

INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

Council of the County of Maui

MINUTES

October 17, 2016

Council Chamber, 8th Floor

CONVENE: 9:05 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Elle Cochran, Chair
Councilmember Riki Hokama, Vice-Chair (out 10:08 a.m.)
Councilmember Gladys C. Baisa
Councilmember Robert Carroll
Councilmember Stacy Crivello (in 9:18 a.m.)
Councilmember Don S. Guzman (in 9:21 a.m.)
Councilmember Mike White (in 9:33 a.m.)

STAFF: Shelly Espeleta, Legislative Analyst
Raynette Yap, Committee Secretary

Dawn Lono, Council Aide, Hana 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
Michael Miyamoto, Deputy Director, Department of Environmental Management
Stacia Ash, Recycling Specialist IV, Department of Environmental Management
Robert Schmidt, Solid Waste Operations Manager, Department of Environmental Management
Danilo Agsalog, Director, Department of Finance
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Rubens Fonseca, Plant Manager, EKO Compost
Tom Pawlish, President, EKO Compost

PRESS: Akaku Maui County Community Television, Inc.

CHAIR COCHRAN: . . .*(gavel)*. . . Aloha. Will the Infrastructure and Environmental Management Committee please come to order? Today is Monday, October 17, 2016, and the time is roughly 9:08 a.m. And, Members, audience, please silence cell phones or any noise-making devices at this time, thank you. And here in the Committee, myself, I am the Chair, Elle Cochran. We have Vice-Chair of the Committee, Riki Hokama.

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VICE-CHAIR HOKAMA: Good morning, Chairman.

CHAIR COCHRAN: Good morning. And, also, Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good morning, Chair.

CHAIR COCHRAN: Good morning. And Mr. Bob Carroll.

COUNCILMEMBER CARROLL: Good morning, Chair.

CHAIR COCHRAN: Good morning, thank you. Very bare quorum, but I'm glad we're all here to make this meeting happen. And we have others that will be joining us shortly. From Administration, on IEM-54, we'll be having Director of Public Works, David Goode, with us.

MR. GOODE: Good morning, Chair.

CHAIR COCHRAN: Good morning. And from Deputy...Deputy Corporation Counsel, Ms. Richelle Thomson.

MS. THOMSON: Good morning, Chair.

CHAIR COCHRAN: Good morning. We have...we're going to be discussing IEM-32 and IEM-45, which we shall have Administration from Environmental Management with us later and, also, from Director...the Director of Finance or a representative from...Mr. Aagsalog or any other director. And others I see in our audience as resource people, we have Rubens Fonseca, Plant Manager of EKO Compost. Good morning, gentlemen. And our Staff, of course, we have Legislative Analyst Shelly Espeleta; Committee Secretary, Rayna Yap. And let me check in with our...from Hana Office, we shall be speaking with Dawn Lono; Molokai Office will be Ella Alcon; and I believe Lanai offices are closed until the 17th. So, Members, at this time, I shall open the floor for public testimony, but I don't believe...or, gentlemen, are you here for testimony this morning? Okay. And let me check in with Hana. Ms. Lono, are you there?

MS. LONO: Yes, good morning, Chair, this is Dawn Lono at the Hana Office and there is no one waiting to testify.

CHAIR COCHRAN: Thank you, Ms. Lono. On Molokai, Ms. Alcon, anyone there to testify?

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

CHAIR COCHRAN: Okay. Thank you very much, ladies. And, Members, it looks like we don't have anyone clamoring at our doors for testimony this morning so, without objections, I shall now close public testimony.

COUNCILMEMBERS: No objections.

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COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR COCHRAN: Thank you very much.

ITEM NO. 54: PARKING RESTRICTIONS ON KEALAKAI PLACE (PAIA)
(CC 16-38)

CHAIR COCHRAN: Let's jump into first item which is IEM-54, and this one is Parking Restrictions on Kealakai Place (Paia). This one is County Communication 16-38, from Council Chair Mike White, and he transmitted a proposed bill relating to parking restrictions on Kealakai Place, Paia, Maui, Hawaii. Correspondence is dated October 7, 2016, to Department of Corporation Counsel, which transmitted a revised proposed bill entitled A Bill for an Ordinance Amending Section 10.48.040, Maui County Code, Relating to Parking Prohibitions on Kealakai Place, Paia, Hawaii. The purpose of the bill is to establish parking restrictions on the west and east sides of Kealakai Place. And, so, Members, this matter arose basically from the residents' concerns regarding traffic and safety on the street and, as a result, the vehicles parking along, from the vehicles that's parked along Kealakai and the Department has provided pictures. I believe they got handed out on your desk that shows the current situation. And in our iPads or whatever we're using now, the, there's a revised bill from Department of Corporation Counsel which does incorporate changes to clarify the parking prohibition on the opposite or east side of Kealakai Street from 9:00 a.m. to 6:00 a.m. And this is the version of the bill we'll be working off of. And Corporation Counsel, let's see, attached to the revised proposed bill are comments indicating that Deputy Corporation Counsel will not be able to sign this bill, but I believe Corporation Counsel has other comments in regards to that this morning. Ms. Thomson?

MS. THOMSON: Thank you, Chair. I believe that the revised bill would be able to be signed once presented, so we can take care of that at the Chair's convenience.

CHAIR COCHRAN: Okay. Very good. And at this time, well, first of all, just notate that Public Works Commission did vote unanimously to approve this, so they're in very much support. But at this time, I'll turn the floor over to, Mr. Goode, if you have any further comments?

MR. GOODE: Thank you, Chair. Good morning again, Members. David Goode, here, Director of Department of Public Works. Just to orient the Members, we put together some photos and Kealakai Place is the short road that comes off Paani, the road to the country club and goes to Baby Beach, so it's a frequently used road to get to the Baby Beach area. The road terminates, if you go to slide five, you can see a kind of rough approximation of where the road ends and the majority of the parking that happens on Baby Beach and the dirt area is on A&B Properties. I understand at one point the Parks Department had a lease. My understanding is they currently do not. So the majority of the parking happens on, close to the beach but as the day progresses and depending on the quality of the beach day, it backs up and goes onto Kealakai Place

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and that's where the residents expressed some concerns that relate to emergency vehicles being able to get into the area. Sometimes ingress safely in and out of their driveways and also some night time activities that in the Baby Beach area that included open fires and other things happening that the need for the night time no parking on the east side came into play. Public Works Commission did meet on the item actually twice. Chair, and your Staff assisted in getting some more residents to attend the second meeting so the Commission could better understand exactly what was going on. And based on the testimony that was provided at the meeting, the Commission voted, recommend approval of the ordinance which again would be on the west side. The Kahului side would be no parking all the time. On the east side, the Paia side, would have no parking during the day, but not at night, night time no parking between 9:00 p.m. to 6:00 a.m. And that concludes...well, before I conclude, the remainder of the photos are, show kind of a mockup of how we would, what the no parking signs would be. There would be an actual plan that we would develop if the ordinance passes that we would send our Highways Division to install the signage. That, now I'm finished. Thanks, Chair.

CHAIR COCHRAN: Okay. Thank you very much, Director. And, Members, at this time, the floor is open for you folks if you have questions and comments. Yes, Ms. Baisa?

COUNCILMEMBER BAISA: Yes, thank you. My question is on these photos that we have that are four and five. They're very graphic. Does anybody know about what time these were taken?

MR. GOODE: Chair, I'm trying to see based on the shadows what time of day it might be. I don't know.

COUNCILMEMBER BAISA: I mean, the reason I'm asking is, you know, if this is standard and you've got this kind of parking on both sides of the road, it's pretty dangerous. Even six is same thing, you know, just people all lined up and the concern about emergency vehicles is really real because these folks park cars and then off they go. And, so, if an ambulance or something wanted to get through, you have to find them. Maybe they're out on a paddle board or something. I think that I support what is being recommended, Chair.

CHAIR COCHRAN: Okay. Thank you very much, Ms. Baisa. Members, any other questions or...yes, Mr. Hokama?

VICE-CHAIR HOKAMA: I just trying to be clear, on the west side, it's 24 hours no parking. On the east side, it's no parking from 9:00 p.m. to 3:00 a.m., is that a good understanding on our part?

CHAIR COCHRAN: Director, 9:00 to 6:00, is that what...where is that?

VICE-CHAIR HOKAMA: Or 9:00 to 6:00.

MR. GOODE: Yeah. I believe it's 9:00 to 6:00.

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VICE-CHAIR HOKAMA: Okay. Thank you. It's 9:00 to 6:00 on the east side and all the time on the west side, is that your understanding?

MR. GOODE: Correct.

VICE-CHAIR HOKAMA: Okay. So I think 9:00 to 6:00 is standard in the Code anyway, Chair, for --

CHAIR COCHRAN: Right.

VICE-CHAIR HOKAMA: --no overnight parking in any place in the County, so, I can support that. Of course, for us as Councilors, it always comes down to enforcement, Chair. And we know how many ordinances don't get enforced. I mean, look at parents who text and drive kids to school. My interest is that nice dotted invisible line between Maui County and A&B, is that considered a, as we understand our Constitution, a traditional right of way for access for traditional purposes by our native Hawaiian community?

CHAIR COCHRAN: And, Director...

VICE-CHAIR HOKAMA: I don't know the answer, so I'm asking the question.

