

**MAUI COUNTY COUNCIL
SPECIAL COUNCIL MEETING
MINUTES**

**October 12, 2023
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via BlueJeans <https://maui.bluejeans.com/295235670>.

In person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

Video recording of meeting available at: www.mauicounty.legistar.com

Meeting called to order at 9:02 a.m.

Roll Call

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Tasha Kama	√			
Yuki Lei Sugimura	√			
Tamara Paltin	√			
Gabe Johnson			√	
Keani Rawlins-Fernandez	√			
Tom Cook	√			
Nohelani U‘u-Hodgins	√			Left meeting at 9:25 a.m.
Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8		1	

Bill 86, CD1, FD1 (2023) “A BILL FOR AN ORDINANCE RELATING TO MAUI WILDFIRES DEBRIS REMOVAL”

Time Deliberations Began	9:46 a.m.
Time Motion Made	9:46 a.m.
Motion	PASS on second and final reading
Maker	Sugimura
Second	Kama
Time Vote Taken	10:14 a.m.
MOTION PASSED 7-0; 2 excused (Johnson, U‘u- Hodgins)	

TIME MEETING ADJOURNED: 10:16 a.m.

TRANSCRIPTION

Council of the County of Maui on 2023-10-12 9:00 AM - Special Meeting

[GAVEL] >> WILL THE SPECIAL COUNCIL MEETING OF OCTOBER 12TH, 2023 PLEASE COME TO ORDER, GOOD MORNING EVERYONE, ROLL CALL. >> GOOD MORNING, CHAIR, PROCEEDING WITH ROLL CALL. MEMBERS PARTICIPATING ARE NON-PUBLIC LOCATIONS SHOULD STATE WHO IF ANYONE EXCEPT MINORS IS PRESENT WITH THEM AS PART OF ROLL CALL. COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> ALOHA KAKAHIKA. OKAY. ARE WE GOOD.\r\n\r\n>> DEREK IS COMING. >> HOW ABOUT NOW? BETTER? >> IT'S OKAY. >> OKAY, ALOHA KAKAHIKA, CHAIR AND OLA TO EVERYONE IN THE CHAMBERS AND IN AKAKU LAND. >> OLA TO YOU. >> VICE-CHAIR YUKI LEI SUGIMURA.\r\n\r\n>> ALOHA AND GOOD MORNING. YOU KNOW THAT TASHA KAMA HAS ADOPTED YOUR MORNING GREETING FOR TODAY. >> IT'S OKAY . COUNCIL MEMBER TAMARA PALTIN >> ALOHA KAKAHIKA KAKOU. BROADCASTING LIVE AND DIRECT FROM HILO. I HAVE WITH ME MILDRED PALTIN, GEORGE RIVERA AND UNNAMED MINORS. >> COUNCIL MEMBER GABE JOHNSON. >> EXCUSED.\r\n\r\n>> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA CHAIR AND I'M AT THE MOLOKA'I DISTRICT OFFICE, ALONE ON MY SIDE OF THE OFFICE, AND I HAVE MY AE ON THE OTHER SIDE OF THE OFFICE REPORTING NO TESTIFIERS. MAHALO, CHAIR. >> COUNCIL MEMBER TOM COOK. >> ALOHA, AND OLA, THERE'S NOBODY IN THE KIHEI DISTRICT OFFICE TO TAKE TESTIMONY TODAY. THANK YOU. >> COUNCIL MEMBER NOHELANI UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR, GOOD