

WATER AND INFRASTRUCTURE COMMITTEE

Council of the County of Maui

MINUTES

June 4, 2025

Online Only via Teams

CONVENE: 9:00 a.m.

PRESENT: Councilmember Tom Cook, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member (left at 10:41 a.m.)
Councilmember Tamara Paltin, Member (left at 11:51 a.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U‘u-Hodgins, Member

STAFF: Keone Hurdle, Legislative Analyst
Jarret Pascual, Legislative Analyst
Carla Nakata, Legislative Attorney
Lori Ann Tengan, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office:

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Executive Assistant, Lāna‘i Residency Area Office
Keomailani Hirata, Council Aide, Moloka‘i Residency Area Office
Jared Agtunong, Council Executive Assistant, South Maui Residency Area Office

ADMIN.: Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
Paul Barany, Deputy Director, Department of Public Works
Shayne Agawa, Director, Department of Environmental Management
Ortaine Acidera, Fiscal Officer, Department of Water Supply
Robert De Robles, Planner, Department of Water Supply
Mahina Martin, Executive Assistant, Office of the Mayor

OTHERS: LTC Adrian Biggerstaff, Recovery Field Office Commander, United States Army Corps of Engineers
Alan Kato, Mission Manager, United States Army Corps of Engineers
Pat Phung, Chief of Staff, Recovery Field Office, United States Army Corps of Engineers
Sarah Pedroza, Disaster Recovery Coordinator and Sustainability Advisor, United States Environmental Protection Agency

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Derek Takahashi, Maintenance Engineer, Highways Division, Maui District,
Department of Transportation
Nancy Convard, EMIP Strategic Program Development Manager, Department of
Health
Glenn Haae, Office of Solid and Hazardous Waste Management, Department of
Health,
Paul Ruesch, Landfill SME, Region 5, United States Environmental Protection
Agency
Joanne Seto, Environmental Management Division Administrator, Department of
Health
Marianne Rossio, Clean Air Branch Manager, Department of Health
Rebecca (Becky) Diven, Clean Air Branch-Maui, Department of Health
Lisa Young, Clean Air Branch, Department of Health
(32) additional attendees

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

CHAIR COOK: . . .*(gavel)*. . . Will the Water and Infrastructure Committee of June 4th, 2025, please come to order. The time is now 9:00 a.m. May I ask that all participants please silence your noise-making devices. I'm your Chair, Tom Cook. Members, per the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workplace with you today, exclusive of minors. Before we begin, I would also like to ask the department representatives who have joined online to please also turn on your cameras when it's your turn to speak. Now I'd like to introduce the Committee Members. Good morning, Committee Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good morning, Chair. Looking forward to this meeting. Thanks for taking this up.

CHAIR COOK: Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There's no testifiers at the Lānaʻi District Office, and I'm here and ready to work. Mahalo.

CHAIR COOK: Councilmember Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and to all my colleagues here. It's good to see you all, and good to be here. Thank you.

CHAIR COOK: And Council Chair Alice Lee.

COUNCILMEMBER LEE: Good morning, Chair.

CHAIR COOK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka kākou.

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CHAIR COOK: And Councilmember Keani Rawlins-Fernandez is excused for the moment.
Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Hey, aloha kakahiaka, Chair. I'm here at my home office. I'm here by myself, and there are no testifiers in Hāna.

CHAIR COOK: And Councilmember Nohelani U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Good morning, Chair. Good morning, everyone.

CHAIR COOK: From the Department of Water Supply, we have Ortaine Acidera, Physical...Fiscal Officer, and Robert De Robles, Department of Water Supply Planning Division. From the Office...do we have them?

MR. HURDLE: Yeah, Chair, I see Ortaine is online.

CHAIR COOK: Yeah, if you could turn on your camera.

MR. DE ROBLES: Okay.

MS. ACIDERA: Good morning, Chair.

CHAIR COOK: Good morning, and welcome.

MS. ACIDERA: Good morning, everyone. Thank you.

MR. DE ROBLES: Good morning, Chair, Councilmembers. Robert De Robles here.

CHAIR COOK: Good morning. From the Office of the Mayor, Mahina Martin, Director of Public Affairs.

MS. MARTIN: Good morning.

CHAIR COOK: From the Department of Environmental Management, Director Shayne Agawa.

MR. AGAWA: Good morning.

CHAIR COOK: From the Department of Public Works, Deputy Director Paul Barany.

MR. BARANY: Good morning, Chair.

CHAIR COOK: From Corporation Counsel, Deputy Corporation Counsel Caleb Rowe.

MR. ROWE: Good morning, Chair.

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CHAIR COOK: From the U.S. Army Corps of Engineers, Lieutenant Colonel Adrian Biggerstaff. From State Department of Health, Nancy Convard. From the State Department of Transportation, Derek Takahashi. Members, without objection, I would like to designate Lieutenant Colonel Biggerstaff, Ms. Convard, and Mr. Takahashi as resource persons under Rule 18(A) of the Rules of the Council due to their expertise in today's subject matter.

COUNCILMEMBERS: No objections.

CHAIR COOK: And now for our OCS Committee Staff, Mr. Keone Hurdle. Okay. I would also like to welcome Member Rawlins-Fernandez joining us. Aloha and good morning.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui a Hina. I am at my private residence, and there are currently no testifiers at the Moloka'i District Office. I will get my camera on momentarily. Mahalo, Chair.

CHAIR COOK: And our...from...continuing with our OCS Committee Staff, Mr. Jarret Pascual, Ms. Lori Ann Tengan, Carla Nagata [sic], and Jean Pokipala. Please see the last page of the agenda for information on meeting connectivity. Good morning, everyone. For today's meeting, we have two items on today's agenda. WAI-8 on Amending Section 14.10.010, Maui County Code, to Establish New Water Rates for the Preservation and Restoration of Native Species Habitats; and WAI-1(3) on the Transport of Nonhazardous Lahaina Wildfire Debris from Olowalu to Central Maui Landfill. Members, if there are no objections, I would like to take testimony after receiving the presentations on WAI-8 and WAI-1(3).

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin with our first item.

**BILL 56 (2025), AMENDING SECTION 14.10.010, MAUI COUNTY CODE, TO
ESTABLISH NEW WATER RATES FOR PRESERVATION AND RESTORATION OF
NATIVE SPECIES HABITATS (WAI-8)**

CHAIR COOK: Members, this first item is Bill 56 (2025), entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.10.010, MAUI COUNTY CODE, TO ESTABLISH NEW WATER RATES FOR PRESERVATION AND RESTORATION OF NATIVE SPECIES HABITATS." Bill 56's purpose is to authorize discounted water rates for the Department of Water Supply consumers who are using water solely for the purpose of conserving or restoring Native Hawaiian species habitats without any associated commercial activity. Members, Section 8-4...8-11.4 of the County Charter requires the Board of Water Supply to recommend water rates and fees to the Council. The board met on May 16th, 2025, to review Bill 56 (2025). The board unanimously supported the proposal, and has submitted a letter to the Mayor for review and approval. Members, I do have a proposed CD1 version for your consideration when we move to decision-making, which would clean up the bill and make clarifying amendments. This is Granicus number 7 for your

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reference. At this time, Director Stufflebean, would you like to provide any opening comments? Or representatives from the Department of Water Supply?

MS. ACIDERA: Chair, yes. My name is Ortaine Acidera, and nobody is inside my office. The proposed bill was written based on applications for Agricultural water rates by nonprofit organizations who use water for the preservation or restoration of Native Hawaiian species habitats. The use of the water does not fit the requirements to receive the...the ag water rates. However, the Department recognizes these efforts are beneficial, and would like to offer a lower rate than the other general consumer rate. This is the current rate that these two nonprofit organizations are being charged this fiscal year. And then the proposed bill had the effective date of July 1st, 2024. The Department intent was to give the Preservation rate, if approved, retroactive to July 1st, 2024 for these two applicants. However, the...the Department realized the timing when the proposed bill was submitted to you folks and the process it will take to get approval. So, DWS changed its view, and believe the bill should take effect on July 1st, 2025. Thank you.

CHAIR COOK: Thank you for your clarification. Before we begin our discussion, let's see if anyone would like to provide testimony on WAI-8. Staff, do we have any testifiers?

. . . OPEN PUBLIC TESTIMONY FOR WAI-8 . . .

MR. PASCUAL: Chair, there's currently no individuals signed up to testify. Would you like me to do a last call?

CHAIR COOK: Yes.

MR. PASCUAL: This is the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you would like to testify on this item. The countdown is three...two...one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there are no more individuals wishing to testify, without objections, I'll now close oral testimony for this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-8 . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted for the record. Members, I'm proposing two rounds of three-minute questions per Member. Are there any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin discussion, starting with Vice-Chair Sugimura.

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VICE-CHAIR SUGIMURA: Thank you very much. So, Department, probably the first question I have is, how would you do enforcement to ensure that it is for the goal of the County?

MS. ACIDERA: The...the Department intend to adapt...or follow the process the same as the agricultural water use.

VICE-CHAIR SUGIMURA: Oh, what does that mean? Sorry. The same as...what did you say? Please repeat.

MS. ACIDERA: Oh, we would be...the process would be the same as our process for agricultural water customers, where they will be required to submit to us annual applications and their copy of the filed tax return. We will review those, and then...annually, and then get back to those applicants whether or not they will get the Preservation rate.

VICE-CHAIR SUGIMURA: Oh, I see. And do you do any...do you check out the application and the land, and do you actually do any...anything more than look at paperwork?

MS. ACIDERA: When it is the first-time applications, we would do a complete inspection of the property.

VICE-CHAIR SUGIMURA: Okay. I'll...I'll save my questions for later, Chair. I'm done.

CHAIR COOK: Thank you. Councilmember Johnson, you have questions for the Department?

COUNCILMEMBER JOHNSON: Sure. Thank you for joining us today. So, I understand the part of the bill is certain Open Space and certain State-designated areas for conservation/preservation. Can you give us an example of some places that are...just a concrete example of a place that would fall under this?

MS. ACIDERA: Oh, I lost...sorry. Can you hear me?

VICE-CHAIR SUGIMURA: Yes.

COUNCILMEMBER JOHNSON: Yep.

MS. ACIDERA: Oh, okay. I don't know the answer for that.

COUNCILMEMBER JOHNSON: Okay.

MS. ACIDERA: Can we get back with you folks?

COUNCILMEMBER JOHNSON: Sure.

MS. ACIDERA: Sorry.

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COUNCILMEMBER JOHNSON: How about...how about a number of parcels --

MR. ROWE: And, Chair?

COUNCILMEMBER JOHNSON: -- that you think...oh.

VICE-CHAIR SUGIMURA: Caleb has.

MR. ROWE: Chair, if I may. We did have two individual nonprofit entities that had requested to get Agricultural rates. We determined that they were not eligible for Agricultural rates because they did not meet the...the monetary threshold for them. However, you know, in...in reviewing those applications, we...we thought that it...it wasn't a bad idea. So...so...so, we're...we're...we're trying to establish a new rate. To my knowledge, only two people at this point have...have applied for that...for this rate. I'm...I'm not aware of anyone else. But both of those people had previously applied for Agricultural water rates.

COUNCILMEMBER JOHNSON: So, Mr. Rowe, are you...are you saying that there's some farms that this would fall under? And I'm curious of...is...is...well, first off, that some farms would fall under this category.

MR. ROWE: If they have no associated commercial activity, we try to limit it to...to not having commercial activity. It's just purely for preservation.

COUNCILMEMBER JOHNSON: So, can you...can you break up your TMK to say this side of the farm is for farming and we're going to do commercial activity, but this side is preservation? Can you do...is...can you do it like that?

MR. ROWE: That is a great question. Ortaine, do you have a...do you have a response to that?

MS. ACIDERA: Not really.

COUNCILMEMBER JOHNSON: Okay.

MS. ACIDERA: Would probably have to look into it, more detail.

COUNCILMEMBER JOHNSON: Okay.

MR. ROWE: And I...I...and...and...and I think that our intent is it to be similar to how we're doing ag rates, where the entire property gets...gets the same thing. . . .*(timer sounds)*. . .

COUNCILMEMBER JOHNSON: Okay. My time's up, and I appreciate your responses. Thank you, Chair.

CHAIR COOK: Thank you. May I ask all Members, when they do speak, to speak...move the mic close to your mouth, keep it close to your mouth for the public to be able to hear. Thank you. Councilmember Kama, you have questions for the Department?

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COUNCILMEMBER KAMA: Yes. Thank you, Chair. Can you define native species habitat?
(pause)

MR. ROWE: Not...not sure who that question was directed to, sorry. But --

COUNCILMEMBER KAMA: I was...

MR. ROWE: -- that's a...that's a good question.

COUNCILMEMBER KAMA: I was directing it to the Department because I figured this is their bill.

MS. ACIDERA: Sorry, Councilmember Kama. Can we get back with you on that?

COUNCILMEMBER KAMA: Sure. Absolutely. Yes, thank you.

MS. ACIDERA: Thank you.

COUNCILMEMBER KAMA: So, I think...I think, Mr. Rowe, you said earlier that...oh, the two people that applied, or farms that applied, that they didn't...they didn't qualify because there was a monetary threshold?

MR. ROWE: That's correct. So, in order to qualify for Agricultural water rates, you need to demonstrate, I think it's \$1,000 of commercial activity. We had two applicants that had applied that didn't have any commercial activity. They were...they had established, I believe it was a 501(c)(3) nonprofit entity that was dedicated solely to land preservation. And in reviewing that, they didn't apply...they...they didn't qualify for Ag rates, but we...we thought, you know, this is...this is a good idea.

COUNCILMEMBER KAMA: That the idea to go ahead and give them the Ag rates, even though they didn't meet the threshold?

MR. ROWE: Well, to...to...it's...it's...actually, I believe it's higher than the...the Ag rates, but just generally give them some sort of relief from the general --

COUNCILMEMBER KAMA: I see.

MR. ROWE: -- the...the general --

COUNCILMEMBER KAMA: I see.

MR. ROWE: -- amount that you pay.

COUNCILMEMBER KAMA: So, do we know how many farms...go ahead.

MS. ACIDERA: What was...what was...sorry, what was the question again?

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COUNCILMEMBER KAMA: My question to you earlier was the definition of native species habitats?