CHAIR COCHRAN: Thank you. Before, Ms. Thomson, before you answer, I just want to recognize the presence of Ms. Stacy Crivello. Good morning.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR COCHRAN: Okay. And, Ms. Thomson, you had a follow-up?

MS. THOMSON: Unfortunately, I don't have a, an answer for that.

VICE-CHAIR HOKAMA: I just, you know, I just want us to be informed, Chair. You know, if it is something we need to recognize from a traditional access standpoint whether this be Na Ala Hele Program or others, I think at least we should be aware of it. If it's not, it's not, that's fine with me. I just want to acknowledge, if there is a cultural requirement or information that makes us consider this. I'm in full support of this other than that, Chair. I would ask that we make sure that between Public Works, Environmental Management, Police Department, our people are well-notified and they cite accordingly. I mean, and part of this is, as I said, safety, so I don't have a problem with the issuance of appropriate violation of tickets because we have a bad parking problem in this County around intersections and stop signs. So, again, I believe Fire can cite, Police can cite and I believe some of the employees of Environmental Management can cite, so I would make sure that we, maybe in the Committee report, we mention those entities that have the enforcement power, Chair. Thank you.

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CHAIR COCHRAN: Thank you very much, Mr. Hokama. You bring up a good point. And real briefly, Ms. Baisa, before I call on you, that supposed line, I think you mentioned there was a gate at one time. Was that where the gate was posted or no? Was it further out by the point or do you recall or know?

MR. GOODE: Madam Chair, I don't recall where the gate was. It may have come up in some of the testimonies that we had at the Public Works Commission. You know, I took my kids to that beach there for the last 20 years and I don't remember a gate. If it was, it was always open when I went.

CHAIR COCHRAN: Okay. And I guess then that invisible line towards makai would be A&B property, it looks like, so, then our MPD and people of enforcement would not have jurisdiction then, per se, in that area?

MR. GOODE: Right. I believe that's correct.

CHAIR COCHRAN: Okay. And, but I want to reiterate that twice, Public Works Commission had discussed this and first go-around many of the neighborhood people weren't quite notified or aware of that particular meeting, so they re-held the meeting to make sure, double make sure that the surrounding neighbors knew, came in, testified and are a part of. So, I thank Commission and Public Works for making sure the people that are directly affected are in the loop on this. So, I believe we'll hopefully keep that type of outreach going. So, Ms. Baisa, further comments?

COUNCILMEMBER BAISA: Yes, thank you, Chair. I do know that the country club has a gate that goes to Baby Beach and in order to use it, you have to have a code to get in it from their perspective, from their entrance. But, you know, Mr. Hokama brings up another issue that I don't know how we ever would address it or solve it, but it is an issue and that is the issue of people parking all over the streets at night and I think it's something we might want to take a look at. You know, we bite away at it and we say, okay, if you're going to have a vacation rental you gotta put all the cars on your property or, you know, whatever, but we're not successful. I don't care where you go at night in Maui County. Maybe in isolated areas Upcountry or in, you know, more gated areas or whatever, you don't have the problem, but everywhere else, everybody's parked on the street at night and it's on both sides. And you want to talk about traffic obstruction, it happens in my own neighborhood. So, I don't know how we deal with it. I don't know what the answer is, but we do have a parking problem, Chair, and this might be something that we want to spend some time on.

CHAIR COCHRAN: Yes, very, yeah, I agree, Ms. Baisa. And I want to recognize the presence of Vice-Chair of the Council, Mr. Don Guzman.

COUNCILMEMBER GUZMAN: Good morning, Chair. Thank you, Chair.

CHAIR COCHRAN: Good morning. Thank you for being here. And, so, yeah, Members, Corporation Counsel, there's Bill 94 that we amended previously of the same section of the Code prohibiting parking and that got passed second and final. And, so, now,

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ITEM NO. 32: GREEN WASTE SERVICES (MISC)

CHAIR COCHRAN: We have IEM 32 and it looks like Deputy Director Michael Miyamoto is here with us this morning. Good morning, sir. Thank you for being here. And this, Members, we are in receipt of a Miscellaneous Communication dated May 28, 2015, from the County Clerk, relating to green waste services. And, Members, this...I, we met on this item back in March of this year and I wanted to bring it back up again for discussion in light of a second contract amendment for Contract 5545, which is the next item on our agenda today. And it looks like Director Miyamoto is here to share further comments with us and we, also, have Mr. Rubens Fonseca from EKO Systems here as a resource person. And thank you, gentlemen, for being here and I didn't...

UNIDENTIFIED SPEAKER (*from the gallery*): Tom Pawlish, the President.

CHAIR COCHRAN: Oh, okay and also the president of EKO. So, Members, we need the gentlemen for any as resource for further clarification on questions we may have, they are here to assist us here today. But quickly then, I shall turn the floor over to Deputy Director Miyamoto for any opening comments that you may have in regards to this item here today. Oh, you haven't been here with the new mics, just hit the button green and you're on.

MR. MIYAMOTO: Thank you, Madam Chair. I was here as a spectator, so I didn't pay attention to the new microphones. The contract that we have with EKO is a new contract that we put out to bid. And, originally, when the, we had the original contract with EKO and we were looking, contemplating this waste conversion project, we thought the timing of it such that we were gonna go for a 3-year contract with two 1-year extensions. Because the one year...after the three years it would have been at the earliest possible opportunity for the waste conversion project to be possibly online and then, we added in two 1-year extensions just in case the waste conversion didn't come online, which it hasn't. And we had the opportunity to extend the contract for those two years. Well, the three years have passed and we entered into the contract extension period and that had to be mutually agreed upon between both parties. Unfortunately, we couldn't come to an agreement, so the contract was put out to bid. So unfortunately, that meant the contract bid process would have been for a short period of two years for the anticipation of when our waste conversion facility, which would handle all of this green waste, sludge, fat, oils and grease and municipal solid waste would be online. So given the short two-year period of the contract, the end result as you can see, our fees that are much higher than what the prior three-year contract was. Any more details, I can ask my staff, Stacia Ash, who is in our Environmental Protection and Sustainability Division to come up and respond, too. Thank you, Madam Chair.

CHAIR COCHRAN: Okay. Thank you very much. So, Members, Mr. Miyamoto mentioned Stacia Ash is here, also, so if you have questions for Mr. Miyamoto or any of our resource people that are here in the gallery with us, the floor is now open for any questions or comments, concerns or accolades, too, at this time. Yes, Mr. Hokama?

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VICE-CHAIR HOKAMA: Madam Chairman, I would ask the Deputy if he can give us, are you prepared to give us a status regarding the Anaergia component as it relates to the green waste or are we in some kind of legal non-disclosure situation?

MS. THOMSON: So, the...thank you.

CHAIR COCHRAN: Yeah, go ahead, Ms. Thomson.

MS. THOMSON: The contract related to the municipal solid waste, green waste, FOG, et cetera is still in, it's active and live, but currently we don't have an operations date for when diversion of those materials will start to take place.

VICE-CHAIR HOKAMA: So the information Counsel was giving to move this forward, that is now all outdated or how relevant is it any more?

MR. MIYAMOTO: Madam Chair?

CHAIR COCHRAN: Yes, Mr. Miyamoto?

MR. MIYAMOTO: Currently their next, I think the next milestone that they're looking at is, in early 2017 is the next milestone that we're on. And, so, they have applied for permits for their facility that they're proposing, and they are working on the offtake contracts which they're pretty close to getting offtake contracts or as you may have seen in the news about the challenges they've had with the local utility in trying to...

VICE-CHAIR HOKAMA: I'm more concerned about any clocks or benchmarks that they have agreed to with the County. Is there anything that is ticking away that they need to hit by a certain deadline that we, the Committee needs to be better informed of, please?

CHAIR COCHRAN: Ms. Thomson?

MS. THOMSON: So the January, 2017, that's a date by which they have to show, basically, material progress toward the goals of implementing the facility on time. The 63 months from the effective date is the date that they need to be commercially in operations unless there are some extensions or amendments to the contract. So that was 63 months from 2014, so, basically 5 years and a couple months.

VICE-CHAIR HOKAMA: Okay. Well, I'm anxious because I want results now. I'm tired of waiting. Because I think we're heading in the right direction. I don't like to be like the State, that's too slow. Okay. We need to move forward or tell us why we cannot move forward and if we need to make the redirection of effort and, in the mission to adjust resources, that's fine. We just need to be informed timely along the way so. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Hokama. Members, any other questions? So, I think in reference to the other project at the landfill, in relation to our green waste and

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especially with EKO as I'm, as I understand it in our memos and things, their, EKO has always been anticipated to continue their services with, alongside, I guess, or in conjunction with. And that, you know, the green waste and what have you was to continue. Is that safe to say, Mr. Miyamoto, in a sense?

