

# CLIMATE ACTION, RESILIENCE, AND ENVIRONMENT COMMITTEE

Council of the County of Maui

## MINUTES

January 5, 2022

Online via BlueJeans Link

**CONVENE:** 9:00 a.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Kelly Takaya King, Chair  
Councilmember Shane M. Sinenci, Vice-Chair  
Councilmember Gabe Johnson  
Councilmember Alice L. Lee  
Councilmember Michael J. Molina  
Councilmember Tamara Paltin  
Councilmember Yuki Lei K. Sugimura

**STAFF:** Lesley Milner, Legislative Analyst  
Wilton Leauanae, Legislative Analyst  
Brittney Sunderland, Legislative Analyst  
James Forrest, Legislative Attorney  
Jean Pokipala, Committee Secretary  
Lenora Dineen, Council Services Assistant Clerk

Ellen McKinley, Executive Assistant to Councilmember  
Kelly Takaya King  
Axel Beers, Executive Assistant to Councilmember  
Kelly Takaya King  
Sarah Sexton, Executive Assistant to Councilmember  
Kelly Takaya King  
Roxanne Morita, Executive Assistant to Councilmember  
Gabe Johnson  
Angela Lucero, Executive Assistant to Councilmember  
Tamara Paltin

**ADMIN.:** Eric Nakagawa, Director, Department of Environmental  
Management (CARE-1(10))  
Keola Whittaker, Deputy Corporation Counsel, Department of the  
Corporation Counsel

**OTHERS:** Peter Cannon, Board Member, Ma'alaea Village Association  
(CARE-1(10))  
Tapani Vuori, Co-Chair Ma'alaea Wastewater Steering Committee,  
Ma'alaea Village Association (CARE-1(10))  
Travis Liggett, Ma'alaea Wastewater Steering Committee  
(CARE-1(10))

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Stuart Coleman, Executive Director, Wastewater Alternatives & Innovations (CARE-1(10))  
Joachim “Joko” Schneider, Project Coordinator, Wastewater Alternatives & Innovations (CARE-1(10))  
Robin Knox, President, Wastewater Quality Consulting, Inc. (CARE-1(10), 1(11))  
Leah Rothbaum, Sustainable Hawai‘i Project Manager, The Trust for Public Land (CARE-1(11))  
Scott Fretz, Maui Branch Manager, Division of Forestry and Wildlife, Department of Land and Natural Resources (CARE-1(11))  
Lynn Britton, Ma‘alaea Village Association (CARE-1(10), 1(11))  
Mike Moran, Kihei Community Association (CARE-1(10))  
Lucienne de Naie, Sierra Club Maui (CARE-1(10))  
Others (4)

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

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CHAIR KING: . . .(*gavel*). . . Good morning. Will the Climate Action and Resilience and Environment Committee please come to order. It is 9:00 a.m., and on January 5th. And once again, I guess we’ll hear this all week, Hau‘oli Makahiki Hou and Akemashite omedetou gozaimasu. That’s New Years in Japanese, as Mr. Gabe Johnson knows. And let me see what the greeting is today, droba dilay from Bhutan, India. Thank you so much, Chair. That’s an easy to say and it rolls off the tongue. Okay, so good morning, everyone. I’m Kelly Takaya King. I’m your Chair of the Climate Action, Resilience, and Environment Committee this morning. I do want to let everyone know today we actually only have two items. We’re going to defer the third item, which is CARE-1(12), since we had a report in Councilmember Sugimura’s meeting on Monday, which was basically the same thing...we were going to be talking about storm resilience and some of the recent storm events. So thank you for doing that, Member Sugimura. And we are going to defer that item to another day when we’ll actually do the budgetary review of this Department. So we’ll leave Herman off the hook for today. So hopefully we’ll have a very efficient meeting, and I know Member Molina has to leave by 11:30, so I think that’s...that can happen. So Members, just a quick note for everyone to please silence your cell phones if you’re not speaking. And the disclaimer, this online meeting is being conducted in accordance with the Governor’s most recent emergency proclamation on Sunshine Law in-person meetings, which has suspended the use of in-person testimony and viewing locations due to the recent COVID-19 surge. Members, the Sunshine revised law includes the following mandate. A Board holding a remote meeting pursuant to this section shall not be required to allow members of the public to join Board Members in person at non-public locations where Board Members are physically present, or to identify these locations in the notice required by Section 92-7, HRS, provided that at the meeting, each Board Member shall state who, if anyone, is present at the non-public location with the Member. In accordance with the Sunshine Law, if you are not a non-public workspace, when your name is called, please identify by name who is present with you in the room, vehicle or workspace. So Members, we are joined today by our Committee Vice-Chair Shane Sinenci. Aloha and aloha kakahiaka and droba dilay.

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VICE-CHAIR SINENCI: Hey, droba dilay, Chair, and to my colleagues an akemashite omedetou gozaimasu. For myself at...from my home in Hāna. Aloha.

CHAIR KING: Okay, and you're by yourself?

VICE-CHAIR SINENCI: Yes.

CHAIR KING: Okay. Great. Thank you so much. And moving on, we will start just down the list with our Council Chair Alice Lee. Droba dilay.

COUNCILMEMBER LEE: Droba dilay, my Madam Chair. Looking forward to your meeting. I'm here alone in my workspace, and at home with my trusty little dog, Koa Lei Lee.

CHAIR KING: All right. Okay, and moving on down the list we have from Lāna'i, Councilmember Gabe Johnson. Droba dilay.

COUNCILMEMBER JOHNSON: Droba dilay, Chair and fellow Councilmembers. I am alone in my office on the Island of Lāna'i, and kotoshi mo yoroshiku onegaishimasu and I'm looking forward to a great meeting. Mahalo.

CHAIR KING: Wow, awesome. Can you do a little translation for that?

COUNCILMEMBER JOHNSON: That just...so when you say akemashite, it's like, you know, Happy New Year, but the kotoshi mo yoroshiku onegaishimasu means please regard me favorably for another year.

CHAIR KING: Okay. I like that better. All right. And then moving on to Upcountry we'll start with Councilmember Mike Molina. Droba dilay and whatever it was that Gabe Johnson just said.

COUNCILMEMBER MOLINA: Droba dilay and Happy New Year. Okay, that's hard to follow. He speaks so well. But anyway, droba dilay, Happy New Year to you, and my colleagues, and everyone else joining us for our CARE meeting today. For the record, I'm transmitting from my home in Makawao, and today my wife is only 25 feet away from me. Aloha.

CHAIR KING: Aloha. Okay, thank you so much. And then moving on to West Maui, Councilmember Tamara Paltin, droba dilay.

COUNCILMEMBER PALTIN: Droba dilay kākou and Hau'oli Makahiki Hou kākou. Transmitting live and direct from the West Maui district office here on the upper West side. We have three to five foot of surf with an occasional larger set, partly sunny skies, partly cloudy with a light and variable winds in the 5 to 15 mile per hour range. And with me I have my aide Angela, who is more than six feet away.

CHAIR KING: Okay. Thank you. And no surfers lined up in your office because it sounds like they're probably all outside.

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COUNCILMEMBER PALTIN: Yeah, nobody wanted to come testify. They're all surfing.

CHAIR KING: Okay. And then finally we have Councilmember Sugimura, and thank you...I want to give you...even though you're last on the list because of the S, I'm going to give you full credit for being the first one at the meeting. Droba dilay.

COUNCILMEMBER SUGIMURA: Droba dilay. Happy New Year, everybody. Yeah, I'm up in Kula and home with my son working next door, which is a great joy for the rest of this week, and my husband, who is downstairs also working, so we have a full house and family. I appreciate that. Looking forward to a great meeting, and this is one of my favorite subjects, so go for it, Kelly King.

CHAIR KING: Thank you. Thank you so much, Member Sugimura. Okay, today we don't have any Non-Voting Members. From the Administration we have Deputy Corporation Counsel Keola Whittaker, droba dilay. If you're here, please just show yourself.

MR. WHITTAKER: Droba dilay, Chair. And to paraphrase Member Johnson, please look on me favorably for another year.

CHAIR KING: All right. Well, you've been doing great work for the Committee, so we really appreciate you. And we also have with us Eric Nakagawa, Director of Department of Environmental Management for CARE-1(10). Droba dilay.

MR. NAKAGAWA: Good morning, Chair. Good morning, Members. Happy New Year, everyone.

CHAIR KING: Happy New Year to you. And then...thank you for being here, Eric. And then we excused Administrator Herman Andaya from the Maui Emergency Management Agency. As I explained earlier, we will be deferring that item. Other resource people we have today on the call are Peter Cannon, Board Member from Ma'alaea Village Association; Tapani Vuori, Co-Chair Ma'alaea Wastewater Steering Committee from the Ma'alaea Village Association; we also have Travis Liggett the Ma'alaea Wastewater Steering Committee consultant; Stuart Coleman, who is the Executive Director with Wastewater Alternatives & Innovations. And then we have for our second item, Leah Rothbaum, Sustainable Hawai'i Project Manager, The Trust for Public Land; as well as Scott Fretz, Maui Branch Manager, Division of Forestry and Wildlife, Department of Land and Natural Resources; and Lynn Britton, Ma'alaea Village Association. With our Committee...with us our Committee Staff are Lesley Milner, Budget Committee Analyst; Wilton Leauanae, who is our Legislative Analyst; Brittany Sunderland, Legislative Analyst; Jean Pokipala, Committee Secretary; James Forrest, Legislative Attorney; and Lei Dineen, Council Services Assistant Clerk. Okay, droba dilay, everyone, and thank you for being here. So Members, today we have three items, the third will be deferred. So the two items we will be hearing today are CARE-1(10) Wastewater Disposal in Ma'alaea and CARE-1(11), which is Ma'alaea Mauka Land Purchase, and that will be an update on how that transaction is going. So today let's begin with public testimony. Oral testimony via phone or teleconference will be accepted. Testifiers wanting to provide testimony should have joined the online meeting via the BlueJeans link listed

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on today's agenda, and those wanting to provide audio testimony should have participated via phone conference by dialing 1-408-915-6290 and entering meeting code 470076045, also noted on today's agenda. Instructions on how to submit written testimony can also be found at [mauicounty.us/testify](http://mauicounty.us/testify). So oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will ask you to kindly complete your testimony. When testifying, please state your name. If you are testifying on behalf of an organization or are a paid lobbyist, please inform the Committee. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. If you are here to provide testimony, please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. Once you are done testifying you will be asked to disconnect from the call unless you are designated as a resource person; however, you are welcome to continue to view the remainder of the meeting on *Akakū* Channel 53, [mauicounty.us](http://mauicounty.us), or Facebook Live via the Maui County Council page. Participants who wish to view the meeting only without providing testimony please disconnect at this time, and instead view the meeting on the three channels listed above and...so there won't be any confusion on whether or not you want to testify. Only Councilmembers, Staff, and designated resource personnel will be connected to the video conference meeting once testimony concludes. I'd like to remind Committee Members, Administration and the public to please be patient if we run into any technological issues. And we have been having some glitches here and there at the South Maui District Office, so I'm going to ask Staff to send the notes to Council...Committee Vice-Chair Shane Sinenci just in case that happens. And so right now I'd like to proceed with oral testimony, if there are no objections?

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR KING: Okay, great. Thank you. All right, thank you. And I think...Lesley, are you calling testifiers, or is it Wilton today?

MS. MILNER: I'll be calling the testifiers this morning, Chair.

CHAIR KING: Can you call up our first testifier?

MS. MILNER: Yes, Chair. Our first testifier is Robin Knox, to be followed by Mike Moran.

CHAIR KING: Okay. Aloha, Robin.

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

MS. KNOX: Aloha. I just wanted to testify to thank Chair King and the Committee for hearing these presentations and becoming knowledgeable and entertaining the idea of full cycle holistic solutions that are sustainable and that address a broad range of environmental issues really, everything from wastewater treatment and disposal to ocean water quality to erosion control, taking care of the soil and the land and the watershed, providing recreational opportunity, food security, climate change...it really is comprehensive what's being envisioned and, you know, I commend the Committee...I mean the community and all the people, all the organizations that have come forth and have been

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working on this over the last few years to really envision a good solution to all of these things that works. And I just want you to know that as an environmental scientist, I see this as a situation that could become a shining example to the rest of the world of how to do it. And I am just very happy to be here and be able to participate in these community efforts.

CHAIR KING: All right. Mahalo.

MS. KNOX: Also...also, I just wanted to say I'm willing to serve as a resource if it pleases the Chair and the Committee.

CHAIR KING: Okay. Thank you so much. And I was going to ask the Committee, if there are no objections, if we could ask Robin to stay on as a resource since we will be discussing the issue of impaired bodies of water and what that means for Ma'alaea, and she has expertise in this area. Any objections?

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR KING: Okay. Thank you for being here, Robin, and we'll get to...this will be the first item after testimony, so hopefully we won't keep you too long.

MS. KNOX: Great. Thank you.

CHAIR KING: All right. Thank you. Okay. Next testifier, Lesley.

MS. MILNER: Our next testifier is Mike Moran, to be followed Lucienne de Naie.