MS. ACIDERA: Yes, but the last one, Councilmember.

COUNCILMEMBER KAMA: Oh, about the monetary threshold.

MS. ACIDERA: It's \$1,000 annually gross income from sales.

COUNCILMEMBER KAMA: Yeah, that's what Mr. Rowe just said, so thank you. Do we know how many farmers actually meet the definition of native species habitats?

MS. ACIDERA: Right now, the two applicants that we had is Fiscal Year 2025.

COUNCILMEMBER KAMA: Can you tell us who the two applicants are?

MS. ACIDERA: It's the Hawaiian Island Land Trust, or known as Waihe'e Coastal; and the other one is Waiohuli Mana Foundation.

COUNCILMEMBER KAMA: Waiohuli Mana?

MS. ACIDERA: Yes, ma'am.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair. Appreciate it.

CHAIR COOK: Chair Lee is currently not present. Member Paltin, do you have questions to the Department?

COUNCILMEMBER PALTIN: Thank you, Chair. I have a couple questions. One is, will you be consulting at all with Department of 'Ōiwi Resources on the criteria being used to evaluate if this preserves native species habitats? And the second one is, why are we limiting it only to nonprofits and community land trusts? You know, I imagine random...or not random, but Kanaka Maoli may, especially if they live on kuleana lands, would like to preserve native species habitats for cultural practices, cultural practitioners, and things like that. So, those are my initial two questions...for somebody that can answer...

MS. ACIDERA: Thank you for that question, Councilmember.

COUNCILMEMBER PALTIN: Thank you, Ms. Acidera.

MS. ACIDERA: Those are good questions, and we will consider that going forward, and maybe to amend or revise the proposed bill.

COUNCILMEMBER PALTIN: Okay. I guess if I have additional time. This is only for water that is being...the delivery is being sold by the County of Maui. Would it affect private

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water purveyors, as well as...as...as a ordinance, or is it only relating to water purveyed by the County? Mr. Rowe? It's okay with --

CHAIR COOK: Mr. Rowe?

COUNCILMEMBER PALTIN: -- me if it's okay with the Chair.

MR. ROWE: Yeah. So, we...it...it...it's related solely to customers of the Department of Water Supply.

COUNCILMEMBER PALTIN: And...and would it be legal to extend it to all customers of any purveyor, or would that need to go through the PUC or something?

MR. ROWE: That's a complicated question. It...it would be...you know, I don't know what contracts individuals have with...with their private water purveyors, but generally we do not have jurisdiction to enforce anything against private water purveyors out...out...outside of the...the CWRM process.

COUNCILMEMBER PALTIN: So, I also had a question on a scenario. Like I'm not going to use names, or places, or anything to protect the innocent and whatnot, but I knew of people--you know, streamflow is important mauka to makai to preserve species habitat. And so, if somebody had their hose running full blast at all times to put . . . *(timer sounds)* . . . the water back in the stream, would that qualify?

CHAIR COOK: Mr. Rowe?

MR. ROWE: I'd defer to Ortaine on that, but that would be something that we would...I believe the Department would review that application, and if they met the other criteria that are set forth in the...in the proposed bill, yeah.

COUNCILMEMBER PALTIN: I'm...I'm not going to say who I know that does this, but, Ortaine, you...you would agree?

MR. ROWE: Good. Good. Because I don't want to know. . . . *(laughing)* . . .

COUNCILMEMBER PALTIN: I...I won't --

MS. ACIDERA: Yeah, I think...

COUNCILMEMBER PALTIN: -- say any names or places.

MS. ACIDERA: We will...we will consider all the applications, and review, based on the criteria that would be stated on the Maui County Code.

COUNCILMEMBER PALTIN: Okay. I heard my bell. Thank you.

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CHAIR COOK: Member Rawlins-Fernandez, do you have questions for the departments? Okay. We can come back. Member Sinenci, do you have questions for the Department?

COUNCILMEMBER SINENCI: Good morning, Chair. And mahalo for the presentation. Just for clarification, and if I heard it correctly, would this new rate be the Agriculture rate for conservation, or will it be lower than the regular rates?

CHAIR COOK: Department?

MS. ACIDERA: Thank you for that question, Councilmember Sinenci. It would be...the Preservation rate is really higher than Agricultural rate, but it would be lower than the other General Consumer rate.

COUNCILMEMBER SINENCI: Oh. So, just general water user rate, how much lower, do you know?

MS. ACIDERA: For Fiscal Year 2025 rate, it would be lower, \$2.95 per thousand gallons. For the proposed rate for 2026, it would be lower by \$2.60.

COUNCILMEMBER SINENCI: \$2.60. And the...this year's was \$2.90 [sic], you said?

MS. ACIDERA: 95 cents.

COUNCILMEMBER SINENCI: 95.

MS. ACIDERA: Yes.

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

CHAIR COOK: Member U'u-Hodgins, questions?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Thank you, everyone, for being with us. Similar to the ag application with you folks, are people going to have to apply annually?

MS. ACIDERA: Yes.

COUNCILMEMBER U'U-HODGINS: Okay. And then, can you describe best management practices for water conservation? What will the Director be looking at to determine what is best management practices for conservation?

MS. ACIDERA: Robert, would you be able to answer that for us?

MR. DE ROBLES: Sure. I mean I think that's going to be applied in the application. We'll probably be looking at the application, and...and seeing what type of activities they're going to be doing on that property, including in the mission statement. We are...because it's...it's different than applying certain BMPs for like your home, or...or anywhere else,

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so it's out there. We don't really know what they're doing, so they have to pen that in somewhere where we could review what that would be. But there are some practices. We just hope that they consider conservation. And there are certain uses out in the field that requires more water at certain times, and less water at certain times. We just have to review what...what they're going to be doing before we...we could make recommendations on that.

COUNCILMEMBER U'U-HODGINS: Sure. That part I understand. I'm...I'm a bit more wondering what specifically you folks will be looking for, so that when people want to apply, they know what you want to see. I don't want it to go into the Water's black box of decision-making and then go, okay, no, actually, we need this. So, if we could give them information of what you would be looking for, I would appreciate that. It doesn't have to be today, but when it comes out, that would be great.

MR. DE ROBLES: Yeah.

COUNCILMEMBER U'U-HODGINS: Oh, I'm sorry. Did you want to say anything else?

MR. DE ROBLES: Oh, no. I just wanted to give an example. Like for example, this is...if they're going to be doing...growing...reforesting, for example, or replanting. You know, early on, they'd be using a lot of water to establish, but then after a while, once they're established, they use less. So, we consider a bunch of different factors, but we could certainly consider that in the bill, and --

COUNCILMEMBER U'U-HODGINS: Thank you.

MR. DE ROBLES: -- make it a little bit more...

COUNCILMEMBER U'U-HODGINS: I would appreciate having some clarity on what the Director will be looking for to be acceptable. I did see something where--I don't see it now, but they have to own the property--or is that maybe someplace else? Fee simple. If they don't, and they have a lease, can they get approval from the landowner for them to apply as the nonprofit on the land?

MS. ACIDERA: I believe that's the intent.

COUNCILMEMBER U'U-HODGINS: Okay. Thank you. I just wanted to clarify. And then maybe this is for Mr. Rowe. The last section, Section 4, upon approval, this effect retroactive to July 1, 2025, and that's in the future. So, we're retroactively applying it to the future. Can you make that sentence make sense for me?

MR. ROWE: Yes. Sorry. I...I . . . *(timer sounds)*. . . I think that was a mistake.

COUNCILMEMBER U'U-HODGINS: Okay. So, it'll take effect July 1. We can remove retroactive.

MR. ROWE: Correct.

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COUNCILMEMBER U'U-HODGINS: Okay. Thank you.

MR. ROWE: Initially...initially, we had tried to make it retroactive to 2024, to get the two applicants that kind of inspired this legislation into...into it for this past fiscal year. But just based on...on--it...it became difficult. It was going to be issues with budget. So, we...we decided to back off on that.

COUNCILMEMBER U'U-HODGINS: Okay. That makes sense. I just...we can just remove retroactive --

MR. ROWE: Yeah.

COUNCILMEMBER U'U-HODGINS: -- on the last sentence. I appreciate that. Thanks. Thanks, Chair.

MR. ROWE: Yeah. And I...and I apologize for not catching that.

COUNCILMEMBER U'U-HODGINS: Oh, that's okay.

MS. NAKATA: Excuse me, Chair.

COUNCILMEMBER U'U-HODGINS: You got plenty of stuff. Thank you.

MS. NAKATA: Chair? Chair? Staff would just note that even if the Committee were to make a recommendation today, it would not be capable of passing the required two readings before July 1. Thank you.

CHAIR COOK: Thank you. Chair is going to request a short recess, and then we'll go a second round of questions as needed.

COUNCILMEMBER PALTIN: Oh, did you want to do Member Rawlins-Fernandez since she's back?

CHAIR COOK: Oh. Thank you. I see you now, Councilmember Rawlins-Fernandez, with your sunshine. Would you like to ask your first round of questions from our...from the Department before I take a recess?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, mahalo, Chair Cook. My apologies. I had to step away for a second to take a call. Okay. So, I...I did hear Mr. Rowe mention the two applicants. And I'm sorry, I missed who those two applicants are.

CHAIR COOK: Mr. Rowe?

MS. ACIDERA: The two...

MR. ROWE: I...I believe that Ortaine has that information.

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MS. ACIDERA: The two applicants are Hawaiian Island Land Trust, or Waihe'e Coastal Dunes; and the second one is Waiohuli Mana Foundation. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then the sites for which this rate would apply? So, for example, HILT has multiple sites that they have easements or parcels. Would...would they then qualify for...for the rate for all the parcels, or specific sites?

MR. ROWE: If...if I may, I believe that they would have to apply for the rate per individual parcel.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MR. ROWE: Yeah. Per...per meter, I guess. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for that clarification. And then I think my last question is regarding who would do the review and approval...which department?

MS. ACIDERA: It would be Fiscal Division.

COUNCILMEMBER RAWLINS-FERNANDEZ: Fiscal Division...

MR. ROWE: The...the Fiscal...the Fiscal Division of the Department of Water Supply.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MR. ROWE: So, it would be Department of Water Supply.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the application --

MR. ROWE: However...

COUNCILMEMBER RAWLINS-FERNANDEZ: -- for...for that...like, so the application for Ag water rates also go through the same division? Okay.

MR. ROWE: Correct.

MS. ACIDERA: Yes.

MR. ROWE: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. Okay. That's everything. Mahalo for my round one.

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CHAIR COOK: Thank you. With no objections, Chair is going to take a five-minute recess. It is now 9:33. We'll be back at 9:38. . . .*(gavel)*. . .

RECESS: 9:33 a.m.

RECONVENE: 9:40 a.m.

CHAIR COOK: . . .*(gavel)*. . . Will the WAI Committee...WAI...we're going to reconvene for the WAI-8 [sic] Committee meeting. It is now 9:40. Members, the Chair is going to recommend that we do another round of questions, and then I'm going to recommend that we defer this so that all the questions...Committee Staff can relay the questions to the Department of Water Supply so that we can get some answers, and further clarification on this proposed rate change. So, is there any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Okay. So, for the second round of questions, Member Johnson, do you have questions that you would like to send to the...the Department?

COUNCILMEMBER JOHNSON: Thank you, Chair. My questions have been answered. I'm just trying to sort out, like, what do you...you know, if I was...if I had this choice between Agricultural water rates versus Conservation water rates, but it's...but I...it's pretty restrictive, who...you can't have any commercial activity on there. It sounds like most people would be choosing Ag water rates because...I mean, you can grow, like, for example, mamaki, and sometimes that qualifies you for all kinds of different, like exemptions. And, you know, I know for the...the Fed guys, they...they like when you grow natives, native plants. But I think it comes down to the rate, you know. I guess I'm just thinking aloud. My questions have been answered, but I'm curious of what...what was the impetus of this...of this bill? Like maybe the Department can answer that question for me.

CHAIR COOK: Thank you, Member Johnson. Councilmember Kama, do you have any clarifying questions you would like the Staff to forward to the Department?

COUNCILMEMBER KAMA: No. Actually, I was just thinking about what Member Johnson was thinking about. What was the impetus for these rates? And then, if the Department could get back with us on that, I'm good with that. Thank you.

CHAIR COOK: Thank you, Member Kama.

MR. ROWE: And, Chair? Chair, if I...if I...if I may --

CHAIR COOK: Yes.

MR. ROWE: -- I...I --

CHAIR COOK: Please, Mr. Rowe.

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MR. ROWE: -- I think I can give a...I can give a quick response to that. We had two people who applied--or two entities that applied for Agricultural water rates that were denied. They appealed that decision. And in us reviewing that, you know, we...we determined that they didn't really qualify for Ag rates, but that we still liked the idea of what they were doing. And so, it...it did remove the requirement for the thousand dollars of profit, and we kind of wanted to limit it to people who were really just doing land preservation.

CHAIR COOK: Thank you for that. Okay. Member Sugimura?

VICE-CHAIR SUGIMURA: This is for the Department. If you could...this is about the rates, right? So, for General Consumption, it would be for up to a thousand gallons, I guess, 200...\$2.13. Ag is \$2.24, all at that same threshold. And so, I thought I heard the Department saying that this Conservation rate would be then, they say above Ag, or...what...what'd they say about that? They say it's going to be 2.60 per thousand gallons.

MS. ACIDERA: May I answer that? Yeah. Thank you for that question, Councilmember Sugimura. The...the current rate for the...for these two applicants are Other General Consumer rate.

VICE-CHAIR SUGIMURA: Right.

MS. ACIDERA: It's not the Residential rate. The Other General Consumer rate right now, for Fiscal Year '25, is \$7.58 per thousand gallons. The Preservation rate would be...is...Preservation rate for Fiscal Year '25 supposed to be...is \$4.63. So, there is a difference from \$7.58 to \$4.63, 2.95 for Fiscal Year '25. For the proposed rate for Fiscal Year 2026, the Other General Water rate would be \$8.34 per thousand gallons. The Preservation rate will be...we propose at \$4.98 per thousand gallons, and there would be a difference of \$2.60.

VICE-CHAIR SUGIMURA: Okay. We're sending them questions, right?--the Department. Could you ask them to put all of this in writing?

CHAIR COOK: Staff, are you getting this?