MR. MIYAMOTO: In the original proposal, the green waste was part of the material that was promised to the vendor that put in the, that won the project. The products that we offered to the successful contractor was the municipal solid waste, the green waste, the sludge and the recyclables that, you know, we currently collect, those were part of the materials that helped us achieve the minimum guarantee that we had put in the contract. I think it was about 125,000 tons per year and so all of those are part of the requirement for the waste conversion contract, to take care of. That even included the landfill gas that we currently flare at the facility, so all of that was promised to the winning bidder, which was then contracted to take care of this. We encouraged the contractor to work with EKO, have discussions regarding possibly a, working with them because the process that's being proposed, this waste conversion, has digestate, a hard product that comes out of this anaerobic digestion process, and whether or not that would be utilized to help make a compost or some kind of a land, a soil amendment. Regarding the status of those talks, they're private at this point. I don't know if EKO is willing to discuss it, if they've had conversations with our contractor, but that was the intent. We would still look at the digestate to utilize and make compost. That would still collect the green waste. Part of the green waste would be utilized to, in this anaerobic digestion process and then the end product being this waste product, this would be, the digestate would be utilized to make compost. So, whether or not it's going to be with EKO or another composting company, I don't have that information at this time.

CHAIR COCHRAN: Okay. Alright. Well, thank you for that clarification. And I'd like to recognize the presence of Chair of the Council, Mr. Mike White.

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR COCHRAN: Good morning. Aloha. Thank you for being here. Members, any questions or comments for or if you want any of our resource people to come down, we have EKO. Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah, thank you, Chair. I wanted to...

CHAIR COCHRAN: You remind me of *The Voice*, like, you're going to hit your buzzer or not. Yes?

COUNCILMEMBER GUZMAN: Thank you. I wanted to follow up on the anaerobic digestion, I guess, subject matter. Has that been...are you RFP'ing that or is that something that's ongoing and you haven't gotten to that stage of requesting bids?

MR. MIYAMOTO: It's a project we had bid out back in 2014 and we had awarded; and, as part of that process, you've seen the lawsuit --

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COUNCILMEMBER GUZMAN: Right.

MR. MIYAMOTO: --with Anaergia and the PUC, they filed a motion with the PUC regarding Maui Electric Company's practices. And, so, the key component of this project is to have an offtake for the products that you generate whether it be fuel or electricity. Going into the RFP process, which was done in 2014, we had conversations with the local utility, Maui Electric Company, and they found it difficult for us to provide them power because we weren't big enough for them to take a generator offline. So then when we put the RFP out, we made it clear that, you know, someone who wanted to generate power would be lesser scored in the scoring process because the local utility was going to guarantee taking it. And, so, when the Anaergia process came in with anaerobic digestion, that created this methane gas. It then offered a lot more flexibility. You know, you could either use that to power an engine, which most people on the mainland are doing, they're powering engines to generate power or you can further refine it for other fuels. I've seen a proposal on the Big Island where they're going to take that methane gas and possibly refine it enough to power some vehicles. Of course, the additional refinement's going to cost a lot more money, but that gave us the greatest flexibility and that's where they are right now is trying to find someone who will take this. And we do have takers that want to take it, but we're also looking at other options as to how can that gas be better utilized. So we're working in...now that the...things have...the landscape really has changed, if you've noticed with NextEra, has disappeared. So now, you know, how friendly will the utility company be in wanting the gas possibly to be...reach this renewable requirement that the Governor has set, you know, re-using renewable fuels by, I think it was 2045, 100 percent renewable fuels by 2045. So our fuel is considered renewable, that would be, come out of this process. So, yeah, they're heavy into that, getting the offtake agreements in place at this time.

COUNCILMEMBER GUZMAN: So is it my understanding that there are applicants that have, I guess, answered the RFP request and you haven't chosen a specific entity or company for that project?

MR. MIYAMOTO: No, back in 2014 when we went through the process, we selected Anaergia.

COUNCILMEMBER GUZMAN: Anaergia.

MR. MIYAMOTO: Yeah, yeah. They came up with that, this waste conversion through anaerobic digestion, which from our view, you know, it made even more sense. Because when you think about all the trash that comes to the landfill, roughly around 65 percent of that comes from commercial and 35 from residential. So we have our, you know, our EP&S Division that does a great job with, for the residential. We have all of these recycling centers, residential recycling centers and we try to collect as...divert as much of the recyclables out. Well, with the Anaergia proposal, you know, they're going to look at all of the trash to look for recyclables. So, they're looking at whether it might be a mechanical system or a labor-intensive system that'll look through the trash to harvest the valuable recyclables. Now what they harvest is

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going to depend on the market obviously. As we've seen in the recycling market, the prices for used, these recycled commodities have significantly dropped. For example, steel, not necessarily that would come to our landfill, but that literally is like one-fourth the price that it was, I'd say, less than 5 years ago. It was over \$500 a ton. Now, it's over, just over \$100 a ton for steel. So it's gonna depend on the market, but that 65 percent that we weren't looking at before will not be looked at. And they're gonna divert the inert items like, you know, if there's any rocks, glass, the green waste, they'll probably pull that aside for better feed stock for the anaerobic digester so. We think they're gonna increase the diversion if the market for those commodities is there.

COUNCILMEMBER GUZMAN: I just was thinking, Chair, that, you know, it sounds as though Anaergia is doing all the different types of conversions and I was looking more at narrowing it to just the anaerobic digestion because it seems to be working in Kauai. And, you know, when you try to get low-hanging fruit, those are the things that you look at, has it been done in other jurisdictions and how effective it is. And it seems as it, the anaerobic digestion is being held up on the other type of diversions because they're trying to figure out, you know, what they can do so nothing gets done because it's all general, there's nothing really specific going on. But that's the way I look at it, kinda like was the RFP specific --

MR. MIYAMOTO: Yeah.

COUNCILMEMBER GUZMAN: --to --

CHAIR COCHRAN: Yeah. And I just --

COUNCILMEMBER GUZMAN: --digestion.

CHAIR COCHRAN: Right. Thank you.

COUNCILMEMBER GUZMAN: Anaerobic digestion.

CHAIR COCHRAN: But I wanna bring us back, that the item on the agenda today --

COUNCILMEMBER GUZMAN: Oh, sorry.

CHAIR COCHRAN: --is strictly about green waste right now. And that's why we have EKO here because they do handle, you know, a phenomenal amount of green waste, 792 tons have come in for the last couple of years with them. So, I've be looking for numbers to where they're at today and not sure if Mr. Miyamoto...oh, would it be Ms. Ash that has...but, Mr. Miyamoto, you had comments to Mr. Guzman's last comments?

MR. MIYAMOTO: Yeah. As part of the RFP process, we didn't limit the technology because we didn't want to own it. So, we let the proposers propose what they were gonna do and they needed to meet that mandate of, you know, if you're gonna generate power

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that you're assuming you can download to the network, you were gonna be scored lower because based, that was based on what Maui Electric told us at, before we put the RFP out. So, yes, we had all the different types of, you know, plasma arc, you know all the high temperatures, and anaerobic seems to be the method that everyone's moving towards. We were somewhat leading the nation on this when we initialed our RFP because we were the first ones to look at municipal solid waste. On the mainland, they look at a lot of mono feedstocks, you know, whether they're using one type of crops, the waste from a wood manufacturing for a...so they were doing it and it's easy to control when you think about if you just have a mono stock. You can predict what your feedstock will be into your process. When you think about municipal solid waste, I mean, you're talking about green waste, glass, food, paper, you know, so all of that large variation of what you can get in a single day is the challenge that we see. That's why this front-end materials recovery will help them to sort of come back to more of a consistent feedstock into the system. So, that's the way we set the process up and I think once this project comes on, the rest of the nation will start moving. They're already, we already see the movement. For example, on the West Coast, there's a renewable energy group that, you know, they're putting on a conference in, I think in the next month about, strictly about doing this anaerobic digestion for municipal solid waste which is so difficult.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR COCHRAN: Great. Thank you for that update. Yes, Ms. Thomson?

MS. THOMSON: Thank you. Just to kind of further answer your question on timing, the contract, the RFP and then the resulting contract, neither limited what order the components needed to be brought online. So there's no limitation that all components have to, basically, flip the on switch in 63 months, so landfill gas and diversion of organics may be the lower hanging fruit as far as project implementation, so those may come online earlier.

COUNCILMEMBER GUZMAN: Okay. Thank you. That's great.

CHAIR COCHRAN: Yeah. Not a problem. And, Mr. Miyamoto, were you signaling for maybe Ms. Ash to come down to answer some questions in regards to green waste? And, then, you know, Members, if you don't mind, I'd like to actually have EKO come and give us comment.

COUNCILMEMBER BAISA: Yes.

CHAIR COCHRAN: If they, you would like to, yes, mister, I guess it's President Tom Poulson [sic]? And...

COUNCILMEMBER BAISA: No objections.

CHAIR COCHRAN: Okay. Yeah. Okay. Great. Thank you. Good morning, Ms. Stacia Ash, nice to see you and thank you for joining us.

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MS. ASH: Thank you. Good morning.

CHAIR COCHRAN: Yes. Thank you. And, so, in reference to the green waste, this was an item that was referred via Budget to this Committee and we had a opening initial discussion, and now I wanted to revisit it prior to heading into our next Budget Session once again next year. Well, granted we're all here to be with the Budget next year. But in the meantime, then, it was stated around 42 tons per month of green waste gets transported to EKO from July 1, 2014 to July 31, 2016 for a total of 792 tons. And, so, just trying to get up to speed as to what those numbers look like today as of this year, from January of this year 'til now, if you have those? And, then, obviously, I guess EKO would have their own figures. If you happen...

MS. ASH: I have data.

CHAIR COCHRAN: Oh, okay, great.

MS. ASH: I have, I crunched the numbers just now for approximately what one year of each of the different material types that's accepted by the contract would receive. The biosolids are approximately 24,000...