MORNING EVERYONE I'M AT THE PA'IA DISTRICT OFFICE WITH SUSAN CLEMENTS AND WE HAVE NO TESTIFIERS HERE. COUNCIL MEMBER SHANE SINENCI. >> ALOHA, OLA MAI AKINA AT THE HANA DISTRICT OFFICE WITH EA DAWN AND THERE'S NO TESTIFIERS. >> COUNCIL CHAIR ALICE LEE. >> GOOD MORNING OLA. MY GRANDMOTHER WHO WAS BORN IN SPAIN, GROWN UP IN SPAIN WOULD BE HAPPY I KNOW AT LEAST ONE SPANISH WORD. >> CHAIR, THERE ARE EIGHT MEMBERS PRESENT, ONE MEMBER EXCUSED.\r\n\r\nA QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M DEPUTY COUNTY CLERK, RICHELLE THOMSON, AND ALSO PRESENT FROM THE OFFICE OF THE COUNTY CLERK IS THE COUNTY CLERK, MOANA LUTEY, AND LEGISLATIVE DIVISION STAFF LAUREN SALDANA AND DELL YOSHIDA. JOINING MEETING FROM THE OFFICE OF COUNCIL SERVICES IS DIRECTOR DAVID RAATZ AND LEGISLATIVE ATTORNEYS RICHARD MITCHELL, FROM THE DEPARTMENT OF CORPORATION COUNSEL IS MICHAEL HOPPER. >> EVERYONE PLEASE JOIN ME IN RECITING THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED UNLESS IT'S YOUR TIME TO SPEAK. ORAL OR WRITTEN TESTIMONY WILL BE ACCEPTING AT BEGINNING OF THE MEETING ON, BECAUSE WE ONLY HAVE ONE ITEM.\r\n\r\nTESTIMONY PERTAINING TO ITEMS -- TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA. WHEN TESTIFYING PLEASE DIRECT YOUR REMARKS TO THE COUNCIL AND NOT TO ANY INDIVIDUAL MEMBER, OR MEMBER OF THE PUBLIC. EACH TESTIFIER WILL BE ALLOWED TO SPEAK UP TO THREE MINUTES ON EACH ITEM. DECORUM SHALL BE MAINTAINED AT ALL TIMES. ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS DISTURBS OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN AT THE DIRECTION IS OF PRESIDING OFFICER OR A MAJORITY OF THE PRESENT COUNCIL MEMBERS BE EJECTED OR BANNED FROM COUNCIL MEETINGS OR IF PARTICIPATING REMOTELY, MUTED OR DROPPED FROM THE MEETING. EXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF COUNCIL, STAFF, OR GENERAL PUBLIC. AS A REMINDER THE CHAT SHALL BE USED TO SIGN UP FOR TESTIMONY AND NOT FOR PUBLIC COMMENTARY ON THE MEETING AND IT WILL BE CONSIDERED A BREACH OF DECORUM FOR MEMBERS OF THE PUBLIC TO USE THE CHAT FOR ANYTHING OTHER THAN TESTIMONY SIGN UP.\r\n\r\nMS. CLERK, PLEASE PROCEED. >> CHAIR WE'LL BEGIN WITH THE PRESENTATION OF WRITTEN -- SORRY, ORAL TESTIMONY. INDIVIDUALS MAY TESTIFY ON BILL 86 CD 1, FD 1 (2023) THE FIRST PERSON TO RECEIVE IS TIMOTHY GUNTHER, FOLLOWED BY SUSAN PCOLA-DAVIS. >> WILL THE SECOND TESTIFIER BE READY TO TESTIFY? IN