VICE-CHAIR SUGIMURA: All those different kind of water rates. And...and then I have a general question too. Because I had an inquiry from a resident in Wailuku...I had an inquiry from a resident in Wailuku who had a fabulous house, but they wanted to plant trees, right, for this kind of purpose. But of course, we didn't have anything like this before. So, for a situation like that, how would they then be able to qualify? I guess they have to change their infrastructure at their home. Or how do you do that so you know what they're...they're using the water for and...and what situation? That's all.

CHAIR COOK: So, we'll add those...we'll add those questions.

VICE-CHAIR SUGIMURA: Yeah.

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CHAIR COOK: Thank you.

VICE-CHAIR SUGIMURA: Thank you.

CHAIR COOK: Member Paltin?

COUNCILMEMBER PALTIN: Just...just wanting to clarify, what you were talking to Member Sugimura about was the General water rate. So, this water rate is higher than the Agricultural water rate, the Preservation water rate, correct?

MS. ACIDERA: Yes, that's correct.

COUNCILMEMBER PALTIN: And then...so I guess I'm not clear on H., the penalty for using Preservation water service to supply. I get the General, but agricultural uses is removal of the meter. So, if they're going to pay a higher rate to use the water for ag, why would you remove the meter?

CHAIR COOK: Department? Mr. Rowe? Department? Do you hear the question?

MS. ACIDERA: Yes. Sorry. I'm looking at the . . .*(inaudible)*. . .

MR. ROWE: I did. Sorry, I'm...I'm looking at the bill too. Yeah.

MS. ACIDERA: Yeah.

COUNCILMEMBER PALTIN: Oh, I'm on page 3, letter H., if that helps you folks.

MS. ACIDERA: Oh. I think the word "agricultural" supposed to be deleted from there.

COUNCILMEMBER PALTIN: Oh, okay. That makes sense. And then the other thing...

MS. ACIDERA: Sorry. We'll make the correction.

COUNCILMEMBER PALTIN: Okay. And then the other thing up above that, c., where it says best management practices for water conservation as determined by the Director to be acceptable. I think if this is about solely for Native Hawaiian species habitat preservation or restoration, it should be in coordination with the Department of 'Ōiwi Resources. And nothing against Director Stufflebean, but he...he recently moved to Hawai'i. I've...I've lived in Hawai'i all my life, and I wouldn't be comfortable making the determination about how water should be used for Native Hawaiian species habitat preservation or restoration. So, I think coordination with our County experts on how that is done is warranted. Is that a possibility of speaking with them, and including that in the legislation?

CHAIR COOK: So, we'll...we'll add that to the questions?

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COUNCILMEMBER PALTIN: Yes, please.

CHAIR COOK: Staff, do you have that?

COUNCILMEMBER PALTIN: And then --

MR. DE ROBLES: Yeah, we can do that.

COUNCILMEMBER PALTIN: -- the previous question I had also, that they said that they would get back to us in writing.

CHAIR COOK: Okay. I have confirmation from Staff that they also have that.

COUNCILMEMBER PALTIN: Okay. Okay. Cool. And then I guess the other question I had is, why are we limiting it to land designated as preservation, conservation, agriculture? If an area was known to historically have been used for Native Hawaiian habitat, and it hasn't been...regardless of what the County or humans designate the zoning as, if it's historically been used as a native habitat, then...and it hasn't been already decimated by us occupiers, then why would the County designations matter if...if there's continuity of native species habitat?

CHAIR COOK: Okay. So, we'll add that to the questions. Okay.

COUNCILMEMBER PALTIN: Thank you.

CHAIR COOK: Is that complete?

COUNCILMEMBER PALTIN: With my previous questions, that completes me for this --

CHAIR COOK: Okay. Thank you, Member.

COUNCILMEMBER PALTIN: -- so far.

CHAIR COOK: Member Rawlins-Fernandez, do you have questions that you would like to have Staff...Committee Staff relay to the Department for further clarification?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, just one more question. If they could find out like how much of the water bills are currently being paid for by grants from, you know, like the government--so County, State, Federal. Because unlike agriculture, there is no profit motive to preservation. Preservation is just something that we, collectively as a community, support because of the eco services that generally don't have, you know, a quantifiable...what's the word?...not purpose, but value to all of us. So, this is us investing in it anyway. So, if we reduce it, then we're kind of just like reducing it on ourselves for the grants that we give them to do this work. So, that...that's the purpose behind the question. Okay. And I see heads nodding. So, just...if you can make the question pretty for me. Thanks.

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CHAIR COOK: Thank you, Member. Is that pretty much complete your questions? Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Just how much of the...the...the funds from grants go to paying the water bills.

CHAIR COOK: Okay. Councilmembers...

COUNCILMEMBER RAWLINS-FERNANDEZ: And we're going to get, from the Department, the proposed rates, right?

CHAIR COOK: Correct.

MS. ACIDERA: Yes.

CHAIR COOK: We're getting all of these questions answered.

COUNCILMEMBER RAWLINS-FERNANDEZ: And it's going to be tiered and not fixed, or it would be fixed?

MS. ACIDERA: It would be fixed.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo.

MS. ACIDERA: Thank you.

CHAIR COOK: Member Sinenci, would you have some questions that you would like the Committee Staff to relay to the department for clarification for a future meeting?

COUNCILMEMBER SINENCI: Thank you, Chair. And I just wanted to--as Member Rawlins-Fernandez had mentioned, we all received the...from the Maui Fire Department, brush mitigation guide in the mail. So, to her point, you know, a lot of it has maintain an effective clearance of developed areas, maintain an effective fuel break on...on plots of land greater than...than half acre in size. So, we do kind of want to also support those preservation properties when it comes to fire and brush clearance mitigation. So, I, too, would want to support those preservation areas for fire...for fire as well. My clarifying question was, those rates are per meter, Ms. Acidera?

MS. ACIDERA: Yes, that's correct.

COUNCILMEMBER SINENCI: And then my question is, they could apply for as many meters as they...or...or is there also the...the fee per meter?

MS. ACIDERA: The...the application...they will have to...one application per meter, and each meter is subject for monthly service fee, in addition to the consumption.

COUNCILMEMBER SINENCI: So, that would be the market rate for...to...to...to input the meter?

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MS. ACIDERA: The meter...we assume the meter is already installed.

COUNCILMEMBER SINENCI: Oh, okay. But they could apply for more meters if they wanted to, or if the property is larger?

MS. ACIDERA: That...I'll probably will get back with you on that one.

COUNCILMEMBER SINENCI: Okay.

MS. ACIDERA: Sorry.

COUNCILMEMBER SINENCI: All right. That would be the question to forward. Thank you, Chair.

CHAIR COOK: Thank you. Member U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I guess to build on Member Paltin's question, and even Member Sugimura's question. So, in her example with the home in Wailuku, it most likely wouldn't qualify because it needs to be located on State Ag or Conservation land and County Open Space zoning district. So, I don't think the Wailuku property would qualify. But to Member Paltin's point about why would State and County zoning be a predeterminant on what would qualify. If you could clarify...if Water could clarify, why only Open Space and not even ag land would qualify? Because we have a lot of conservation done on ag land as well. But I think that's the only question I have.

CHAIR COOK: Thank you, everyone. If that concludes our questions...and the Staff, do you feel confident that you have all of these recorded for...okay. I'd like to thank the Department and Mr. Rowe for your participation today. Chair's going to defer this meeting, and we will --

MR. HURLDE: Defer the item.

CHAIR COOK: -- defer the item.

CHAIR COOK: Thank you. We're not deferring the meeting. We have a lot of people for our next one. Okay. Thank you, Staff. Thank you. So, we will...we'll defer this item, and we're going to take a five-minute break to get our guest experts set up.

COUNCILMEMBERS: No objections.

ACTION: DEFER pending further discussion.

CHAIR COOK: . . .*(gavel)*. . .

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RECESS: 9:56 a.m.

RECONVENE: 10:08 a.m.

CHAIR COOK: . . .(*gavel*). . . We're going to reconvene the WAI-1(3) [*sic*] meeting. It is currently 10:08 a.m.

**TRANSPORT OF NONHAZARDOUS LAHAINA WILDFIRE DEBRIS FROM OLOWALU
TO CENTRAL MAUI LANDFILL (WAI-1(3))**

CHAIR COOK: Members, the WAI-1(3) relates to the transport of nonhazardous Lahaina wildfire debris from the temporary disposal site in Olowalu to the permanent disposal site at the Central Maui Landfill. A press release, along with a map of the frequently asked question information sheet was issued last month, announcing that the transport of debris would begin in early June, and span over an estimated five months. We have the Office of the Mayor, Department of Environmental Management, Department of Public Works, State Department of Health, State Department of Transportation, U.S. Army Corps of Engineers, and FEMA with us here today to provide an overview of the project. At this time, Ms. Martin, you may share any opening comments, followed by your presentation. And then after your presentation, I'd like if all the Members...if all of our guest experts could . . .(*inaudible*). . .

MS. MARTIN: Okay. Good morning, and thank you very much for the opportunity, Councilmembers and Chair. Today, we're going to be providing information to your Committee on the transferring of Lahaina wildfire debris from the temporary site at Olowalu to the designated permanent site here in Central Maui. The work will take place from mid-June to an anticipated end of November of this year. And this is a critically important step in our recovery efforts to...and will involve a significant amount of operations. So, today, you'll hear from our combined team that's here today, the details of the transfer operations. But before they begin, I wanted to let you know that as we share information out with the community, we have found that there are some frequently asked questions. If we can bring out the slide deck. Great, thank you. And the next slide, please. So, to assist us, we have created the frequently asked questions sheet and page with the QR code you see before you, and a photo of the sheet itself. And we are discovering that there are some key information that even you and your own constituents may encounter as we begin this five-month operations. Next slide, please. So, before we begin, I just want to call out a few of these for your awareness. As you go through today's presentation, this is what we've been hearing from a broad spectrum of our community in Lahaina, and outside of the West Maui area. As you will hear, and may have already heard, the operations will involve transporting 400,000-plus tons of debris. Some of the questions we've encountered are when, of course, will it begin? It was dependent, as you hear today's...in today's presentation, on the completion of the permanent debris site. And how is the five-month time frame determined? You know, why was it five months? Could we have not started it sooner, later, stretch it out, you know, over a few years? It's very important to remember that when President Biden's declaration...emergency declaration came, it allowed us 18 months to complete the

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work. Obviously, we're beyond that. And they extended it to give us the opportunity to provide a temporary holding site, continue on. And Army Corps has done a tremendous and...and just outstanding job at moving Lahaina forward with their debris operations. But in doing that, we needed to store it. So, simultaneously, as we begin planning on the rebuild, what that has done was given us a chance, the waiver--not the waiver, but the extension--gave us a chance to continue with the debris-clearing in anticipation of moving it to a permanent site. You'll hear today why that permanent site is not remaining at Olowalu in deference to the community, in particular the residents of Olowalu. We're also hearing questions about traffic concerns, and why can't the debris be transported at night? And for reasons...it's not so much just the driving at night, it is the ground crews and their operations operating safely in these...in...in the transport operations and the transferring. As far as potential traffic impacts, we've worked with the Department of Transportation, and we would like our communities to understand that this is not expected to be similar to construction traffic where there's stop-go alternating traffic, or maybe a bulldozer crossing the street, you know, those type of things that cause significant delays. But we do expect traffic to be slower than usual, and for folks to plan accordingly. So, I'm going to turn this over to our team here from Army Corps, and then you'll hear from the rest of us. And joining us today, we thought we'd also bring in from EPA, Sarah Jenkins at the far end. Oh, she's giving me a look because she got married.

MS. PEDROZA:: Pedroza.

MS. MARTIN: Pedroza. We still call her Jenkins. But proceed, gentlemen. Next slide, please.

CHAIR COOK: Excuse me. Before we proceed, I need to designate...if you could introduce yourselves, and then designate you as our resource personnel.

MR. PHUNG: Good morning, everybody. My name is...

CHAIR COOK: Could you use the mic? Could you use the mic, please?

MR. PHUNG: Good morning, everybody. My name is Pat Phung. I am the Chief of Staff for the Recovery Field Office.

MR. BIGGERSTAFF: Try this one.

MR. PHUNG: Okay. Can everybody hear me now?

CHAIR COOK: Yes.

MR. PHUNG: Awesome. Aloha. My name is Pat Phung. I am the current Chief of Staff for the Recovery Field Office.

MR. BIGGERSTAFF: Good morning. My name is Adrian Biggerstaff. I'm the Recovery Field Office Commander.

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MR. KATO: Good morning. Aloha. My name is Alan Kato. I'm the Mission Manager.

MS. PEDROZA: Aloha, everyone. My name is Sarah Pedroza. I'm with U.S. EPA Region 9, and I'm their Disaster Recovery Coordinator and Sustainability Advisor. Councilmember Cook, I know that there's also some people online, so I will let you speak to that. Thank you.

CHAIR COOK: Thank you. So, Members, if everybody's...oh, if everybody's in agreement, we'd like to accept our resource personnel?

COUNCILMEMBERS: No objections.

CHAIR COOK: Okay. Thank you. Okay. If you could proceed with your presentation. Thank you.