MR. MORAN: Good morning, Chair King and Committee Members, Mike Moran for the Kihei Community Association. We only signed up for 10, but I would like to with your indulgence just briefly mention the reason we did not sign up for 11 is we were unable to find out any details on this longstanding issue, but we will say that KCA worked for years with many others to try and prevent the development which was proposed for that land several times and numerous. So fortunately no development, and now you're proceeding on doing something to prevent the erosion there, but we had no further information. But moving on to 10, we did go through all the...that was very fortuitous that the presentations that you're going to be hearing today were put up on the County website so people could be prepared...could...you know, especially someone like myself who is not a professional like the previous testifier, but we have that same point of view from a layman's point of view, that we see this as one aspect of the detrimental effects that we see just in our district in South Maui. That's starting at the northern portion with the injection wells there at Ma'alaea. And we too commend the Ma'alaea Community Associations...there was a prior one, and the current one that have worked for years to try and be prepared and do something to mitigate any damage those injections wells are doing. We thought a few years ago they were going to be able to tie into Mike Atherton's, but I guess that's not going to work. So now they're still trying to find some way to prevent any damage that's being done on that end. But we too look at the overall...we see if you move down the coast, you see the County injection wells about midpoint and, you know, there is no doubt that in that region where their output

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is, that that's the worst part. You know, we can go back ten years ago when we saw the Feds said there's a permanent plume right off of Cove Park, so there's something there. And then we moved down further on the coast and we have a big portion of our residential land is unsewered, so we have that aspect of it. So it's all...and that's just wastewater issues. And just as Robin mentioned in a professional, but we see too, that the stormwater issue, which was rammed home once again with the latest storm. But it is this whole region that's imperiling. And no wonder...it's a wonder that our coral reef isn't gone in Ma'alaea Bay...it's barely hanging on. But we too commend this Committee for taking on these projects, picking up one at a time and doing as much as you can. You can't make up for 20 or 30 years when not the right things were being done, but you can certainly start turning it around, which you guys are doing. So we are in full support of this. And we see no legislative action today, but we look forward to again hearing explanations of what they're doing in Ma'alaea. Mahalo for the opportunity to testify.

CHAIR KING: Okay. Mahalo, Mike. I really appreciate you being here again and following these issues. And of course, you and I both live on that north end, and we're still dealing with brown water throughout the bay from that recent storm. Any questions for our testifier, Committee Members? If not, we'll thank you for your testimony. Thank you for always being here.

MR. MORAN: You're welcome. Aloha.

CHAIR KING: Next testifier, Lesley?

MS. MILNER: Our next testifier is Lucienne de Naie, to be followed by Lynn Britton.

CHAIR KING: Aloha.

MS. DE NAIE: Aloha. Good morning, Chair King and Committee Members. My name is Lucienne de Naie. I'm the Chairperson of the Sierra Club Maui Group, and testifying on their behalf on both agenda item 10 and 11 today concerning Ma'alaea. On agenda item 10, Sierra Club has long supported efforts by the Ma'alaea community...we have many members in Ma'alaea, and we also have worked closely with the Ma'alaea Community Association, and now the Ma'alaea Village Association, on many joint campaigns to improve the quality of the ocean and the atmosphere and environment for marine life in the area to protect the Keālia pond and, of course, to look at the long-term effects of all of the erosion that comes down from the mountains above Kahālāwai...the erosion coming from that direction, and the erosion coming off of the central plain into Ma'alaea Bay. Ma'alaea Bay is like a jewel, and so it shouldn't be turned into something that we kind of only look at one little spot at a time. So we really applaud this Committee's faith in the efforts of the Ocean Center, the Ma'alaea community, the Ma'alaea business community to take a comprehensive approach with the State, work with knowledgeable individuals, and I...you know, it's been a long process. I personally worked for Councilmember Michelle Anderson, and she got money to fund the study for, you know, solutions for the injection wells at Ma'alaea. The intentions are there, and...but this community is very, very dedicated to try to take delivery of some solutions. So thank you folks for your interest. I'll go on to item

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number 11, which is the purchase of the Ma'alaea Mauka lands. Once again, Sierra Club Maui has led, I don't know, probably over a thousand hikes in this area. It's one of the most popular trails. The trailhead from the Lāhainā Pali Trail that one end is in Ma'alaea, and the other is along the Pali. And this trail has great historic interest. It is overlaying a trail that existed back in the time of the Pi'ilani dynasty, you know, back in the 1500s, 1600s, and it also has some very, very unique attributes in terms of giving access to various streams in the Pookea watershed area. It allows people to sort of understand how our watersheds work. Because of our long involvement with this trail, Sierra Club volunteers actually helped build and reopen the trail in the 1990s. Several were given awards for the amount of hours that they put in. We are very, very excited about the purchase of the 257 acres, and are part of the group that would be meeting with the State Trail's program, Na Ala Hele, I think on the 19th of this month to talk about how the State and the community can help expand the amenities that the trail...certainly keep it safe and tamp down any danger from fires and other things that have happened over the years. So the purchase of these lands is a wonderful commitment that this Council has made to...once again, a comprehensive look at how to manage a situation over the long term, and not just put a little Band-Aid here or a Band-Aid there. So mahalo very much for your interest. And I will say that I personally served on the Board of Maui Nui Marine Resource Council, and already some improvements have been made from the Federal grant that they've gotten for fire prevention on these Ma'alaea Mauka lands, even before they are publicly owned, and also looking at, you know, restoration to help prevent more erosion. At least the erosion has been quantified now through the efforts of Maui Nui, and we understand where some of the key points are that we need to work with. So thank you very much, and we look forward to finalizing of the purchase this year, and having a solution for some of the water pollution and fire threats, and seeing less and less in the years to come.

CHAIR KING: Okay. Mahalo nui, Lucienne. I didn't realize you were on their board, but that's great. It's great to know that. I don't know where you find all the time, and now you're going to be on the Ha'ikū-Pā'ia Advisory Committee too, so my hat's off to you. I wish we could give you an award. But I do...I would be open to maybe this Committee getting an invitation to that meeting if you're having a hike or a meeting up in that area. I'm just putting it out there that personally I would...

MS. DE NAIE: That would be very wonderful. The Na Ala Hele meeting, I'm not sure if it's in person or on Zoom. They just...their Director Tori just retired, and so they have like an interim director, so I need to get all the details. But probably it's a Zoom meeting, and maybe one of your Staff would like to attend as well. So we'll be sure to forward that information.

CHAIR KING: Yeah, I mean, certainly like hiking, as soon as it's safe again, seems like the...you know...

MS. DE NAIE: Yeah. Well, Sierra Club is leading hikes, and I'm not sure if we have Lāhainā Pali. This quarter we probably do, but I'll check it out. If we do, then I'll let you guys know the date.

CHAIR KING: Okay. Thank you so much. Any other questions for our testifier, Committee



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Members? Seeing none. Thank you so much for your testimony again, and I'm sure we will be talking to you again soon.

MS. DE NAIE: All right. Mahalo for being here.

CHAIR KING: Mahalo. Next testifier, Lesley?

MS. MILNER: Chair, the last person we have signed up to testify is Lynn Britton.

CHAIR KING: Aloha, Lynn. Are you...did you mean to testify? Okay.

MS. BRITTON: I'm trying to work on my computer.

CHAIR KING: Okay, now we can hear you.

MS. BRITTON: Yes, I'm here. Good morning, aloha, and Happy New Year to everyone. Good to see you all. I really appreciate the comments of earlier testifiers and all of the efforts of our South Maui Councilmember. Kelly, we appreciate you putting this item...both of these items on the agenda. It's all about sustainability and protecting the beautiful quality of life and environment that we are blessed to have here in Maui County. Both the wastewater and Ma'alaea Mauka are all related in terms of the erosion sedimentation, quality of the bay, so it all works together. I did write a lengthy testimony, but I think the important thing for today is to listen to the resource people, have the discussion. Ma'alaea Village Association . . . *(inaudible)* . . . supportive of both efforts, and we really appreciate the efforts of Trust for Public Lands, Kea Lani, Leah Hong in Honolulu, for being willing to take on Ma'alaea Mauka and help us bring it to fruition in terms of the actual purchase. Then the work will begin. As Lucienne mentioned, we will be meeting the Maui Advisory Committee for the trails folks on the 19th, and that's just the start of what we plan to do in terms of working with community groups to build a partnership to support the DLNR and DOFAW in creating this...it'll be a real treasure for all of Maui. So I'm here as a resource person, will be happy to answer any specific questions...and thanks again, and aloha. Thank you.

CHAIR KING: Okay. Mahalo nui. And as you heard, Ms. Britton will be on as a resource person, so if we can hold any questions until then, that would be wonderful. Thank you for being here, Lynn, and for pushing for these issues too for so many years. All right. So any other testifiers signed up, Ms. Milner?

MS. MILNER: No, Chair. No one else has signed up to testify.

CHAIR KING: Okay. So just one...I'll make one last call. Anybody who is on the call who wishes to testify, speak now or we will close testimony and receive any written testimony into the record with no objections.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR KING: Okay, thank you. So ordered.

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

**CARE-1(10): WASTEWATER DISPOSAL IN MA'ALAEA** (Rule 7(B))

CHAIR KING: And we will move on to our agenda. The first agenda item is Wastewater Disposal in Ma'alaea, CARE-1(10). Members, today we will be receiving information on Wastewater Disposal in Ma'alaea from members of the Ma'alaea Village Association and other experts who have been consulting with the MVA. We're joined today by Peter Cannon, a Board Member; Tapani Vuori, Co-Chair of the Wastewater Steering Committee; and Travis Liggett, a consultant to the Wastewater Steering Committee. We're also joined by Stuart Coleman, the Executive Director of Wastewater Alternatives and Innovations. Finally, Eric Nakagawa, Director of Department of Environmental Management, is also available if there are any questions, and we'll ask him for comments after the presentations as well. So if there are no objections, I would like to designate Mr. Cannon, Mr. Vuori, Mr. Liggett, Mr. Coleman and Director Nakagawa as resource personnel in accordance with Rule 18(A) of the Rules of the Council.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR KING: Okay. Thank you, Members. So we'll start with Peter Cannon. And . . .*(inaudible)*. . . I think...do you have a PowerPoint, Peter?

MR. CANNON: No, I don't have a PowerPoint, but I've prepared about four and a half minutes of speech.

CHAIR KING: Okay. So we'll have your presentation, then we'll ask Tapani, who I think does have a PowerPoint. So go ahead, the floor is yours.

MR. CANNON: Terrific. Thank you. My name is Peter Cannon. I'm born on Maui, in Pā'ia, and raised in Ma'alaea. My family and my great grandmother lived in Ma'alaea. So Ma'alaea is home to me, and I'm one of the few people that remember it when it looked like Tahiti when we looked out from our home. Thanks. I'm also Co-Chair with Tapani on the Steering Committee. But first, I want to say please recognize that the State and the County have a problem. Ma'alaea and Poipu are the only two places left in the State of Hawai'i with a high concentration of injection wells near the ocean. Supreme Court has said that discharging sewer effluent into an injection well is the same as piping it directly into the ocean. Ma'alaea Wastewater plants produce only primary sewage treatment, 1970 standards. We're pumping pathogens and nutrients into the ocean every day. There's 14 State-issued underground injection control permits for injection systems on the Island of Maui. Three are for the County at Kahului, at Kihei and Lāhainā where higher quality secondary treatment is provided. Other 11 are all in Ma'alaea. Court case works its ways through the issues. There will certainly be repercussions for Maui County at Ma'alaea. We pump sewage with only primary treatment into the ocean. Ma'alaea Village Association's survey of the AOA Boards four years ago found that the number one concern was their aging, failing, outdated wastewater systems and the effect on the health of Ma'alaea Bay. Several condos have already been ordered to replace their wastewater systems. All new permits from the

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Department of Health for wastewater in Ma'alaea now have a requirement to shut down and connect to a regional wastewater system as soon as one becomes available. So you can see where the thinking of the State level is...the Department of Health. MBA...the MBA organized a very well-attended town hall meeting on this topic and included Sina Pruder, the Head of the Department of Health and Wastewater Division; Assistant Attorney General Ted Bohlen; a Wastewater Expert from Pukalani; and a Clean Water Expert from Maui Ocean Center, Robin Knox. Three years ago, a Community Steering Committee and a Task Force was organized. The first move was to commission and pay for the Brown and Caldwell Feasibility Study for a regional wastewater system in Ma'alaea. The efforts of Kelly King and the Maui County Council, the County paid for an addendum to our feasibility study that included the costs and feasibility of building a conveyance system all the way from Ma'alaea to Waikapu and connecting to the Maui County wastewater infrastructure. So the community and Maui County Council have both worked towards a solution. By default, all ten Ma'alaea condos are in the wastewater business. All ten have wastewater plants on their property. All ten have contributed to a survey that studied actual costs of treating wastewater on our own at each property. We found that a regional plant can process our sewage cheaper; cheaper than we can do it for ourselves. The R-1 water from a regional plant could be sent back to the condos for landscaping purposes. This lowers the freshwater needs of the community, provides a cost savings, and it further safeguards Maui's freshwater supplies, especially in times of drought. Ma'alaea community is being very proactive. We are working with several plant manufacturers to find solutions. We are looking everywhere we can to find funding. We have found one supplier who is willing to build a plant, no upfront costs, to create a wastewater as a service business model for less than we can do this for ourselves. The one missing link for all this to work is the need for a conveyance system to get our sewage from the condos to the regional plant. The community needs 3.8 to \$4 million to accomplish this. We're hoping that the County will help because this is a countywide problem. Ma'alaea Bay is an economic engine for all of Maui. Ma'alaea Bay, the corals, the shells, the limu, the fish are all dying. This has been documented by the State Division of Aquatic Resources. Roz Baker, our State Senator, has made the Ma'alaea Regional Wastewater Plant one of her top four priorities in the next legislative session. Mahi Pono has generously offered the perfect ten acres of land at a dollar a year for 99 years. Please, Maui County...the Council and Maui County, please help us to find a solution. Thanks.

