

**INFRASTRUCTURE AND ENVIRONMENTAL
MANAGEMENT COMMITTEE**

Council of the County of Maui

MINUTES

November 14, 2016

Council Chamber, 8th Floor

CONVENE: 1:30 p.m.

PRESENT: VOTING MEMBERS:
Councilmember Elle Cochran, Chair
Councilmember Riki Hokama, Vice-Chair (1:34 p.m.)
Councilmember Gladys C. Baisa
Councilmember Robert Carroll
Councilmember Stacy Crivello
Councilmember Mike White (in 1:40 p.m.)

EXCUSED: VOTING MEMBERS:
Councilmember Don S. Guzman

STAFF: Shelly Espeleta, 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.: Jacob Verkerke, Chief Technology Officer, Department of Management
David Goode, Director, Department of Public Works
Michael Miyamoto, Deputy Director, Department of Environmental Management
Rob Parsons, Environmental Coordinator, Office of the Mayor
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation
Counsel
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS: Marjorie Bonar
Plus (2) Others

PRESS: Akaku Maui County Community Television, Inc.

CHAIR COCHRAN: ...*(gavel)*... Aloha, will the meeting of the Infrastructure and
Environmental Management Committee please come to order. Today is Monday,
November 14, 2016 and the time is 1:31 in the afternoon. Members, anyone in the

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gallery, please silence cell phones, any noisemaking devices at this time. Joining me here, I am Ellie Cochran, the Chair. I have Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. Mr. Bob Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. And Ms. Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. Excused will be Don Guzman throughout the meeting and for now, mister...Vice-Chair of this Committee, Riki Hokama, and Chairman White of the Council will be here in roughly about 20 to 30 minutes. I have from the Administration, our IT Division, is Jacob Verkerke, Chief Technology Officer.

MR. VERKERKE: Good afternoon, Chair.

CHAIR COCHRAN: Aloha. And from Corporation Council, Ms. Richelle Thomson.

MS. THOMSON: Good afternoon, Chair.

CHAIR COCHRAN: Welcome back, good to have you. And Legislative Analyst, Shelly Espeleta, and Legislative Secretary, Raynette Yap, running around doing her job, dropping off our PowerPoint we shall be receiving from Mr. Verkerke. So at this time, Members, we are going to work on three agenda items, IEM-53 Information Technology Infrastructure, IEM-73 Department of Health, Clean Water Branch Proposed Rule Changes to Water Pollution Control, and IEM-56 Plastic Bag Reduction. At this time, I'll state, if there's anyone in our Chambers looking to testify, please sign up. You will be given up to three minutes to testify and please stick to the agenda items on the list today. And then for our remote testimony sites, let me check in to see if we are online and have any testifiers there. Over in Hana, Ms. Lono, are you there?

MS. LONO: Yes. Good afternoon, Chair. This is Dawn Lono in Hana, and there is no one waiting to testify.

CHAIR COCHRAN: Thank you, Ms. Lono. And over on Molokai, Ms. Alcon, are you there?

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

CHAIR COCHRAN: Thank you. On Lanai, Ms. Fernandez, are you there?

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

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CHAIR COCHRAN: Ladies, thank you very much. Please e-mail our Staff here if you do receive testifiers. At this time, Members, I shall now open public testimony. And Ms. Espeleta, do we have anyone signed up?

. . . BEGIN PUBLIC TESTIMONY . . .

MS. ESPELETA: Yes, Madam Chair. You have one testifier signed up in the gallery to testify, Marjorie Bonar on Item 56.

CHAIR COCHRAN: Alright, Ms. Bonar. I could've guessed since you're the only one here, so.

MS. BONAR: Of course, it's plastic bags. Marjorie Bonar. You've already gotten my written testimony at the last hearing. I am here to reiterate that the idea of charging, which now San Diego has just instituted also, for all bags from point of purchase out the door. Because we've seen that people do that, oh my goodness, I left it in the car, and it seems that the only way to train them is to say okay, a number of places have gone to 25-cent charges and those are usually mandated by the county. What I simply suggest is that merchants are no longer allowed to disseminate free bags. They can set the price. They can keep them. They can make it a penny. But it has to be something across the board, because what we have seen is that the large, especially national chains, the big box stores, have been able to make that accommodation really easily. They go to a heavier plastic bag. They've got plenty of resources behind them. And so it's been those individual merchants. It's our little mom and pops who've borne some of the brunt of this because the County hasn't done something to make sure that they don't. So, that's all. I'm just asking you to please consider adding to this bill a charge of whatever the merchant wants to, to make sure the people get it. The idea is not collect money from them, it's to get them to take responsibility for reducing litter and such. That's all.

CHAIR COCHRAN: Thank you very much, Ms. Bonar. Members, any need for clarification of the testifier? Seeing none, and I would like to recognize the presence of Vice-Chair of this Committee, Mr. Riki Hokama. Aloha. Okay, any, is that, any further testifiers in the gallery? Seeing...

MS. ESPELETA: None.

CHAIR COCHRAN: Well, Members, I believe we got no word from our remote testimony sites. So at this time, Members, without objections, I shall now close public testimony.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR COCHRAN: Thank you very much.

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. . . END OF PUBLIC TESTIMONY . . .

ITEM NO. 53: INFORMATION TECHNOLOGY INFRASTRUCTURE (MISC)

CHAIR COCHRAN: And so off to our first item, IEM-53 Information Tech--hello, was that somebody, miss...who was that?--Information Technology Infrastructure, which is a, this Committee is in receipt of a Miscellaneous Communication, dated May 28, 2014, from the Deputy County Clerk, transmitting the matter relating to the County's information technology infrastructure, including updates from the Management Information Systems program and development of the County's computer security preparedness plan. And today we have Mr. Verkerke with us, with a PowerPoint presentation and he will be updating us on what his Division has been working on. I believe hard copies have already been distributed. So with that, Mr. Verkerke, the floor is yours.