THREE MINUTES; RIGHT? THANK YOU.\r\n\r\nGOOD MORNING MADAM CHAIR AND COUNCIL. MY NAME IS TIM GUNTHER, MY COMPANY IS GUNTHER CONSULTING. I HAVE DONE WORK WITH MOST OF THE ADMINISTRATIONS GOING BACK TO HANNIBAL TAVERAS. I'M HERE THIS MORNING TO PRESENT AN ALTERNATIVE TO DEAL WITH THE REMAINS LEFT FROM THE DEVASTATING FIRE IN LAHAINA. FOR SEVERAL YEARS I HAVE BEEN WORKING WITH COUNCIL MEMBER SINENCI AND BRINGING INNOVATIVE TECHNOLOGY TO HANA, THAT WILL TURN THE MATERIAL BROUGHT TO THE LANDFILL INTO ENERGY. I HAVE BEEN WORKING WITH TWO INDIVIDUALS TO HELP GET GRANTS FROM LARGE CORPORATIONS, AND PHILANTHROPISTS AND DR. RENNER WHO ATTENDED BEFORE THE COUNCIL FROM IOWA STATE UNIVERSITY IS A PROFESSOR WITH THE DOWN DRAFT GASIFIER FOR YEARS WITH OVER 70 PEER-REVIEWED PAPERS.\r\n\r\nFOR EVERY 20 TONS OF MATERIAL GAS FIRES PRODUCE ONE MEGAWATT OF ELECTRICITY FOR 1400 HOMES. GAS FIRES LIKE IN A CREMATORIUM AND TAKE ANY CARBON CHAIN AND BREAK DOWN TO SINGLE MOLECULES WITH NO HARMFUL EMISSIONS AND SMOKE PRODUCED IN GAS IS CLEANER THAN NATURAL GAS TO POWER BOILER OR GEN SET TO RUN EQUIPMENT OR POWER THE GRID. IN LAHAINA WE HAVE THE TOXIC DEBRIS, WHICH I WILL BREAK INTO FOUR DIFFERENT CATEGORIES. NO. 1, METAL WHICH CAN BE RECYCLED ON ISLAND; 2, SENSITIVE REMAINS CONSISTING OF ASH, CHARRED WOOD AND ORIGIN CARBON- BASED MATERIALS; NO. 3, CONCRETE, HOLLOW TILES, WALLS, STEPS DRIVEWAYS; NO. 4, SOIL THE DOZER WILL TAKE 2-4 INCHES NOT SURE ABOUT THE NUMBER.\r\n\r\nIF THE ARMY CORPS OF ENGINEERS GO IN WITH DOZERS, ALL OF THE DEBRIS WILL BE MIXED AND HAVE A MATERIAL THAT IS 500 PARTS THERE ARE MILLION EACH HARMFUL CHEMICAL WITH ITS OWN PPM AND RUN IT THROUGH THE GASIFIER, TO COLLECT THE HARMFUL CHEMICALS THAT THE BYPRODUCT IS CALLED BIOCHAR, WHICH COULD BE SAFELY PUT IN THE SOIL OR ADDED TO THE SCENE SOIL AS SOIL AMENDMENT OR ADDED TO CONCRETE TO BE USED FOR BUILDINGS, ROADS OR MEMORIAL, IF THAT WERE CONSIDERING. IN OTHER WORDS, THE REMAINS COULD BE DEALT WITH IN AN ENVIRONMENTALLY SOUND WAY. FIRST REMOVE THE METAL POSSIBLY USING ELECTRIC MAGNET AND EXCAVATOR AND SENSITIVE MATERIALS COULD BE PUT IN SUPER SACKS AND STORED ENVIRONMENTALLY SECURED FROM THE RAIN, AND WHEN AND UNTIL IT'S PROCESSED. THE