MR. BIGGERSTAFF: Next slide, please. One more. Okay, good. And good morning, everyone, Councilmember Cook and the rest of the Committee Members. On a personal note, thank you all for the service you provide this community. We have USACE employees living here on Maui, and also the past 22 months, rotating through working on Maui, and your service benefits them tremendously. So, thank you for all you do for the community. As mentioned, we will begin moving...we will begin moving debris...nonhazardous debris on the 16th of June, approximately 400,000 tons of debris. And what that will look like is 50 trucks moving four turns every day at a maximum. And just a reminder, this nonhazardous debris, as we're going through Phase 1 of the operation, both EPA and USACE was identifying and removing hazardous debris, and moving that off of Maui before it went into the temporary disposal site. So, at this point, we're just taking debris that's at the temporary disposal site, and moving it to the permanent site. So, there's no additional debris moving into the stream as we work. As...as we do collect the debris, we'll first line our vehicles, our trucks, with an industrial plastic liner. We'll put the debris in it. We'll then wet the debris to mitigate dust. We'll then wrap the debris to further mitigate dust and any spillage. Then we'll weigh the vehicles to make sure we're in compliance with DOT, Department of Transportation. And then we'll then move the vehicles to the permanent disposal site. We'll have environmental monitoring happening from Department of Health, and we'll also have USACE employees on ground monitoring every step to make sure it's done in a quality way. Once we...I guess we can go to the next slide. As we're going to the next slide, I'll just say, we're...we're doing this in three phases. Currently, we are protecting and monitoring the temporary site. As we move into 16 June, we'll then begin that careful transfer of the debris. And once that debris is transferred from the temporary site, we'll then move into restoration, and be working with the County of Maui, and in accordance with the end-user agreement, restoring that site to...to either its original state, or the agreed-upon condition for the County of Maui. Next slide, please. Last piece to talk about is just the routes we're going to be taking. We have three routes, one primary and two alternate. The primary here is shown in red. We'll be first moving down Hawai'i 30, Honoapi'ilani. And we're going then to Highway 380, Kuihelani. And at the Waiko intersection, we'll be then getting on one of the cane haul roads that's been improved to minimize the time trucks are on...on public roads. If we have any closure

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to that route, we'll either move south to the green alternate route, or north--sorry, to the yellow alternate route, or north to the green alternate route, but that's only in the instance where the primary route would be closed. At that point, again, we...we target November, end of November for completion. But within the first month of operations, we'll have a better...or more refined estimate just seeing how the traffic flows. We are making every effort to minimize impact to traffic, and we suspect that where the...the vehicles get onto the road at the temporary site, that would probably have the most impact. But again, we are monitoring that light to make sure we're not backing up traffic too bad. With that, though, I'll pass the brief to...I believe following me is Department of Health.

MS. CONVARD: Aloha, everybody. Should I go ahead and get started? This is Nancy Convard with Department of Health.

CHAIR COOK: Welcome.

MS. CONVARD: Okay. Aloha, everybody. I just want to acknowledge, first, all our partners and collaboration we've had in carrying out the environmental monitoring. The...the County team has been outstanding, as well as the Corps of Engineers, and our Federal partners in...in FEMA and Environment Protection Agency. With me is Joanne Seto, our Administrator for the Environmental Management Division. Maryann Rossio, she's the manager of our Clean Air Branch. And also online, we have Rebecca "Becky" Diven, who's our Clean Air Branch Maui staff; and Glenn Haae from our Office of Solid and Hazardous Waste Management. Can we have the next slide, please? As we move this, all the environmental monitoring we're planning for this transfer of the debris is premised on the environmental monitoring and the mitigation, very successful mitigation and control measures we've had in the last year and a half for debris removal and transportation to the TDS site, and monitoring the TDS site. It's been very successful. We've had no significant findings...adverse findings for public health from...in the air, asbestos, we have thousands of samples, no positive results. Heavy metals, the same...or either nondetect, or very low levels. And the water, coastal waters and the coastal sediments have also been monitored with no concerns there, as well as monitoring at the County itself. And we review at the TDS site. So, it's all...all looking quite good. We'll continue with the monitoring at the TDS around in the community and in the Olowalu area. The Corps of Engineers will continue their monitoring of staff and at the TDS facility itself. At the permanent disposal site, you know, the County's been operating its...the Central Maui Landfill successfully and without concern for...for some time now. They'll continue with similar practices, as well as adding additional air monitoring around that site. Along the transfer haul route, we have...while we have some monitors in the Olowalu area, we are not, you know, putting up air monitorings all along the road because of potential conflicts with just regular transportation dust, et cetera. But if we see a need, we...visually, we will consult with the Corps of Engineers and increase control measures, or add monitoring as appropriate. And that's really the...the gist of the environmental monitoring that...that is going on. We do have permanent community air monitoring sites in Kihei, which is the main community downwind from the PDS site, and we'll continue to maintain and observe those as well. I do want to note that little QR code down...kind of under the other monitoring page is

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a link to our environmental monitoring data portal that is specific to the Maui wildfires. All the data we've collected to date is there, and we'll continue to add to it for the transfer operations. Next slide, please. So, I've really kind of touched on this already. At the TDS, again, the Corps of Engineers will be conducting both personnel and ambient air monitoring. We'll have air monitoring stations around Olowalu and our Kihei sites. And the County will have an air monitoring program at the perimeters of its...of...of the cell accepting the debris...the debris. And right now, they're talking about five, but it could...two to five monitoring locations may be all that's sufficient...all that's needed for the site. The County did consult with us on the air monitoring plan, and we're happy with the approach that they're taking, and we'll continue to work with the County as we move forward through the operations. As the colonel already mentioned, you know, the dust prevention control measures are routine measures, lightly wetting the debris, water trucks always available to water down areas, and the roadways, and at the active loading or unloading areas. And we'll be prepared to adjust as needed if any dust is observed, or anything found in any of the air monitoring activities. The next slide will show you where these monitoring locations are. Again, you know, this is a large-scale map. So, the...the stars are rather approximate, and they could represent multiple individual stations. And these individual stations sometimes get moved very slightly, probably not the scale you'd see on this map, but if the wind conditions necessitate moving them a little bit, then they will be moved for several of them. And I think that we're ready to turn it on to the next person, and we're ready...the whole team here is ready to answer any questions as needed.

MR. AGAWA: Good morning, Chair Cook. Good morning, Council. Shayne Agawa from the Department of Environmental Management. Thank you for this opportunity, and allowing me to share a little bit about the PDS at our Central Maui Landfill. Next slide, please. So, first of all, I just want to give you some background and refresh everybody's memory as to how we came up with the final site at Central Maui Landfill. So, shortly after the disaster, we partnered with our local State and Federal agencies and an infrastructure taskforce was formed. And what this taskforce did was we...we pooled our minds together to figure out, okay, where does this debris go, and how do we contain it properly? We vetted through a multitude of sites, as you can imagine, potentially hundreds of sites. And we based our selection more on the logistical, operational, and regulatory aspects of all these different sites. We created a scoring matrix. We needed a way to quantify how we selected these sites. The scoring matrix, again, was based on the technical portion of these sites. So, based on the initial scoring matrix, we narrowed all these different sites down to eight, eight potential sites that made the most sense on a logistical standpoint. That eight sites was then decreased to seven sites after the Mayor listened to community input, and declared that Olowalu would not be the PDS location. Then we re-evaluated the seven sites...the seven remaining sites. The...the main criteria that we were looking at was distance to coastline, input from this body, and also input from the...the community. Those sites, those seven sites was then narrowed down to three. Those three, if you can remember, was Central Maui Landfill, Crater Village, and the area above Wahikuli...we just refer to that as Wahikuli. Then we incorporated public input via a survey. Approximately 3,000 people did the survey. We implemented the results of that survey into that scoring matrix that I mentioned earlier, meaning that it wasn't just saying that the public had a say, the public's input,

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per the survey, actually altered our scoring matrix. From that survey, what we found out, there was three different classifications of importance to the public. And you can kind of see that on this slide on the bottom left. So, the most important aspect to the public of the final location of the PDS was the environmental aspect of it...how close was it to the ocean, et cetera. The second most important aspect was on the subject-matter experts and input from the community. And the least important aspect, based on the survey, was the logistical part...road issues, road safety, transportation issues. Again, just giving you a background of how CML came out. And there on the bottom right, there's a QR code that people can scan, and that'll link you to the Maui Recovers website, and have all the information about that survey if people want to go and review it. Next slide, please. So, out of that survey and the scoring, our Central Maui Landfill became the top location, the final location, and the location of the PDS or permanent disposal site. How we acquired that property...we were in talks with different landowners. We didn't have enough airspace. Luckily, we had a private landowner, Nan, Inc, who worked with us and allowed us to acquire property at our CML footprint along Pūlehu Road. So, what you see here on the map, outlined in yellow, is one of the parcels that we acquired from Nan, Inc. That is about 49 acres. The portion that's labeled PDS that's shaded is roughly about 14 acres of that 49, and that will be the portion that the debris will be transferred to, that shaded yellow area. Next slide, please. So, now I'll give you an explanation, a brief overview of the construction portion of the...the actual PDS. And what you see here is a picture. This is not our actual PDS. This is, I believe, somewhere else, but very similar in construction. You'll see the different layers in that typical section. I won't go in too much detail, but it's made up of earthen layers, geotextile...HDPE, which is that thick plastic liner. There's a gravel layer in there to help with leachate collection. We don't anticipate much leachate to be collected from the debris, but it's there. And then capped off with an operational layer of protective cover. So, just to give you an idea, this whole structural portion of the PDS is about five feet thick. And it is designed, as you can see, as a subtitle D landfill, which is approved to accept municipal solid waste, which this debris is considered nonhazardous. Next slide, please. I'll just give you an update on the progress of the PDS. So, the construction portion was broken down into two different phases. The first phase was the earthwork portion, that was done and started in January of this year, and it was completed mid to end of March. We are in the second phase of construction, which is the liner portion. That began when the first phase ended, mid to late March, and it is ongoing. What you see here on the left side is what the PDS looked like as of January 27, right at the start of construction. So, basically, the...the area of the PDS untouched with new construction. Two different views of that. The top left is at the floor level, and the bottom left is from an aerial. So, on the left, prior to the start of construction. What you see on the right is where we're at as of May 23rd, which was very recently. You can see how drastically it changed. A lot of earthwork. I believe over 300,000 cubic yards of earthwork was done. You can see the liner portion in the upper right picture going in. And then the intent is to have the liner come on the lower portion, and then up the slope on the other side. A lot of progress. I'd just like to give a lot of kudos to our Solid Waste Division Staff, who's been managing this project; our consultant, who designed it; and the contractors, two different contractors, who actually did the work. Everybody was pushed very hard. And as you can see, this is almost the final product, just dramatic work out there. Next slide, please. And this is a QR code

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that anybody can go...that will link you to the Maui Recovers website and get any information regarding the debris transfer. Again, thank you for your time, and we're here for any questions you may have.

CHAIR COOK: Thank you very much, Director. I want to make a correction. We do not have FEMA. We have Sarah from U.S. Environmental Protection Agency. Do you have anything to add?

MS. PEDROZA: I don't have a formal part of the presentation. We've been helping in a facilitative role, but if there's any specific questions that fall under our regulatory institutions, I am more than happy to answer. And we also have Paul Ruesch online, who is our landfill SME from Region 5, who has also been supporting this, that can serve as a resource, in addition to myself. Thank you, Councilmember Cook.

CHAIR COOK: Thank you very much. Does that complete our presentation? So --

MR. AGAWA: Yes.

CHAIR COOK: -- do we have any...I'm sorry, it does? Okay. Do we have any testifiers?

. . . OPEN PUBLIC TESTIMONY FOR WAI-1(3) . . .

MR. PASCUAL: Chair, there's currently no individuals signed up to testify on this item. Would you like me to do a last call?

CHAIR COOK: Please.

MR. PASCUAL: This is the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you would like to testify. This is the last call. The countdown is three...two...one. Seeing none, Chair. No one has indicated that they wish to testify.

CHAIR COOK: So, Members, I'd like to have two rounds of three-minute questions, if that's sufficient, and starting with...

MS. NAKATA: Excuse me, Chair.

CHAIR COOK: Yes.

MS. NAKATA: Would you mind closing public testimony?

CHAIR COOK: Okay.

MS. NAKATA: Thank you.

CHAIR COOK: Members, any objection to closing public testimony?

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COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-1(3) . . .

CHAIR COOK: Okay. And reminding that written testimony will continue to be accepted. So, Members, we'll start with Vice-Chair Yuki Lei Sugimura, questions --

VICE-CHAIR SUGIMURA: Yeah.

CHAIR COOK: -- for resource people?

VICE-CHAIR SUGIMURA: Thank you. So, before I go into that, I wonder, Department of Health had a whole other resources, so if we could accept them in as resources needed for the meeting...if you could ask Staff to do that.

CHAIR COOK: Okay. Department of Health, if you could introduce your staff so that we can include them as resource personnel for the meeting.

MS. CONVARD: Yes, I believe we have online Glenn Haae, H-A-A-E. He's with our Office of Solid and Hazardous Waste Management. We also have "Becky" Rebecca Diven, Clean Air Branch on Maui. And I believe Lisa Young, also of our Clean Air Branch, is online. And Joanne Seto, myself, and Marianne are in this room...Marianne Rossio.

CHAIR COOK: Thank you very much for your presentation and your introduction. And thank you to Member Sugimura. So, Members, any objections to including them as resource personnel?

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you.

VICE-CHAIR SUGIMURA: Yeah, thank you. Thank you, Chair. So, thank you, everybody. This is really impressive, how far we've come. And we have really heard a lot over all these months, I guess...over a year, I guess. But anyway, I'm glad to see EPA here. I...I was kind of wondering, just with all...oh, sorry. I was just wondering, with all the things going on in Washington, D.C., if we're going to have EPA here. So, thank you very much because I think your oversight is critical for our safety, and where we need to be for the community. For...in my community...this is in my community, the Central Maui Landfill, and I've already received a concern, I guess, about the air and...and dust. And I just wondered, is it because of all the heavy activity, or is it somebody just imagining that it's actually not...or me imagining it's not really here, but it's probably someplace else?

MR. AGAWA: Thank you, Chair. Thank you, Member Sugimura. So, I'm assuming that the dust that has been brought up is from the PDS construction, correct?

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VICE-CHAIR SUGIMURA: Right, right. That's by Central Maui.

MR. AGAWA: Yeah. So, you know, in any type of construction project where you're moving 300,000 cubic yards of earth, you're going to have dust, fugitive dust. We all know that area's windy. However, in personal experience, I've gone up there several times to just oversee construction. Again, the times that I went, the contractor has been doing an incredible job at dust control. Like I said, we cannot control dust 100 percent of the time. For the amount of dirt that they're moving there, the dust that I observed was very minimal. I noticed the water trucks going on point. You know, it's just part of construction. Now, if it gets to the point that it's a safety hazard as far as like visibility for drivers, you know, we...we have monitors out there from Solid Waste Division. We have engineers that are monitoring. The contractor has monitors. And then, of course, they would do more dust mitigation. But yeah, if there's any type of concerns, you can forward that to our office, and...and we'll follow-up on it.

VICE-CHAIR SUGIMURA: Okay. Thank you. And then connected to that is, through this process, maybe some fear from the community. I did receive also concerns from neighboring businesses. Now, not Mahi Pono side, but the other side, and concern that the employees were wondering if there was any kind of health hazard for them, you know, as they conduct their business during the day.