CHAIR KING: Okay. Thank you so much, Peter. I think we'll...what we'll do is we'll ask Tapani to come on and do his presentation, and then we'll see if there are any questions for you folks before we move on to Travis and Stuart. Tapani, do you want to...are you there?

MR. VUORI: Yeah, I'm here. Can you hear me okay?

CHAIR KING: We can.

MR. VUORI: Okay, I'm not getting the camera working, but that's okay. Maybe that's better that way. Aloha, CARE Committee, Chair Kelly King, Council Chair Alice Lee, and Councilmembers. Thank you for allowing me to address you on the wastewater issue on behalf of Ma'alaea community. As of today, we have lost a majority of the coral reef

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ecosystem in Ma‘alaea Bay, and limu is nowhere to be seen. Ma‘alaea Bay is classified as a...

CHAIR KING: Excuse me, Tapani. Excuse me, Tapani do you have a PowerPoint?

MR. VUORI: I do not have a PowerPoint.

CHAIR KING: Oh, okay. It was my misunderstanding, I thought you did have one. Okay. I was just thinking we weren't seeing it, but go ahead. Sorry. Sorry to interrupt.

MR. VUORI: So Ma‘alaea Bay is classified as a 303(d) classification impaired body of water by EPA. 303(d) classification is the proverbial canary in the coalmine...

CHAIR KING: It's a little difficult to hear you. Can you move your...move closer to your mic or...

MR. VUORI: Okay, can you hear me better now?

CHAIR KING: Much better.

MR. VUORI: Okay. So Ma‘alaea Bay is classified as 303(d) classification impaired body of water by EPA. 303(d) classification is the proverbial canary in the coalmine, telling us that there's something wrong in our bay. As I see environmental damage that this can also potentially lead to more regulation and enforcement with clear financial implications to the stakeholders. Is this really the legacy we wish to leave behind to our children and grandchildren? The main reasons for this degradation are unabated sedimentation and excessive nutrients. When sedimentation...thank you for addressing the sedimentation problems through your purchase of Ma‘alaea Mauka with County open space funds to be owned and managed by the DLNR Division of Forestry and Wildlife in partnership with Maui Nui Marine Resource Council. With excessive nutrients, the negative impact of injection wells is well documented, and yet here we are, where we have a community of 563 condominium units, plus the commercial units by the shoreline, that is not connected to Maui County Wastewater infrastructure, nor does it have ability to process wastewater effluent to current standards in a modern wastewater treatment plant. Since this has not been addressed as of today, that leads one to think that the gravity of the problem is either not understood because of the lack of sufficient information, or there is a lack of funding to provide the solution to the community. If you do not have enough information on this issue as of today, then what more specific information do you need in order to realize that we have a problem that needs to be addressed? If you have enough information and agree that this is a problem that needs to be addressed, then the question becomes, why has no action been taken? Is it a lack of legislative intent, or the lack of funding? If the lack of funding is the case, I urge the Council to be bold and take charge of this issue. There is too much at stake not to do so. The solution to fix this problem is either connecting Ma‘alaea community to Maui County Wastewater Infrastructure, or build, or provide funding for the Ma‘alaea community to build a modern scalable MBR wastewater treatment plant, and turn Ma‘alaea community to wastewater rate payers eventually. And this will need to happen not in seven to five years, but in three years or sooner. Ma‘alaea community

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has been proactive in addressing this issue, and a lot of work towards the successful solution has already been done. Nothing short of this will suffice. What will your legacy be? Thank you for your time and attention.

CHAIR KING: Okay. Thank you so much, Tapani.

MR. VUORI: You're welcome.

CHAIR KING: Members, do you want to go ahead and hear the next two presentations, or do you have...does anybody have any burning questions right now of our first two presenters on the actual issue? Because the second two are going to be talking more about solutions. So if you have any questions about the actual issues...Member Sugimura.

COUNCILMEMBER SUGIMURA: So Tapani...thank you very much, Tapani. I met with both of you before. You talk about three years. Can you explain the three years in your presentation?

MR. VUORI: Well, basically where that is coming from is we have spoken with several MBR wastewater technology manufacturers. Most of them are saying that they can get the plant ready operating on the ground in one year, providing the permitting and the regulation is actually met. We have also had conversations with Michele McLean at the Planning Department, and she is very supportive of our efforts, and she has indicated that she will streamline the permitting process. Obviously it needs to be done by the book, but...so that there is only one process, so there is not multiple processes. So this can happen faster. What we are saying is these infrastructure projects takes forever...for years to execute. And personally, I see what is happening in the ocean, and I'm afraid we don't have seven years.

COUNCILMEMBER SUGIMURA: Okay, you're just saying we need to do it quickly by three years.

MR. VUORI: Absolutely, yes. Yeah.

COUNCILMEMBER SUGIMURA: Okay. So that time frame came from yourself, not from EPA or anybody else.

MR. VUORI: That is correct.

COUNCILMEMBER SUGIMURA: Okay.

MR. VUORI: Our discussions with Sina Pruder, who is the Director of Wastewater Plants at DOH, she has been very adamant that the dates of the injection wells are numbered and, you know, she has been very supportive of our efforts because we are a very proactive community. And she has been flexible with the enforcement action, but sooner or later, DOH Wastewater Plants will run out of patience as well. So then there will be some consequences, I would expect personally.

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COUNCILMEMBER SUGIMURA: Okay. Thank you. Thank you, Kelly.

CHAIR KING: Thank you so much, Councilmember Sugimura. And of course, I've been discussing this issue with the EPA in my meetings as...I'm on the advisory committee, so I agree with Tapani, we don't have that much time. And we did get the letter last budget session from Sina Pruder that, you know, she would be willing to add this item on to the State Revolving Plan. Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair, and I want to thank, Mr. Vuori and Mr. Cannon for their presentations. But for the record, do we have anything submitted from them to Committee as far as their presentations or information that supplements your presentations?

CHAIR KING: We do. We have some information. Lesley, can you explain what we added to Granicus yesterday?

COUNCILMEMBER MOLINA: Yeah, I see something from Mr. Liggett and Mr. Coleman, but I don't see anything in my Granicus from Mr. Vuori and Mr. Cannon.

CHAIR KING: I thought we had something in writing, but Lesley, do you know?

UNIDENTIFIED SPEAKER: I'll submit mine. I'll send in mine.

CHAIR KING: Okay.

COUNCILMEMBER MOLINA: Yeah, I'm just making these comments because it helps to have visuals, and also information in advance for us as Members to formulate questions, and also for the viewing audience. Because...I mean, I appreciate the audio or the...because it kind of comes across more like testimony, but if you have the visuals to back it up and information for us in advance, then it can help us formulate questions. Because sometimes it gets difficult to formulate questions on the fly like this. But anyway...but I appreciate both presentations from the individuals, so just a comment. Thank you.

CHAIR KING: Okay. Thank you, Member Molina. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Cannon and Mr. Vuori. I guess, you know, some of the questions that I have is, is there a cost...an overall cost estimate of this, what you're asking for, would be my first question. Of the 563 condo units that you reference, how many have full-time residents living in it? And have you also looked at the PacIOOS site? I believe in 28 years we're expecting a minimum of 1 foot sea level rise; 78 years, 3.2 foot of sea level rise. And what is the life expectancy of this wastewater MBR scalable thing that you're suggesting? Those would be my top three questions.

CHAIR KING: Okay, so who...I think maybe Peter can answer. I know he said in his presentation that what they're looking at is 3.8 to four million for the conveyance system.

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MR. CANNON: Yes. I'll answer part of it.

COUNCILMEMBER PALTIN: That's just the conveyance system?

MR. CANNON: And then I'd like to...I can answer part of it. That's a lot of questions to remember. But we have an offer to actually build the plant at no cost. So really, our missing link is 3.8, \$4 million to build that conveyance system. And we're doing the best we can to identify costs, but it would take a survey to really drill down any deeper than that. And there's actually a survey done when we built the sidewalk. So we're requesting a copy of that so we don't have to go pay for a 10, \$12,000 survey. Tapani, can I pass it on to you?

MR. VUORI: Yes, I'd be happy to expand on that. So we have spoken with five different companies who are the leading manufacturers of MBR wastewater treatment plants in the United States. We expect...their costs roughly are going to be, for the entire plant, between 8 to \$10 million, including the conveyance. And this works out to be roughly about \$12,500 per end user...the cost. To address the sea level rise, that is the reason why the plant would be sited uphill. The current location we have mapped out is actually at the intersection of Ma'alaea Road and the highway right on the Haleakala side of the mini golf park and the wastewater treatment for the Ma'alaea Triangle Association. The conveyance is about 973 feet in length, so this is the part of the cost there. And our instructions to these manufacturers when we approach them were that we are looking for a solution that not only meets, but exceeds today's standards, that is cost effective, that is scalable, and that can also add new technology down the line in 20, 40 years so...when it becomes available cost effectively. So we're not looking for the solution for the day, we are looking it to last for 50 years. So it needs to be a long-term solution period. And let's see...what other questions did we have that we did not answer yet?

MR. CANNON: She asked how many full-time residents were in Ma'alaea. And I think there's 565 apartments, and they're always pretty full. There is high season and low season. They are vacation rentals. I don't have...I don't know how many full-time residents are there, but I would guess 10 to 15 percent of those apartments are residents at this time. Please repeat the other questions?

CHAIR KING: I think that's...

COUNCILMEMBER PALTIN: My question in terms of the 1 foot and the 3.2 feet of sea level rise wasn't in terms of siting of the plant, but I guess the effect of that level of sea level rise on the units, the 565 units, will people still be able to park and get into the units in 28 years or 38 years or 50 years?

MR. CANNON: I can answer that.

CHAIR KING: Yeah, I think, Member Paltin, there's actually an erosion study that is ongoing. I don't know if that's been completed. Peter, maybe you can speak to that.

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MR. CANNON: Well, to answer part of her question is with sea level rise, right now you've got injection wells 40 feet deep or 40 feet away from the ocean. So those wells and those wastewater treatment systems need to be moved back. I don't think this is the right venue to talk about sea level rise and the shoreline issues, but that's certainly another committee on the part of the MBA that is dealing with that right now. And yes, the County is doing a sand study and a survey right now that you've funded. We too are waiting for the first answers to begin to address that issue more completely. Does that answer . . . *(inaudible)* . . . ?

COUNCILMEMBER PALTIN: I guess, you know, the reason that I don't want to speak about it in silos and separate the issue is because, you know, at 15 percent of 565, we're talking about like roughly 85 residents that we're trying to save for a cost of 8 to \$10 million.

MR. CANNON: I think you're trying to satisfy about 2,000 toilets, or 100...or maybe 1,000 toilets. Maybe why can help us with some of the answers there, but there's a lot of flushing going on in Ma'alaea, and there's a lot of wastewater going into the ocean right now...to the tune of 120,000 gallons a day.

CHAIR KING: I think that's a separate issue too. Because what we're really focused on here is the wastewater is going into the bay, you know, not sending it there, but what's happening to the bay. But I understand what you're...where you're kind of going with this, Member Paltin, and it's part of this larger picture that I think that study that we funded, the erosion study, will also help us inform...help inform what's happening to that. But, you know, those same issues are happening in Kahana right now, and we're watching that as well, those condos. Okay, so I'll go ahead and move on and call on Chair Lee. Thank you for those questions, Member Paltin.

COUNCILMEMBER LEE: Thank you, Chair. I have a question to Tapani, I think, or maybe Peter regarding the plant that you mentioned. We talked about 4 million for the conveyance system, but overall, the plant would cost in the neighborhood of 8 million. And so I was wondering, in order for that plant to be cost effective, how many users would need to be using that plant? It couldn't be 565, I'm sure it would take many more to make that plant cost effective because they're using it for business purposes as well. So could you answer that question?

MR. CANNON: I'll give it a try. We have found that regional plants instead of all centralized plants is one of the ways of the future. We cover all ten condominiums, plus the State has an injection well in very poor condition at the harbor, processing all the sewage that comes off the boats. So there's a substantial amount of sewage there. And a regional plant to handle 120 to 200,000 gallons a day is a good solution for this kind of volume.