CONCRETE COULD BE SPRAYED WITH A PRODUCT CALLED EZ DECON, WHICH BREAKS DOWN HAZARDOUS COMPOUNDS, WHICH COULD BE TESTED SO IT COULD BE RECYCLED ON-ISLAND >> THREE MINUTES. >> THEN WHEN THE DOZER COMES? SP-CAN YOU CONCLUDE IN 30 SECONDS. >> YES, THE SOIL PARTS PER MILLION COULD BE SIGNIFICANTLY LOWER, THE SOIL COULD BE DEALT WITH GIVING MORE OPTIONS THAT WOULD BE ACCEPTABLE BY THE EPA OR COMMUNITY UPON COMPLETION OF GASIFICATION, THE LAHAINA REMAINS THE GASIFIER WOULD BE DONATED TO HANA.\r\n\r\n>> THANK YOU. MEMBERS, DO YOU HAVE ANY QUESTIONS? MEMBER COOK. >> THANK YOU; THANK YOU FOR YOUR TESTIMONY. MY CLARIFYING QUESTION IS THE DOWN DRAFT GASIFICATION THAT TECHNOLOGY, AND THAT APPARATUS. FROM YOUR UNDERSTANDING WHAT WOULD IT TAKE TO GET THAT FUNCTIONING ON MAUI? TIMEWISE? \r\n\r\n>> IT COULD BE UP AND RUNNING IN SIX MONTHS. >> IS THERE -- MY OTHER CLARIFYING QUESTION, DO YOU HAVE A COST ESTIMATE? >> WELL, THERE'S SO MANY VARIABLES, I DON'T THINK THAT WOULD BE APPROPRIATE FOR ME TO -- IN THE EVENT THAT THERE WAS A BID OR SOMETHING LIKE THAT. JUST TOO MANY DIFFERENT SCENARIOS THAT CHANGE -- THAT WOULD CHANGE THAT. >> THANK YOU. SO IF YOU COULD SUBMIT INFORMATION TO THE COUNCIL IT WOULD BE VERY HELPFUL, BECAUSE IT SOUNDS LIKE A GOOD WAY TO GO. THANK YOU FOR YOUR TESTIMONY.\r\n\r\n>> PRO TEM KAMA. >> THANK YOU, CHAIR. SO I'M TRYING TO UNDERSTAND ALL WHAT I TOLD US IN THREE MINUTES, AND I DON'T THINK I'M GETTING THE FULL PICTURE. BUT I GET THE IDEA OF WHAT YOU ARE TRYING TO DO. HAVE YOU SPOKEN TO EITHER THE MAYOR OR THE ARMY CORPS OF ENGINEERS OR EPA ABOUT THIS? >> NO, I HAVEN'T. >> OKAY. THANK YOU.\r\n\r\nTHANK YOU, CHAIR. >> YOU DO UNDERSTAND THAT THIS IS THE LEGISLATIVE BODY, WHICH IS NOT IN CHARGE OF REMOVAL? >> RIGHT. >> OKAY. ANYONE ELSE WITH QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THANK YOU.\r\n\r\n>> MEMBER PALTIN HAD A QUESTION, CHAIR. >> I MISSED MEMBER PALTIN'S HAND. MEMBER PALTIN HAS A QUESTION. >> THANK YOU, CHAIR. THANK YOU, MR. GUNTHER. I JUST WAS ALSO SEEING IF YOU CHECKED WITH THE ADMINISTRATION OR ARMY CORPS, BUT ALSO IF YOU WERE AVAILABLE NEXT WEEK WEDNESDAY AT 1:30? >> YES, I COULD BE.\r\n\r\n>> OKAY. THAT IS THE PLAN, WE'RE GOING TO GO OVER IT --