MR. AGAWA: Thank you, Chair. Thank you, Member Sugimura. I may be deferring that more on the DOH, but what I can speak on, as far as the dust monitoring, so we have an actual dust monitoring contract with a consultant, environmental consultant. We're going to have dust monitors upwind and downwind of the site. I am understanding that the contractor themselves, who are going to do the operational part when debris . . . *(timer sounds)* . . . comes in, they are working to have person...personal air quality monitors on personnel, similar to at the TDS during the debris removal portion. So, it's going to be heavily monitored. Regarding the people on that side, the northern easterly side, you know, predominantly, they're upwind during trade winds, right? That doesn't say that there's...there shouldn't be concern, but the predominant wind is away from...from them. We will be looking at data real time. We will be testing, continuously testing. So, if there's any concern, you know, we would definitely notify, stop work potentially, and that type of thing, operational. And then any type of other hazardous or concerns with health, I would leave it up to DOH, or EPA possibly. Thank you.

VICE-CHAIR SUGIMURA: Okay. Thank you. Thank you very much.

CHAIR COOK: Member John...Member Johnson, you have questions?

COUNCILMEMBER JOHNSON: Sure. Thank you, Chair. This one's going to be for the Department of Health. First off, thank you all for joining us. I know you're very busy. After hearing your presentation, it didn't seem to have any red flags and a lot of positives, so that sounds good. And I'm happy to see the County and State working together. I just have a question about your slide, chipseal. What is a chipseal? Can you explain that in layman's terms?

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CHAIR COOK: Department?

MS. CONVARD: Certainly do. Chipseal is essentially...this is Nancy Convard from the Department of Health. Might better be answered by the Corps of Engineers or the County, who...who placed it, but essentially it's gravel with an oil seal on it. It's a sufficient roadway, but not...you know, it's not layers of asphalt and lime. Basically, it's gravel with oil seal on it.

COUNCILMEMBER JOHNSON: Sticky gravel like asphalt is what...what I'm hearing.

MS. CONVARD: Yes.

COUNCILMEMBER JOHNSON: Okay. Thanks...thanks for that clarification.

CHAIR COOK: So, Member Johnson, I think that would be an appropriate question for Public Works, and they're online.

COUNCILMEMBER JOHNSON: Okay. I...I got the answer, what I needed to hear. I just want to know what it was. So...

CHAIR COOK: Continue.

COUNCILMEMBER JOHNSON: Thank you for that. It was on the Department of Health's slide, so that's why I was asking them. So, my next question is going to be for the Department. Director Agawa, this is a heavy lift, a lot of work. I know there's...your Department's really busy working on it. And spinning all these plates, how does it affect your CIP process? Are you kind of putting some CIPs on the back burner while you get this done? If so, which ones? And if so, are you going to prioritize some of the ones that you have on the back burner?

MR. AGAWA: Thank you, Chair. Thank you, Member Johnson. Great question. Yes, our Staff has been pushed very hard. As we all know, in certain positions in any department, especially positions that require like licensing engineers who are our project managers, it's been a huge lift for them. I give them great accolades because they balance this huge lift of the PDS along with daily operations. To answer your question directly on how it affects potential projects, of course we need to do our projects that address regulatory issues. We can't not do those. So, those are our highest priority outside of the PDS project. We are doing those. We have enough resources to complete. There are projects that we may be pushing back. Specifically, I don't know what they are, but I just want to let you know that during the budget process, when we submit CIP, we already know the strain on resources.

COUNCILMEMBER JOHNSON: Right.

MR. AGAWA: So, the list that we submit budget-wise have already been accommodating this extra load. So, thank you for the question.

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COUNCILMEMBER JOHNSON: Okay. Thank you. My time's almost up, but basically, is it possible for us to do a site visit? Can we come and look at the permanent debris . . . *(timer sounds)* . . . site?

MR. AGAWA: Chair? Yes. Thank you, Member Johnson. Definitely. If you coordinate with our office, we can coordinate with the Solid Waste Division, notify staff. We have a location that you can observe. Of course, it's not going to be for a long period of time because we do have construction equipment moving, but we can work with you for a site visit.

COUNCILMEMBER JOHNSON: Okay.

MR. AGAWA: Thank you.

COUNCILMEMBER JOHNSON: Great. Thank you. My time's up. Thank you, Chair.

CHAIR COOK: Okay. Member...Member Kama, questions for the...

COUNCILMEMBER KAMA: Yes. Thank you, Chair. I think this is for Mr. Agawa. So, in the presentation, you talked about there was 79 acres, but then you're only using 14 acres for the PDS. So, do you have plans to use the balance of the...the acreages?

MR. AGAWA: Thank you, Chair. Thank you, Member Kama. That's a great question. So, what you saw in that slide in yellow --

COUNCILMEMBER KAMA: Yeah.

MR. AGAWA: -- that's 49 out of the 79 acres in total. The 49 acres is one parcel. That affects the PDS.

COUNCILMEMBER KAMA: Okay.

MR. AGAWA: There's another 30-acre parcel that we acquired from Nan, Inc.

COUNCILMEMBER KAMA: Yeah.

MR. AGAWA: That's separate, a separate parcel. Yes, we are only using about 14 acres. The remainder of that 49 acres, we intend to permit it...go through all the environmental permitting, design, and utilizing it as a landfill expansion for MSW.

COUNCILMEMBER KAMA: Oh, okay. Good, good. So, you talked about air monitoring. So, you talked about monitoring the sites at Olowalu, as well as the site at...at the permanent debris site. But, you know, as the trucks are driving, is there monitoring along the way too, or is that not necessary?

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MR. AGAWA: Thank you for the question, Member Kama. I believe there are air quality monitors at different points along the route. However, that is not part of the County or Army Corps' operation. I believe those are associated with Department of Health, of Air Quality Monitoring Program. Now, is it all the way along the route? No, I don't believe so. And DOH, you can correct me if I'm wrong, but they are located sporadically along the route here and there.

COUNCILMEMBER KAMA: Okay. Because at some times around the route, it gets really windy, like when you come around by Mā'alaea, right there, because you always see the dust storms start to kick up right around that side. Okay. And then I think...my last question was the liners. So, you're lining the...the permanent debris site before you start adding the debris. And once you...once, I guess, you finish putting all the debris there, you're going to go ahead and loop that with another liner on the top, just to kind of like seal it all off?

MR. AGAWA: Thank you, Chair. Thank you, Member Kama. Yes. So, to clarify, every day...or during the operation, once the debris comes in, it'll be wetted --

COUNCILMEMBER KAMA: Yeah.

MR. AGAWA: -- for dust control, and there'll be a earthen cap placed on it --

COUNCILMEMBER KAMA: Okay.

MR. AGAWA: -- just to seal the debris in. At the end of the operation, the final capping, the debris portion of that PDS, the 14 acres, will be capped, and it'll be managed for the duration. Now, at some point in time, if we get permitted for a MSW landfill, we are looking to segregate that with like the HDPE-type plastic liner, just to segregate it out. But as far as the end of the operation, it'll be like an earthen cap.

COUNCILMEMBER KAMA: So, the process is from June to November, and that's our hurricane season, right? Have you anticipated, if anything at all, should that occur? Oh, sorry, Chair. So, the June to November, which is normally our hurricane season, have you anticipated if something should happen along that time frame?

MR. AGAWA: I can speak for the PDS portion because that's the . . . *(timer sounds)*. . . County portion.

COUNCILMEMBER KAMA: Yeah.

MR. AGAWA: We do have an operational contract...contractor. We're in the contract execution phase right now. So, that's the contractor who's going to be accepting the debris and capping it. As far as the route from the TDS to the Central Maui Landfill, the PDS, I defer that to Army Corps.

COUNCILMEMBER KAMA: Okay. Okay.

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CHAIR COOK: Corps?

MR. PHUNG: Again, my name is Pat Phung.

COUNCILMEMBER KAMA: Yes.

MR. PHUNG: I'm the Chief of Staff. Yes, we did account in our planning--when we planned out the duration --

COUNCILMEMBER KAMA: Yes.

MR. PHUNG: -- to haul the...the debris, we did account for some interruptions, such as weather. We didn't...we didn't say it was a hurricane-type --

COUNCILMEMBER KAMA: Right.

MR. PHUNG: -- but we say weather --

COUNCILMEMBER KAMA: Weather.

MR. PHUNG: -- and traffic. So, we did account for that.

COUNCILMEMBER KAMA: Okay. So, do you think that maybe you're going to maybe think about that a bit more in terms of this is our hurricane season?

MR. PHUNG: We...yes, ma'am. We did...we did...we...we do, as much as we can, plan out what...all the what-if scenarios.

COUNCILMEMBER KAMA: Right, yeah.

MR. PHUNG: And when we came up with the five-month hauling period, obviously, it would take a little bit less.

COUNCILMEMBER KAMA: Yes.

MR. PHUNG: But we add in some duration there --

COUNCILMEMBER KAMA: Yeah.

MR. PHUNG: -- to address some of those concerns.

COUNCILMEMBER KAMA: Okay.

MR. PHUNG: Now, obviously, we can't plan for everything.

COUNCILMEMBER KAMA: Right. Right.

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MR. PHUNG: But from our planning process, we work with the County. We believe that it is a fair, reasonable for five months at this point in time.

COUNCILMEMBER KAMA: Okay. Okay.

MR. PHUNG: And as...as the colonel mentioned, as we move forward in the first month or so, then we have route data.

COUNCILMEMBER KAMA: Yeah.

MR. PHUNG: And then we, at that point in time, will adjust our schedule. And of course, we work with the County, and let the...the community members know about it.

COUNCILMEMBER KAMA: So, I saw that you have 50 vehicles, but you're only going to use 4 a day to go pick up and drop off; is that right? Or did I misread?

MR. PHUNG: No, we have a total...we plan for a total of 50 vehicles. Each vehicle takes four trips --

COUNCILMEMBER KAMA: A day.

MR. PHUNG: -- a day, for a total of 200 truckloads.

COUNCILMEMBER KAMA: Okay.

MR. PHUNG: And it's a...it's a circular loop, essentially.

COUNCILMEMBER KAMA: Yes. Yeah, yeah. So, how much wear and tear is that going to occur on the road?

MR. PHUNG: I'm sorry, ma'am. Can you repeat the question?

COUNCILMEMBER KAMA: How much wear and tear would that occur for the road? Because if you travel back and forth, back and forth, back and forth, right?--

MR. PHUNG: Right.

COUNCILMEMBER KAMA: -- there's going to be some wear and tear.

MR. PHUNG: Well, we --

COUNCILMEMBER KAMA: Did you consider that?

MR. PHUNG: -- for...we were concerned with the cane haul route because that's a temporary road.

COUNCILMEMBER KAMA: Yeah.

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MR. PHUNG: So, we...we --

COUNCILMEMBER KAMA: The cane haul.

MR. PHUNG: -- account for some maintenance of that. As the colonel mentioned, when the trucks come down from the TDS . . . *(timer sounds)*. . . --

COUNCILMEMBER KAMA: Yes.

MR. PHUNG: -- it would be weighed so that we'd be following all the DOT guidelines.

COUNCILMEMBER KAMA: Yes.

MR. PHUNG: So, that's allowable. So, we're not going to exceed the...the weight of the vehicle --

COUNCILMEMBER KAMA: Right.

MR. PHUNG: -- on the road.

COUNCILMEMBER KAMA: Right.

MR. PHUNG: So, it'd be a standard type of traffic.

COUNCILMEMBER KAMA: I see. Okay. Okay. Thank you. Thank you, Chair.

CHAIR COOK: And...

MS. CONVARD: Chair Cook? This is Nancy Convard, DOH.

CHAIR COOK: Yes.

MS. CONVARD: May I interject?

CHAIR COOK: Yes.

MS. CONVARD: Yes. I just wanted to clarify the comment of DEM on the air monitoring along the route. There's very limited amounts of air monitoring in the Olowalu area and in Kihei, but not all along the route. So, just to remind everyone, those...the debris will be burrito-wrapped--that means so wrapped in plastic--and the trucks will have tarp on it. So, we're not expect...anticipating any air emissions from along the route. Obviously, if we visualize, and we see some operational concerns, then we would adjust and increase air monitoring. But at this time, we don't see any need for air monitoring along the route...just right there near Olowalu where this operation's occurring.

COUNCILMEMBER KAMA: Thank you for that response.

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MS. CONVARD: Thank you.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR COOK: Thank you. Thank you for that clarification. Chair Lee is not here, so we're going to skip. Member Paltin, questions for our resource people...personnel?

COUNCILMEMBER PALTIN: You're skipping Chair Lee, so I can go?

CHAIR COOK: She's not here.

COUNCILMEMBER PALTIN: Okay. Just sounded like you were going to skip me. One thing I've been getting a lot of question about is the term nonhazardous. I understand that the batteries and the solar panels are classified as hazardous. When I use that phrase, people say, can we then go roll around in that ash debris since it's nonhazardous? So, if you could clarify what, I guess, the dictionary definition of nonhazardous is, or the way that you're utilizing it? Because it seems like with all the air monitoring, and you don't want people to touch it or roll around in it, it's kind of hazardous, but I understand there's different interpretations of that word. So, if you could clarify that, and like that it's not something that we want people touching, and breathing, and things like that. Somebody?

CHAIR COOK: Is that Department of Health, Environmental Protection?

MS. PEDROZA: I would let Department of Health speak first, especially as it relates to human health and exposure, and we can speak to some of the regulatory definitions of hazardous waste.

CHAIR COOK: Department of Health, would you like to answer?

MR. HAAE: Yeah. Thank you, Chair. Glen Haae with Department of Health, Solid and Hazardous Waste Branch.

COUNCILMEMBER PALTIN: Hey, Mr. Haae.