COUNCILMEMBER LEE: So are you saying that the person...the company that is willing to invest in this \$8 million plant could run its plant cost efficiently with just 565 residents plus sewage from ships?

MR. CANNON: Yes.



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COUNCILMEMBER LEE: It doesn't have to take in much more from, let's say, Waikapu or other places?

MR. CANNON: That is correct. And they're a building a plant to that size, and they're willing to process on a two cents a gallon approximately, which is cheaper than we can do it for ourselves. And then we have the additional improvement of R-1 water for irrigation, and not paying for fresh water to...less fresh water for the community's needs. But the answer is yes.

COUNCILMEMBER LEE: Okay.

MR. CANNON: And they're willing to build it at their cost, which as the builder is certainly less than what we would pay.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER LEE: Chair...you know, Chair, maybe we can have a presentation from the company at some point.

CHAIR KING: Yeah, we have one coming up.

COUNCILMEMBER LEE: Oh, good. Thank you.

CHAIR KING: So the next two...that's why I said the next two presentations are going to be more addressing the solutions, and you can ask. But the one you're talking about is a modular unit. And so they're willing to build the unit, but what they can't build is the conveyance system that conveys the sewage to the unit, so that has to be broken up. And that's what the folks in Ma'alaea are asking for assistance from the County for, is just that conveyance section, and then...so anyway. We'll hear from...we'll hear from Travis Liggett, who has been consulting with the...and he's got some experimental wastewater treatment projects that's he's doing right now. And then after that we'll hear from Stuart Coleman, who is with Wastewater Alternative Initiatives, who is building these modular units.

COUNCILMEMBER LEE: Great. Because I'm interested in ongoing costs as well. Thank you.

CHAIR KING: Right. Okay, thank you. Any other questions? Or if not, we'll go ahead and we'll move on to Travis, if you'd like to go ahead. We're going to go ahead and have your presentation, then we'll have Stuart's, and then we'll have questions.

MR. LIGGETT: Okay. Droba dilay, everyone. Happy New Year. Thank you so much for having me today. And thanks to Peter and Tapani for including me in this effort. And I will share my screen now. Oh, goodness. I have to get permission just briefly.

CHAIR KING: I think we...Staff, can you give permission to...

MR. LIGGETT: Okay. Unfortunately I have a computer setting that does not allow me to

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share my screen, and I have to restart BlueJeans in order to change it. I did not expect that. So I'm going to request if Stuart could go first.

CHAIR KING: Okay, why don't we go to...yeah, we'll go to Stuart. And if you're ready, Stuart, we'll go ahead, and then we can get...Travis can log back on.

MR. LIGGETT: Yeah, I sincerely apologize. Sorry about the inconvenience.

CHAIR KING: That's okay. And then also I wanted to get comments from DEM after these two presentations.

MR. LIGGETT: Okay. Great, thanks.

CHAIR KING: Okay. Stuart, are you ready to...

MR. COLEMAN: Can you all hear me?

CHAIR KING: Yeah, we can hear you.

MR. COLEMAN: Great. Aloha, Chair King, and Vice-Chair [sic] Lee, and Councilmembers. Good morning and feliz ano nuevo since we're going multiple languages here with the Happy New Year. It's good to be here with you this morning. We've been...my name is Stuart Coleman, and I'm Executive Director of WAI, which stands for Wastewater Alternatives and Innovations. And we've been working with the County Council and with Peter and Tapani over the last year and a half to try to find a solution for Ma'alaea. And so if you want I can do a share screen...or I'm going to ask Joko if he can maybe do it because I might be getting the same thing that...

CHAIR KING: Yeah, we can't see your video yet either, so...

MR. COLEMAN: Yeah. For some reason my...yeah, Joko is going to load it here.

CHAIR KING: Okay. Okay, we've got it loaded now.

MR. COLEMAN: Great. Thank you. And so we can go to the next slide. We...you know, we know the problem, right now we have 20-plus injection wells in the area and 86,000 gallons per day going into those injection wells. And this contributes to, you know, something like 17 percent of the nitrogen load and 73 percent of the phosphorus to the near shore system. And this leads to either overgrowth on the coral reefs and...which smother them, and we've experienced serious quality declines, which Peter has talked about before. But, you know, it has been documented that it's been like been 70 percent. It's listed already, as Tapani mentioned, as an EPA, you know, impaired body of water. So before we have the Feds kind of instrict (*phonetic*)...you know, kind of putting all kinds of things and regulations on us, we should be proactive because it would save money in the long run, and then we won't be constricted by these federal regulations. So I wrote an article that I can send in for *Civil Beat* talking about the historic passage of the bipartisan infrastructure law, which is, you know, the largest of our lifetimes, and it is a huge opportunity. So even though we have this very serious

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issue, there is a huge opportunity as well because nationally, they've already identified wastewater as a major issue. And all our Senators, all our Federal delegation including Senator Schatz has said, you know, that we should look at the smaller distributed sewage management systems, or decentralized systems. And so this is the middle ground that I think we need to focus on. Places like Ma'alaea, which really could be not only a great pilot project for Hawai'i, but really for the country, to show how well we can do this, and recycling our waste. And so, you know, doing a package plan that's in between a large county centralized sewer and individual wastewater systems is ideal, and you can do between 20 and 200 homes. And they were looking at a circular economy approach, which is perfect for this Committee, that will, you know, do resource recovery and reuse. If we can go to the next slide. And so, you know, our current situation is that it's very linear, and we are just wasting all of these resources. What we want to do is a circular economy model where we treat and reuse the solids and liquids, especially before irrigation, and we're working with two companies that can do this and already having proven technology. Cambrian is the first one, and that's the one that Peter had referenced. They have what's called a WEPA, and that's a Water Energy Purchase Agreement. And so this allows them to come in without a huge capital upfront cost. And so they could ship out the equipment, which is mobile and scalable and, you know, can be data driven. And so they can recycle all of the liquids to be used for irrigation and such. And this is literally pennies on the gallon of treated effluent, so you're going to save, you know, like 4 to 5 million of upfront costs. And so it's a real opportunity to look at them. They have many different systems that we can look at, and that we are...have already looked at for Ma'alaea in particular, and it's a good fit. And they are committed to making a solution work in Hawai'i. They've hired a local manager, and they are working on the Big Island on a system. And so they can produce R-1 water for irrigation. And with the ten acres that Mahi Pono has donated, we could create a green belt that offers, you know, not only a deterrent against sedimentation, but also a windbreak and firebreak for the area which would be beautiful. The other company that I wanted to mention that can do recycling of the solids is Biomass. This is a company that worked for the Bill and Melinda Gates Foundation, that's where I met them, at the reinvented toilet expo. And this is state-of-the-art equipment that can take a linear model where we're just wasting these solids and turn it into biochar through pyrolysis. And this could be spread on those fields and reused. It's also a carbon sink. So you're taking all that carbon, putting it in the ground, it prevents erosion. So for your erosion study, this is something that you should probably add because biochar is known to keep soils in place, and it's been, you know, studied to be an excellent erosion control. And so we turn this into a circular economy. Together these two technologies could...you could recycle, you know, 100 percent of the liquids and solids. That would be not only groundbreaking for Hawai'i, like I said, but groundbreaking for the rest of the country. And with this bipartisan infrastructure law, which I call Bill, big Bill, because there's a lot of money coming down the pike that we could be eligible for, if Maui County starts to move forward on this and makes this a priority then, you know, we can really be poised to get some of that money. And I think the conveyance system, as we've talked about, is a real important aspect of that. But so in...along with the human resources that would go into it, you know, the human waste, you can also do green. And so it's...you know, it's something that we can do a lot of...sorry, I'm having some computer issues here...it can do green waste and the solid waste. So we have...the benefits of biochar, I've already talked about the filtration

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soil amendment, the carbon sequestration which will help Maui County reach its goals for the 2050 law to reduce our...you know, our emissions in our carbon. So if you could go to the next slide.

CHAIR KING: Oh, shoot. Are you on, Stuart?

COUNCILMEMBER LEE: Looks like he's frozen.

CHAIR KING: I think you're stuck on...can you hear me?

MR. SCHNEIDER: I can finish it off if you all want. Stuart is not available. I work for Stuart. I'm Joko...if that works for you all.

CHAIR KING: Yeah, go ahead. Joko.

MR. SCHNEIDER: It's just two more slides. Basically this is the business model for Cambrian, the WEPA, Water Energy Purchase Agreement that Stuart mentioned, where the community generates the wastewater and pays a monthly fee, and then the recycled water is sent to agricultural land, which then again can host the site where the plant is. For Biomass, the whole thing looks similar, it's also circular. You have wastewater generated, they take the solids out at the treatment plant, the sludge is turned into biochar, and the biochar then again benefits the community. And there's actually a pilot site where this is going to happen very soon at Makena, at a private treatment plant there run by Water Tectonics. And this looks a little convoluted at first, but essentially what it is, is if you combine liquids and solids recycling, and I think Stuart's back right here, you can achieve full recycling of liquids and solids that is not only economically beneficial, but also ecologically, and reuses the resources rather than wasting them. Okay. Stuart, I'll kick it back to you if you're there.

MR. COLEMAN: Awesome. Thank you, Joko. I'm so glad you were on to continue. My computer crashed there. So, you know, as you can see, this is kind of state of the art stuff, the historic opportunity with the bipartisan Infrastructure law, the funding, and I think Maui is really poised well to try to access some of that funding. And I think if we can do the primary work and the preparation work to get the conveyance, then I think we'll be kind of set to move forward with this in getting Federal funding to help with that. Thank you so much for the opportunity to present.

CHAIR KING: Excellent. Thank you so much for that presentation. And this one is, I believe, uploaded on Granicus. Correct me if I'm wrong, Lesley. I think we put it on Granicus.

MS. MILNER: You are correct, Chair. It's in Granicus. Thank you.

CHAIR KING: Okay. And so we'll hold the questions...if you can stand by, Stuart, for questions. And we'll go to Travis if...Travis, are you back on?

MR. LIGGETT: I am. Thank you for your patience.

CHAIR KING: Okay.

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MR. LIGGETT: We'll try this again.

CHAIR KING: All right.

MR. LIGGETT: Okay. So my name is Travis Liggett, and I have a small Maui company called Reef Power LLC. And we have a couple projects, one is using an algal turf scrubber to scrub nutrients and grow food for us on reef water, and I have a new project that led me to this project at the same grant organization...okay, am I sharing my screen?

CHAIR KING: Not yet. We're seeing your...I think we're seeing your computer. Okay. Now we've got it. Can you put it on slideshow so we don't see all the thumbnails on the side? There we go. Okay.

MR. LIGGETT: Thank you. Thank you for being patient with me. So this new project I have is called FlushAware, and it will be a mobile app that a user goes in and puts their address and selects their disposal method, and it's given all sorts of information about the treatment level and destination of their flush, tools for activism and improving life downstream. So this will be released very soon. And as part of this effort, I shared some of the data with Ma'alaea, and in October became involved with this project because I found that there may be a way for me to add value. And my same grant organization, Born and Raised Earth, pledged \$10,000 to advance this Ma'alaea effort. So I've been involved in cooperation with that. And I'll just go over some quick data summaries on what my FlushAware effort found. 100 percent of the water is going into the ocean in Ma'alaea. Each user generates about 100 gallons per day, which adds up to about 37,000 gallons per year. Each day the condos discharge about 100,000 gallons. And in a year's time, that's about 8,000 pounds of nutrients. And that's about ten percent of what all of Kahului discharges the nutrients, but it's only 150 at the flow. So that tells you that this is very poorly treated water. And if you count up the coliform cells just from the data, it's 27 billion per year, so it's not disinfected water. Here's a little bit more data. You can see the total nitrogen goes up to 40 milligrams per liter in some cases...in some condos. Raw sewage is about 60, so almost no treatment. And here are the coliform counts, some of them are totally not disinfected. It looks like some have some disinfection, I might be wrong, but it's not clean water going into the ocean. So in cooperation with Peter, we made a sketch of what a system configuration might look like, and I'll zoom in a little bit. So we have along Hauoli Street the conveyance in the dark blue, which pumps the sewage up to this site, where we have identified to put our membrane bioreactor system and solar; and then the water comes back down through the light purple pipe for reuse at the condos; and then we have also a discharge going through this greenbelt. Now, this is eight acres, it's behind the more eastern part of the condos, and we can grow food and vetiver for sediment control there to basically create a closed loop ecological life support system. So just another reference to just closing the loop. I used to work at NASA, and this is basically how ecological life support systems are theorized to work, where you bring the life with you on your journey through the solar system, but you need to process your waste, make your food, and basically make life livable. So we have the water going into the membrane bioreactor. I have Cambrian shown. Then we have ultraviolet disinfection. And then if we need it, we can use a turf scrubber like the type I'm working