MR. VERKERKE: Thank you, Chair. Good afternoon, Members of the Committee. I'm happy to be able to give you an update on the rest of, or at least a portion of the rest of what the IT Services Division has been working on. This morning we talked about cyber security. The agenda has a number of items and the titles may seem a little bit odd, but what I tried to do this year, is tie this presentation directly back to the budget documents we submit to you every year. So what was approved in May of this year for our budget for our program objectives and measures, I wanted to kind of tie that into what I'm going to tell you about. So what you will see throughout the presentation is a number of references and letter number codes. So that will be the objective, the specific goal, and then the measure as found in the document, the budget document, so that you have a sense that we're actually doing something with the money you provide us and trying to achieve these goals. So the three main areas we want to look at then is the organizational infrastructure. We find ourselves challenged as an IT Services Division in maintaining the proper organization structure to deliver these services. We will talk about that a little bit. Of course, the actual IT infrastructure hardware software, we are constantly working on that. And the financial infrastructure is a key element also. And we wanna let you know what we're doing in that area. IT governance, what is IT governance? This picture, I hope will describe to you what IT governance is trying to do, and that is be a bridge between the businesses on the left side or the business needs of this organization on the left side, the various departments having their objectives. And on the right side, the IT infrastructure organization, our best practices, our goals and objectives, our expenditures and have you, they all need to be lined up with the expectations, with the goals of the organization. And IT governance is trying to accomplish that by creating a dialogue, by trying to create a balance between demand for our services and the supply of those services. Why do we need to do that? We have struggled and I have shared with you over the years that the demand for and the supply of IT services are out of balance. And what I mean by that is that there is a much greater demand than we have the ability to supply services. We're also struggling with prioritizing those demands because it's not always very clear if the demand for services aligns with strategic initiatives within the departments or at the administrative level overall. So, what we're

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hoping to do by this, is ensure that we deliver the right services in the right manner at the right time. It makes no sense to deliver something that is really cool and neat when nobody is really asking for it at the expense of something that is a sore need for your organization. So we're trying to just line ourselves, align ourselves, better in that respect. And that then should translate into IT goals and objectives as we describe them in the annual budget in a way that reflects that alignment of the demand and supply that we're looking to provide, or in answer to the demand, I should say.

CHAIR COCHRAN: Sorry, Mr. Verkerke, before you move on, I would like to recognize the presence of Chairman Mike White, aloha.

COUNCILMEMBER WHITE: Thank you, Chair.

CHAIR COCHRAN: You're welcome. Okay, Mr. Verkerke, you may proceed. Thank you.

MR. VERKERKE: Sure. And so, what does IT governance look like? The little org chart you see in front of you is what we're working on accomplishing, and the different shades of green will show you what we are focused on right now and what will have to wait for phase two. At the very top you will see that there's a little bit different box I selected for the executive leadership. And that's because that's not something that we within IT and working on IT governance will create as such. That executive leadership exists in the form of this body, the Council in general, and the executive team that the Mayor has, the administrative leadership over there. Between the two of you, you will ultimately have the final say on what proposals, what initiatives that go through IT governance will actually become reality. The IT Leadership Committee is the body that represents the organization in making decisions based on recommendations that come out of the five groups you see below that line. We're working on the IT Investment Planning and Prioritization Work Group right now and the Program and Project Management Board. As a working group, they will review the demand for our services initiatives that will need funding or resources other than financial staff resources and what have you. So they will come up with the review and a recommendation of the priority for major IT projects that will be presented to that IT Leadership Committee for funding. We hope then, over time that that will find its way into the annual budget process so that when you're presented with a budget for IT initiatives, be it within our budget or departmental budget, that you will have the confidence that it has gone through a vetting process and a review of strategic alignment that will make a decision on whether or not to support that easier for you. The Program Project Management Board will then be responsible for oversight for reviewing the progress of these initiatives to make sure that they achieving their goals and to give them the ability to step in and say hey, this project is struggling. We're having problems with resources. We're having problems with other aspects. Make recommendations on how to correct that again, to the IT Leadership Committee so that we can make sure that the funded projects are delivered in the manner we proposed and on time and in budget. The other three areas, IT Standards and Enterprise Architecture Working Group, IT Strategy Working Group, and IT Service Management Board, are structures that we'll work on after we have the first phase in place. That will help us to make sure that everything is consistent from a technology aspect, that there's a consistent strategy in

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how IT is going about its business and is focusing on the future. IT Service Management Board will have that oversight review role again to make sure that the delivery of IT services is indeed happening according to standards and projections that we have presented. It's critically important that all the stakeholders including Council participate in that so that we, in IT, are not faced with having to make decisions that impact departments and organizations without their participation and the decision making, or their direction to that decision making, I should say. We also want to make sure that the decision making is structured and transparent so that people are not surprised at, people know what's coming up, and have a sense that it all kind of fits together in a vision that's being developed through this IT governance. What we're working on now as I mentioned is those three green boxes in the previous slide, the IT Investment Planning and Priority Working Group, the IT Leadership Committee and Program/Project Management Board. We've had initial meetings. We haven't had a lot of meetings since. We're developing a lot of the tools necessary to make these bodies work effectively and efficiently. There's a lot of behind-the-scenes preparation that we are going through now to give these groups a good structure to work within and a good flow of information between those various committees. What we're hoping to do is that it will provide confidence for everybody involved in project approval including yourself, because you will have, hopefully been part of it or you have been informed about it through the status reports and the project proposals that will be made available to everybody. The other outcome is of course that we want to make sure that what gets prioritized and what is being presented for funding approval aligns with County strategic objectives, whether it's from the Administration or from Council. That it shows up in the annual budget proposal. I'm not sure that it will happen for the FY '18 Budget because this process is still very new, but we hope to have reached enough maturity for the subsequent budget cycles that we can point back to this IT governance in the budget requests. And that we have a realistic IT project portfolio. Right now we have a list of 128 initiatives that qualify for the term of projects, and clearly there is no way we can manage that many projects at the same time. So we need to go through this process to come up with a priority list that gives us a manageable workload that the organization has a chance to review as to what is more important than others or more urgent than others perhaps so that we have a project portfolio and IT that is, gives us a chance for broad success. Okay, so much about IT governance. IT infrastructure projects. And this is where you see these, some of these references. Right here, goal two, objectives two and three and measure two. It's all from the budget document that I know you don't have it in front of you but when you take this back to your office and you go, oh, I really want to know what he was talking about. And this will be your reference to that. First of all, what we're working on is continued consolidation, standardization in virtual service and multi-tiered storage. It's a lot of big words. What we're trying to do is make all the applications run on a similar platform, similar type service, using the same database. Use virtualization so that not every application needs to run on its own server. We have servers of enough capacity that several applications can run on the same time, kind of share the resources there. This makes managing it a little easier. Standardization is always a good thing, because its fewer different skill sets that we need to master so that we can provide the proper support to this infrastructure. We're still working on upgrading the network. We are in the process of implementing a dual-apex, top-of-the-heap-type