CHAIR COCHRAN: Maybe, can you hear her? Can you get closer to the mic maybe.

MS. ASH: Sure.

CHAIR COCHRAN: You have a soft voice.

MS. ASH: Okay. I'll speak up.

CHAIR COCHRAN: Okay, there.

MS. ASH: So the biosolids, you know, the sewage sludge essentially from private and County sources, is approximately 24,000 tons per year. The grease trap waste is approximately 7,000 tons per year. The used cooking oil is approximately 1,500 tons per year. The commercial green waste at 20,000 tons per year and residential green waste at approximately 5,500 tons per year. There's also approximately 600 tons per year of curbside that comes in that there is no charge for. Curbside green waste, I mean.

CHAIR COCHRAN: Okay. And this all, are these figures from stuff that comes in from East Maui, too?

MS. ASH: This is from the whole, the entire island. Hana comes in, I do have stats for Hana. They are about 22 tons per month, approximately 22 tons of green waste per month, so over a year, that's 250 or so.

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CHAIR COCHRAN: Okay. And I think there are questions...yeah, Mr. Carroll, you had comments? Yes? Oh is your button on, Mr. Carroll, your microphone on. There.

COUNCILMEMBER CARROLL: Thank you, Chair. The contract over here for the Hana waste, you're bringing in crusher waste for the landfill?

CHAIR COCHRAN: Sorry. Oh, yeah, mister...okay, sorry. One second, Mr. Carroll.

COUNCILMEMBER CARROLL: Okay.

CHAIR COCHRAN: Next item will be honing in on the Hana stuff.

COUNCILMEMBER CARROLL: Oh, okay. I'll wait for the next item.

CHAIR COCHRAN: Okay.

COUNCILMEMBER CARROLL: Thank you.

CHAIR COCHRAN: Okay. Good. Ms. Baisa?

COUNCILMEMBER BAISA: Yes. I was interested in the numbers that you gave us, thank you very much. You mentioned a number for cooking oil brought to the site. I was under the impression that that oil went to somebody else like Pacific Biodiesel. I don't understand. How does that work?

MS. ASH: Well, Rubens could probably explain it better, but my general understanding is that the oil is collected from the various locations around the island, centralized at some containers that are right there at EKO. Those containers are shipped over to the Big Island. They're mixed with water. The oil is removed and then, I believe, that excess water is shipped back and put back into the EKO system. So the oil is taken over to the Big Island and converted into biodiesel there.

CHAIR COCHRAN: Okay. And it looks like Mr. Miyamoto has further explanation.

MR. MIYAMOTO: If I can give you some additional information. There are more than one hauler. So, Pacific Biodiesel has their own hauler that brings it directly to them. So, the other haulers bring it to Pacific Biodiesel at the landfill. So, it comes through our scales and, then, through our contract they get paid to process that material out. So, yes, it goes to Pacific Biodiesel ultimately and they in turn ship to the Big Island and make biodiesel.

COUNCILMEMBER BAISA: So all we do is collect it for them?

MR. MIYAMOTO: The contractors do and yes, we're the central for all the contracts to offload and transport to.

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COUNCILMEMBER BAISA: No, that's wonderful. I just didn't want it winding up in the landfill was my fear. Thank you.

CHAIR COCHRAN: Okay. Thank you. And, I guess, if the gentleman from EKO, did you want to come down to the podium, if you have any comments and just introduce yourself and who you're here with.

MR. FONSECA: Good morning, Chair.

CHAIR COCHRAN: Good morning.

MR. FONSECA: Good morning, Councilmembers. My name is Rubens Fonseca. I'm the Plant Manager for Maui EKO. Would've been there since '95 and I guess I can answer some questions if you guys...if anything concerning the contract, I'd rather have Tom Pawlish here, the President of EKO, but any operating questions, I'd be more than pleased to answer.

CHAIR COCHRAN: Okay. I guess the tonnage that's been coming in, obviously you've seen an increase or has it been stable or how, what the numbers in all this?

MR. FONSECA: Yeah, actually green waste has, biosolids increased since we were there, maybe about 3,000 to 4,000 tons over the, all these years, not a whole lot. The plants keep getting more efficient, I guess, the wastewater treatment plants. Green waste, yes, you're gonna see a lot more development, a lot more landscaping, mature landscaping and yeah, green waste has been the challenge there. In fact, nowadays, we have two grinders to take care of it.

CHAIR COCHRAN: And your product is being moved though? I mean, you're not having problems trying to, you know, get used?

MR. FONSECA: No, we're still overstocked with the end product. I really feel that it would be a cooperative effort between the public and a contractor like us to try to locate some of the product. I believe we build up a very good product. We're very proud of it, how we change all the waste into a very valuable product. There are still a little fear there about the sewage sludge compost, especially from the organic farmers association. Conservative farmers, we have tons of 'em above all the Kula area, a lot of them come and pick it up. We're very proud of that. It could be more used in our parks. There's very little used, maybe just the Waiehu Golf Course been using and the baseball field out here at the War Memorial, but other than that, I would like to reach more of the park superintendents to, you know, when the kids are on vacation, try to recoup the fields and all that, haven't been very successful with that. We have a lot of landscaping contractors, that's the bulk of our business. We do all kinds of different soil blends and soil mixes with the compost as well and but, yes, we do have quite a bit of product out there that I would like to see it moved.

CHAIR COCHRAN: Thank you. And, so, you said you've had, I guess, not so much movement with our own Parks Departments or what have you --

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MR. FONSECA: Yeah.

CHAIR COCHRAN: --is that, and do you know the reasoning behind that?

MR. FONSECA: I don't really. I don't and they should.

CHAIR COCHRAN: Okay. But, I mean, you've asked?

MR. FONSECA: It's an incredible product.

CHAIR COCHRAN: I mean they obviously know you exist, but you've asked?

MR. FONSECA: I have approached them once.

CHAIR COCHRAN: Okay.

MR. FONSECA: But I believe I have to approach the superintendents for each division. I think that would be more effective, so, it's the next step there. Also, we have, because of the excessive green waste that are coming in we have to grind we have a lot of mulch. And mulch is a very good product for slopes, controlled water, erosion, and all that. That could be, I have approached the DOT locally here to do, use if they need to. In the mainland, it's very...used on the DOTs in Texas and California, huge. Used in slopes, you know, for erosion control. The application is a lot of the barriers, the how to apply and, you know, people and, you know, time. So, there's a lot of uses for it though.

CHAIR COCHRAN: Okay. And so do you pack...I mean, you know, you can go to Ace or wherever, the stores, and buy bags of...do you pack and ship at all or?

MR. FONSECA: Yes. Although we chose to have a distributor, a local distributor, which is Hawaii Grower Products, they distribute all the bags for us. We don't touch the sales of the bags, just bulk at the plant.

CHAIR COCHRAN: Okay. Well, that's good. At least you're doing your part to try and move the product, so, thank you.

MR. FONSECA: Yeah. And, actually, we move quite a bit, also, in we call open-top containers, so, especially Big Island, Kauai, Oahu, which is a branch of that same distributor, they cover all the islands with, through distributors --

CHAIR COCHRAN: Okay.

MR. FONSECA: --so.

CHAIR COCHRAN: Okay. Very good. And, I guess, one of the concerns I think I heard, I'm not sure from here, but I think in other municipalities, was the use of the sludge in it.

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You know, that's why you have the organics not quite wanting to, but, then, in relation to parks where perhaps children will be playing and things, do you know of any adverse effects, I guess, of that being used that way?

MR. FONSECA: Not whatsoever. Our product goes through, actually, we use two different testing procedures over there. One, to comply with the EPA regulations, which is called 503, so, that, we use a local lab in Oahu. And, also, we have another test. It's called seal of test assurance and that is to be compliant with the U.S. Composting Council, the whole country. And they have this standardized test and to, once you have the test, you can use this product in Federal jobs, State jobs and all of that. Nowadays, it's required to have that stamp per se. It's called STA, seal of test assurance. It's more a broaden test, a more agronomical and, yet, they do also have the EPA test within. So, I don't think there is on the composting industry such as a controlled and monitored product as biosolids compost because of the nature of biosolids.

CHAIR COCHRAN: Right.

MR. FONSECA: And in fact, I need to put it that out maybe for Council Guzman, one concern I have on digestate coming from MSW will be the same issue that you have for biosolids for organic farming. So if it's mixed with trash, they will have a concern as well unless whoever it is, Anaergia, or I'm actually part of a project going on in the Big Island right now with digesters and they're gonna do two digesters. One just to accommodate organic farming and another one just to...I hope Anaergia will have the same plans here to serve both markets per se, you know. So it's kind of new throughout the United States, the using digestate, it's spreading because of the need of food waste diversion. It's the biggest organic factor in going to landfills in this country. And if you're going to every conference that we attend, that's the focus nowadays is food waste because it's the largest volume. And digestate is the target right now to compost with green waste.

CHAIR COCHRAN: Well, thank you. Thank you for your time.

MR. FONSECA: All right.

CHAIR COCHRAN: Members, is there any further questions or comments or discussion for Mr. Fonseca? Yeah, Mr. Hokama?

VICE-CHAIR HOKAMA: Tell us this morning what impacts you have regarding invasive species and green waste at your site?