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to demonstrate to reduce nutrients. We may not need this. If they can get down to very low nutrients I would let this go, but we're leaving it in there so that we can get down to those really low nutrients, like one milligram per liter. Then we scrub polish the effluent a little bit with a biochar filter to take out pharmaceuticals, then irrigate this greenbelt with patches of food agroforest surrounded by rows of vetiver for sediment control, which really fixes the landscape. And then to close the loop, you have food going right back into the village. These are some of the plants that I'm growing in my demo. We've got kukui, ulu, banana, noni, plumeria, and ohia lehua. And for ground cover we've got sweet potato, taro, kava, crown flower hibiscus, awapui ginger, turmeric, bottle gourd. And this plant selection, a lot of these are canoe plants that were planted in famine forests by the first Hawaiians to stave off starvation in times of scarce food. So I've calculated that with a reasonable amount of breadfruit trees per acre, if we have five acres of agroforest out of those eight, we can produce something like 60,000 pounds of just breadfruit a year, and that's not counting the ground cover. So it's a significant amount of food. And if we do that whole closed loop system, we're really getting somewhere, and you don't have any discharge into the ocean. And so finally, I want to point out that I posted a very rough pre-preliminary proposal capturing a team of partners here locally on Maui that could contribute to realizing the system. I'm just going to run down this list really quick. First we have the Ma'alaea community members; the Ma'alaea Village Association Task Force with Peter and Tapani; the Ma'alaea Triangle Association, which represents the businesses and the Maui Ocean Center; then we need subject matter expertise on the permitting. We also have Maui Nui Marine Resource Council involved under the leadership of Michael Fogarty and Robin Newbold; and they have promised to do something very interesting; which I'm calling a non-profit fostering program. We've come up with this plan to form what's called a 501(c)(12), which is a non-profit for cooperatives, which are often used for member-owned utilities, such as a wastewater system. And the non-profit is set up to provide services to its members at cost. So this was an idea from Mike, and he has promised to help us set this up using the full muscle of Maui Nui to set this up, and have them actually own the utility after it's installed. Of course, Wastewater Alternatives and Innovations, they've been working on this for so long, they are so amazing, and we basically can't do this without them. We've got the three membrane bioreactor providers that we are looking at. I think Cleantech, Cambrian Innovation, and Smith & Loveless, so we have several candidates. We have Robin Knox involved to help with some of the water quality consulting. Then we have Sal Moreno at Valley Isle Pumping, who already services a lot of the injection wells in that area. And he's expressed interest in being involved in the operation of the facility. He's already well respected and very familiar with this system, so he's the perfect candidate to help us transition from the injection wells to the package plant. We have Seafair Bacconi (*phonetic*) on as sort of a sanity check and a reviewer for our technical work. We have John Astilla and Paul Sturm from Sunshine Vetiver and Ridge to Reefs. They have committed to helping with some of the irrigation design. We have experts on the algal turf scrubber if we decide to go that way; we have my grant organization, Born and Raised Earth, who has provided the incremental funding; and then myself. So we have a very good team of people. We basically can't fail if we just have the money. And I do want to talk a little bit about budget. I slightly disagree with Peter, I think his numbers are a little bit low. If you look at the Brown and Caldwell report, the best numbers we have for a conveyance is about 5.6 million, and the plant is coming in at

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around 3. So we really need 9 or 10 million to buy the plant outright, which is better financials for the community. Because when you do the . . .*(inaudible)*. . . kind of like buy it on a credit card or on a payment plan. You're going to end up paying more for the service than if you buy the plant outright. So what we really need ultimately is 9 to \$10 million. You're not going to get it done, I don't think, for less than that. And I have some ideas about how to get there. Now, we have pending with Brown and Caldwell some meetings to find out more about a preliminary design. Now, a preliminary design takes us from a feasibility study to something that is actionable in terms of planning and permitting, and the price on that is estimated so far about 1 to \$200,000. We have a meeting on the 10th to find out more. But in order to keep the momentum going on this project past the first quarter of 2022, we need 1 to \$200,000. We have time to obtain the other money, but...the large amount, but in order to not stall our effort, which has a lot of momentum, we need 1 to \$200,000. And I see four options for getting that: one, the County Government; two, Senator Baker is committed to obtaining this money in the next session of the State Legislature, maybe the Federal Government through this infrastructure bill; or my favorite option, and this is my closing statement, is that private funding should come out of the woodworks. Some wealthy individual who has had their life changed by some whale watch in Ma'alaea can just swipe right on this project. It's trivial to some people. And we have a structure set up with Maui Nui called an FBO, For Benefit of Account for my FlushAware effort. And under the umbrella of that account, we can receive tax deductible donations for using this project. So if you know a philanthropist and you're listening, there's no better use for philanthropy than this project. It's not just Ma'alaea that's at stake, we're proving a model that can be rolled out across Hawai'i to address our cesspool problem. So this is the crucible. And one of the four funding options will come through, I don't see a fifth one. And at this point, it's really a competition who comes first, who is going to get this done. But I really ask the Council to come up...give us those \$100,000 now . . .*(inaudible)*. . . and some discretionary funds so we can keep the momentum of this project moving. And I think that's it. Oh, one final thought, I will be presenting a reef and brief presentation with Maui Nui online on March 2nd to go over the FlushAware app so that you can see for yourself how it works. And that's all I have.

CHAIR KING: Okay. Thank you so much.

MR. LIGGETT: You're welcome.

CHAIR KING: I'm glad you mentioned Senator Baker too, because I was going to ask about that. So Travis, just before we move on to the questions, can you stop your screen share?

MR. LIGGETT: Maybe.

CHAIR KING: There we go. We're back.

MR. LIGGETT: Okay.

CHAIR KING: I'm going to go to questions, and I'll call on you first, Mr. Johnson. But before

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we do that, I want to ask for comments from the Department of Environmental Management, Eric Nakagawa, are you there? Great. Okay. Do you have any thoughts you want to share with us on anything that you've heard, or do you want to just reserve until you had a question, it's up to you.

MR. NAKAGAWA: Thank you, Chair, and aloha, Members. Let's see. How's about I just start with like we've been working with Ma'alaea from, I don't know, somewhere over a year now, I think. And so once again, this is a private wastewater system, right, and we kind of told that from the beginning. We offered all of our...well, me, the technical advice on when they were offered this Cambrian system, right, that's what they kind of chose to do. We did offer them to...once we develop the Waikapu Regional facility that we are going to build, right, decentralizing, we did offer them to tie into that, but they did feel that just financially, which is perfectly fine, that they...that this was a better approach. And so I have a lot of things I could talk about, but I can wait until, you know, you guys might have some questions, how does that fit with the County, what the impact to the County, all that kind of stuff. And then, you know, if you guys have those questions, I'm free here to answer.

CHAIR KING: Okay. I just thought you might have some comments about the end goal that we're trying to get to, which is cleaning up Ma'alaea Bay, you know, getting the effluent out of there. That's environmental management, so...

MR. NAKAGAWA: Yeah. So as far as the end goal, like everything that they presented, right, I've...you know, we've talked about in the same aspect as far as our systems, right, our municipal plans, whether that's Lāhainā, Kihei, or Kahului. Create this circular thing of creating biochar, which is some type of agriculture, and then as well as creating R-1 water, right, for reuse to minimize potable water use. At the same time you increase bottled water...I mean reuse water, you decrease the use of or the need for injection wells, right, and that kind of other disposal methods. Their technology is...it's an MBR system. I told them it's the same. I told them to try to look into certain things. But yeah, I mean, it's technology. I think we all gotta come back to is the core thing, right, they were looking for funding, right, and then what...how does that kind of play with us, and what does that look like, I guess. So then when we're ready to talk about that, then definitely we can...you know, I'm open for any kind of questions or whatever.

CHAIR KING: Okay. All right. Thanks for those comments. We're going to move on to the Committee questions now. We also have Robin Knox on the call, so if you have any questions that you have for Robin who works, you know, as a water scientist basically, works directly on water quality. Well, let me just check in with Robin real quick. Do you have any brief comments on any of the presentations, Robin, or what we've been talking about?

MS. KNOX: Yes, yes. Thanks...thanks, Chair King. In particular, with regard to funding, there is a role that the County could play in obtaining grant funding for this. There is a program called WIFIA, and I will have to Google it to tell you what that actually stands for. But the WIFIA grant, that can be very large, and the presentations I've seen at Water Environment Federation conferences, these projects can include not only wastewater infrastructure, but also features of what's envisioned at Ma'alaea like, you



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know, the environmental and ecological things like, you know, protecting ocean water quality, stopping erosion, and sediment control, and things like that. But it has to be a local Government that's the grantee receiving the funds. So Ma'alaea Village Association cannot go in and apply for this grant. And it also, you know, requires a certain capacity for large grant management. But to this program, you know, 10, \$13 million would be an extremely small project, and I think because of the attractiveness of this as a, you know, full circle economic and environmental demonstration, it might be really attractive...the EPA might want to fund that. So I would encourage the County to look into the possibility of being the grant fiscal sponsor for this project because no one else can really do it.

CHAIR KING: Okay. Thank you for that. So WIFIA stands for Water Infrastructure Financing Innovation Act. This is the ongoing source of funding, Federal funding for a while now.

MS. KNOX: And unlike some others that lets you get the money upfront, there are some economic advantages to this particular grant funding compared to others in terms of interest paid long term on the project.

CHAIR KING: Okay. Great. Okay, so let me go back to Committee now, and we'll start with Member Johnson, who had some questions for...so, you know, we have all our resource people here, any questions you might have.

COUNCILMEMBER JOHNSON: Thank you, Chair.

CHAIR KING: And what we'll do is we'll put three minutes on the clock, and we'll go for a second round if we need to.

COUNCILMEMBER JOHNSON: Okay. I'm going to just try to see if this question is for Mr. Liggett, but if anyone else wants to chime in on it, it's in regards to the funding issue. Because that's what we're speaking about, right, that's the big issue. How about have you looked in the community facility districts, the CFDs, and the way we kind of tax that district for the facilities that would be benefitting that district? It's in the County's purview. Is it something that you folks have looked at as a model or anything?

MR. LIGGETT: No. Actually, I've never heard of it until now.

CHAIR KING: I think you might be wanting to ask either Peter Cannon or Tapani.

COUNCILMEMBER JOHNSON: Okay.

CHAIR KING: Peter.

MR. CANNON: I'll try to answer that. We have looked at that, Gabe, and we've got several major problems in Ma'alaea. And the most concerning too is one...is the shoreline and the erosion, et cetera, and we don't think we can afford both. But we feel that the shoreline is a community...it's more of a community issue, and dealing with wastewater is more of a countywide issue. So we would need to focus our resources along that line, to shoreline rather than wastewater.

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COUNCILMEMBER JOHNSON: Okay, all right. That's all I have. Thank you, Chair. I have no further questions.

CHAIR KING: Okay. Thank you for the question. Okay, we'll go to Committee Vice-Chair Shane Sinenci, followed by Member Sugimura.

VICE-CHAIR SINENCI: Thank you, Chair. I just had a question for Director Nakagawa. So...and mahalo for all the presentations to all the presenters. So it looks like the conveyance system...and just for Eric, what would kind of that conveyance system entail? I mean, besides running all the piping, or how is it going to affect Hauoli Street, that kind of stuff, permitting process? Do you have an idea of the conveyance system?

CHAIR KING: Mr. Nakagawa.

MR. NAKAGAWA: Okay. Thank you, Chair. Yes. Thank you, Member Sinenci. Probably either Tapani or Peter Cannon, they can probably answer that. My...I imagine they have all individual wastewater systems, right? So they all have these little...I guess you could call them...I don't know if they're all yet, but they have these cesspool holes or some kind of septic tank system that's failing. So all of it would have to be collected, right, like we do in our normal municipal system, right? All would have laterals, you would have to connect them all to some underground sewer system, collection system, it all drains to a low point. And then they would have to build a pump station, and then they build a force main, which is a pressurized line to their new facility, which was...looks like it was a little mauka of the facility, right, in Mahi Pono land. So that's I think where they're coming from. When they itemized that, it's about \$4 million. And so they can correct me if I'm wrong, but they would have to get all the necessary permits, like you said...EIS and shoreline setback...I mean, all the normal permitting that everybody would have to do in those kind of low-lying areas, as well as DOH, right, their permits.

VICE-CHAIR SINENCI: Okay. And then Member Paltin mentioned sea level rise. And I don't know how far would be the groundwater, or if you're going to hit high tide level if you go down, so I don't know...how far Ma'alaea would you need to go, or can go, until you hit the high water mark or the high water table?

MR. CANNON: I'll try to answer some of this. It's the response...the way we've couched this is it's the responsibility of the condominium to pump your sewers into the line. And regarding where it would go, Eric, Mahi Pono has generously offered the easements on the other side of the street for us to create a conveyance system and a pump station, and the easement it would take to take it up to the two-acre area near the...where the plant would be located.

VICE-CHAIR SINENCI: Oh, okay. So Peter . . . *(timer sounds)*. . . the condominiums would have the responsibility to hook up to the conveyance system.

MR. CANNON: Yes, that's the way we're couching it because we're trying to be proactive and be part of the solution as well.

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VICE-CHAIR SINENCI: Okay, all right.

MR. CANNON: So, yes. And we all have pumps on our property, we all have storage capacity on our property, so all of these things could be converted, Shane, into the conveyance system at the right time. And those of us building new systems are actually setting up the pipes to the street to get prepared for that coming.