THE ARMY CORPS OF ENGINEERS PROCESS. SO IT MIGHT BE A GOOD THING TO COME TO. >> THANK YOU. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> CHAIR THE NEXT TESTIFIER IS SUSAN PCOLA-DAVIS, FOLLOWED BY REBECCA WILMER.\r\n\r\n>> GOOD MORNING. >> GOOD MORNING. >> I ONLY HAVE THREE POINTS TO MAKE. ONE OF THEM HAS TO DO WITH WHAT IS GOING ON IN SOCIAL MEDIA. THERE IS A HIGHLY POPULAR PERSON, AND I THINK THIS IS MISINFORMATION. BUT A LOT OF PEOPLE -- -- >> LET'S MUTE THAT PERSON. >> 90% MUST SIGN UP FOR GOVERNMENT PROGRAM FOR THE DEBRIS REMOVAL OR ELSE THE GOVERNMENT PROGRAM ISN'T GOING TO HAPPEN.\r\n\r\nTHEY ARE GOING TO BE REMOVING ASH, SETTING IT ASIDE FOR BURIAL SITE IN A DESIGNATED PLACE THAT WILL BE LINED WITH PLASTIC. SO IT'S NOT IN THE LANDFILL. OKAY. NEXT POINT, SOIL TACT KULA HAS ALREADY USED PRODUCT. IT WOULD BE NICE TO KNOW AT LEAST ONE TESTIMONY ON HOW A PROPERTY OWNER'S EXPERIENCE WAS. MY CONCERN IS TRANSPARENCY, BECAUSE AS PEOPLE START REENTERING AGAIN, PROPERTIES WILL HAVE -- I'M NOT POSITIVE, BUT WILL HAVE SOIL TACT ALREADY APPLIED AND WHEN THEY WALK ON THEIR PROPERTY, THERE MAY BE CRUST OVER THEIR SOIL AND IT WOULD BE A NICE PUBLIC SERVICE ANNOUNCEMENT IF SOME OF THE FOLKS FROM KULA COULD RELATE. THE BURIAL SECTION 6B, I DON'T THINK IT'S WORDED CORRECTLY, OR MAYBE IT IS?\r\n\r\nIT SAYS "OWNERS OF PROPERTY WITH ONE OR MORE QUALIFYING STRUCTURES, WHO ARE NOT ELIGIBLE FOR GOVERNMENT PROGRAM OR WHO ELECT TO NOT PARTICIPATE IN THE GOVERNMENT PROGRAM MUST COMPLY WITH ALTERNATIVE PROGRAMS." SO I WOULD WONDER IF THEY HAVE QUALIFYING PROPERTY, THEN WHY WOULD THEY NOT BE ELIGIBLE FOR THE GOVERNMENT PROGRAM? AND HOPEFULLY, THE DESIGNATED DEPARTMENTS WILL BE IDENTIFIED, ESPECIALLY FOR 6C, 6D AND 6E. THANK YOU. >> VICE-CHAIR SUGIMURA. >> WHOSE SOCIAL MEDIA IS SPREADING THAT KIND OF WRONG INFORMATION? >> I DON'T THINK I'M AT LIBERTY TO SAY, MA'AM. I JUST WANTED TO BRING IT TO YOUR ATTENTION, AND MAYBE WE COULD TALK OFFLINE. >> OKAY.\r\n\r\nYES. >> OKAY. >> THAT IS WRONG INFORMATION. >> THAT IS WHY I BROUGHT IT TO YOUR ATTENTION. >> I WILL TESTIFY ABOUT KULA PROPERTY. >> YOU WILL? >> BECAUSE I WAS THERE WHEN THE ARMY CORPS OF ENGINEERS DID THE SOIL TACT SPREADING I WAS THERE.