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switches/routers that will control a network and that will allow us to provide--I don't want to say real-time but--very rapid switchover to the failover datacenter we've been talking about in Kihei. Having these double switches allow us to place one each in the Kihei datacenter in the Kihei Police Station and one in the datacenter here so that if one or the other should fail, we can switch the responsibility for managing our network to the other and be on our way rather than having to wait for repair or replacement of that switch. Interisland connectivity is in the process of upgrading. We're awaiting the results of testing for an upgrade to the microwave link to Lanai. Once we hear that those test results are satisfactory, we can upgrade the phone system, the County phone system over there. We've been hampered by a very limited connectivity so many mahalos to the MPD radio shop. Walt Pacheco and his team have been a tremendous help to us. And we're testing right now software failover tools between the three datacenters we have. I mentioned one in this building here, I mentioned the one that we've been building as a failover datacenter in the Kihei Police Station, and of course we've always had a datacenter in the Wailuku Police Station. We want to make those three, kind of available to whatever processing needs there are. Depending on loads and demand, we should be able to shift that around. We have enough capacity, or we're finishing building enough capacity there, so that we can run applications once we fail them over to another data site. So again, that we can reduce interruptions as much as possible and be back on our way. The other initiative that we've been talking about and requested your support for and has, have received support from you for is the active directory and exchange of project. We have built an ID vault that allows us to continue to exist in a Novell world that we've been at. It's unfortunate that Member Couch is not here because he's been making fun of me about that for a number of years now. So we now we have progressed to the point where we can live in both a Novell and Microsoft active directory world and that's a transitional stage. We'll shift more and more to active directory. It's a requirement for the MAPPS project and for the associated GIS enterprise architecture we're building. It's a requirement for all the new systems that will bring in HR payroll. They all expect active directory be in place. And we'll be testing, we're upgrading the MPD Exchange service. MPD has been on Exchange since before we accepted responsibility for that. For the County side, we'll do an Exchange pilot in the Cloud to see if that works and can eliminate the responsibility for maintaining and supporting Exchange service on premise. And again, Exchange and Outlook is...I don't want to say a requirement but it's an environment that most new information systems will anticipate and have developed a lot of interaction with so that we can tie in to that much better than we have been able to do with GroupWise. So all of that is kind of related to moving into that Microsoft-only environment. Active directory integration is also a key element of our cyber security strategy because that will help us improve our ability to manage identity and access, and identity and access are key elements in keeping people out that have no business getting into our environment, and providing the proper privileges to those that do have reason to access our information systems. I mentioned MAPPS, we're working on that. We have been for about a year and a half now. We still have a least a year and a half in front of us. We've completed a prototyping phase. It was something that we came up with during negotiations. Because it was such a big project we were very nervous about going through an implementation process, methodology that we weren't real familiar with. The

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prototyping phase has helped us understand it. It has helped us uncover some weak spots if you will. Also, it has helped us better understand what is expected of us as a County, as the stakeholders in making sure that the project has the successful outcome that we're after. So those lessons learned. We just went through a session with the vendor and the stakeholders to articulate what those were. We have that draft document now, and that's going to be reflected in the remaining implementation approach. We have made outreach to professional community. This morning Mr. Thomas Cook was testifying on behalf of the construction industry, and we have conversations with him. There have been conversations with the architects and engineering community. Because we want them to help us make sure that all the improvements that we can make to the process while we go through the MAPPS implementation, that we make those improvements, 'cause there's room for improvement on both sides of the equation. A key component of MAPPS as I've been mentioning to you in previous presentation is the building of an enterprise GIS architecture. It's almost complete. I think in the first quarter of Calendar 2017 we will go live with that. We have formed a new team to manage that capability, to take responsibility for administration. Governance structure is very important because there are again, many stakeholders in the...practitioners in GIS within the County. We need to make sure that they all have a say in how this enterprise GIS capability is managed and evolves over time. Data cleanup is what we're dealing with right now. Finishing the governance structure is the other element that will need to be achieved before we can go live. But I think in general people are very excited, and I've been very pleased to see the cooperation between the departments in this area. HR payroll is coming up. We're going through the requirements gathering right now. Sometime this month according to schedule RFP will be issued. We are looking for a cloud-based solution so this kind of is a delayed answer to a question earlier this morning. We are looking at that. We've seen some very good options and cognitive solutions. According to the schedule, vendor proposals will be due in January so they will have a fun Christmas. And then we'll go and review those proposals. We have funding, partial funding in this year's budget so we need to execute a contract before the end of June. Financially your support of course has been critical but we're also looking at outside sources, and that's one of the objectives in our budget, to diversify the financial founding of our projects and our operations. So we have received for a number of years now, grants from Department of Homeland Security specifically aimed at cyber security and resiliency development so that we have failover in case we suffer some kind of setback of any sort. So they've been helping us with funding for the creation of the failover datacenter and with cyber security. Internally our funding model, we've been working on changing that. We have lifecycle maintenance contracts in place for both the desktop environment and for the MPD mobile data terminals. That allows us to spread out the cost of the lifecycle maintenance every four or five years, over those five years and not hit you with, you know, one very large expenditure every five years and then kind of disappearing. This makes planning, financial planning, equipment planning, replacement planning much more effective. And we're in negotiations right now to try and put something in place for a network also. That will allow us to just keep up with technology advancements without being faced with a very large expenditure. And that's all I have for you today. Do you have any questions for me?

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CHAIR COCHRAN: Mr. Verkerke, thank you so much. And, Members, with that and thank you. We have a double feature today --

MR. VERKERKE: Yeah.

CHAIR COCHRAN: --with being in Policy earlier and now you're here with us.

MR. VERKERKE: Yeah, yeah.

CHAIR COCHRAN: So thank you for your time today. But, Members, at this point the floor is open for you folks to get further details or any questions, comments for Mr. Verkerke. Anyone have? No? Everyone's happy with you. So I have a question then, Mr. Verkerke, and thank you for relaying your PowerPoint in reference to our budget, which is always important and one of the main reasons why I started incorporating you into my Committee, so when we come to budget we're kind of a little bit more understanding what your speak is about. So it looks like you, we have given you over 4 million was appropriated for FY '17 for operations and a little over 2 million for equipment in your IT services program. So what you showed in the PowerPoint just now, what's the dollar amounts, you know what I mean, associated with that in reference to the operations 4 mill and then the equipment 2.1 mill?