VICE-CHAIR SINENCI: Okay, great. Thanks, it gives me an idea on how much. Thank you, Chair.

CHAIR KING: Okay. Thank you, Peter. Any other...oh, Member Sugimura next.

COUNCILMEMBER SUGIMURA: So just kind of...when I met with Tapani and Peter earlier, and their Ma'alaea team, they talked about having Cambrian water system, the wastewater system interested and ready to do the project. And that was...whatever, \$8 million, I guess, is what it was proposed. But I thought they were paying for it, and what the Ma'alaea was looking for was only the conveyance system, which was also brought up. And so are you now saying something different? Is it now you are looking for the whole 8 million plus, or 12 million to pay for the conveyance as well as Cambrian system? So...

MR. CANNON: No. I'll try to answer that and let Tapani pipe in. But we're agnostic. We would pick the first system that can come down the pike that will work. And the one with no money on the...no money down and nothing to pay is the Cambrian system, that they will build and do on a wastewater, and then other possibilities with these other providers that are on the table as well. So we're considering everything so that we can pick the right one, and work with the County, and work with the Department of Health to make it all work. So when we saw you, that was the best thing on it, and we hadn't reached the other...reached out to the others yet. But we do have the Cambrian system, and that would suffice if we just have the collection system together.

COUNCILMEMBER SUGIMURA: Okay. So they are waiting...waiting for you to say go, and then you're waiting for some \$3 million or \$2.8 million for...

CHAIR KING: I think they said 3.8 to 4 million.

COUNCILMEMBER SUGIMURA: 3.8 to 4 million for the conveyance system also.

CHAIR KING: Yeah. Did you want Stuart to answer that question too, since he's with...he's been working with Cambrian?

COUNCILMEMBER SUGIMURA: Whoever. Whoever has the...yeah.

CHAIR KING: Okay, maybe we can ask Stuart Coleman to respond to that since they are one of the potential providers.

MR. COLEMAN: And the question referring to the exact cost of the conveyance system, or...

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CHAIR KING: The overall cost, and what you are proposing to cover versus what you need to...

MR. COLEMAN: Yeah. Yeah, so, you know, if Cambrian does it like Peter mentioned, they can do it, bring in the system kind of upfront because it's based on an extended contract. And so there's a model called DBOOM, Design, Build, Own, Operate, Maintain. They can do any portion of that. So they could just design it, build it, and then the County could take it over, or they could design, build, own, operate, and maintain it...any of that combination. If they do it with no money upfront, then there has to be a contract for, you know, say 15 years, or however long it is, so that they can make their money back over a certain amount of time.

COUNCILMEMBER SUGIMURA: Okay.

MR. COLEMAN: Yeah.

COUNCILMEMBER SUGIMURA: Okay. It's interesting because it sounds like another project. So Eric Nakagawa, I guess the important thing...and Kelly, when you're ready, if we could talk about would the Department do this, and where we are in terms of cost. And I know we have the Central Maui Wastewater Reclamation facility that we're building, but it's not quite in this area, and I don't know how they can...are they...are you anticipating Ma'alaea to connect to it?

CHAIR KING: Director Nakagawa. I think the answer is no, but I'll let him explain.

COUNCILMEMBER SUGIMURA: Okay.

MR. NAKAGAWA: Yeah, Chair. You're correct. So fiscally, I think as Peter and Tapani mentioned, right, as well as Stuart, right, is that they just felt that this is...because they don't have this large upfront capital cost, so it's a better option, right, for them. So are we ready to talk about how it . . . *(inaudible)*. . .

CHAIR KING: No, I think the wastewater treatment facility that you folks are talking about building, I've been told doesn't have the capacity for Ma'alaea. It was not included.

MR. NAKAGAWA: Oh, no, we definitely included them.

CHAIR KING: You did, okay.

MR. NAKAGAWA: We took them out once they...oh, go ahead. Go ahead, I'm sorry.

CHAIR KING: Well, I actually had asked that question earlier, and I was told no, that this doesn't include Ma'alaea. So I'm kind of confused on that.

MR. NAKAGAWA: So the...so the...oh, sorry. . . . *(timer sounds)*. . . So the capacity hasn't changed, and we included them in the beginning because that was part of the regional area that we looked at, but then they decided not to tie in, which is totally fine. So

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when you hear that it's...well, we haven't changed the capacity. So if you hear that they are not included, it's just because they chose not to. But we didn't downsize our treatment plant just because they decided not to tie in, right? So there is capacity if they wanted to. But I think they did their own analysis, and they feel that this other option is better for them. So I mean, that's totally fine.

CHAIR KING: Okay, that's...

MR. COLEMAN: If I can just comment.

CHAIR KING: Yeah.

MR. CANNON: I think they is us, and we would take whatever worked, and whatever could come faster. And the Y system...sorry, the Cambrian system, they are not experts and builders of conveyance system. So the lowest number to get this done is to provide a conveyance system to Ma'alaea that would work and go to the Cambrian plant, which we would then be right there as to Cambrian. But...so with as little as \$4 million, we can have this problem solved. We're not married to anything. I didn't understand that we were ever part of the planning for Waikapu, I heard it differently, but we would certainly accept any solution that could come down as fast as it could.

CHAIR KING: Okay. Thank you for that, Peter. And I think...yeah, I'll let you continue, Member Sugimura, but I just think that there's been a lot of confusion with the Administration and what's happening with the Waikapu Town Project. Because that was originally going to be Mike Atherton building it, and then the Mayor stepped in and said no, he was going to build it, and that went back and forth for probably two years. And so, you know, meanwhile, Ma'alaea has been sitting over here with this big problem. So those are big issues that have to be worked out. We're not going to work them out in this Committee meeting, but there are ones that we need to think about because I think everybody's got...seems to be having different perspectives on what's been happening. So anyway, you have another question, Member Sugimura? I took up some of your time, so you had another question.

COUNCILMEMBER SUGIMURA: Yeah, so just tied to...Eric Nakagawa looks like he wants to say more, so go ahead, Eric. You look like you...

MR. NAKAGAWA: Yeah. So just to clarify, right, and I'm not trying to defend myself. Once again, we met with Ma'alaea and Tapani was in there, Peter Cannon, Linda, no...somebody else.

COUNCILMEMBER SUGIMURA: Lynn Britton.

MR. NAKAGAWA: Lynn Britton. And we were very straightforward. We asked them either they want to tie in or not, but to go back and look at it from a business standpoint because they were looking at what is the lowest cost impact to their condos, right? And I think that's totally fine because it's a private system, right? If it was a municipal system, I would probably say, you know, different alternatives, right...recommend different alternatives. But I think we come back to...and kind of this all, if you don't

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mind, and it would be a little more blunt and cut to the chase of...okay. So this is a private system, right? Okay, so a developer built these systems, right, because they didn't obviously want to tie into a municipal system...it's too far probably, right? So they built their own systems, and they thought that that's what it is going to do. Because it's a private system, we don't get involved. That's the Department of Health, they regulate them, right? They eventually get all this money, and they do vacation rentals that I heard, right, making all this money. But if they are...I don't know how they are organized, if they are all individual, if they don't have their...normally we make sure that the Homeowners Association or their, you know, plan so that they have these type of infrastructure improvements and they pay for them themselves because it is a private...so just like Haliimaile, just like in Hāna, I mean all over, right? So you have all these private systems. If we feel, as a County, right...if we feel that this is important and you guys want to help out, then it would probably be some kind of general fund grant, right, and we could manage that grant. But it's not...it's something simple. But as I told them, and I kind of remind you guys, the CFR, 40 CFR § 35.2140, which is for us that we're bound by, this is not a...it cannot be funded through a wastewater because they never paid into the wastewater rates and fees, right? So that's not what it's for, right, as far as Federally, so we cannot fund that. But as long as...you know, if you guys feel that through some type of general fund grant and you guys want to pay for this, I mean, I have personal different opinions, but that's totally up to you guys, right, if you guys feel that's appropriate. The other thing is, you know, would we...we would manage that grant. We wouldn't be building it, we wouldn't be designing, we wouldn't be...you know what I mean? So...but we can actually manage that. All of this different WIFIA, all the different funnels, I already kind of went through that process in trying to help them figure out a different way of funding this. Because that was the biggest thing, it was mainly a funding thing. But pretty much everyone that I talked to, it would have to be a...you would...we, the County, would have to take over that system, own that system, and then you can get that funding. So...and that's not kind of, I don't think, you know...

CHAIR KING: Okay. Well, thank you, Eric. I appreciate that perspective, but we have a letter from the State SRF, State Revolving Fund, saying that that's not true, that they could fund it...that portion as long as it was hooking up to a County facility. So, you know, they...Sina Pruder wrote us a letter offering to add that to the State Revolving Fund list. So, you know, maybe that's something that needs to be worked out between the Administration and the State. But I have that letter, and she was actually an advocate of this project, of getting this...you know, because the main thing is that we have a bigger problem. This is not a regional Ma'alaea problem. This is a County problem that's not...that's polluting our bay, you know, Ma'alaea Bay. So I'm not looking at this from a point of view of how we're going to manage these condos, I'm looking at this from a point of view how we're going to clean up Ma'alaea Bay so that we don't end up in consent decree with the Environmental Protection Agency.

MR. CANNON: Can I add a little to that, please? Peter Cannon. I agree with what Eric has said. When we met with him, it was...we were talking Mike Atherton at that point, and joining that system or not. And the Brown and Caldwell study--correct me if I'm wrong, Tapani--was \$11 million in conveyance to get from Ma'alaea to Waikapu. But the other bigger problem is that 7 or 10 or 12 years before the County system is ever going to be

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made, and we don't have that amount of time.

CHAIR KING: Right.

MR. CANNON: So...but please, anytime you look at wastewater countywide or Waikapu or whatever, please keep Ma'alaea in mind because we're...again, we'll take anything that comes our way that we can solve this problem with as quickly as we can. But I agree with what Eric was saying.

CHAIR KING: Right, but I also had heard from Mike Atherton that at one point the Mayor said...it was said publicly that Ma'alaea...that Mike Atherton was going to pay \$20 million to the County to build this. When I talked to Mike, he said no, he wasn't. So there's a lot of stuff floating around, and it's from all these different people talking to each other separately.

MR. CANNON: Yes.

CHAIR KING: And so, you know, we just need to get everybody in one room so everybody hears the same thing. Because what I've been hearing is not necessarily congruous with what the Department is saying. Anyway, I want to move on and see if we have any other questions from any other Committee Members on this. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. My question is probably for Mr. Liggett, if he's still on.

CHAIR KING: Yeah, I think he's...there he is.

MR. LIGGETT: I am. Yeah.

COUNCILMEMBER PALTIN: Thank you, Mr. Liggett. I really appreciate your tenacity and passion on this issue. I just want to make sure that I understand your presentation. Is it that you worked in an integrative fashion with the Cambrian or the other system that was mentioned, and it's not that it's like an either/or, but your portion of it is the growing the stuff with the biochar and...is that correct, or would we be choosing...

MR. LIGGETT: Actually, you know, I got involved in this project in a weird way. I helped the Ocean Center with their MPDES permit, so I have like this longstanding relationship with Tapani. So when I found that I could devote \$10,000 of my existing grant money to this project, I was like okay, I'm onboard, I'm just going to devote myself to this as much as possible. I'm not really making any money off of it, I just want to see change, so...

COUNCILMEMBER PALTIN: Oh, okay.

MR. LIGGETT: I'm just like a general tonic to this effort, trying to contribute where I can. I'm not affiliated with any of the providers.

COUNCILMEMBER PALTIN: Putting it all together a little bit easier.

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MR. LIGGETT: Yeah. That's my intention.

COUNCILMEMBER PALTIN: Your little chart really helped. I liked that Born and Raised Earth, I might use it.

MR. LIGGETT: Yeah.

COUNCILMEMBER PALTIN: I'm born and raised on earth as well. I guess...and then I don't know who the next question is for, maybe if Corp. Counsel. Would this be something that we could earmark their particular TAT funds for?

CHAIR KING: Mr. Whittaker.

MR. WHITTAKER: I'd have to think about that. Sorry, Member Paltin, I don't know the answer to that. I'd have to check with the Budget...the deputy that deals with Budget. I'm so sorry.

CHAIR KING: So you're...Member Paltin, you're talking about their portion of that 3 percent that we will be controlling?

COUNCILMEMBER PALTIN: Yes.

CHAIR KING: Oh, okay.

COUNCILMEMBER PALTIN: Not necessarily State ones, the County...the County is bringing in this money.

CHAIR KING: All right. Very creative.

COUNCILMEMBER PALTIN: 50 mil a month for everyone, and they have 565 units or whatever.

MR. WHITTAKER: Let me understand your question. So you're saying the units that are in Ma'alaea, the TAT that they are paying for their short-term rentals, can we put that in a special fund to help fund this...

CHAIR KING: Yeah, from the 3 percent...from the 3 percent that the County is able to charge on top of the State TAT.

MR. WHITTAKER: I don't see why not.

CHAIR KING: Wow.