MR. HAAE: Hello again, Member Paltin. So, when we use the term hazardous waste, it's a term for a regulated hazardous waste. And basically, within the regulations there, it defines certain types of substances as being hazardous waste. It's...it's...it's a very long list put together, I believe, by the EPA in the past. And so, within the solid waste framework of regulations, hazardous waste is separated out. And those types of waste are...have special regulations essentially. And so, when...yeah, when we use the term hazardous waste, it's very specific to that regulated hazardous waste. To answer your question, other solid wastes may also be detrimental to human health and the environment. So, the term hazardous, again, is...only applies to the regular...regulated hazardous waste. Solid waste could still have negative effects and contaminants that could affect people. So, yeah, I wouldn't recommend anybody to roll around in any of the solid waste material. As an example, also, you know, you think of sewage or

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something like that. It's...that is not considered...could potentially not be considered a hazardous waste, but it's still, again, detrimental to human health and the environment. So, there are just different regulations for different types of waste materials.

COUNCILMEMBER PALTIN: So, would we say nonhazardous, but detrimental to human health and environment waste?

MR. HAAE: You could say that, yeah. We just call it solid waste.

COUNCILMEMBER PALTIN: Okay. My next clarification...

MS. CONVARD: So...let me add to that, Chair Cook. So, I think --

COUNCILMEMBER PALTIN: Wait.

MS. CONVARD: -- to address that concern --

COUNCILMEMBER PALTIN: Wait, wait, wait. Whoa, whoa, whoa.

MS. CONVARD: -- I think we all know that when...

COUNCILMEMBER PALTIN: Can you stop talking, please? Because I only have limited time and I don't want to just free-for-all everybody talking. Thank you.

CHAIR COOK: Well, Chair [sic], please pause for a moment. I had asked for their input. They're giving input. I'll grant you additional time if needed.

COUNCILMEMBER PALTIN: I'm going to need a lot of time.

CHAIR COOK: Well, you can have a third round. You'll finish this. Department of Health, if you would continue with your explanation.

MR. HAAE: Oh, I don't have the...

MS. CONVARD: Thank you, Chair Cook. I'll be brief. It's...it's the...the...in the past, we talked about the ash having significant levels of heavy metals that may be a potential human health concern. And as I believe it was...EPA mentioned, in this scenario, this exposure situation is very different. As...as Glenn said, you're not...the public or the community are not coming in direct or...or very...or even very close contact at all with the ash, and it's all wrapped, and being distributed. So, the controls, the mitigation measures that we would require, and advisories that we would give to the public varies with what kind of exposure they might have to it. In this case, there's no longer any exposure, and we've demonstrated that through significant environmental monitoring activities.

CHAIR COOK: Thank you for the clarification. Member Paltin, you may continue.

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COUNCILMEMBER PALTIN: Okay. You can restart my clock. My next clarification is the sun up to sun down. In the calendar, it states specifically sunrise and sunset times. So, at sunrise, where will all the trucks be? And at sundown, are they going to leave someplace in Kahului and drive to Olowalu at sunrise? Will they be at Olowalu? Is it the listed time, like 6:00 a.m. or 5:53 like daily? Can you clarify?

CHAIR COOK: Department...or whoever.

MR. KATO: Hi. So, we anticipate the trucks are going to be leaving their baseyards somewhere out here in Kahului, and then driving out to the TDS.

COUNCILMEMBER PALTIN: They're leaving their base yard at sunrise?

MR. KATO: Probably depends on where they're coming from, but it may be before sunrise so that they're out at the TDS around...around 6:00 a.m., that time.

COUNCILMEMBER PALTIN: 6:00 a.m. throughout the five months, regardless of when the sun comes up? Or...

MR. KATO: It might start a little bit later when the sun starts coming up later.

COUNCILMEMBER PALTIN: Okay. And then...

MR. KATO: Because operationally, the workers need to have light to be able to load up the trucks, wrap everything, and...they need to be able to see, be safe . . . *(inaudible)*. . . operations.

COUNCILMEMBER PALTIN: And then when it was being disposed at the TDS, daily fill would be placed on it. Is that the same procedure? At the end of the day, you would place fill on top of the TDS?

MR. KATO: That...the County is going to be doing the fill placement at the...at the PDS.

COUNCILMEMBER PALTIN: TDS.

MR. KATO: Oh, the TDS? Yes, they'll...they'll...they'll cover the material at the end of the day.

COUNCILMEMBER PALTIN: And...

MR. KATO: So, it's not left exposed.

COUNCILMEMBER PALTIN: And what is the threshold of wind? Like if it's 80 miles an hour, are you still operating?

MR. KATO: No. I believe it's around 20, 25 miles an hour. . . . *(inaudible)*. . .

COUNCILMEMBER PALTIN: 25 miles an hour for how long?

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MR. KATO: I'm not sure. I'd have to find out more information on that.

COUNCILMEMBER PALTIN: Five minutes, ten minutes, you don't know?

MR. KATO: I'm not sure.

COUNCILMEMBER PALTIN: Okay. Can we get that in writing? 25 minutes for how long? And then...or 25 miles per hour for how long? And then special events. We're hosting the State canoe regatta, we're hosting the State junior lifeguard regatta in Kā'anapali this summer, I think beginning of August, first and second weeks. Is there any leeway for the transportation of the koa canoes, transportation of jet ski, and like that along the route to pause operations?

CHAIR COOK: I believe that's...Mahina, want to address that?

MS. MARTIN: I think I can help with that question. Thank you, Chair and Councilmember Paltin. With regard to large-scale events, such as the State canoe . . . *(timer sounds)* . . . championship, regattas during the summer, and a few other events that we've been made aware of, including large family reunions requesting for consideration. It's been difficult for us to pin down which ones should be considered, and can they be considered, given the volume of events during the summer. I know that the Army Corps will be carefully monitoring. How...we have been in conversations, particularly with the Hawaiian Canoe Racing Association. Matter of fact, I just met with them the other Sunday. So, they're aware, including the local canoe clubs, to prepare in advance. Competitors coming in shouldn't be arriving, you know, one hour before race time and given, you know, the normal Pali traffic, expect to get there. But we've also received requests from employment folks there, the workforce is concerned about employee travel times. And so, again, it's been the same conversation to try to plan accordingly. We're carefully monitoring.

COUNCILMEMBER PALTIN: So, that's kind of a no, or yes, or maybe?

MS. MARTIN: If you want a straight answer on can they be considerations for special, the current answer is no, considering the time frame. If we do not clear out and complete the restoration of Olowalu and the transfer in the adequate time, the County will end up paying for the complete operations. So, that is the demand that we're under. So, every single request would weigh in on that.

COUNCILMEMBER PALTIN: I heard the bell. Thank you.

CHAIR COOK: Member Rawlins-Fernandez, would you like your first round of questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes. Mahalo, Chair. Aloha, everyone. Mahalo for being with us, for the presentation, and for answering our questions. Okay. So first, the slide...slide 2, where it has the frequently asked questions. Not sure if I heard it noted, but it does get cut off. There is a QR code for the entirety. But if someone

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was...you know, if someone in the public wanted to see this slide presentation and saw that it was cut off, was the intention for it to be cut off, or was the intention to put all of the FAQs on the slide?

MS. MARTIN: Thank you, Chair. Thank you, Councilmember Rawlins-Fernandez. It wasn't intentional to --

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha.

MS. MARTIN: -- share just some. I think our graphics folks were trying to take a show-and-tell view of it. So, the QR code should be used to get the complete set. It's a one-pager.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes. I used the QR code because the answer to the...the fourth question is cut off, and the answer on the other side is cut off, and I...I wanted to read the answers. And then I saw that there were other questions. I don't know if maybe it would be good to like have the full Q&A on the slides in case anyone wants to look at the meeting materials, then they know all the answers and the questions and...I mean, I get that the QR code is there, but also, you know, there's folks that may not be as tech savvy. Okay. And then I wanted to quickly finish a couple of questions regarding the nonhazardous debris. So, in question 2 in the Q&A, it says the nonhazardous debris will be transported via dump trucks, et cetera, et cetera. And I hear what Member Paltin is saying, and I agree that by just labeling it nonhazardous debris, it could be misleading to the public that doesn't understand the nuance of, you know, like super hazardous, which is what, you know, EPA removed from the...the burn area immediately--I think it was EPA--and then, you know... So, as far as like what that means, I guess, what was the purpose in describing the debris in that...in...in the second question as nonhazardous?

CHAIR COOK: Mahina? Or...

MS. MARTIN: Oh. Thank you for the question, Councilmember Rawlins-Fernandez. We made an effort to put that upfront because much of the concern we get from the community is whether or not it's toxic. So, in order to reassure them it's not, we made a deliberate point to...you know, to share that phrase, nonhazardous. We get a lot of reactions from it, from the public, saying, okay, that's good to know.

MS. PEDROZA: May I add --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay.

MS. PEDROZA: -- a little bit of --

COUNCILMEMBER RAWLINS-FERNANDEZ: Go ahead.

MS. PEDROZA: -- more information? To Councilmember Rawlins' point is, I want to distinguish between the regulatory definition of a hazardous waste versus if you were to take it out of the regulatory frame, what the . . . *(timer sounds)*. . . definition of hazard is.

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And so, under the Resource Conservation and Recovery Act, which is administered by EPA, we established the framework for managing solid waste and hazardous waste in the U.S. And so, it regulates the generation, transportation, treatment, and storage. And so, when you're thinking about that, hazardous waste classified from a regulatory standpoint is subtitle C, and subtitle D is considered nonhazardous waste, which by regulatory definition is what this material is classified as. When you think about it from just the normal layman term of hazardous, that's when you think about vectors of exposure. You can have a sharp metal object, or something like that, that is considered hazardous, but not within how we operate within an agency. And so, that's why we wanted to be very careful of labeling it that way. Because it is not regulated hazardous waste. However, as DOH mentioned, it is good to keep in mind vectors of exposure, which is inhalation, injection, absorption, things like that. And that also ties in with exposure time. What DOH was potentially getting at a little bit is that because it's no longer on the properties, it's not...the...the opportunity for exposure over a long duration time is less likely, versus when it's moved to the PDS from the TDS. However, if the public were to come into contact with it, there is PPE that even the contractors and others that encounter the material would have to wear, which is like things like the N95 respirator, which is a mask that you often see people use. You wouldn't really want them to be touching things with their bare hands and things like that. So, keeping that in mind, I'm sure DOH could emphasize a little bit more on the public health side of it. But I did want to distinguish that, which is why we labeled it as nonhazardous because that's how we have to regulate it. Hope that helped a little bit. I can elaborate . . . *(inaudible)*. . . time.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that...mahalo for that response. And I do see the Department of Health also just turned on their video. So, I'm assuming they want to speak, but really quickly before they do, Chair--and I did hear the timer--that when folks read the Q&A, it...it'll generally be understood in the plain language unless the...I don't know, is that CFA, the Federal citation, if there could be some kind of citation to in what context this nonhazardous is meant. Because otherwise, it'll be understood as plain language from the public standpoint. Go ahead.

MS. CONVARD: Yeah. I just want to reinforce what Sarah was...the EPA was saying. It is really about what you come in contact with. And in this case, like so the ash itself, with...we issued those advisories early on because if you're just in direct contact with the ash itself, it would be potentially a health concern. However, without coming into contact with it, there's limited, you know, exposure to it, and therefore, not of concern to the public. And as Sarah pointed out--I'm sorry, the EPA pointed out--the workers, you know, would take additional precautions, using N95s and that while they're working. Though I will note that all the occupational exposure that was undertaken during the, you know, original transfer operations and at...at the TDS itself, there was no health risk posed to the...to the workers then. In fact, they reduced their amount of personal protective equipment, even for the workers, during that debris operation because they weren't getting exposed to anything. And...and I know...and it's appropriate for the public to...to think about it and...and be concerned, but the...the documentation and the monitoring to date has not shown that to be of concern.

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COUNCILMEMBER RAWLINS-FERNANDEZ: That's fine. So, I would just like ask that maybe an asterisk be put for where nonhazardous...where it shows up, or maybe just the first time. And at the bottom, there'd be a citation to in what context. So, under the EPA regulatory framework, that's the definition...you know, that's the definition we're following for nonhazardous in this Q&A because that's...the...the...the purpose of this Q&A is to communicate, and to be clear. And that's not clear when you read it in the plain language. Mahalo, Chair.

CHAIR COOK: Thank you, Councilmember. We'll...Staff will make note of that. And we will continue with Councilmember Sinenci. First round of questions.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, everyone, for joining us this morning, and answering our questions. A lot of my questions have been answered, but I...for Ms. Martin, I just also have some questions. Have the...has the hotels, or the Maui Visitors Bureau, or the rental car companies have been informed? Only because I preface my question with, you know, we get a lot of visitors from the West Side, on the East Side. So, just trying to...us to regulate vehicular traffic throughout the island, but for me, for East Maui.

MS. MARTIN: Thank you, Chair. Thank you, Councilmember Sinenci. Yes, we have engaged in a meeting with the industry. Our team actually met with general managers of the West Maui hotels. We also met with the Maui Hotel Lodging Association, and we met with representatives of the Kahului Airport, including rent-a-car operators. We provided them our material so that they can help us relate this to their customers and travelers as well. We have met with Airport Manager Marvin Moniz to look at opportunities at the airport. The advertising on radios, the goal is to get people to plan accordingly rather than not realize what's going on and...and be on the route. We also will have electronic sign boards out. So, most of this is intended to help them plan ahead.

COUNCILMEMBER SINENCI: Okay. Great. Thank you for that. Then my other question for Director Agawa, where on Veterans Highway will the trucks be crossing? Is it more toward Kahului, or the Old Pioneer Mill?

CHAIR COOK: Director?

MR. AGAWA: Thank you, Chair. Thank you, Member Sinenci. Again, I may not be the appropriate person, but to my knowledge, and others can correct me if I'm wrong, it'll be near the Maui baseyard on that Maui Veterans Highway at an existing traffic signal.

COUNCILMEMBER SINENCI: There is a traffic signal. Okay. All right. Thank you for that clarification. Thank you, Chair.

CHAIR COOK: Thank you. So, for second round of questions...

COUNCILMEMBER U'U-HODGINS: Wait, Chair.

CHAIR COOK: Pardon?

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COUNCILMEMBER U'U-HODGINS: You didn't call me yet.

CHAIR COOK: I apologize.

COUNCILMEMBER U'U-HODGINS: But that's okay. I'll be fast. Thank you guys for being here with us. What's the drop-dead date for the completion of the TDS...or PDS?

MR. AGAWA: Thank you, Chair. Thank you, Member U'u-Hodgins. There is no actual drop-dead date for the completion. I just want to let people understand this is a construction project, right? It's hard to pinpoint a date.