MR. VERKERKE: I know we have 500,000 for the HR payroll project. We know the cost will be high. We asked for a million dollars, but it made total sense to wait for the proposals to see what the final cost is and fund the balance in future fiscal years. If I'm not mistaken, in this current year for MAPPS we have a million dollars and that would complete the total estimated implementation costs for around \$4 million for the contractor and then another half million dollars or thereabouts for costs not included in the contract, like equipment upgrades, software licenses, for like the Bluebeam, electronic plans review software that is not sold by Tyler EnerGov, but is an integral part of the whole architecture that we're working on. We have in the lifecycle maintenance contracts, I think we have about \$900,000 for desktop, about \$220,000 for the mobile desktops. I think we have an annual allocation that we try to incorporate in this maintenance contract of about a quarter million dollars for the network, and that would be in, I think, part of the \$4 million of operations that you cited. Keep in mind there is, I don't know the exact number off the top of my head, but there is, there are very many annual software/hardware maintenance contracts that are not included in these life cycle maintenance contracts for all the various applications that we have, that we pay an annual bill for, and I think that adds up to close to \$2 million a year, I believe. So more and more we're...and that would shift as we replace the systems and we look at cloud services. It would should from an annual maintenance to an annual or a monthly subscription, if you would, for cloud services. So as that happens, we'll talk about how that funding model changes as well. But off the top of my head, those are the numbers that I recall.

CHAIR COCHRAN: Okay, great. Well, thank you very much, Mr. Verkerke. Members, any further need of clarification from Mr. Verkerke or details? Okay, well seeing none then, Mr. Verkerke --

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MR. VERKERKE: Thank you very much.

CHAIR COCHRAN: --thank you for your time. And, Members, without objections, I will defer this item.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (excused: DG)

ACTION: DEFER pending further discussion.

CHAIR COCHRAN: Thank you very much. And let's just take a brief recess because we're going to have to switch out. I believe, we're going to, we're gonna be switching out attorneys. Yeah, we're going to be switching out, I believe attorneys and Administration. So just a very brief recess to the call of the Chair. . . .(gavel). . .

RECESS: 2:03 p.m.

RECONVENE: 2:05 p.m.

CHAIR COCHRAN: . . .(gavel). . . Will the Infrastructure and Environmental Management Committee please reconvene? Members, thank you for that brief recess.

**ITEM NO. 73: DEPARTMENT OF HEALTH, CLEAN WATER BRANCH
PROPOSED RULE CHANGES TO WATER POLLUTION
CONTROL (CC 16-171)**

CHAIR COCHRAN: We are IEM-73 and this is Department of Health, Clean Water Branch Proposed Rule Changes to Water Pollution Control. And this was County Communication 16-171, from Director of Public Works, who sorry by the way is here and relating to the State Department of Health's proposed changes to Hawaii Administrative Rules, Title 11, Chapter 55, entitled, "Water Pollution Control." Then correspondence dated August 26, 2016, from myself, Elle Cochran, to Clean Water Branch, Environmental Management Division, State Department of Health, transmitting correspondence dated August 16, 2016, from Director of Public Works, stating the County of Maui's objections to proposed changes to the HR, Hawaii Administrative Rules, Title 11, Chapter 5. So I have here with us today, Director David Goode, of Public Works. Hi.

MR. GOODE: Hello.

CHAIR COCHRAN: And we have Corporation Counsel, Michael Hopper with us.

MR. HOPPER: Good afternoon, Chair.

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CHAIR COCHRAN: So, Members, if you recall, we discussed this item at our meeting on August 23, after the Department, Public Works, learned by accident of proposed rule changes that would affect the County and other small MS4 permittees, which we are. And so, finding out about this rule, rule changes, one week prior to the June 30th deadline, and subsequently requesting a 60-day extension to respond, the Department shared with this Committee, the proposed changes, the fiscal and operational impacts of the rule changes, and potential liabilities this County may be exposed to should the rules be implemented. So after that meeting, we followed up with a letter dated, August 26, 2016 to the Clean Water Branch supporting the Department's recommendations and extending the current rules for two additional years in order to work through the proposal and allow for input. The item has been agendaized for an executive session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee. So if there is a need to go into executive session, it has been agendaized but I would like to really discuss this as much as possible in open session, if, prior to heading in if we have to. So at this time, Director Goode, I...your, the floor is yours, and you can give us an update, please. Thank you.

MR. GOODE: Thank you, Chair and Members of the Committee. David Goode here, Director of Department of Public Works, and we appreciate the, you know, the Committee taking a look at this issue again. We last met two and a half months ago or so, and at that time we had just put together a response letter to DOH's proposed rule changes that would affect our MS4 program significantly. We're very thankful to the action the Committee took and also writing a letter to DOH expressing their same concerns. That letter came out about 26th of August, and since that time, DOH had called for a meeting of the permittees, that was on October 25th. Unfortunately, I was off-island at the time, but Mr. Hopper, here to my left, attended the meeting as well as John Smith from our Department. Again, as a reminder, whenever a new rule is proposed, the proposing agency, in this case, Department of Health, you know, drafts the new rules. They get comments and then they would publish a new draft rule or proposed final rule. The hope was at the meeting of the 25th that we would start to have some dialogue as it relates to some of the multitude of concerns that we've listed. Unfortunately, DOH was not prepared to do much of that, And I think Mr. Hopper could speak to that meeting. In the meantime, DOH has allowed us to reapply for an existing coverage, current permit will be expiring, under an extension of the existing rules and we're doing that. However, DOH also indicated that if and when new rules are promulgated, that we must comply with the new rules immediately even though we don't know what they are at this time, as we apply for the extension. We don't think that's very fair but that's kind of where we are. Department of Health has also indicated that they...we could apply for an individual permit which is something we don't feel is necessary, and that would be similar to what the City County of Honolulu has to do, which can be much more rigorous than our current general permit. So again, the meeting on the 25th didn't yield a lot of new information, as they haven't proposed any new draft rules or a final rule. We heard, kind of through the grapevine, that our comments along with State DOT's were a lot to digest, that they may have