MR. FONSECA: Yes. Time to time we have MISC there, checking for fire ants and also for invasive species. The beauty of composting is you get to temperatures that you...practically you enucleate all that problem. And not only pathogens, but...

VICE-CHAIR HOKAMA: Right, I understand that part, once you get in the process. My concern is before that when you receiving that contaminated material?

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MR. FONSECA: Right. If you look at our facility, it's pretty much isolated, the green waste area. Once you start grinding that stuff and you put on a pile, the mulch pile, the temperature start rising right away. In fact, we have to watch out operations-wise for fires and all that. As soon as you mix that with the sludge, the temperature even further go up, so we need to constantly be moving this material...

VICE-CHAIR HOKAMA: So you're telling us there's no concern for us regarding invasive species at your site?

MR. FONSECA: I would say composting will solve a lot of these issues and termites, fire ants, invasive species, it's the best way, the closest to nature you're gonna get to eliminate some of this issues.

VICE-CHAIR HOKAMA: Okay. That wasn't my question, but thank you.

CHAIR COCHRAN: Thank you, Mr. Hokama. And, yeah, I think that's been a lot of concern in areas, East Maui, where have you, that have these invasives. Not just the plant, but, you know, your animals, too, insects, what have you, cut, put into a truck, transported. It would come to your site, so they're still alive and well in the thick of the greenery, sort to speak, and as you're processing, I mean, I can picture...sure, I mean, they could be running off and going, hey, you know, we don't want to be thrown into that fire pit or, you know, the heat. So, I don't...I think it's a good question to ask and wonder what are the mitigations, you know, mitigative factors that are occurring there because it, you know, the frogs can pop off and ants run away. I mean, you're not...I don't think there's a way to contain --

MR. FONSECA: Well --

CHAIR COCHRAN: --if you do have something.

MR. FONSECA: --if I may, the transportation is where the risk is and, you know, that's how you spread actually. Either people or trucks or whatsoever, planes or, but once he gets on the facility, you start processing that and believe me, I tried to bring toads to the facility one time to control flies, they'll die over there because it's just too harsh. But when you start mechanically grinding all that material and then the heat that causes on the bios and all that, very little chance for insects to survive.

CHAIR COCHRAN: Okay. Thank you. Yes, Ms. Baisa?

COUNCILMEMBER BAISA: Yes, thank you. Thank you for sharing. You mentioned that MISC visits, I think it might be helpful, have they ever found anything?

MR. FONSECA: No.

COUNCILMEMBER BAISA: No?

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MR. FONSECA: No.

COUNCILMEMBER BAISA: Okay. Thank you.

CHAIR COCHRAN: Alright. Thank you. Any further questions or comments for EKO Compost that's here visiting? Okay. Seeing none, thank you for your time, Mr. Fonseca.

MR. FONSECA: Thank you.

CHAIR COCHRAN: Thank you. Mr. Poulson, is it? Poulison?

MS. YAP: Pawlish.

CHAIR COCHRAN: Pawlish, Pawlish. Okay. Thank you. And Stacia is still here, too, if we have any questions for Stacia? Mr. Hokama?

VICE-CHAIR HOKAMA: I just need to have you consider forwarding to Budget Committee the information on the tonnage and anything appropriate.

CHAIR COCHRAN: Okay.

VICE-CHAIR HOKAMA: Because my concern is still the cost items. Thank you.

CHAIR COCHRAN: Okay, will do. We'll take that down, not a problem, Mr. Hokama. And, I guess, yeah, I'm just wondering maybe this will be in the next item in regards to Hana. But, yeah, I'll hold off on, I have a Hana question, also, Mr. Carroll. So, at this time, I'll just, without objections...well, actually, I'll just file this. Oh, sorry. Do we have questions?

MR. PAWLISH (*from the gallery*): If I could?

CHAIR COCHRAN: Oh, Mr. Pawlish, did you want to come down and have, you have some comments? Oh, yeah, sorry, sorry, go ahead, sir. Thank you for being here this morning.

MR. PAWLISH: Thank you, Chair. I just wanted to make a couple comments regarding the contract negotiation and the sharp increase we had. I was faced with a very short-term contract, I had equipment that was old and needed to be replaced with a very short-term contract. It didn't make sense to go out and buy a new grinder at \$400,000 and try to amortize it over a 2-year period. And, so, based on that, I looked at our operating costs, recognizing they were going up with the old equipment, but it was still cheaper than trying to go out and get newer equipment and amortizing it over a few years. That's the basic reason, in addition to the fact that we'd operated for a number of years without an increase at our operating cost and it continued to go up. So that was the justification we had for the increase. Thank you.

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CHAIR COCHRAN: Thank you, Mr. Pawlish. Any questions or follow ups for...okay. Mr. Pawlish, thank you very much for your time this morning. Oh, sorry, Mr. Guzman, you had --

COUNCILMEMBER GUZMAN: Yeah, I apologize.

CHAIR COCHRAN: --questions? Oh, for Mr. Pawlish? Okay.

COUNCILMEMBER GUZMAN: Yes. Just on the contract. Can you refresh my memory, is it the contract price is via tonnage that we pay per ton?

MR. PAWLISH: Yes, it's per ton.

COUNCILMEMBER GUZMAN: Yeah. And how much is that that we --

MR. PAWLISH: Rubens...

COUNCILMEMBER GUZMAN: --that was contracted for?

MR. PAWLISH: It's 103?

MR. FONSECA (*from the gallery*): For biosolids, 103; for green waste, 36.

COUNCILMEMBER GUZMAN: Just for the green waste?

MR. PAWLISH: Green waste is 36. Biosolids is 103.

COUNCILMEMBER GUZMAN: Okay. And, then, and that's incorporated into your operating cost, the 36?

MR. PAWLISH: Yeah.

COUNCILMEMBER GUZMAN: How much of the revenue do you get from the sales of the green waste? Is that a percentage?

MR. PAWLISH: As far as annual or...

COUNCILMEMBER GUZMAN: Yeah. Annual would be good.

MR. PAWLISH: Rubens, do you have that number? I think we're at about 600,000.

COUNCILMEMBER GUZMAN: Okay.

MR. PAWLISH: It really fluctuates.

COUNCILMEMBER GUZMAN: Okay. And that fluctuates because of the seasons or the demand, is that what you're saying?

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MR. PAWLISH: Just the demand seems to fluctuate. A lot of it depends on what kind of development's going on and what kind of infrastructure is being done. You get a Highway Department project going where they need a lot of material to go for landscaping and it goes up. We haven't seen many of those recently.

COUNCILMEMBER GUZMAN: So from, just touching on the purchase from the, I say, one of the departments, Parks Department, let's say, that would be the Parks Department would pay for the product and then that would go into your revenue portions of it?

MR. PAWLISH: Yes, sir.

COUNCILMEMBER GUZMAN: Is that ever, has that ever been negotiated to...I guess, I shouldn't get into that. But I think Corp. Counsel's kinda knowing where I'm going. But anyways, thank you very much.

MR. PAWLISH: We do give the County preferential treatment.

COUNCILMEMBER GUZMAN: Okay. Thank you. Appreciate it.

CHAIR COCHRAN: And so, sorry, Mr. Pawlish, if you can --

MR. PAWLISH: Yes? I'm sorry.

CHAIR COCHRAN: --and I don't know, I'll just see if I'm going into the next item, but I do have a question from, I guess, you folks. You folks do the hauling of the green waste out of Hana?

MR. PAWLISH: No.

CHAIR COCHRAN: Do you...no, you just take the product?

MR. PAWLISH: That's correct.

CHAIR COCHRAN: The haulers come to you?

MR. PAWLISH: That's correct.

CHAIR COCHRAN: Okay. Okay. Never mind. That's all. Thank you. Any further questions? Seeing none, gentlemen, again, thank you very much for being --

MR. PAWLISH: Thank you.

CHAIR COCHRAN: --with us this morning and the work that you do at our landfill. Thank you. And so, Members, without objections, I'll defer this item since it's a good, broad subject and it'll auto file in the end anyways.

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COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR COCHRAN: Okay. Thank you, Members. Let's move on to our last...well, actually, it's about that time of day for our mid-morning break, if you folks need ten minutes or so, does that sound good? Okay. Members, why don't we come back at 10:20, then. And at this time, we are in recess. . . .*(gavel)*. . .

RECESS: 10:08 a.m.

RECONVENE: 10:21 a.m.

CHAIR COCHRAN: . . .*(gavel)*. . . Aloha. Will the Infrastructure and Environmental Management meeting please reconvene. Thank you for that break, Members.

ITEM NO. 45: AMENDMENT TO CONTRACT FOR DISPOSAL, HANA LANDFILL (C5545-2) (MISC)

CHAIR COCHRAN: And our final item on our agenda today is IEM-45 and this is a Miscellaneous Communication dated November 6, 2015, from the County Clerk, and this relates to Contract No. C5545, an Amendment 2 for the Hana Landfill. And this item was actually forwarded to this Committee via Councilmember Couch, but he is not here attending the meeting today. But, so at this time, I shall open the floor to the Department. Looks like we have Mr. Miyamoto with us and also, is it Bob Schmidt? From Solid Waste Division. So, Mr. Miyamoto, the floor is yours. If you have Mr. Schmidt to share, then, that's fine, too.

