAIR COCHRAN: --the Department?

MR. MIYAMOTO: Pulling that program out of the Solid Waste Division, they can't cross that line anymore. Right now landfill diversion is within our landfill operations program, our Solid Waste operations program which includes refuse collection, landfills, and landfill diversion. By moving them to another division their budget is theirs, it's no

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longer accessible to the Solid Waste Division for regulatory requirements that we always have challenges with. The heavy rains caused some major challenges for us.

CHAIR COCHRAN: But what I'm trying to get at is that when something is proviso'd and it was, the intent was to use for a specific, particular thing and then it had not, it's not being done, implemented or...where can we make that connection and make it happen? 'Cause it's very frustrating for me on the Council as the appropriator then putting forward a particular proviso which community asked, and then it never was ever, you know, released or implemented or what have you. So I don't understand where there's the collaboration and cooperation and how can we avoid such situations in the future here?

MR. MIYAMOTO: The challenge we had with Solid Waste for the landfill diversion, when the budget was proviso'd, it primarily says do not touch their budget. There was one or two line items that your request was put in for the West Maui side, and the challenges we have there is that the amount of money and based on, you know, the cost that they were showing, you know, it sort of pointed it towards one direction only which isn't appropriate for County funds. We would have to put this out for bid, and part of that bid would be you would have to have proper permits, you'd have to have land so that you can, you know, take care of all of this. So that was the challenge that we ran into the West Maui situation is that this has to go out bid, we have to have someone who's properly permitted. The permit holder has to be the...obviously who we're dealing our contract with. And for that West Side, I mean, you know, we had a private vendor who pulled out. And so it sort of, you know, says that we have the other facility at the Olowalu, we had the previous study of trying to find properly zoned land or land so that we can do this type of facility. If you recall it used be by the train track over by Keawe Street. We looked at several different locations and we couldn't find land that was appropriately, appropriate for this type of thing. So that's our challenge, we have to put this out to bid, we can't just give it to somebody, and that's the challenge we're working on right now is trying to, how do we craft this bid. The amount of money, 25,000 will probably be only enough for someone to do like event based, once every quarter or something like that because of all the requirements that are going to be required to do some kind of a recycling activity out there. So we sort of want to do this right. The \$25,000 proviso was somewhat of a Band-Aid. If we're going to do it we're going to bid it so we have a proper site where people can come and go. The access has to be appropriate. The current access was off of Lahainaluna Road, and who knows what Lahainaluna Road looks like during school hours, it's a nightmare. I mean is that the appropriate location for something like that? And those are the types of questions that we ask about when we put this RFP out, that you have to have something with good access.

CHAIR COCHRAN: Right. Okay, understandable. But we'll continue the discussion further. Okay, Members...

COUNCILMEMBER CRIVELLO: Chair? Chair?

CHAIR COCHRAN: Yes. Oh, you have a question? Yes.

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COUNCILMEMBER CRIVELLO: Yeah. I really would like for us to get this through. But I'd like to ask the, Mr. Miyamoto, you know, with...I too would like to ditto what my colleague is saying in support of recycling process, you know, with the...I think we've had testifiers come in that it works out for them with the different cans. That being said, I think it was mentioned that it's about 280,000 that has been spent on the bins, and if you end it this month what does the Department plan to do with the excess bins and place of storage and still be in compliance with Department of Health where you store it?

MR. MIYAMOTO: Madam Chair?

CHAIR COCHRAN: Yes.

MR. MIYAMOTO: The storage of the bins is not going to be a real problem for us. We can store them on top of the closed landfill in Waikapu if we have to. We have...we're going to, you know, if we have to we're going to look at covering them so that we can protect them from the UV rays and everything. We're looking at ordering brown lids for them so that they could be utilized as substitutes for damaged refuse carts, the existing brown and gray ones. We get a lot of damage and rather than ordering a new shipment we can utilize those. As one of the testifiers said, yes, it's going to cost us overtime to collect those, and we've worked out a schedule where it'll probably be over six weekends we'll collect them. But that'll still be cheaper than buying 3,500 new carts. Add that cost to the \$19 cost, it's still cheaper than spending \$70 to \$80 to get a new cart. So in the long run we're going to save money in the long run because those hybrid carts will be cheaper than the brand new \$70 to \$80 refuse bins.

COUNCILMEMBER CRIVELLO: I hope we can have further discussion on the recycling program. I don't quite understand your Department's rationale with the budget that Council proviso'd. Aside from the 25,000, I think there's a 200,000 that we, you know, restricted for the reasons behind it. So yeah, you know, you folks have plans for Anaergia and yet we're not fully...I don't know, it, you know, probably with more intense discussion and probably with better preparation from the Department, we can have a better understanding on why the changes or why the lack I would say, in my opinion there's really a lack of support for recycling from the Department. But, you know, that being said, I'm okay.

CHAIR COCHRAN: Thank you, Ms. Crivello. And as the Department shall be going through, getting audited, hopefully a lot of these questions to our, you know, answers to our questions will surface and thereby help us all make better decisions, you know, for the greater good and for this community. So with that, if there's no further discussion, Members, without objections, both items we discussed today shall be deferred. Without objections?

COUNCIL MEMBERS VOICED NO OBJECTIONS. (EC, RC, SC, DG)

**ACTION: DEFER pending further discussion.**

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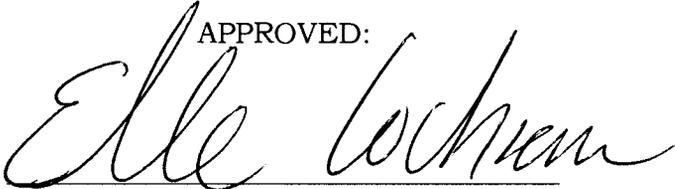
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CHAIR COCHRAN: Thank you. And it looks like without further items on the agenda, this meeting is adjourned. Thank you. . . .(gavel). . .

**ADJOURN:** 3:58 p.m.

APPROVED:

A handwritten signature in cursive script that reads "Elle Cochran". The signature is written in black ink and is positioned above a horizontal line.

ELLE COCHRAN, Chair  
Infrastructure and Environmental  
Management Committee

iem:min:150112:ds

Transcribed by: Daniel Schoenbeck