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been overwhelmed. You know our opinion is let's meet, let's roll up our sleeves, figure out, explain to us what the issues are. One thing they did indicate was that EPA is publishing a new rule which is expected this week, Chair, on Thursday, we were told. After last Tuesday, I don't know if that will happen this Thursday, but there was a court case in the 9th Circuit, Federal court case, that basically, the EPA I guess lost that case, and the court remanded back to the EPA to modify its rules to allow for a couple of things. One more public interaction in the issuance of these small MS4 permits and secondly, to make sure that the agencies, that they're giving these permits to, are under the current rule terms to the maximum extent practicable, you know, implementing BMPs, whatever they might be. So really just saying, hey, have some public input and double check what is being submitted. The EPA's, oh in summary on their website, talks about that court case and the two items that need to be addressed, and it finishes their executive summary by saying "The proposal would not establish any new substantive requirements for small MS4s." Great, so why we getting a proposal from our DOH that is very substantive? So DOH is basically saying, well let's see what comes out of this. They're are calling it the remand rule, because it was remanded from the courts. Let's see what EPA decides to do. Evidently there's couple different directions they can go. Mike could probably speak to that. But in any case, I mean EPA's own guidance says it shouldn't substantially affect the MS4s, so we'll see if it gets finalized. I can, I'll note, that when EPA drafted its rules, and went out for comments, various states, I don't know probably NACo commented and there wasn't a whole lot of comments. There was no comments from the State Department of Health. Our own State Department of Health didn't comment on the thing. So we continue to be frustrated as you can kind of tell from my testimony. We continue to try and roll up our sleeves and work with DOH, and we continue to make sure that our program does what it's intended, is to make our storm water cleaner, but in a fair and justifiable way that works for us, not some, a top-down unfunded mandate that we feel is currently being proposed. So that's my summary, Chair.

CHAIR COCHRAN: Well, very good. Well, thank you very much for the update, Director Goode, and also keeping, you know, the County's interest at the top of mind and being fair about that, so excellent job. But I'd like to turn the floor over to Corporation Counsel, Mr. Hopper, if you have any comments to add.

MR. HOPPER: Just to add, I did attend the meeting that David Goode, Director Goode had mentioned, along with John Smith of the Department, along with many other stakeholders because the County of Maui is not the only permittee under this permit. The State's own Department of Transportation is covered under the permit. The University of Hawaii is covered under the permit, and multiple other parties were there in the room and all had very similar objections to what the County had. I think the decision at the meeting after the Department of Health gave its presentation, was we still don't know what the EPA is going to, the rule that the EPA is going to adopt that gives the requirements for all of the states in order to implement their programs. So why would we go forward with a set of revised rules that we don't know if they're going to be in compliance with what the EPA is requiring? And essentially that was where we left the meeting at, with a commitment from the Department of Health to, once we get direction from the Federal government, to have continued meetings to go over the

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substance of the permit terms. Now, how receptive they will be in those meetings, we don't know. But we're certainly in a better position than where we were a week out from the final, you know, essential posting of the rules, which was where we were at before. So hopefully, there will be some progress there, with again, pressure, from not only from the County, but other agencies to address the comments. What we did not get from I think about a 30-page comment letter, I think were what we kind of anticipated was, typically with administrative rules, there's a draft of the rules, there's public comment, and if there's extensive public comment, you'd get a set of revised rules that would say, okay we'll take out these portions, but here's some things we really need to have in there. We haven't gotten any of that. We suspect the Department has not really been able to review all the comments and really substantively address them because so many of the new rules were objectionable. The basis for the new rules were what were allegedly the Federal government requirements that essentially agencies exercise more oversight over their permittees. I guess in the past, permittees were allowed to kind of write their own permits and oversee their own permits and the, you know, the court said, no you can't do that. But they didn't really specifically say what exactly the State agencies would have to do in issuing the permits. What the Federal law requires is that the permits reduce pollutants to the maximum extent practicable. That's obviously a keyword, practicable. In our argument, in our mind, the proposed permitting rules went well beyond what was practicable for the County of Maui to do given the, both the cost and the likelihood that that would've actually have, had a positive effect on water quality, the items listed in the permit. So again, the 17th of, which is this week, we anticipate, again this is just anticipation, the Federal government having, coming up with its, you know, decision on how the states will have to move forward with these rules, and then the State Department of Health has said, has committed to beyond that date having additional meetings. The current status of the permit is that it's been extended based on the current permit terms, so there won't be any changes until after those meetings. We've been assured by Department of Health, which again, is a better position that we were, we are in. But it's still, I think, the Department appreciates the Council's support in this going forward to ensure that whatever permit we do have, is something that is, that the County has had substantial input, and is comfortable with after briefing, you know, briefing you as a Council, but also, you know, knowing that the Department, it's things that the Department can do that will both have an effect on water quality that's positive and that is feasible for the counties to implement. We should note that the initial draft of the permit was done without any input whatsoever from the County of Maui or any of the other permittees, which is fairly shocking in my opinion, and I think in the Department's opinion. So that is changing to an extent, we are having meetings where there will be an opportunity to address those, the County's issues, as well as the other permittees' issues and hopefully there will be, you know, a revision to the permit that has reasonable permit terms, but that does remain to be seen at this point. I think we're still in a better position than we were several months ago. That's thanks to the efforts of the County's consultant as well as the Department of Public Works, raising those issues, and also raising those issues along with the other permittees. But this was really an unfortunate situation that's...and hopefully can be fixed a bit going forward.

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CHAIR COCHRAN: Thank you for your comments, Corporation Counsel, Mr. Hopper. So, Members, at this time, do you have any questions, comments, that you want...yes, Chairman White?

COUNCILMEMBER WHITE: Thank you, Chair. I'd just like to thank Mr. Goode and Mr. Hopper for being on top of this because this is once again one of those issues where the State was ready to move forward within a week of our becoming aware of it or their becoming aware of it, and I'm just very thankful that they were watching and were able to respond in a timely fashion to something that could have been very onerous and could still end up being onerous but at least we'll know when we get hit by the sledgehammer. So I appreciate your work. Thank you, Chair.

CHAIR COCHRAN: And thank you. Thank you, Mr. White. Yes, Ms. Baisa?

COUNCILMEMBER BAISA: I just want to echo Chair White's words.

CHAIR COCHRAN: Your microphone. Your mic.

COUNCILMEMBER BAISA: Sorry. I want to echo Chair White's words. This is another incidence of the State doing this to us. They tried to do it with the cesspools, remember? And it was brought to our attention and we got on it and we were able to, you know, limit what they were trying to do. So again, I want to thank whoever alerted us, and thank Staff for working so hard for us. Thank you.