MR. MIYAMOTO: Thank you, Madam Chair. I'll just open up with the, you know, this contract basically starts when we were in the process of getting our SMA permit for our Hana Landfill. As part of that SMA permit, the Hana Advisory Commission wanted us to stop using, utilizing the cinder pit and so as part of that cinder pit action, we have to remediate that cinder pit that's, was previously used. We've closed that cinder pit down and now we have to bring in cover material for the landfill. We did implement a, the tarping system. Madam Chair, if you remember we had through Budget and Council granting us the money to purchase tarping. We do tarp at the landfill part of the week. Out of the five days, we do tarp. The specifics, Bob can give you that number of days that we do tarp. So, we've tried to reduce the amount of cover material that we do need for the landfill, but we still need to do a lot of slope repairs and that. And so that's the, this contract with the hauler. When it came to green waste, we, by our operating permit, we're allowed to have green waste at our landfill, a limited quantity. Bob can give, share with you the specifics as to the amount of the limit, but we're not also, we're also not allowed to process at, green waste at the landfill. Our current permit does not allow us to mulch it, to shred it. It just allows us to take it in and, then, process it off site, which is why we looked at the

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NABBS contract. Since he's bringing in dirt and he's going back empty, why not you take that opportunity, look through the green waste, make sure we trying to keep it clean and get it onto the empty truck going back and take that to our EKO for processing it on their side. So that's all I have, Madam Chair, and I'll share, I'll turn it over to Bob who will, can provide you how many days we tarp and tonnages and other data. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Miyamoto. Hi, good morning. Thank you for visiting with us.

MR. SCHMIDT: Good morning, Councilmembers, Council Chair.

CHAIR COCHRAN: Just state your name and who you're with.

MR. SCHMIDT: Bob Schmidt. I'm a Solid Waste Operations Manager for Solid Waste, for landfills, yeah. And --

CHAIR COCHRAN: Thank you.

MR. SCHMIDT: I believe we tarp four days a week and just have to cover the fifth day. Yeah. I'm getting that confirmed right now. But, yeah, we just, this contract's been in place since June of '14. It started out as a six-month contract with 3-year renewals. We're in the final renewal. It's going to conclude at November 17th and as Mr. Miyamoto stated, this was primarily a cover soil contract and recognized we could get the bonus of hauling green waste out after each delivery, which solved that issue as well. So, I'm not sure exactly...oh okay, it's only, I think, I believe it's 200 yards is allowed there now and again, I don't have that specifics. My preparation time was limited this morning, but I can get.

CHAIR COCHRAN: Okay. Is that...

MR. SCHMIDT: Oh, I do have, yeah, specifics.

CHAIR COCHRAN: Okay. Mr. Schmidt, you have more? Oh, okay.

MR. SCHMIDT: On average, we do about 10 to 12 trips a month, yeah, a day, a month, yeah, right. So not often, I mean, the hauling really we coincide that with when we do have full loads of green waste so we're not paying for partial loads.

CHAIR COCHRAN: Okay. Thank you, Mr. Schmidt. And does that conclude your comments? Yes? Okay. Thank you. I'll turn the floor over to Mr. Carroll. Mr. Carroll, you have comments?

COUNCILMEMBER CARROLL: Thank you, Chair.

CHAIR COCHRAN: Yes.

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COUNCILMEMBER CARROLL: First question, it says over here that, the crusher run, you bringing inside crusher waste for the landfill is what it specifies over here. Does every truck coming to haul green waste, come in with a load of fill for the landfill?

MR. SCHMIDT: Yes, that's correct.

COUNCILMEMBER CARROLL: So there are no empty trucks coming in?

MR. SCHMIDT: Right, that is correct.

COUNCILMEMBER CARROLL: Okay. It was, I imagine that if that's crusher waste, that's pretty heavy, yeah?

MR. SCHMIDT: I believe so, yeah, I believe the density's about 1.3 tons per cubic yard.

COUNCILMEMBER CARROLL: Okay. Already, it was said over there that we don't have the permitting over there to keep, to process green waste on the Hana Landfill facility, but there is a demand for green waste. I was wondering if it's possible if sometimes a truck could come inside if it wasn't, if they had enough fill for cover the land, cover our landfill, if green waste, processed green waste could actually be brought into Hana for use over in Hana for Hana people?

CHAIR COCHRAN: Yes, go ahead, Director or Mr. Schmidt?

MR. MIYAMOTO: Madam Chair. The, I mean, it's possible and all it would take is funding being granted to do so. The only challenge we see is other communities wanting the same service, so that's the only real challenge we look at. It just takes money to bring in the green...the finished product, whether it's compost or mulch. It's all it takes is just money to bring a truck load in.

COUNCILMEMBER CARROLL: Okay. Yeah. I was hoping that not every truck was full with, for the landfill. That if a truck did come in empty because there was a lot more green waste that it could be used for that to bring some of the processed product to, down to the landfill, so maybe that could be considered and looked at. That's all I have for right now, Chair. It was clear that we don't have the permitting to process it over there, but...one more question. To get the permitting to have processing at the Hana Landfill, what does that entail?

MR. SCHMIDT: It's just a communication with the regulators. You know, applying for it, you know, putting in the specifics of what we intend to do and just going through that process. To date, none of the landfills, Solid Waste doesn't take care of that service at any of our landfills. It's always contracted out, and again, that would just be a matter of, you know, directive from you folks and funding.

COUNCILMEMBER CARROLL: So if we did have a permit, we could do processing over there at the landfill?

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MR. SCHMIDT: Space is an issue. It's a pretty small property. That was, that's part of our issue all along, you know, we need, we do limit the amount of green waste. We don't go anywhere near our permit limit because we do have a limited space there and so I would envision if we did something there, it would have to be at a different property.

COUNCILMEMBER CARROLL: I know it was said last time that because there was...if I could continue, Chair?

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

COUNCILMEMBER CARROLL: It was said last time that there was a problem because the green waste piled up too much and so it had to be removed; however, since they're hauling it out all the time, if we were processing some over there, it could be removed if the, it became a greater amount than was allowed. So, it seems like with a little coordination, we might be able to work something out.

CHAIR COCHRAN: Director?

MR. MIYAMOTO: Yeah. Unfortunately, the composting process takes several weeks. I think it's about minimum six weeks for that material to go through its biological process to convert, so the amount of space, you know, if we were to just do a small pile, we could, that would have to be contracted and, you know, you can imagine having six weeks' worth of green waste there. I'm not sure if we have space enough. But if we try to do that calculation on how much acreage we have and how much green waste we could keep in the various stages of coming into compost, windrows to go through that process. We'd have to put in additional storm water management controls to make sure that when it rains, none of the water that's gone through the compost is leaking that area, leaving that area. We'd have to look at a, more in depth as to what amount we really could get there and do a small type of process and we would definitely have to contract that services out as we don't have the equipment that would turn, be required to turn that composting pile over. It might be a small operation that maybe that might be able to meet the demand. Typically, like, we have on Molokai, the demand is nowhere near of what comes in. So on Molokai, I mean, part of that contract we have the contractor having to actually go out and market it, literally do whatever he can, as Rubens does, to try and keep their site in compliance. So since, like you said, since we are taking it off site, we'd have to do an analysis as to see what we can fit there to get it from green waste through the weeks of processing into compost. That would be a design.

COUNCILMEMBER CARROLL: I'd appreciate it if you could keep that in mind and look at it and see if there is some viable way that we could do it because it would be a really great advantage. We have a lot of flower growers. We have other farmers over there and they are a big part of our economy. So, if we could do that, it would really help. So, if you could pursue it as far as you can and see if you can come up with something viable. Thank you, Chair.

CHAIR COCHRAN: Okay. Thank you very much, Mr. Carroll. And, Mr. White?

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COUNCILMEMBER WHITE: Thank you, Chair. What was the reason for stopping the use of the cinder pit to get our cover material?

MR. MIYAMOTO: Chair?

CHAIR COCHRAN: Yes.

MR. MIYAMOTO: As part of that SMA process we went through for the landfill, the, Public Works had done all the hauling for Environmental Management. We don't have trucks, we don't have front-end loaders, so we were utilizing Public Works when we were all one department back before 2007. Public Works would do the collection of the dirt at the cinder pit and then transport that to the landfill. Through that SMA process, even though it wasn't directly at the landfill, they made that connection and said, you know, hey, that thing is getting dangerous. It's rather, the slopes were very steep. Basically what it was is...

COUNCILMEMBER WHITE: You mean at the cinder pit?

MR. MIYAMOTO: At the cinder pit. Yes. They were just grabbing from the bottom and just letting materials slough off from above, so the slope got very steep and very dangerous. And so as part of that SMA permit, they said we needed to remediate that. You can imagine converting a 54-foot vertical, somewhat-vertical wall into like a engineered 2:1 slope, that would mean we would take out a lot of this cinder pit area. So rather than devastate that area by ripping out all those trees, the decision was made that we should close it, stabilize those slopes, get it to where, you know, it looks as natural as possible and then bring in the material from elsewhere. Because Public Works told us they no longer needed it. They no longer were bringing, gonna borrow material from there to do shoulders, roadway shoulders, stabilization and things like that. So, we said, okay, Public Works doesn't need it and the SMA says that we shouldn't be using it, so we moved forward with this contract of trucking material out. And to reduce that amount that we trucked out, we obviously asked Council for their blessing on the tarping system which we're using as much as possible.