COUNCILMEMBER U'U-HODGINS: Okay.

MR. AGAWA: We don't know how the weather is, but we anticipate the completion to happen in June for the entire PDS construction.

COUNCILMEMBER U'U-HODGINS: Okay. And then for...for Ms. Martin, when Member Paltin was asking you about potential consideration for events on the West Side, you said we have a certain amount of time to finish this. When is that drop-dead date?

MS. MARTIN: Army Corps, I'm sure they can help a little bit on the time frame. We were given 18 months with an extension.

COUNCILMEMBER U'U-HODGINS: How long was the extension?

MS. MARTIN: Our goal has been the end of December --

COUNCILMEMBER U'U-HODGINS: Okay.

MS. MARTIN: -- of this year, which also includes the restoration of Olowalu. So, it's not just a final completion, but we...we...Army Corps of Engineers must complete the restoration as well.

COUNCILMEMBER U'U-HODGINS: Okay. Restoration of the TDS and moving all the things needs to happen before December 2025. And there's a...if anything, because it is the winter season, is there an extension on that?

MS. MARTIN: We are anticipating that should conditions warrant that, that we'll know as the...as the operations, you know, continue through the summer, if we're going to be losing time due to any incidents, or weather incidents, or anything that could delay. And then we will have to address it at that time with the Federal agencies involved.

COUNCILMEMBER U'U-HODGINS: I mean, because regatta season's coming up, as you know, as a long paddler, Saturday afternoons, it's stuck. You're stuck. So, I hope you folks anticipate to be just as much as stuck as the rest of everybody else. I'm pau. Thanks.

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CHAIR COOK: Thank you, Member Hodges [sic]. Member Kama, second questions.

COUNCILMEMBER KAMA: I have no questions, Chair. Thank you.

CHAIR COOK: Member Sugimura.

VICE-CHAIR SUGIMURA: I think my questions have been answered, but I want to express our gratitude from the community. And I look forward to talking to Director as I get more questions from the community. So, thank you for opening that door. Thank you.

CHAIR COOK: Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Just a quick question for Director Agawa. The FEMA tipping fees is balancing out for all of this process?

MR. AGAWA: Thank you, Chair. Thank you, Member Johnson. So, yes. FEMA has agreed to compensate via the tipping fees for the debris that'll be taken to the PDS.

COUNCILMEMBER JOHNSON: And it's covering all the costs?

MR. AGAWA: I don't know the final numbers at this time. I do not anticipate it being...covering all of the costs, but we won't know until the exact tonnages are calculated out.

COUNCILMEMBER JOHNSON: We won't have a number until you do that exact tonnage. Okay. Thank you for that. Thank you, Chair.

CHAIR COOK: Thank you. Member...okay. Councilmember Lee's still not here. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. In...in the strike teams that you were referring to, will there be police presence along the route and within the strike teams? Because, you know, rainbows, monk seals, surf...all of those can stall traffic for hours. So, like would they...the strike team contain police presence that would be like, keep it moving, don't look...rubberneck at the monk seal on the side of the road, or something? Just pull off to the side if you want to take a picture of a rainbow.

MR. KATO: Our strike teams will not...our strike teams aren't composed of the...comprised of the police presence, but they will be...they will have contact with the emergency dispatch as needed. So, we have done a tabletop exercise with the emergency police, fire, ambulance, going over different scenarios so that everybody would be prepared, and understand what's going to happen. But basically, we're not changing the emergency operations. You know, if people --

COUNCILMEMBER PALTIN: Can the strike team --

MR. KATO: -- see something that...that happens...

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COUNCILMEMBER PALTIN: -- like tell people, stop looking, keep moving?

MR. KATO: No. Strike teams --

COUNCILMEMBER PALTIN: No.

MR. KATO: -- will not be doing that. Our strike teams will not be doing that.

COUNCILMEMBER PALTIN: So, you're prepared to --

MR. KATO: We're...our strike teams will not...will not...

COUNCILMEMBER PALTIN: -- sit in traffic like the rest of us then?

MR. KATO: Yeah.

COUNCILMEMBER PALTIN: And then what if you complete your four round trips? Is it tap out before sunset, or would you do more round trips?

MR. KATO: If they could do more round trips, then it's possible, but we're not...we're not anticipating that there's enough time for them to do more than four round trips, based on our calculations.

COUNCILMEMBER PALTIN: And then what is the method of communication as this goes on? Because like you said, maybe the first week, or the first month, you'll see how long it takes, whether traffic is flowing smoothly, or what if there's plenty rainbows one day, and it's like you only get two round trips in. Like will there be communication? Like on a good day, estimate two hours to get from here to there. On a bad day, it can be four hours. Or will there be communication to the general public? Will there be communication to the general public on like high wind days, we're...we're shutting it down because it's 40 miles an hour for 20 minutes, so have at it while you can kind of thing? Like what is the method and communication plan?

CHAIR COOK: Member...

MR. KATO: I think we'll defer.

MS. MARTIN: Thank you, Councilmember Paltin. The monitoring of it will include the County communications and Office of Recovery. So, mauirecovers.org has a upfront spot where information on the operations will be kept. We're...we're...been in a lot of discussions about how do we do it. Is it a daily? Is it weekly? Is it...at what threshold do we start telling everyone? But...

COUNCILMEMBER PALTIN: Will it be on the radio and social media? Because I frequently need to point people to the website because--I don't know, that's more of a '90s thing maybe--but like, you know, not everyone will type in the website, and then go to it for information. Like it's more passive. Is there like an aggressive mode, like radio? I

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mean, especially if you're sitting in your car, radio updates are helpful . . . *(timer sounds)* . . . or social media.

MS. MARTIN: We are in contact with every radio station. So, I think we'll have the discussion with the on-air live DJs because that's more manageable than a pre-planned thing.

COUNCILMEMBER PALTIN: Okay. And then like more communication, more frequent would...would be my preference.

MS. MARTIN: Thank you.

CHAIR COOK: Thank you. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So, you're planning to have 50 trucks hauling. Have the 50 trucks already been contracted? Sorry if you already answered that question earlier at some point.

MR. KATO: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, they didn't. Okay. Okay. They are. They have been contracted. Okay. And then I...I wanted to get a little more clarification when Member Paltin was asking questions about the sunrise to sunset. So, the trucks are owned by the contractors. And so, they would likely leave before sunrise to get to Olowalu. And then...and then while at Olowalu, they...they wouldn't start working until there's...there's light. But the truck would likely not leave until like well after sunrise, right?

MR. KATO: Yes. The trucks will need to get the...the trucks will get lined first, and then they'll get loaded up. And then they'll...they'll...the...the material will get wetted, slightly wetted down. And then they'll get wrapped, secured. They get another covering on top of that. And then they go down to the weigh station. They get weighed. And then...and then they're going to be going out. So, it's...the whole process is going to take some time before they actually leave...leave the TDS. And they're not...you know, they're only going to have...I believe it's two operations that's going to be filling the trucks. So, it's not like they're going to be filling 50 trucks at one time. There's only so much space up there.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for that clarification. And then...so for sunset, would the last truck with the haul leave the Olowalu at...like if sunset was at 7:00 p.m., would they leave at 7:00 p.m., or would they be in Central Maui by 7:00 p.m. dumping the haul?

MR. KATO: They need to be at the PDS by...I...by...I believe it's by 5.30 because the TDS needs to close out by around 6:00.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, great. Okay. That was very clear. I appreciate that. Okay. Next, in the Q&A, it says that the trucks that will be hauling

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debris will be identifiable through a magnetic decal. Where...how large is this magnetic decal going to be, and where will it be positioned on the truck?

MR. KATO: Right now, we're looking at putting the decals, I believe, on the back of the truck. So, in case the truck tips over. There's...there was some discussion about putting it on the doors, but I think that's still being worked out. But I'm pretty sure it's going to be at least on the back of the truck. So, if the truck does tip over, it'll be identifiable.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo.

MR. KATO: I haven't actually seen the placards yet.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then...oh, I'm sorry, you're not finished?

MR. KATO: I don't know if Mahina has seen the placards.

MS. MARTIN: We...we are --

COUNCILMEMBER RAWLINS-FERNANDEZ: Did you want to add more information?

MS. MARTIN: -- looking at the back side --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. MARTIN: -- of the truck so that those following--because the phone number is also on there--for anyone who wants to report anything about the transportation.

MS. PEDROZA: I'll also --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Great. Mahalo.

MS. PEDROZA: -- answer the question quickly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, go ahead.

MS. PEDROZA: The placard size is about 12 by 16. There'll be two placards, both Army Corps contractor placard, as well as Maui wild...Lahaina wildfire debris with the Army Corps' hotline, just to clarify. And we can get you a copy of what those look like. And they're also been supplied to EMS, dispatch, MPD, MFD, so they can help facilitate with identification, should there be any emergency.

COUNCILMEMBER RAWLINS-FERNANDEZ: That was very clear information. Mahalo. All right. And then I wanted to finish some of the line of questioning that Member Kama was asking regarding, you know, it being hurricane season. So, what is the procedure when we get a hurricane warning? Like at what point do you like stop operations? Like when it's like "X"...you know, like...I don't know, "X" amount of miles away, or like when

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it's supposed to hit . . .*(timer sounds)*. . . or, you know, like--and I...I heard the timer. So, Chair, if you would allow them to respond to that question.

CHAIR COOK: You may respond.

MS. PEDROZA: I can help start people off. It's a two-part question; one talking about TDS, one talking about PDS. So, I'm sure Army Corps can elaborate, and then Shayne would be able to elaborate. In terms of the sustained winds, which obviously are associated with hurricane season, the...the requirements are 25 mile per hour sustained winds for 15 minutes. That is what the operations is at the TDS. And I believe that was adopted by CML's sustained wind regulations. They're looking at what that would look like operationally. One thing I will add before Army Corps and Shayne speaks is that there is an operational group that will be looking at different types of emergencies, weather events or things that would impact logistics and operations. We have members of National Weather Service, and MEMA, and others that are in the operation tree. And so, that's something that would be discussed in advance within that group of what operations would look like. Obviously it can vary. We won't always know when a storm is coming, or what operations will look like, but that's something that will be coordinated ahead of time, and we can figure out how to help communicate that out to the public. The communications plan is still being developed, but will be identified before haul starts. And I'll turn it over to the Corps and Shayne if they want to elaborate anymore.

MR. KATO: Well, I was just going to...I was just going to point out that once the PDS is shut down, we will stop operations. So, we'll be in contact. We'll be in contact...our...our team will be in contact with the PDS. So, once they shut down operations there, we will not be hauling.

MR. AGAWA: So, from our side, at the PDS...let me just start off by...there's, as Sarah mentioned, two phases, right? There's the debris transport, which is under Army Corps and their contractor's purview. And then there's the PDS, and we have our own operations contracted there, right? So, for the PDS, it will be our contractor's call as when to shut down operations. We don't govern safety issues over the contractor. They have their own safety requirements for their employees. We have our own for our CML employees, but that's a different operation, right? So, if our contractor at the PDS says, you know what? A hurricane's approaching, this is our protocol for safety, we're shutting down, then we'll shut down. It's a contractor's call.

MS. MARTIN: Chair, if I can also add, in the event of a disaster, such as a hurricane warning, as Sarah said, you know, the County's Emergency Management Agency goes into action. And part of the evaluation, the assessment, the situational awareness includes large-scale operations such as this. So, it has a high level of awareness. When those warnings go in, you know, our emergency operating center, through MEMA, activates at different levels, and those levels bring in the discussion of...of impact within that area. So, there will be that heightened awareness. Thank you.

CHAIR COOK: Thank you.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, everyone. I will follow-up in my round three about rain. Okay. Mahalo, Chair.

CHAIR COOK: Member Sinenci?

COUNCILMEMBER SINENCI: Chair, my questions were answered. Mahalo.

CHAIR COOK: Member U'u-Hodges [sic].

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. To follow-up on what Member Rawlins-Fernandez was asking, I assume you guys hired a local contractor to remove the debris and drive the truck, but can you just confirm it with me?

MR. KATO: We...the...ECC is the contractor that's...the overall prime contractor that was hired, and they're hiring local...local truckers.

COUNCILMEMBER U'U-HODGINS: Okay. Great. I don't need to make...state the obvious, but that road is very windy, and right next to the cliff. So, we don't really want somebody who doesn't drive it on a regular to be driving a gigantic tornahauler with nonhazardous debris. Regarding the roads on the...or the improvements on the temp roads, are you guys going to leave in the improvements?

MR. KATO: Could you repeat the question?

CHAIR COOK: Is that a Department of Public Works?

COUNCILMEMBER U'U-HODGINS: The improvements on the temp roads that you guys have done between...for not on the regular highway that's existing, the temp roads that like I believe are probably Mahi Pono's, and the improvements that are made so that they can accommodate the large trucks going back and forth 200 times a day, are you guys going to leave in the improvements?

MR. KATO: The contractor will be removing the bridge crossings across the drainage channels.

COUNCILMEMBER U'U-HODGINS: Okay.

MR. KATO: The irrigation ditches, I'm sorry.

COUNCILMEMBER U'U-HODGINS: Okay. And what --

MR. KATO: And as far as the...the County portion --

COUNCILMEMBER U'U-HODGINS: -- did you guys do anything to the roads itself?

MR. KATO: -- I'll defer to the County.

MR. PHUNG: I think it'd be Department of Public Works.

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COUNCILMEMBER U‘U-HODGINS: Huh?

MR. PHUNG: Public Works will have the answer to that question.

COUNCILMEMBER U‘U-HODGINS: Okay.

CHAIR COOK: Yeah.

COUNCILMEMBER U‘U-HODGINS: Thank you.

CHAIR COOK: Would you like to ask Public Works?

COUNCILMEMBER U‘U-HODGINS: Yeah. That’d be great.

CHAIR COOK: Mr. Barany?

COUNCILMEMBER U‘U-HODGINS: Oh, we cannot hear you.

CHAIR COOK: I think you’re muted.

MR. BARANY: Sorry. Do you guys hear me now?

COUNCILMEMBER U‘U-HODGINS: Yes.

CHAIR COOK: Yeah.