CHAIR COCHRAN: Thank you, Ms. Baisa and Department. Any other person here would like to, have questions? So I'm noticing on the--what is this--I guess proposed changes to the HAR docket, and I guess on the very first paragraph is states in bold black letters, no additional requirements beyond the minimum control measures be imposed on regulated small MS4s--which we are, right, we're a small--without the agreement of the operator of the affected small MS4, which is us. So I guess it's like, you know, they clearly didn't even follow the first bolded-out sentence in the first paragraph of this whole thing. But again, I concur with my Members that, you know, you folks caught it, saw it, and went through the proper channels to help see if we can get more time to vet through and share, and be part of the process, so appreciate that. And I guess that's why I brought this up for, Members, in order to update us to where we are, the status of this. It looks like we probably don't have to go into executive session, all that rigmarole for this at this time. So if there's no further discussion, Members and Department, we can call it a day on this item. So and without objections, I'll defer this item.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (excused: DG)

ACTION: DEFER pending further discussion.

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CHAIR COCHRAN: Okay. Thank you very much. And, Director Goode, is that...yeah, you're not here for plastic bags. So that's...we don't want them in our storm drains though okay. Okay, thank you, Director.

MR. GOODE: Thank you.

CHAIR COCHRAN: Alright. And thank you, Mr. Hopper, nice to see you, rarely have you here.

MR. HOPPER: Thank you.

ITEM NO. 56: PLASTIC BAG REDUCTION (CC 16-62)

CHAIR COCHRAN: Okay, and moving on to IEM-56. This one here we have Director, Deputy Director Michael Miyamoto of Environmental Management coming down and also Corporation Counsel, Richelle Thomson, back again. Hello. And it looks like Environmental Coordinator, Mr. Rob Parsons is here too from the Office of the Mayor. Members, this one here is our final item for today. It is a County Communication 16-62, from myself, transmitted a proposed bill relating to plastic bag reduction, and correspondence is dated, November 3, 2016, from Department of the Corporation Counsel, transmitting a revised proposed bill entitled A Bill for an Ordinance Amending Chapter 20.18, Maui County Code, Relating to Plastic Bag Reduction. And the purpose of this revised proposed bill is to: 1) simplify and strengthen the definition of "plastic bag" and "reusable bag"; 2) exempt plastic bags used for specified purposes from the plastic bag prohibition; 3) repeal the requirement for annual reporting by the Environmental Management starting in 2018; and 4) prohibit businesses from providing prohibited plastic bags to their customers at any time, not just at the point-of-sale. So with that, Members, let's see. We very recently met, October 31, 2016. We didn't have, at that time, a signed bill by Corporation Counsel, but today we do. Ms. Thomson is back and so if you can please refer to that particular version of the bill, and it's transmitted from Corporation Counsel dated November 3rd. So that would be the actual bill we'll be working from. And the revisions to this bill include, an effective date of July 1, 2019, which will allow vendors to deplete their stock of reusable bags. Section 5, which repeals the requirement for annual reporting starting in 2018, will go into effect once the ordinance is approved. And at this time, I'm going to turn the floor over to our departments and first I have, Mr. Miyamoto, if you want to open. Whichever, if, Mr. Parsons wants to, however you folks want to do this. Thank you.

MR. MIYAMOTO: Thank you, Madam Chair. As we responded to the request for the previous report that we provided, so we have those in our response to you, and we also provided some additional information, regarding something Ms. Bonar may have information on is the fee for, the paper bags also. We're working with the David Galazin on the Corporation Counsel on coming up with verbiage that we included in our response. Thank you.

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CHAIR COCHRAN: Oh, okay. Thank you, Mr. Miyamoto. Mr. Parsons, did you have some comments at this time?

MR. PARSONS: I do. Thank you, Chair.

CHAIR COCHRAN: Okay, very good.

MR. PARSONS: I'm grateful for the opportunity to refocus our attention on this. I also did some research and investigation over the past couple weeks, since we last met on this, and went through some old e-mails, and traced back actually, I think this is brought to your attention, your Committee's attention, because of calls that had come to Council Offices and perhaps to DEM, and I know that I've been contacted as well, asking why heavier mil plastic bags were being permitted and shouldn't they be excluded via this ordinance. So one of the Council aides investigated this, worked with your Staff, worked with Corp. Counsel, and by last March, I think they worked up the language that's before us today. Something that I think is very pertinent came up in the discussion portion on October 31st, and that was, Member Baisa asked, what is the impact of this ordinance on paper bag use. And I think that that is well worthy of the discussion today, and it's part of what Deputy Director Miyamoto brought forward in recommendations to your Committee, is the idea that adding a fee of a nickel or something for dispersing a paper bag at the point-of-sale greatly brings us back to the mandate in our Integrated Solid Waste Management Plan which is source reduction, and that's tasked to the County to reduce the source and obviously reduce what winds up in the landfill. In my research, I pulled up a number of municipalities that have a nickel added in their plastic bag ordinances. So this is further guiding the consumer to bring a reusable bag and that is the goal is, you know, whether it be paper, whether it be plastic, there are impacts from both of those, but if we design our bags for multiple use, and get people to bring them to the store, then we're accomplishing what we set out to do. So I found in Washington State, there's a statewide ordinance pending that would require, that would prohibit, plastic bags but beyond that, municipalities of Bellingham, Issaquah, Kirkland, Lacey, Olympia, Seattle, Port Townsend, Shoreline, Tacoma, Thurston County, and Tumwater, all have a nickel bag fee on large single-use paper bags. Also found that, Proposition 67 in California last Tuesday was confirmed. This was on the ballot, and it was based on their statewide bag ban, Senate Bill 270, that bans plastic bags and adds a ten cent fee on single use paper bags. Apparently, the plastics industry proposed to some legislatures that this should be put before all the people of California and they did so, and the people of California confirmed basically adding a ten cent fee, so the majority of the voters there said, okay, I'm recognizing that there is a cost to whatever bag, you know, accompanies me home with what I bought. And nevertheless, they passed it, so I think they got the memo about reusable bags. I think that's the last that I have. I don't have a copy of what Department of Environmental Management has proposed, as to adding to what is already before you folks. But I'm sure that would require deliberation, rather than just passing something out of this meeting. But I do hope you'll consider this idea. I think that incentivizing use of reusable bags is worthwhile. Thank you, Chair.

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CHAIR COCHRAN: Okay, thank you very much, Mr. Parsons. Are there any comments from our Corporation Counsel at this time? Ms. Thomson?