COUNCILMEMBER WHITE: Right. Yeah, I do recall that. It just seems that this trucking in and out is a significant cost. I was just wondering why we weren't looking at reopening that option of the cinder pit but...and it also seems that it might make some sense to see if there is possibly some individual in Hana that might be interested in purchasing equipment to process the green waste if there's enough land, an adjacent piece or something of that sort. But it just seems kind of counter-intuitive to truck stuff all the way from Central Maui out to Hana just to cover the landfill and, then, haul green waste out of Hana back to Central. Just, something just doesn't quite fit there but...so, basically, by closing the cinder pit, we have a significant cost increase, isn't that right? What cost would you put on it annually because we're having to haul things in?

CHAIR COCHRAN: Director?

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MR. SCHMIDT: This current contract actually supplemented cinder. The cinder pit itself has been only closed down just recently when we were in there doing our stabilization. And, originally, what Mr. Miyamoto mentioned as far as the slopes becoming stable by virtue of cutting the back to a shallow angle, we had an engineer look at it and essentially say that the undisturbed cinder, meaning it's fairly solid before it's broken up and dug, represents stable. And, so, our most recent mandate was to remove all of the loose cinder from the existing side walls and that's what we've done up until recently and just have recently left there. So we actually do have a bit of stockpile of cinder and so once that's used, I'm guessing, the estimated volume or estimated needs is gonna be in the 400,000-plus range to --

COUNCILMEMBER WHITE: Per year?

MR. SCHMIDT: --pay for cover soil. Right. It is.

COUNCILMEMBER WHITE: Wow! That's huge. Four-hundred thousand, so the 10 to 12 trips that you mentioned per month are...

MR. SCHMIDT: That's not gonna be enough, at --

COUNCILMEMBER WHITE: Right.

MR. SCHMIDT: --sometime future. Right. Once we ran out of our stock with cinder.

COUNCILMEMBER WHITE: Yeah because if you've been supplementing with the --

MR. SCHMIDT: Correct.

COUNCILMEMBER WHITE: ---material from the cinder pit, that's gonna go up significantly. I think we have a, an issue here. So, thank you, Chair.

CHAIR COCHRAN: Okay. Thank you, Mr. White. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. So we contract NABBS Trucking, I guess, for, what is it, total contract for 400,160 and that's to bring in crusher, haul out greens and yet we cannot bring back greens? Can we return with the green waste after it's all compost? Are we able to have that done?

MR. SCHMIDT: So return compost back to Hana?

COUNCILMEMBER CRIVELLO: Yeah, I mean, Hana people don't seem to have the opportunity to utilize the --

MR. SCHMIDT: Sure, that would just --

COUNCILMEMBER CRIVELLO: --process of green waste.

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MR. SCHMIDT: --represent additional cost, an additional haul, because currently the trucks are full both ways on the current contract. They come in with the crusher and then go back out with the green waste.

COUNCILMEMBER CRIVELLO: So you come in 10 to 12 times a month --

MR. SCHMIDT: Correct.

COUNCILMEMBER CRIVELLO: --with crusher?

MR. SCHMIDT: Right.

COUNCILMEMBER CRIVELLO: It's never empty? They come in with crusher?

MR. SCHMIDT: No, right. Yeah.

COUNCILMEMBER CRIVELLO: Yeah.

MR. SCHMIDT: Truck full both ways. Yeah.

COUNCILMEMBER CRIVELLO: Is there a process that we can look at providing Hana residents with green waste? I mean, could they be like...well, explain to me in my ignorance the, why is it to, necessary to have constant hauling of crushers to come back in to the landfill?

MR. SCHMIDT: Well, again, this contract was to supplement the cinder, that we were hauling is anticipating that we were closing down the cinder pit and the benefit we just saw was that rather than run the truck back out empty, we decided to haul the green waste.

COUNCILMEMBER CRIVELLO: Oh, so instead of returning back...

MR. SCHMIDT: So, right, we were hoping that, you know, that the contract would obviously be less if they were getting paid both ways so.

COUNCILMEMBER CRIVELLO: Okay. Thank you, Chair.

CHAIR COCHRAN: Okay. Thank you, Ms. Crivello. And, yeah, I have, I think, we have Director of Finance, Mr. Agsalog here and I think the thoughts are in regards to the financing and the cost here and I'm thinking perhaps the reason why this contract was brought up is in reference to the amendments because it looks like the second contract has an amendment of 170. So, I don't know, Mr. Agsalog, if you don't mind if you can join us on the floor here 'cause I think this is more the financial part of this. And, yeah, Mr. Schmidt, don't run away too soon. Good morning, Mr. Agsalog, Director Agsalog.

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MR. AGSALOG: Good morning.

CHAIR COCHRAN: Thank you for being here.

MR. AGSALOG: Good morning.

CHAIR COCHRAN: And hi. And do you have a copy of the contract that we're discussing here today?

MR. AGSALOG: I have asked our staff, Madam Chair. Good morning, Madam Chair and Members of the Committee. I've asked the Accounts Division this morning to print me the amendment that was signed by my Department way back in, I think September 2015. And as far as our process is concerned, when the Department comes for to exercise the options of the contract, provided that the funding is available, we give them the certification of that particular contract if the funding is available, based on what they tell us where operation is coming from or what index code that is. So, we execute the contract accordingly, Madam Chair. So, essentially, it's their budget that's affected on this, so, we work with the Department that way when they tell us. So, our staff, accounts review all the data, the appropriation and then say, yes, this is what you guys want to use your money for and we give them certification accordingly.

CHAIR COCHRAN: Okay. Thank you, Director. And I guess it's the numbers. So, first off, and I don't know, maybe this is partly department's question, but the first, I guess, amendment totals \$170,000 and...I mean, the second and then, I guess, there was another amendment of 153,4, thousand dollars. And I'm just trying to add up the closure of the cinder pit, you folks have been stockpiling cover in anticipation of closure. But, yet, you're hauling in fill from Central, hauling out the green waste, which I appreciate you not running empty trucks in and out and are these, this total of over \$400,000 in amendments to this contract...just trying to figure out where...why...what are these amendments for and why are you in excess of over \$400,000 right now?

MR. MIYAMOTO: Thank you, Madam Chair. As Bob had mentioned, the, when we closed the landfill to, not the landfill, I'm sorry, the cinder pit to the public and Public Works, as part of that engineering evaluation and everything, there were loose material that we were able to bring down to the bottom and then we can utilize that. So, that's been stockpiled at the landfill. So the contract, the amendments were to help supplement what we didn't have, so you know, it's an on-going process of taking material out of that engineering soil or slopes out of that cinder pit, so this amendment sort of supplements that action. As Bob had mentioned that once we run out of that amount of material that we can get from the cinder pit, the contract should escalate up in the \$400,000 range. So the 150 amendment is just an annual as funds are available, we use that money to help supplement the amount of material we get out of this cinder pit as we continue to remove the loose material from there.

CHAIR COCHRAN: Okay. But I think this figure is, has happened in a sense. I mean, you've spent this money out or it will be expended by the end of this month,

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November. Contract ends end of next month, so, I heard you saying it's gonna escalate, but it looks like it already did escalate. I mean, it's increased in the first 6 months by that \$153,000-plus and then in the second amendment it increased by another 10 percent only within 8 months. So, I mean, there's this escalation occurring and I'm trying to figure out, I mean, now that the explanation's been laid out on this table, I didn't have these questions come in into this meeting. I have it now because of what I'm hearing. You know, so we have a contract already signed, sealed, delivered and it's gonna end in mid, end of next month for 4...over \$400,000 and now you're saying we're anticipating escalation, but I already see that escalation happening. So, I don't quite get that comment for starters. And, yeah, I understand the anticipation of the escalation because of the closure of Olopawa Cinder Pit, but that hasn't, it's in the process. That hasn't happened when these contracts were amended. So that's where, what is happening?

MR. SCHMIDT: Part of the escalation is due to just additional green waste --

CHAIR COCHRAN: Yeah, it's on. Go ahead.

MR. SCHMIDT: --that we needed to haul, I mean because we do have that limitation and so here again, don't want to run the truck empty. I mean, part of the contract was to run it both ways, so that's part of the escalation. The contract is on a funny time period, too. So some of these amendments have to do with fiscal year, you know, versus contract time and there's also a third amendment that actually was approved that I'm not sure why we haven't discussed that. Amendment 3 was actually approved and this contract takes us through November 30 of 2017.

CHAIR COCHRAN: Okay. Yeah. Mr. Agsalog?

MR. AGSALOG: Madam Chair, I know you mentioned that the current contract, the current extension or option will expire in November, but there's another option that they can extend one more year, so, I just want to let you know on that one. I haven't received the request for the extension or exercising that option, but there is one more according to the original contract.

CHAIR COCHRAN: Okay.

MR. AGSALOG: So the one that's the 170 that was last signed, certified, it's according to the amendments, will end November 30, 2016.

CHAIR COCHRAN: Okay. Yeah, I guess, perhaps that number three contract was presented to us, but we did not pull it out to bring here to this Committee at this point I suppose. Mr. Agsalog, you had something?

MR. AGSALOG: I'm showing here right now in an IFAS report from our purchasing that there's one that's already exercised Amendment No. 3 extension and it will end November 30, 2017. I just want to make sure that we are...and this was 170,000, also, Madam Chair, just to make sure that we are looking at the same timeframe since

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we have this discussion now.