MR. BARANY: Thank you, Chair. Thank you, Councilmember. Yes, we plan to...this portion of Waiko Road, we’re going to leave...the County portions are going to be kept as is, and the...the transitions across the...at the State intersections will be removed. So, it’ll be returned to pretty much pre-existing conditions, with some improvement to the structure with that chipseal lay down, so...

COUNCILMEMBER U‘U-HODGINS: So, we’re going to do all these improvements. It’s going to be nice, and then we got to remove it. Are they reusable? Are we going to be able to use them someplace else?

CHAIR COOK: Mr. Barany, did you hear the question?

MR. BARANY: Yes, I did. I...I’m not 100 percent sure on the...the negotiations for...those bridge crossings were installed by the Army Corps of Engineers. Right now, they...or prior to them being installed, there was just small, nonstructural crossings that had been there from the old cane hauling days, and when Waiko Road was a public roadway back in...in the ’70s.

COUNCILMEMBER U‘U-HODGINS: Okay. So, you guys are going to remove it?

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MR. KATO: The contractor is leasing those Mac Bridge (*phonetic*) crossings right now, so they will remove it, and then they'll return it to the...the owners.

COUNCILMEMBER U'U-HODGINS: Okay. Okay. Thanks.

CHAIR COOK: Is that it?

COUNCILMEMBER U'U-HODGINS: Yeah. That's good for now.

CHAIR COOK: Okay. Chair has a couple of questions. For...for Department of...Department of Health, and actually, for Environmental Management also. The documentation and testing during the TDS transport and handling from the Lahaina fire site to Olowalu, there was extensive testing, air monitoring during that process; is that correct?

MS. CONVARD: Yes, that's correct.

CHAIR COOK: So, the data that was...the data that was collected during that process, is that being utilized, and somewhat to measuring this nonhazardous material, after having tested it extensively during the transport?

MS. CONVARD: Nancy from DOH again. Yes, correct. Because of the results of that, we...that's how we designed and worked with the County in designing the air monitoring programs moving forward.

CHAIR COOK: Question for--I don't know if it's Army Corps of Engineers--what's the projected cost of this transport? Order of magnitude.

MR. HAAE: So, we're still working out the details, and it's too early for us to provide a number to the public.

COUNCILMEMBER U'U-HODGINS: Okay. I was just...it's...it's a substantial sum, and...

MR. HAAE: It's in the millions, let's put it that way, sir.

CHAIR COOK: Okay. Thank you. And then for the...Director Agawa, what's the projected cost for the Permanent Disposal Site that's being developed?

MR. AGAWA: Thank you for the question, Chair Cook. So, the first phase...I mentioned there was two phases. The first phase was about 5.2 million, that was the earthwork portion. The second phase, we're looking at...is about 14.4 million, which is the liner portion. So, a total of about roughly 20 million, just short of 20 million.

CHAIR COOK: Thank you. That's pretty much Chair's question. It's 11:34, is there a request for a third round? . . .(*inaudible*). . . Member Paltin and Member Rawlins-Fernandez. Any other Members will have a third round question? Okay. Starting with Member Paltin?

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COUNCILMEMBER PALTIN: Thank you. On the communication plan, will it be communicated, the information, and how soon can we get the information about wind speeds, duration, and then shutdown? And that's just like the guidelines or the framework, but it...will it also be communicated to the public? One. And then when it occurs, will that be communicated in real time? Like oh, the wind has been blowing at 45 miles per hour for the last 20 minutes, we're shutting down at 8:05 on Tuesday, this date. And then also, communicated in real time that the wind has died down. Like what is the determinations for shutdown? What is the determinations for reopening? Maybe like even a summary? Like at this time, we left at...this past week, we left the TDS at 6:00 a.m. for this past week. Just...you know, like people aren't used to sitting in traffic all day, every day, to get in and out of the West Side, but the communication of how this will affect their daily commute is information that people want to know. And I just want to know if we'll be accommodating and communicating in real time so that...like, you know, the purpose of it is so that people can make...plan ahead and make informed decisions. So, are we going to be communicating in real time the information people need to make informed decisions, or are we just going to give them estimates not in real time, so they make estimates, and so on, and so forth?

CHAIR COOK: Administration, you want to answer that?

MS. MARTIN: Yeah. Thank you, Chair. Thank you, Councilmember Paltin. You bring up a good point. We have been discussing how do we keep it real time without misleading the rest of radio listeners who...quite frankly, if you live in Kula, you know, or North Shore, you may not be interested. So, we're trying to explore the use of the text messaging through Maui Recovers, maybe an opportunity for subscribers interested in that specific question to get that information. So, those are the options we're currently looking at.

COUNCILMEMBER PALTIN: And how are we folding in Maui Bus? And how are we adjusting those times for the commute? Are we offering County of Maui employees that work in West Maui alternatives to coming in every day? Like during COVID, there was work from home scenarios. Are we exploring any options to alleviate additional traffic from that route?

MS. MARTIN: We recently did a briefing for all department heads so that they could make their own operational decisions, and explore what impacts they'll have if they have satellite offices or employees. I think everyone's really trying to understand from the beginning what that experience is. With the State DOT telling us it's a 1 percent impact...we...we just don't know. So, I think that first few weeks are going to be critical to understand. When Maui...

COUNCILMEMBER PALTIN: I mean 1 percent impact on something that's already bad is still bad.

MS. MARTIN: Yeah, correct. Right. And until you sit in traffic, you know, you know how bad it is. With regards to Maui Bus, it's the same thing. They themselves are aware. Operationally, they...to my knowledge, they have not made . . .(timer sounds). . . any

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corrections or adjustments because we just don't know. There's parts of the...we all know, 4:00-ish time frame in and out of West Maui is terrible, early morning's terrible, and then there are openings through the day periodically. So, it's hard to gauge. It's going to be important, the first week especially.

COUNCILMEMBER PALTIN: And...and so, there's plans to update after the first week, like how it went this first week?

MS. MARTIN: Yes. We're particularly interested how that first week goes.

COUNCILMEMBER PALTIN: And then will you be taking into consideration like how the various things affect traffic? Like rainbows, king tides, especially in the summer, surf, monk seals, whales, and all of those things? Like okay, this is on an average day. Okay, this is when we had high tide with a swell. Okay, this is when there were ten rainbows, or whatever.

MS. MARTIN: I can't speak to the traffic planning or the transport planning with regards to daily, you know, occasions like that. I mean, obviously, it's hard to predict the ocean side of the distractions and which visitors...which locals, you know, want to get off the road, but...

COUNCILMEMBER PALTIN: King tides are...are announced way in advance.

MS. MARTIN: Uh-hmm, right. So, we'll continue to work with their Army Corps of Operation's [sic] transport plans, but those are really great points, to make sure they get looked at.

CHAIR COOK: So, may I ask...time's up. May I ask that you put the questions in writing to the Committee? And because these are detailed, they'll basically they'll be able to answer them in...comprehensively.

COUNCILMEMBER PALTIN: Okay. Does Mr. Keone have my back on that? Okay.

CHAIR COOK: Okay. Member Rawlins-Fernandez, you have questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes. Just a follow-up on the hurricane. So, we talked about strong wind. I wanted to follow-up on like...so heavy rain. Would the tarp that covers the trucks prevent rain from getting into the bed of the truck, which, you know, could create like drainage, like going through the debris, and now it's like leaking all over the roads.

MR. KATO: So, it's going to be...it's going to be wrapped, and then it's also going to be covered. So, the wrapping and covering should prevent rain from getting in. I think one of the bigger concerns is if the rain is heavy enough, that it's a safety concern for the contractor, then they may stop their own operations for their own safety concerns. Because we don't want the contractor operating under unsafe conditions. So, if he feels that it's unsafe, he may stop his operations.

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COUNCILMEMBER RAWLINS-FERNANDEZ: All right. That was everyone? All right. But if the...I understand that it's like wrapped in the burrito, but is it like watertight wrap? So, like if, you know, like a foot of...of...of water, rainwater collects at the bottom of the bed, it's...you know, it's not soaking the burritos, and then, you know, extracting some of the heavy metals that then drain out from the truck onto the road, and then to the ocean.

MR. KATO: Well, there's...there's also the extra cover that's on top of the...the wrap material. So, the extra covering should prevent a lot of water from getting into the bed of the truck.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. All right. And then...okay. So, that's the rain. And then to follow-up, so...so all the procedures and stuff, will it be on the Maui Recovers website? Like all the...all the...like the Q&A of these natural disaster-type of high wind, heavy rain events?

MR. KATO: I think a lot of that's --

COUNCILMEMBER RAWLINS-FERNANDEZ: Like how...how to...how to process.

MR. KATO: -- already under the Q&A portion of the Maui Recovers website.

COUNCILMEMBER RAWLINS-FERNANDEZ: Well, the Q&A that is on slide 2, it doesn't have like the details of what I was just asking about, when there's like a hurricane, or high winds, or heavy rains. So, like...you know, like when there's 50 mile per hour winds sustained for 15 minutes or, you know, whatever those protocols are, like will...will that be available on the website so that the public can have that information?

CHAIR COOK: Mahina?

MS. MARTIN: Yeah. Thank you, Chair. Thank you, Councilmember. That are...that's great points. We will adjust, or redo . . . *(timer sounds)*. . . and update it so that it will point out those specific incidents, and what happens.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Great. And then...

MS. PEDROZA: I would...oh, sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, go ahead.

MS. PEDROZA: I was just going to briefly --

COUNCILMEMBER RAWLINS-FERNANDEZ: Go ahead.

MS. PEDROZA: -- add that we do have weekly . . . *(inaudible)*. . . communications meetings where we specifically look at frequently asked questions. We know that over the duration of the debris hauling, there'll be new questions. And so, we definitely welcome you and your constituents submitting additional questions. And we can work with

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County, Army Corps, FEMA, you know, Solid Waste, Environmental Management...all of our partners to be updating those in real time, especially as they become frequently asked questions, and people have similar concerns.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then my last question is regarding the contractor's protocols. I understand that we will not impose our protocols . . . *(timer sounds)*. . . on...you know, our safety protocols on them, but they should communicate to us what their protocols are so that we can communicate it to the public, right? And then when we get that information, can we make also . . . *(inaudible)*. . .

CHAIR COOK: So, Chair's going to request if you can put that...we'll put that in writing. The timer went off. It's 11:45. Chair's going to request...

COUNCILMEMBER RAWLINS-FERNANDEZ: Is that not just a yes or no?

CHAIR COOK: Pardon?

COUNCILMEMBER RAWLINS-FERNANDEZ: It's not just a yes or no question? Can they just say yes or no?

CHAIR COOK: Is that a yes or no question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, it was a yes or no question. Are they going to make that information public, yes or no?

CHAIR COOK: Ms. Martin?

MS. MARTIN: Just to clarify, the question on responses to hurricanes or inclement weather?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh. So, you said that when it comes to the contractor's safety protocol, that's the contractor's call. And so, they should submit their protocols, their safety protocols to us. And then when they do, can we make that available so that the public can know as well?

MR. KATO: Yes, we can make that available if that's requested.

COUNCILMEMBER RAWLINS-FERNANDEZ: On the website. Thank you. I'm requesting it. Thank you.

CHAIR COOK: Okay. Thank you, Members. Thank you all. Chair's going to have a five-minute...or four-minute recess, and then we'll reconvene. . . . *(gavel)*. . .

RECESS: 11:46 a.m.

RECONVENE: 11:51 a.m.

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CHAIR COOK: . . .(*gavel*). . . We'll reconvene the...our meeting. And thank you for the pause. The reason I called for a recess was I wanted to give the...the Administration the opportunity for closing comments, and also for...from Sarah from Environmental. Okay. Mahina?

MS. MARTIN: Thank you, Chair. And thank you, Members, for today's opportunity. This is a very significant endeavor, and a critical step in the complexity of the Lahaina recovery. And we are certainly...certainly, I want to reassure you, we'll be working with all of our partners on monitoring from day one what that looks like, and what we can expect, and understanding all of the concerns of yourselves, and your constituents, and the general community, including West Maui, what those things are that we should be aware of and acknowledge. So, we'll be carefully keeping an eye on it, anticipating those concerns that have been brought up. Our team will be huddling together. We'll be reviewing all of these things, and what more can be done, and is that the best that we can do, given what we know, and what we expect. It is untested. So, we will look forward to a chance that we can provide all of you with updates on how it's going, and certainly put into play the things that will help alleviate those concerns. Thank you, Chair. Thank you, Members.

CHAIR COOK: Thank you. Director Agawa, do you have anything you want to say?

MR. AGAWA: Thank you, Chair. Just...just...I just want to add that, you know, as Mahina said, this is untested, right? This is all new to us. The disaster's new to us. So, we appreciate the questions from the public, and from this body. We just don't know the answers, right, until we start getting into it, and then we'll have better clarity. It's a learning process. As Sarah mentioned, we meet on this topic weekly...twice a week, in fact. One is a coordination meeting, and one is a comms on the same subject. So, we will continue to do that as a team. And if you have any questions, and we need to address that, that's when we'll address it, and we can come back to this body. Thank you.

CHAIR COOK: Thank you. Sarah?

MS. PEDROZA: I just want to briefly speak to...I forget which Councilmember mentioned it, but the EPA has been a long-term partner, both in all phases of recovery. I just wanted to share that I am based on island, was born in Lahaina, raised on Moloka'i, Moloka'i High graduate. I live on Maui with my 'ohana, so I am a full-time permanent position, although I serve all of the Region 9, which is some of our western states and Pacific. We are here for the long-term and recovery. This is one element of what we're involved in. So, if anybody has any questions, I'm your EPA on-island contact. I think I'm the first ever EPA person who is based on Maui, so proud to say that. And I'm more than happy to share my contact information. Mahalo.

CHAIR COOK: Thank you. I want to thank all of you for coming. Members, if there's no objections, the Chair would like to defer this item.

COUNCILMEMBERS: No objections.

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ACTION: DEFER pending further discussion.

CHAIR COOK: Members, this concludes today's Water and Infrastructure Committee meeting. Thank everyone for being here, and for a great meeting. A big mahalo to the County, State, and Federal agencies for their partnership and coordination of this project. The time is now 11:54. This meeting is now adjourned. . . .*(gavel)*. . .

ADJOURN: 11:54 a.m.

wai:min:250604:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 57 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 25th day of June 2025, in Wailuku, Hawai'i



Daniel Schoenbeck