COUNCILMEMBER LEE: Interesting. Interesting.

COUNCILMEMBER PALTIN: Do we need that to get like a 4 million or \$5.6 million bond or something? GO bond or...



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MR. WHITTAKER: That might be a good creative solution. I don't see why not. I'll check with the Budget folks, and just confirm that for you.

COUNCILMEMBER PALTIN: And then if somebody could explain to me what MBR stands for. Is the M, mobile?

CHAIR KING: It's module...

MR. LIGGETT: It's Membrane Bio Reactor. It has two main components. A membrane that you can just think of . . . *(timer sounds)* . . . as a very fancy filter. It gets the water to very high level of total suspended solids and turbidity. It's very clear and clean. And then the bio reactor is like activated sludge, like in a conventional plant, but think of it as like a finely tuned robot. The sludge that consumes the pollutants in a secondary treatment, it's got controlled feedback so it's finely tuning the gas transfer so it gets very high levels of clean water out of it. So think of it as a very high tech sludge reactor with a very good filter.

COUNCILMEMBER PALTIN: Thank you. My time is up. I'll save my next questions for the next round.

CHAIR KING: Okay. Thank you for those questions, Member Paltin. Your math background is really showing. That was a great suggestion. So I think, Chair Lee, you're next.

COUNCILMEMBER LEE: Thank you. Yes, I like that idea, Member Paltin. That's a great...you know, we need to check that out. But hopefully it's a one-time grant. My concern is, are there any ongoing expenses that the condos could cover? Who would be able to answer that?

CHAIR KING: I think maybe Peter would, and I believe it's because they would be paying the sewage treatment fees.

COUNCILMEMBER LEE: Okay.

CHAIR KING: But Peter, did you want to respond to that?

MR. LIGGETT: I could speak to that.

CHAIR KING: Oh, okay. Go ahead, Travis.

MR. LIGGETT: So with the 501(c)(12), there's this 85 percent rule, where 85 percent of the revenue has to come from members who are receiving...or community members who are receiving the benefit of the organization. So basically the sewer rates would pay for the operation of maintenance. What we're really focused on is the getting the capital money to build the system. Once it's set up, it runs under the 501(c)(12), and the sewer rates pay its operation.

COUNCILMEMBER LEE: Okay. My other concern is that I'm wondering if the system is

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sustainable if it doesn't increase the number of users...you know, if it just has...starts with a small number, like 500. Doesn't it have to expand over time?

MR. LIGGETT: No. The word scalable means that it's essentially fitted exactly to the flow of whatever system that you are treating. So it can go as small or large as you want, that's the meaning of the word scalable. It's like saying fitted to the purpose.

COUNCILMEMBER LEE: Thank you.

CHAIR KING: Okay. Thank you, Chair Lee. Anybody else? I think everybody except Member Molina. Did you have a question?

COUNCILMEMBER MOLINA: Yeah, I had my hand up earlier, but you were...

CHAIR KING: Oh, I'm sorry. I'm so sorry.

COUNCILMEMBER MOLINA: Just a question for Mr. Liggett. Just, you know, this technology with Cambrian...pretty fascinating stuff. I was looking at the, I guess, Cambrian website. Other municipalities...can you share with us what other municipalities are using this type of technology?

MR. LIGGETT: I think this is a good question for Stuart.

COUNCILMEMBER MOLINA: Okay.

MR. LIGGETT: If he doesn't mind.

CHAIR KING: Stuart, are you on?

MS. MILNER: ...had to log off.

CHAIR KING: Okay, maybe Scott Fretz. Scott, can you field this question for Stuart?

MR. LIGGETT: Well, I can make a general answer. They are widely used across the world. They are sort of regarded as a gold standard of treatment. I'll tell you, I hope he doesn't mind, but Steve Fabricoli's (*phonetic*) first reaction to using the MBR technology is that it's protocol overkill. It's like water that's too clean for the application. And I said that's perfect, that's what we want. That's what Ma'alaea needs. So it's kind of the cutting edge. It's just beyond, you know, standard treatment. It's just taking it to that next level.

MS. KNOX: Chair King, can I weigh in on that?

MR. COLEMAN: But they're used widely around the world.

CHAIR KING: Okay. Do you want to hear from Robin? Okay. Go ahead, Robin.

MS. KNOX: Yes, I would just say I disagree with Steve on the overkill because we have a

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greater need than most of the world for clean wastewater because of the sensitivity of the coral reefs in our ocean environment and how strict our State water quality standards are. The MBR technology is...you know, it's been around for a while. It's been tried and tested, and it has started to replace, you know, activated sludge secondary treatment as a standard of treatment. So there's nothing risky about going forward with that technology, it's very well vetted and well recognized. And it does put out a higher quality of effluent than activated sludge would, but I'll also say that that alone will not do it. You need something along the lines of what Travis has outlined to do polishing and use of that water in a way that doesn't directly put it back into the ocean, even after the application of the better technology.

COUNCILMEMBER MOLINA: Okay, great. Thank you for your responses. Yeah, I think it's nice to have different options available out there for us to consider. Thank you, Chair.

CHAIR KING: Okay. Thank you, Member Molina. So Members, if there are no other questions, this is a very holistic approach, what Mr. Liggett and Mr. Coleman have been working on. And I'm going to kind of meet with them offline on possibilities for that first 100 to 200,000, which is not...I mean, that whole amount could come out of our district fund, the 100,000. But...so I think what you're asking for to keep this project going is fairly minimal, but the overall scope of what we need to do is not just about these condos, it's really about that whole area and, you know, how degraded [sic.]...how degraded the water and the coral reef system have become because of...largely because of the effluent. So if there are no objections, I'd like to defer this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

**ACTION: DEFER pending further discussion.**

CHAIR KING: And come back to it possibly with a proposal. And then we'll go ahead and take our ten-minute break until 11:00, and then we'll come back and we'll get an update from the Trust for Public Lands on how the purchase of the Ma'alaea Mauka is going. And I think we'll be able to get Member Molina...we have to get done before you have to leave...that's my goal.

COUNCILMEMBER MOLINA: Thank you.

CHAIR KING: So thank you so much to all of our presenters. Thank you to Director Nakagawa for being here. And all these...it's exciting to see all of this holistic approach that also involves local food and reuse of the water. Whether it becomes a private project or a town project, I think it's what we're continuing to look at. Okay. So right now it's 11:51 [sic.], we'll take a ten-minute break and come back at 11:01. All right. The Climate Action, Resilience, and Environment Committee is on recess. . . .(gavel). . .

**RECESS: 10:51 a.m.**

**RECONVENE: 11:03 a.m.**

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CHAIR KING: . . .*(gavel)*. . . Will the Climate Action, Resilience, and Environment Committee please come back to order. It is 11:03. Thank you, Members for being here.

**CARE-1(11): MA'ALAEA MAUKA LAND PURCHASE** (Rule 7(B))

CHAIR KING: And we are going into our next item, our second and final item, which...oh, I did defer the previous one...Ma'alaea Mauka Land Purchase, CARE-1(11). And today we'll be receiving information on the status of the Ma'alaea Mauka Land Purchase. We are joined today by Leah Rothbaum, Sustainable Hawai'i Project Manager for the Trust for Public Land; Scott Fretz, Maui Branch Manager Division of Forestry and Wildlife, Department of Land and Natural Resources; and Lynn Britton, Immediate Past President of Ma'alaea Village Association. So Members, if there are no objections I would like to designate these three as resource personnel in accordance with Rule 18(A) of the Rules of the Council.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR KING: Okay. Thank you. And I'm sorry, Mr. Fretz, I got you confused with one of the other folks that was with Stuart Coleman, so sorry about that little mix up. But I'm going to go to Leah, and see if you want to go ahead and take the floor, and give us the update on the Ma'alaea Mauka purchase that was authorized by this Council in the last Budget session.

MS. ROTHBAUM: Good morning.

CHAIR KING: Good morning.

MS. ROTHBAUM: Good morning, everyone. Happy New Year. Droba dilay. . . .*(Inaudible)*. . . omedetou gozaimasu, and thank you for being here. I am with the Trust for Public Land, that's a National non-profit that is devoted to connecting everyone with outdoors, and we look at projects through the lens of climate health and equity. And the Ma'alaea Mauka acquisition definitely fits into our mission, and overlaps with a lot of the issues of concern with CARE Committee. I did submit a PowerPoint presentation, I'm not sure if that's available to be shown while we talk.

CHAIR KING: Yeah, if you want to go ahead. Do you have it? Do you want to screen share and then you could advance the slides, or do you want our Staff to screen share?

MS. ROTHBAUM: If the Staff could do it that would be better, so I can look at my cheat sheet notes.

CHAIR KING: Staff, can you pull...

MS. ROTHBAUM: If possible.

CHAIR KING: Okay. Can you pull that PowerPoint up?

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MS. MILNER: Yes, Chair, we'll share it now.

MS. ROTHBAUM: Thank you. So the TPL was notified about...

CHAIR KING: It's still not uploaded yet.

MS. ROTHBAUM: Yeah, Ma'alaea's community concern from the Ma'alaea Village Association, and they've been very helpful in sharing the history and community vision with TPL. I'm calling in from Kailua, where the sun is shining for O'ahu for the first time in a long time. And when I met with Lynn and Tapani and Lucienne and Peter and others last year, it was my first time to the property so I had really appreciated all the back story they've given to us. This photo was taken just last month when TPL was there with members from the County and DOFAW with appraisers to get a fair market appraisal value of the property. I just thought it was kind of a cool perspective. Next slide please. Nothing like starting a list with things that have already been done...introductions are done and...yeah, I'm here too as the project manager of this project at TPL, share a bit about where we're at. And Scott Fretz is also on the line, and so is Lynn if there are parts of...you know, any questions you might have where they may be able to speak better to it. Thanks. Next. So this is two different maps showing our subject parcel in orange that's owned by the Spencer families and VI LLC. It's about 257 acres, and then they also own three different wells on two separate properties and easements to get to these wells, as well as a 75,000 gallon water tank and a 2,500 square foot utility shed, which would be part of an acquisition, presuming that the appraisal value that we're expecting next month...or later this month meets the sellers...you know, if they can agree to that. Zoomed in a little bit more, the map on the right just shows your...you live there, you're know what you're talking about. But we know that this is the whale sanctuary, the coral coverage there, the connectivity with lands that are already under conservation and management for community benefits and climate health. So next slide.

CHAIR KING: Leah, did you mean the Pacific Whale Foundation?

MS. ROTHBAUM: It's the National Fisheries designation. The Whale Humpback Sanctuary designation.

CHAIR KING: Okay. I didn't know it extended, because it's on...

MS. ROTHBAUM: Yeah. So on the...yeah, it's part of the National Whale Marine Sanctuary. So these are again some views of this property acreage. In the previous discussion there was mention of the Lāhainā trail, so it's excited opportunities for that going forward. And the property would...you know, under public ownership, it would be managed to protect it from development and protect cultural and scenic resources, reduce recurrent wildfire risks, reduce soil erosion, safeguard clean water quality in the impaired bay, and hopefully enhance marine ecosystem health. So again, all things that we appreciate the Committee's support in advancing this project. Next slide. This is again some drum imagery from our recent trip with the appraisers on the property...two different parcels, just to the northwest of the subject property, this is the water tank...oh, you can't see it. But the wells are really like a tiny little thing above

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ground, it's not too scenic, but this is...two of them are right next to the water tank, and then the other photo shows the water and the utility shed that the current owners are using for storage. Yeah, it's non-potable water that can be used for riparian plantings in the future to help reduce soil erosion and get some whatever really the future stewards want to see there, but important for wildfire fighting and vegetations and replanting. Next slide. So we do not have the fair market value established yet from the appraiser, and the Trust for Public Land is bound by whatever an independent appraiser determines as a fair market value. We are a nationally accredited land trust, and everything that we do is fully transparent and needs to demonstrate sound fiscal use of resources. We are estimating it's going to be a \$6 million cost with the land and the wells. And, you know, years ago when the Ma'alaea Village Association was working to advance this cause and get this land protected, they applied for initial application for the State Legacy Lands program. And once we can kind of change the applicant from the Ma'alaea Village Association to the State, since the State will be the future owner, we are going to continue to apply for this grant program, and a deadline is coming up in early February. That's something that TPL is working on in conjunction with DOFAW staff. So hopefully there's a million dollars there, and with your help and support last year, there was up to \$5.5 million of open space funding from Maui County set aside for this project. And we've been grateful for an advance of some of that to get going with our due diligence, including the appraisal that I've talked about before. I just wanted to do a little...a little heads up that because...you know, just the way this project has changed from 2018 until now, we will need to work with you folks and request a budget amendment to clarify in the language how the project structure has changed. And, you know, the details are here, but it was...the project never changed, just the structure and the players of how it makes the most sense. And like some of the other grant opportunities, whoever is an eligible entity to apply in this case will be...needs to be the State since they're the future owner person of our project. So next slide. This is our estimation...a very rough loose estimation of how we anticipate this project will move forward. Once I have that fair market value from the appraisal report, TPL will be, you know, working with our contact at...with the Spencer family, and hopefully it's, you know, in the \$6 million range, and they will accept what we are bound...limited to be able to offer to them, and then we can move forward with negotiating an option agreement or purchase agreement, as well as take a closer look into the title work for the property, including the easements, and working with the State, finding out what they will need down the road to receive it...if there's a boundary survey, or a survey of easements to make sure we have all of our ducks in a row when it comes time to transfer the property. And again, we'll know a little bit more after this appraisal comes through, what's our target number, and how close are we, and do we need to pursue additional funding sources. And some of them could be the FEMA BRIC, or maybe even WIFIA, who knows...I'll be looking into that. And so we hope to be doing a...well, you know, as we progress, and if no title issues come up, we would be anticipating doing a Phase I environmental assessment in the spring, close to the time when we would like to close, within six months ideally, and giving plenty of time for documentation and presentations to the State Board of Land and Natural Resources to get permission to transfer the property. And, you know, if everything goes according to plan, we would like to see this project wrapped up by the end of the year. Next slide...is questions and thank you, and the other slide that we have down below is contact information for myself, Leah Hong, our State Director at the Trust for Public

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Land. We've been working with Josiah at the County, as well as Bill Snipes and Maria Ornellas and other folks for grant processing. A pretty picture with the questions and mahalo slide. We welcome your feedback and questions that myself, Scott, or Lynn can answer.