MS. THOMSON: Thank you, Chair. A few comments, I'll just reiterate some of the highlights of the memo that was sent up on November 10th, which the Committee members should have. It was from Deputy Galazin. The first section, I'm talking about the definition of plastic bag and reusable bag. Including in that definition non-biodegradable, is of course up to this Committee. Removing...

CHAIR COCHRAN: I'm sorry, real quick, Ms. Thomson. This is Page 2 of his memo.

MS. THOMSON: Yes, Page 2.

CHAIR COCHRAN: Members, do you have that November 10th from Department of Corporation Counsel, David Galazin? And that would be on Page 2.

MS. THOMSON: Thank you, Chair.

CHAIR COCHRAN: Yes, thank you.

MS. THOMSON: So I'll just kind of elaborate a little bit more on that. So one of the main distinctions between a prohibited bag and an allowable bag in the current ordinance, is whether or not that bag is specifically designed and manufactured for multiple reuse regardless of the material from which it's made. So whether it's made of plastic or other materials, the proposed ordinance removes that distinction regarding design for multiple reuse. One other thing to keep in mind is that, if I'm reading this correctly, the proposed definition is, plastic bag means a bag that is made from non-biodegradable or non-compostable plastic, so that would mean, in essence that biodegradable and compostable plastic bags are allowed without limit to thickness or ability for reuse. So that's a consideration that, I think, goes to the intent of the bill and the changes. There's some, a little bit of question, of why adding the limitations for reusable bag to have handles and there are, you know, other bags that are used, that are reusable that have, you know, back straps or cross body straps or draw strings, things like that. So that may or may not be a needed change, depending on, you know, what's desired here. As far as the list of what types of bags are allowed, that list, so referring to Page 1 of your proposed ordinance, Subsection 60. So this chapter does not apply to plastic bags used for any of the following purposes. These purposes, by and large, are currently already listed in the administrative rules. So my questions would be whether or not this change is needed. The result also of the change would be because this is a finite list, if you come across a situation where it's not in this list, it would be excluded, and so that kind of takes away any of the, any of the interpretation, which may be the result you're looking for or it may not. So those, in essence, are my comments on the current proposed bill. Thank you.

CHAIR COCHRAN: Okay, thank you very much. And so real quickly though, Mr. Galazin, I believe used to be in your position here for IEM right? And I recall him when I first got on the Council. So I was just, and you've been here ever since, I believe. I just

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curious, coming, because all this came in late on Thursday, then Friday was a holiday, and now here we are on Monday. It just, to me, seems like such a last-minute thing to throw all this into this Committee like this. I mean, I appreciate the time and the turn around on his work, on behalf of his work, but I'm just, I mean were you aware at all, or was this sprung on you too? I mean, I just feel like this has been sprung on this Committee, and that we had a lot of discussion and vetted through, and really wanted to do a simple, you know, adjustment to this bill after a few years of it being implemented to take care of a loophole we felt and this environment felt. So if you can just share some comments in regards to that.

MS. THOMSON: Sure. Thank you, Chair. And I understand the frustration with that. I was made aware of the current proposed changes just a couple of days before the last meeting, at the end of October. So it wasn't available for that meeting, but we didn't have the opportunity to review this current proposed bill until the memo that you got from David Galazin on the 10th. So while it may look like we're kind of doing this at the last minute, ideally we would be involved with the Staff prior to posting on an agenda, so that we could provide our comments, you know, kind of at that stage. But some of these are, like I said, they're, if the intent of the bill is to allow certain types of plastic bags, so compostable and biodegradable bags, really, what we're trying to do is point out this may be the result of the changes versus giving any opinion on whether those changes are, you know, desired or not desired, that would be completely your purview of course. So...yeah.

CHAIR COCHRAN: Okay. Well, thank you very much. And, Members, at this time, I'll open the floor up to you folks. If you have any questions, comments, with departments or our Environmental Management, our Coordinator here today? Yes, Ms. Baisa?

COUNCILMEMBER BAISA: Well, since I brought up the subject of the bags, I'll follow...the paper bags, I'll follow-up. You know what, thank you for all the research that you did. I'm looking at the Page 20 of 21 item, whatever that is, and No. 3 it says, the redemption return of the small HIS [*sic*] fee has resulted in a 12-year average redemption rate of 71 percent of the total HIS [*sic*] beverage container sold in the State of Hawaii so that kind of looks like some justification to charge a fee if you give somebody a bag. And you know, I can understand it, and at first blush, I thought, well that's really cool, but then I thought about it, you know, when we take cans home from the store, we eventually turn them in and get our nickel back. Well, if we're going to pay the store for the plastic bags, we're not gonna...I mean the paper bags, there's no way to take them back, so that nickel's gone. And I don't know if that'll be a problem. I, myself, sometimes forget a bag, or I don't forget, but I have the intention to go into like, Longs Drugs or Safeway, and I'm going to buy one or two items. So I'm out the door with my purse and I'm comfortable. Then I get in the door, and I walk into a sale. And I think everybody can identify with this. And before you know it, you have a wagon full of stuff that you just cannot resist. You just got to take it home because, you know, they're giving it away like on a \$5 Friday or something, and so you wind up with the bags. And I have, you know, when I go to Walmart, and if you don't have a bag they'll say, well do you want one for a quarter, and after a while, when you have about 12 of those, my thing says no. I say just put it in the wagon and when I

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get to the trunk of my car, I'll repack it, and that's what I do. So you know, for me, I think behavior modification is what we need here. That's the only way we're going to settle this. I don't care what kind of laws we pass or what we do. You know the problem is, people throw stuff around, and you know, just put everything everywhere else but that's my, that's the thing that's going in the back of my head now, Chair, is what are we going to do with the paper bags. We pretty much know what happens with cans and bottles. But now what with the paper bags? And they do mount up really quick because they're thick and they're big--

CHAIR COCHRAN: Bulky.

COUNCILMEMBER BAISA: --they're bulky. And I really don't want to see them winding up in the trash either. I wonder if there is some way that we could figure out what people do with them. Do other municipalities collect them and do anything with them, or recycle them or...I don't know.

CHAIR COCHRAN: Okay. And thank you for that inquiry, Ms. Baisa. We'll turn it over to Mr. Parsons. I'm sure probably...or I don't know, Mr. Miyamoto, had experiences from others or have ideas with that.

MR. MIYAMOTO: Thank you, Madam Chair. I can just share from my personal experience. We collect our paper bags and we donate them to a nonprofit for them to reuse.