\r\n\r\n>> YOU CAN SPEAK TO HER OFFLINE ON THAT ONE, BECAUSE WHAT WE'RE SUPPOSED TO DO IS ASK YOU CLARIFYING QUESTIONS AT THIS POINT IF YOU WANTED TO DISCUSS ANYTHING FURTHER, YOU CAN CONTACT THE MEMBERS DIRECTLY AND THEY CAN GIVE YOU ANSWERS, INCLUDING YOUR QUESTION. I'M SURE VICE-CHAIR SUGIMURA CAN GIVE YOU ALL OF THE ANSWERS YOU NEED ON THIS PARTICULAR BILL, BECAUSE SHE SPONSORED IT, AND I NOTICED YOU HAD A QUESTION ON 6A OR 6B. I KNOW SHE CAN GIVE YOU THAT ANSWER. QUESTIONS? >> MY CELL NUMBER 808- -- >> WE'LL GET HER CONTACT INFORMATION. >> THANK YOU. >> THANK YOU. >> THANK YOU AND IF PROPERTY OWNERS COULD ALSO SPEAK, MAYBE ONE OR TWO, IT WOULD BE GREAT.\r\n\r\nTHANK YOU. >> FROM KULA; RIGHT? FROM KULA, UP COUNTRY? >> YES, MA'AM. >> OKAY. NEXT -- >> NEXT TESTIFIER IS REBECCA WILMER, FOLLOWED BY MIKE WILKIN. >> I HAVE A SIMILAR CONCERN TO THE LAST SPEAKER.\r\n\r\n>> COULD YOU STATE YOUR NAME FOR THE RECORD. >> REBECCA WILMER. RETIRED EDUCATOR OF 47 YEARS. TAUGHT FOR A LONG TIME AT KING KAMEHAMEHA 3RD ELEMENTARY SCHOOL. MY CONCERN IS A MEETING I ATTENDED AT THE MAUI ARTS AND CULTURAL CENTER, IN WHICH THE FEMA REPRESENTATIVE THAT IS DIRECTLY RESPONSIBLE TO THE PRESIDENT PRESENTED A PRESENTATION. AT THE CLOSE OF THE MEETING, HE HAD A CONVERSATION WITH ME ABOUT LOOKING FOR A BURIAL SITE FOR THE REMAINS OF LAHAINA TOWN, AND IN THAT, HE ALSO CONVERSED WITH ME ON A PROCESS THAT THEY INTENDED TO GO THROUGH, IN WHICH THEY WILL MAKE BRICKS OUT OF THE DEBRIS, AND SANITIZE THOSE BRICKS AND HOUSE THEM MANY SOME KIND OF LEAK PROOF CONTAINER. AS WE KNOW BY RED HILL, NOTHING IS INFALLIBLE.\r\n\r\nAND SO AS A LONG-TERM LAHAINA RESIDENT, I AM DEEPLY CONCERNED ABOUT THIS OPTION. IN EVERY CONVERSATION I HAVE HAD WITH RESIDENTS THAT ARE FROM LAHAINA, THEY DO NOT WANT REMAINS OF THE TOWN LEFT ON THE ISLAND. WE'RE ON TOP OF A VOLCANO, POROUS, WHICH IS WHY OUR WATER IS SO PURE MOST OF THE TIME, UNLESS IT'S BEEN CONTAMINATED BY INSECTICIDES. SO WE DON'T WANT THAT TO HAPPEN. THIS IS A CHANCE FOR US TO DO IT RIGHT. SHIPPING CONTAINERS, YES. SHIP THEM SOMEWHERE ELSEWHERE THEY CAN FIND AN OPTION THAT WILL NOT DESTROY THE ENVIRONMENT, OR HURT THE PEOPLE.\r\n\r\nTHANK YOU. >> MEMBERS, QUESTIONS? VICE-CHAIR