CHAIR COCHRAN: Okay. Thank you. And, Mr. White, you had your hand up?

COUNCILMEMBER WHITE: Yes, thank you. Yes, thank you, Chair. You know, I'm just questioning why we are, I believe it, adding it up, it's \$400,000 for 2 years from November of 2014 through November of 2016. And, so, that averages \$200,000 per year, but now we're saying that we're gonna run out of the cover material from the pit and we're gonna have to bring more in, but it's only gonna cost us, it's gonna cost us less than it has over the last 2 years. So, something's...I'm missing something if you can help me add up the numbers here. But on the certification, it says that the date that it started and you got the notice to proceed...oh, no, I'm sorry. I may have misread this, so I need some clarification. There's notice to proceed through 11/30, so it looks like the first amount was initiated in June of 2014, is that correct?

MR. SCHMIDT: Yes, that's correct.

COUNCILMEMBER WHITE: Okay.

MR. SCHMIDT: The initial was for a 6-month contract with three 1-year extensions and we're in that third year.

COUNCILMEMBER WHITE: Okay. So, but the extension, or this year's amount was 170,000 and the year that's coming up is another 170,000, but you had mentioned that the cost is going to increase significantly, so I'm just wondering what's the actual spend out of the 170 for this year?

MR. SCHMIDT: Okay, I've got...

COUNCILMEMBER WHITE: Or for this...not this year, but this November through November.

MR. SCHMIDT: Okay. I've got 2016, Fiscal Year 2016 numbers and for the year, there was 441 tons of green waste and 2,410 tons of crusher brought in, so whatever that ratio is. I mean, certain amount of this cost is from the green waste hauling portion, so, I mean, it's not all cover soil that we're expending with this 170,000. There's that portion of green waste that, I guess, will continue, but whether or not it should be counted towards cover soil cost is maybe a question.

COUNCILMEMBER WHITE: Yeah. Chair, I guess I'd be more comfortable if we could ask them to run the numbers on what it would cost if we were able to have someone take over the green waste operation out there and continue to use the cinder pit in some way, shape or form. It just, you know, a \$400,000 cost just to move stuff back and forth, it doesn't...in my view, there's another option. Leave the stuff where it is and process it or, you know, use the cinder from Hana and process the green waste in Hana and let it be used in Hana. But --

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CHAIR COCHRAN: Right.

COUNCILMEMBER WHITE: --anyway, I...

CHAIR COCHRAN: Yeah. Right. Okay.

COUNCILMEMBER WHITE: But I don't see an increase in the cost if they're just asking for the same amount of money this year as they had last year, so.

CHAIR COCHRAN: Yeah. And thank you, thank you for your comments, Chair White, I understand. So I heard a permitting, there could be a permitting option in order to process green waste there, but then I heard Director Miyamoto say it's the land space that's limiting. I do understand that Hana Ranch was reached out to, but at this time, they declined to want to provide such services. But, again, I wonder if we really exhausted all of our options as in asking other landowners, perhaps, there's a lot of open land in Hana as we know and this, with the greens, people would like to keep their mulching and what have you. And as for the cinder pit, I've been there and saw the, it's in a dangerous state currently, so I get why, but I also, if there's a way, somehow with, I don't know if it's DLNR or who to try and figure out a way to maybe readjusting the benching of it, I don't know. I mean, I'm not an engineer person like that, but I just wonder if we do have some options to try and revisit and see what can be done after it's stabilized. We want nobody up there and, you know, get injured or whatever because I know it's an issue, try keep people out what have you, but in the meantime, can we, you know, try and think of other options to try and reutilize that spot. So, I don't know. Mr. Schmidt, you had your hand up? You had comments?

MR. SCHMIDT: Yeah. I can speak a bit to that. There was --

CHAIR COCHRAN: Okay.

MR. SCHMIDT: --an engineering study done on the cinder pit and part of our exercise as we decided to close the site was...well, first of all, we had the Hana Advisory Committee wants us out of there, that, so there's kind of a cultural concern. Secondly, though, we did have an engineering study done on how to correctly, if you will, mine the cinder. And it involves deforesting a few acres up on the hill itself and then mining it to a stable slope, if you will, like a 1:1 or 1½:1-type slope. And we looked at that and we crunched some numbers on what it would take to actually do that. And the cost of cinder in the short term was really high. I mean, if you did the math, we're talking 80-\$90 a ton. And, of course, the longer that you were able to utilize that price per ton over time would drop down, but in the short term at least hauling cinder from out Central here made the best financial sense. But we can revisit that. We can put some numbers together and maybe get a report to talk through all that economic benefits or cost benefits and relook at it.

CHAIR COCHRAN: Okay.

COUNCILMEMBER WHITE: Yeah. I think that would be much appreciated because, I think,

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if we're looking at a \$400,000 annual bill, it would just be nice to see what the calculations are with respect to the mining and the other considerations. So, it's a significant cost for a very small part of what, you know, our operations are in Hana. Thank you, Chair.

CHAIR COCHRAN: Right. Thank you. I mean what would it cost to just haul the solid waste itself out instead of storing it? I mean, we're running trucks in and out. What if you just put the raw trash and hauled it and put the green, you know, do your hauling, but have one section just trash, good old municipal waste. So, Mr. Schmidt, you look like you guys looked at that, too.

MR. SCHMIDT: We're actually soon getting done with a study to actually look at those options as well.

CHAIR COCHRAN: Okay.

MR. SCHMIDT: Whether or not hauling out from Hana is the best and most viable option.

CHAIR COCHRAN: Okay.

MR. SCHMIDT: And so hopefully that report will be in our hands and we'll share that as it becomes available.

CHAIR COCHRAN: Alright. Well, very good. I guess you are, you folks are looking at all angles in trying to figure out what's the best route to go and, okay, well, I'll make sure that we try and create some items so we can continue this discussion and when you get more information for us, we'll be able to put it through this Committee. And well, Members, and do we have any further need for discussion or comments here? Let's see. And, I guess, the green waste itself keep, it's continuing to grow, just the amount of greens coming out of Hana? Is it, you see a steady increase on that or has it, is it a stabilized number of sorts or what seems to be the trend, I guess, out there?

MR. SCHMIDT: Well, actually, it's pretty close to stable. It came down, FY '15 our total tons was 533 and, then, '16 was 441, so it actually did reduce in those 2 fiscal years.

CHAIR COCHRAN: Oh, okay. Alright. Just trying to anticipate the timeline and how much, you know, would be anticipated to be hauled out and hopefully we can figure out a way to maybe keep it in-house so to speak on that end of the island. And, of course, you've heard throughout other discussions in green waste, the hauling and spreading of invasives and infestation of sorts out of the area to this area. Have you had any, I don't know if you were here listening to the EKO Compost discussion and Mr. Hokama's question in regards to what does get put into the landfill from the East area and the invasives that might come with it and how is that contained or mitigated of sorts if at all?

MR. SCHMIDT: Yeah. I was here for that earlier discussion and I anticipated this question, I reached out to staff. And my report is that University of Hawaii, working with State

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officials, do come out periodically and check for invasive species. They've actually set traps for the fire ants and to my knowledge, there's been no positive results or findings.

CHAIR COCHRAN: Good. Okay. Alright. Well, very good. Well, good to know there's some monitoring going on. Alright. Members, any need for further discussion? If not, then, I shall, let me see, is this...I just have a question in reference for me to either defer or file. Because this is in relation to a particular contract, if I leave this open, we can only revisit this contract. I'd rather probably keep a open, a more broad, general topic?

COUNCILMEMBER CARROLL: Chair?

CHAIR COCHRAN: Mr. Carroll?

COUNCILMEMBER CARROLL: I would prefer to file this and then if we're gonna hear it again, hear it again with the verbiage that would allow us more discussion to talk about what...

CHAIR COCHRAN: Okay, good. So, yes. Okay. Very good. So then, without objections, then, I will file this item.

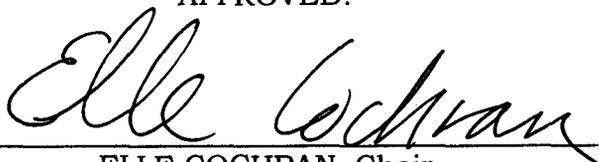
COUNCILMEMBERS VOICED NO OBJECTIONS (excused: RH).

ACTION: FILING of communication.

CHAIR COCHRAN: Okay. Thank you very much, Members. At this time, that was our last and final item for discussion. I want to thank all the directors that are here. And, Mr. Schmidt, don't be a stranger, please visit again. And, thank you, Members, this meeting is adjourned. . . .(gavel). . .

ADJOURN: 11:00 a.m.

APPROVED:



ELLE COCHRAN, Chair
Infrastructure and Environmental
Management Committee

iem:min:161017:jb

Transcribed by: Joanne Bista

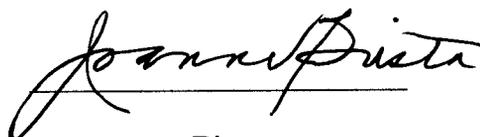
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CERTIFICATE

I, Joanne Bista, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 4th day of November, 2016, in Kahului, Hawaii

A handwritten signature in cursive script, reading "Joanne Bista", written over a horizontal line.

Joanne Bista