COUNCILMEMBER BAISA: Yeah, that's what I do with mine. You know when someone is having a garage sale or a bazaar or whatever, because I know they need bags. But then, maybe that's something that we have to organize or publicize or, you know, help people do, otherwise they just going to throw them in the trash.

CHAIR COCHRAN: Right, okay. And anyone else have any comments? Let's see, so I think, and I...and, Ms. Thomson, you explained, it may appear as if this is just sprung out last minute like, but you said, it has been in the works. I know you went off travelling for a bit and now you're back. You know, and I did ask Mr. Murai in these circumstances what happens. You know, this is kind of your baby, your Committee so to speak, and if you are off, you know, attending things, and what have you, does all work cease for this Committee, and he said no, it continues. We normally will, you know, move it to another Corporation Counsel to work on and continue the work while a person is absent. But, you know, it kind of did, I mean for me, like I said, I wasn't in corresponds with anybody being notified that work was continuing, and then now, today, at 1:30, you know, I find out. So I think in the end, my final question is with the original proposal, is that, in your best opinion, going to result in the intent that it's set out to do, which is to, you know, plug that loophole, where those kind of thicker plastic bags are being utilized as, defined as reusable, but yet they're not in the end. They get tossed into our landfills or wherever and never breaks down just as the thinner ones that we originally built this proposal on. So because, Members, I have the mind of voting on this, and you folks decide up or down, and then all this extra additions that were given today, I would like to work into the new term, is how I look at it. So I just want comments right now in regards to that idea. Thank you,

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Ms. Thomson, if that's possible.

MS. THOMSON: Sure, thank you, Chair. Just for clarification, our Department didn't receive the bill for review prior to its being posted, so I found out about this current version of the bill only after posting, so we didn't have the opportunity to review it prior to posting which would be ideal. My opinion on whether or not this current draft achieves the results that you're looking for is, I think that having the definition of plastic bag, it would actually result probably in more plastic bags being allowed for use since biodegradable bags and compostable plastic bags, regardless of thickness, would now be allowed versus, currently they're not allowed unless they're specifically designed for multiple reuse, which through the administrative rule process was determined to be bags of a certain thickness. So I don't think that it would result in fewer plastic bags being used but it might increase the types of plastic bags being used.

CHAIR COCHRAN: Okay. Sorry. I was just given the signed bill and it was Mr. Kushi that had signed it. So there was already a signed bill from Deputy Corporation Counsel, then Corporation Counsel Galazin commented and that is what was sent late Thursday evening, afternoon timeframe. And that is what came into this Committee today. So that's where I'm wondering where...I don't understand what happened and the timeline boggles me.

MS. THOMSON: Thanks, I understand the question. The bill is, as far as our review as to form and legality, so First Deputy Kushi did sign the bill. This Committee can pass the bill out as drafted, if it achieves the results that you're looking for. Deputy Galazin's memo and also, which I agree with his interpretation of some of the issues with the proposed bill. It's not that it would be illegal to pass the bill out and to have this language, but it does come with certain potential ramifications which, you know, Deputy Galazin and I also wanted to make you aware of.

CHAIR COCHRAN: Okay, and I thank you very much for those comments. So, Members...yes, Chair White, you have questions?

COUNCILMEMBER WHITE: Thank you, Chair. You know I support this bill. My concern is that, we've just gotten, you know, new information that may require us to modify it a little bit, and I think there was only one testifier here today. And I'm just wondering if this information were received earlier, and I understand your discomfort and displeasure with not receiving it earlier, but I think to be fair to the public, we really should maybe defer this, and bring it up at the next meeting. Because this is an important bill. It's an important thing to get right too. So that we're not, you know, we're not passing something we don't quite yet understand all the ramifications, and so that's my feeling. But --

CHAIR COCHRAN: Okay.

COUNCILMEMBER WHITE: --I support your desire to get this out, but I'd rather get it out in two weeks than rush it out today and have them give, have a little more time to

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understand it and let the folks out in the public understand it as well. Thank you.

CHAIR COCHRAN: Okay. You know, I think that's totally fair, Chair White. And, Ms. Baisa?

COUNCILMEMBER BAISA: Chair, I agree with Chair White. I think it would be really important that there be, you know, there be a report about what was discussed today and people will see it on Akaku, and then they'll come here and, you know, give us a better feeling about how the public feels. So I think it's a good idea to wait. You know, I've learned myself that when we present something new and people don't have a chance to hear about it, then it's later on it comes up and it just creates stuff, so we should wait. I don't think that we're going to drown in paper in two weeks. And let's give it a little bit of time. Thank you, Chair.

CHAIR COCHRAN: Okay, and thank you both for your recommendations. And, you know, that's very fair. And I agree with those comments. I just want to run it by the Committee Analyst about the scheduling. I believe I have, one, two more meetings left. I just want to make sure that I have time, because I really, really, this is something that has been key on my mind to want to at least push out for this term and we're so close, you know. I just, I thought we were close last time, but I guess there's a little more work needed to be done and it's okay. Of course, we want something as thorough as we can be, as Mr. Victorino likes to say, there's never a perfect, you know, bill, but if I have time, of course. So I just wanted, I believe, the 28th I have another meeting, and then December something or other, December 12th.

MS. ESPELETA: Yes.

CHAIR COCHRAN: Okay, so long we have enough people for the meeting. So I have two more left, and I feel I can probably put this in. So yeah, well then, if there's no further discussion, Members and departments, I will defer.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (excused: DG)

ACTION: DEFER pending further discussion.

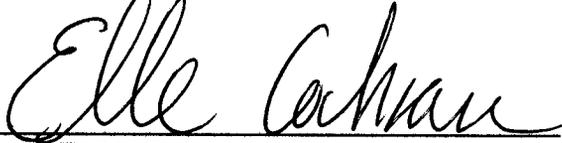
CHAIR COCHRAN: So we can...okay, thank you very much. So we can further vet out the newly added information that we received. So again, thank you, Corporation Counsel. And I believe this is it. We have no more left on our agenda today to work on so this meeting is adjourned. . . .(gavel). . .

ADJOURN: 2:48 p.m.

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APPROVED:



ELLE COCHRAN, Chair
Infrastructure and Environmental
Management Committee

iem:min:161114:jg

Transcribed by: Jaydee Giron

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CERTIFICATE

I, Jaydee Giron, 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 5th day of December, 2016, in Kahului, Hawaii



Jaydee Giron