CHAIR KING: Okay. Great. Can we do the...stop the share? Okay, great. Thank you, Lesley. All right. Well, thank you so much for that update. That's very encouraging to think that we could have this done by the end of next year, and I know that Maui Nui Marine Resource Council has already started moving ahead with some of the mitigations from the erosion. Members, questions. We'll start with our...oh, I don't see our Committee Vice-Chair. Are you still with us, Councilmember Sinenci? Probably having some...

VICE-CHAIR SINENCI: I'm here, sorry.

CHAIR KING: We'll go ahead and start with you to see if you have any questions on the update that we were just presented.

VICE-CHAIR SINENCI: Oh, thank you, Chair. And mahalo, Leah. I was wondering who you were at the beginning. I was wondering after the purchase, you know, the location of the site is kind of like a funnel into the Lāhainā Pali highway. And so in the past we normally had wildfires, and so this could potentially be kind of a traffic nightmare if people are trying to get onto the highway, and then they...and everybody just stops right there at Ma'alaea. Can the property be used for some kind of emergency turnout area where residents could stop on the side of the road or just get off the highway so that emergency personnel could get through? That was just my question, Chair.

CHAIR KING: You know, we might...we also have Scott Fretz here, who is with the Department of Land and Natural Resources, who will be doing the management plan for that area.

VICE-CHAIR SINENCI: Oh, okay. Maybe Scott.

CHAIR KING: Maybe...Scott, do you have a response to that question?

MR. FRETZ: Sure. Yeah. So what our intention would be to put these lands into the forest reserve system. And the reason that makes sense is because the lands that are mauka of this Spencer parcel are another set of lands. They're currently unencumbered, but we have been looking at putting those into forest reserve, so it would make sense for it all to become a forest reserve. But that being said, there's a lot of flexibility in what we end up putting into a management plan. And so once we've...this acquisition is done, and we have put those other lands into the forest reserve, we would engage with the community and write up a management plan. So those kinds of things would certainly be a part of that, and something like that could be considered and be a part of it. I don't know that it would be appropriate for DOFAW to manage something like that. We might be looking at putting that into someone else's jurisdiction if it's not really connected to the trails and the forest reserve, it's more of a municipal type of thing. But it certainly is a thing we could take a look at.

VICE-CHAIR SINENCI: Okay. Thank you, Mr. Fretz. Because I've seen it where when the

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Pali highway is closed, some of the traffic can just back up all the way to Wailuku. Or even some kind of a safe turnaround area to redirect traffic. But mahalo for your answers. Thank you, Chair.

CHAIR KING: Thank you, Member Sinenci. We also had that problem on the other side of the Pali because I got stuck...the last fire I got stuck in the Lāhainā side, and there was nowhere to pull off, but that's a totally different...that's a different property. Any other questions for...on the update of the purchase? Member Paltin, followed by Member Johnson.

COUNCILMEMBER PALTIN: Thank you. Ms. Rothbaum, do you have an appraisal company chosen?

CHAIR KING: Ms. Rothbaum?

MS. ROTHBAUM: We are working with The Benavente Group.

COUNCILMEMBER PALTIN: And they will take into the account the land as it presently is, the community plan designation, as well as the zoning...the underlying zoning and State zoning?

MS. ROTHBAUM: Yes, they are doing a very comprehensive look at what...everything that you've mentioned, as well as permits that the current landowners have and what, if any, contributory value that puts towards like, you know, more than just vacant land. So yeah, we're hiring the pros for that, with the added component of evaluating the land with any zoning permits, et cetera...with and without access to water.

COUNCILMEMBER PALTIN: And I guess for Mr. Fretz, when you say forest reserve, could we do something like Mr. Liggett was talking about, like famine forest for there? A new crop?

MR. FRETZ: Can you give me more details? I'm not...I did sit through all of that and I learned a lot, but I don't know if I'm understanding what you're asking me.

COUNCILMEMBER PALTIN: Like, you know, ulu and things that we can eat, but aren't necessarily invasive.

MR. FRETZ: Well, agriculture is different than our mission. Our mission is habitat, native habitat restoration, forestry and wildlife. But some of that certainly could be compatible, and we are looking at this parcel a little differently than...we don't...we're not specifically looking at this parcel thinking native ecosystem restoration is necessarily appropriate. So I would say yes in concept, and that would be something we would look at through the management planning process.

COUNCILMEMBER PALTIN: And would forest reserve allow solar systems?

MR. FRETZ: It...I wouldn't say that they could not be placed there because we do have forest reserves where there are things like a lease or an easement for cell phone towers and



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things like that. But that would be...I'm not sure I know the answer. My thinking is I'm...it's not necessarily...I wouldn't rule it out.

COUNCILMEMBER PALTIN: And then maybe for Corp. Counsel. Has this been done before where the County purchases land and gives it to the State?

MR. WHITTAKER: Thank you, Member Paltin. Yes, it has. We've worked with State entities and non-profits.

COUNCILMEMBER PALTIN: And so the reason why we're giving this parcel to the State is because we don't want it?

MR. WHITTAKER: It probably would be because we don't want to manage it.

CHAIR KING: Right.

MR. WHITTAKER: . . . *(timer sounds)*. . . The management, that costs a lot.

COUNCILMEMBER PALTIN: Okay, got it. Thanks.

CHAIR KING: Thank you. You know, Member Johnson, do you mind if I go over to Member Molina? Because he has to leave soon, so I just want to check in with him and see if he has questions.

COUNCILMEMBER JOHNSON: Of course.

CHAIR KING: Thank you. Member Molina.

COUNCILMEMBER MOLINA: Thank you, Chair King, and thank you, Member Johnson. Just real quickly for Ms. Rothbaum, as far as any illegal dumping of debris and rubbish and vandalism, I know there's the Lāhainā Pali trail and there's signs. What's, I guess, the strategy, or what you will do to address all those kinds of activities?

MS. ROTHBAUM: Thanks. That's a good question. And as part of our due diligence, that would be revealed in the report prepared by the environmental consultants doing the Phase I. And what we typically advise before we have consultants come out there is if there are any visible debris, dumping or evidence of, you know, chemical spills, soil staining, for the property owner themselves to take care of it so it doesn't show up in the Phase I report that will trigger additional concerns. So, you know, if there is visible dumping, cars or trash, we would suggest to the owners that they get that removed so it doesn't show up in the Phase I. But if the Phase I reveals, you know, problems from that, then we have to discuss with the landowner, this is what's been found, the County will or will not accept it like this, the State will or will not accept it like this, and...which is why we try to get that Phase I done close to...as close to closing as possible.

COUNCILMEMBER MOLINA: Okay, great. Thank you for your response. Thank you, Madam Chair.

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CHAIR KING: Thank you, Member Molina. Thank you, Member Johnson. Go ahead, Councilmember Johnson.

COUNCILMEMBER JOHNSON: Sure. Thank you. Thank you, Chair. This is just a quick question for Mr. Fretz in regards to your mentioning of your management plan process. Is that...what's the title of your management plan? Is it a conservation management plan, or is it just a management plan?

MR. FRETZ: In this case, it would be a Forest Reserve Management Plan.

COUNCILMEMBER JOHNSON: Forest Reserve Management Plan. How...and then you said you're going to be public hearings on this. And is there a process to create, and how long is my question?

MR. FRETZ: We can...often we hire a consultant to do it because they can devote significant resources to it and hold a lot of community meetings. I don't think there is a set standard for how many community meetings are held or anything like that, but certainly with this one, we became engaged in this project because we were approached by the community. This was the community asking us if we would collaborate with them. They've been initiating and driving this whole project. So for us, this is very a much a community based thing, and we want to hear from the community.

COUNCILMEMBER JOHNSON: Okay.

MR. FRETZ: So, you know, I can tell you that we intend to hold extensive community meetings to be sure we hear from people.

COUNCILMEMBER JOHNSON: On Maui, right?

MR. FRETZ: Yes.

COUNCILMEMBER JOHNSON: Okay, great. Thank you. Thank you, Chair. No further questions.

CHAIR KING: All right. Thank you, Member Johnson. Any other questions, Committee Members? Well, I really want to thank both TPL, the Trust for Public Lands for stepping up because we tried to put this project into HLT and HLT was overextended at the time and couldn't really deal...and they don't deal with State transfers. And I want to appreciate Mr. Fretz and the Department of Land and Natural Resources for partnering with us on this. This is a great example of a County/State partnership, and having you folks being willing to manage it is what got it through the Council, I think, for funding. So I appreciate that. One of my thoughts that comes to mind is all the trees we're trying to plant, and so having a forestry reserve for climate change mitigation, as well as conservation and environmental protection is totally within our wheelhouse, and we should be able to get a lot of other partners in that. Maybe you could even meet with the Rotary and get them to start growing their own Christmas trees instead of shipping them 3,000 miles away over to our islands from Oregon. But, you know, I appreciate so much that you guys came in early and supported the project and offered

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to do that management part of it, because that's usually the sticking point. So...and thanks for being here, and following this, and keeping us informed, both of you. Okay. And if we don't have any other questions, then we'll just thank you for the update, and just keep us informed on what we can do. And of course, we want to hear if and when you get that Legacy Land grant, you know, that grant is going to be huge, I think, for this project. And if there is anything we can do like, you know, if we can write a letter from the Committee or maybe the Chair can write a letter of support for that grant, that would be...you know, whatever we can do to help with that.

MS. ROTHBAUM: Perfect. Thanks. We'll be in touch about that.

CHAIR KING: Okay. So...and thank you, Lynn, for your advocacy, your ongoing advocacy in helping to shepherd this project through. I also wish Mr. Spencer could be here because I'd like to thank him too for being, you know, willing to work with us on that purchase, and understanding the importance to the community. But did you have any last words you wanted to say, Lynn?

MS. BRITTON: Yes. Thank you. I wanted to let you know the Legacy Lands application, they will be viewing the site. I think it's March 2nd, Lealani, that they will be here? Okay. So it would be great if...you know, you are welcome to join us that day. We'll keep you posted but, you know, that would be great to show your vocal support, for sure.

CHAIR KING: Okay.

MS. BRITTON: And I just wanted to add our appreciation for your efforts and also, of course, for . . . *(inaudible)*. . . and DLNR and DOFAW and...you know, Lucienne de Naie has been with us from the very beginning on this. It goes back more than 20 years for the Ma'alaea community, and it would not have happened without the Maui Nui Marine Resource Council work on the Pookea watershed, and all the partners. And we certainly appreciate Lealani and the TPL coming and making this all...putting it all together for us. So thank you all. We are humbly grateful and so excited about what's next for this. So thank you.

CHAIR KING: Okay. Thank you, Lynn. And thank you to the Committee and the full Council for getting this project funded. And with that, I think we...do we have any other business, Lesley, am I missing anything?

MS. MILNER: No, Chair. You addressed all the business before the Committee today.

**CARE-1(12): MAUI EMERGENCY MANAGEMENT AGENCY CLIMATE  
RESILIENCE (Rule 7(B))**

CHAIR KING: Yeah, we already got the deferral approved on the third item.

**ACTION: DEFER (no discussion).**

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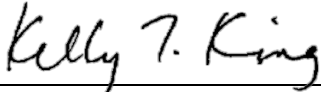
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CHAIR KING: And so we will let everyone go early at 11:29. See, I told you I'd get you out of here before 11:30, Mike. All right. The Climate Action, Resilience, and Environment Committee is now adjourned for today...11:29. . . .(gavel). . .

**ADJOURN:** 11:29 a.m.

APPROVED:



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KELLY TAKAYA KING, Chair  
Climate Action, Resilience, and  
Environment Committee

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Transcribed by: Terianne Arreola

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CERTIFICATION

I, Terianne Arreola, hereby certify that pages 1 through 45 of 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 8th day of February 2022, in Wailuku, Hawai'i.



Terianne Arreola