SUGIMURA. >> AGAIN, IF I COULD GET HER CONTACT INFORMATION AND CLARIFY WHAT SHE IS TALKING ABOUT. >> OKAY. >> DOES THE -- DOES THE CLERK'S OFFICE HAVE IT. >> YES, THEY ALL OF THE CONTACT INFORMATION.\r\n\r\n>> THANK YOU. >> ARE THERE ANY OTHER QUESTIONS OUT THERE? I DON'T SEE ANY HANDS. I HAVE A QUESTION. DO YOU THINK THAT YOU REPRESENT THE MAJORITY'S WILL WITH REGARD TO REMOVING THE ASHES OFF-ISLAND? >> ABSOLUTELY, I DON'T KNOW A SINGLE PERSON THAT WANTS TO SEE THE REMAINS OF THE TOWN BURIED ON THE ISLAND. THEY ARE LOOKING FOR A SECOND SITE.\r\n\r\n>> NO, NO, I'M SORRY. I DIDN'T MEAN ALL OF THE DEBRIS. I MEANT THE ASHES. >> YEAH, I DO THINK I REPRESENT THE TOWN. >> OKAY. >> I DO. >> ALL RIGHT.\r\n\r\nTHANK YOU. THAT WAS MY CLARIFYING QUESTION. ALL RIGHT, THANK YOU VERY MUCH. >> CHAIR THE NEXT TESTIFIER IS MIKE WILKIN, TO BE FOLLOWED BY RITA RYAN. >> MY NAME IS MIKE WILKIN, I'M THE SITE MANAGER AT A COMPLEX IN LAHAINA CALLED HO HO NAI. >> COULD YOU MOVE YOUR MIC CLOSER. YOU'RE FINE.\r\n\r\n>> MAYBE, I'M NOT ACTUALLY GIVING TESTIMONY. THE REASON I CAME TO THE MEETING IS TO HOPEFULLY HEAR CLARIFYING QUESTIONS SUCH AS WHAT IS THE ADVANTAGE OF DOING THE PRIVATIZATION AS OPPOSED TO GOING THROUGH THE CORPS OF ENGINEERS? DO THE COMPANIES HAVE TO HAVE THE SAME TYPE OF PERMITS? ONCE THE PHASE 1 IS DONE, THEN THEY DO SIFTING WHERE THE PEOPLE CAN GO BACK IN AND DO THE SIFTING AND THEN THE SOIL TACT HAPPENS AND DOES THE DEBRIS REMOVAL HAPPEN THERE? I HAVE GOT MORE QUESTIONS THAN I HAVE SAY TESTIMONY. SO I DON'T KNOW IF THE LADY THAT CHAIRED THIS, THAT MAYBE IT'S A ONE-OFF THAT I COULD ASK THESE QUESTIONS AND NOT TIE UP THE TIME HERE? IS THAT A BETTER PROCESS THAN STANDING HERE WAITING FOR ANSWERS?\r\n\r\n>> VICE-CHAIR, ARE YOU WILLING TO MEET WITH THIS PERSON? >> YES, I WOULD MEET WITH YOU. >> GREAT. OKAY. >> I'M SURE SHE CAN ANSWER YOUR QUESTIONS. >> OKAY, GOOD. THAT IS PERFECT.\r\n\r\n>> GREAT. >> CHAIR? >> MEMBER PALTIN -- I'M SORRY, EXCUSE ME. ONE OF OUR MEMBERS HAS A QUESTION FOR YOU. >> OH, IT'S, CHAIR, IT'S MORE FOR YOU. IT'S MORE FOR -- SORRY, MR. WILKIN, IT'S MORE FOR CHAIR LEE.\r\n\r\n>> NO QUESTIONS FOR YOU, SORRY. >> SO I'M OKAY TO GO? >> YES. >> CHAIR LEE, I WAS JUST WONDERING IF YOU WOULD INDULGE ME TO MENTION THAT MY NEXT COMMITTEE MEETING AT 1:30, THE PLAN IS TO EXPLAIN MORE ABOUT THE TRANSITION FROM PHASE 1 TO PHASE 2, AND WHAT PHASE 2 ENTAILS, WHICH I GUESS IS WHAT A LOT OF THESE PEOPLE ARE ASKING TODAY, MY UNDERSTANDING IS THAT WE'RE JUST PASSING THE BILL ABOUT THE ALTERNATIVE PROGRAM, OR THE GOVERNMENT PROGRAM. AND MEMBER SUGIMURA AND MYSELF WEREN'T ABLE TO GET, YOU KNOW, THE CIVIC, OR LARGE LOCATION ON THE WEST SIDE TO HAVE AN INFORMATIONAL MEETING BEFORE THIS MEETING PASSED. SO WE FIGURED, OR I FIGURED START OUT WITH MY COMMITTEE DATE TO TRY TO CLARIFY HOW THE PROCESS WILL GO. SO HOPEFULLY, IT WILL ANSWER SOME OF THESE QUESTIONS AND MEMBER SUGIMURA DOESN'T HAVE TO MEET INDIVIDUALLY WITH 12,000 PEOPLE.\r\n\r\n>> I'M SURE SHE DOESN'T MIND. >> COULD YOU REPEAT THE DATE, TIME AND PLACE AGAIN? >> WEDNESDAY, 1:30, DRIP COMMITTEE MEETING NEXT WEEK. IS IT THE 18TH ON WEDNESDAY? >> IN THE CHAMBER. >> YES. OR VIRTUAL.\r\n\r\n>> YES, OR YOU COULD JOIN US VIRTUALLY. >> YES, IT'S THE 18TH. >> YOU WILL GET ALL YOUR QUESTIONS ANSWERED. >> I HOPE SO. >> WAIT, HOLD ON ONE SECOND. MEMBER SUGIMURA. >> YES.\r\n\r\n\r\nSO I GOT A TEXT MESSAGE FROM ERIN WADE, WHO IS BASICALLY RESPONSIBLE FOR ALL OF THESE NEXT PHASES FOR THE COUNTY ALONG NISHITA. WHEN WE TALK ABOUT THE BILL IS ARE PEOPLE DESIGNATED FROM ARMY CORPS OF ENGINEERS, EPA AND REAL PROPERTY TAX NUMBERS ABOUT THE RIGHT-OF-ENTRY FORM. YOU CAN BET ALL OF THAT ANSWERED IF YOU WALK DOWNSTAIRS. >> RIGHT, I WAS THERE PRIOR AND I UNDERSTAND THE PROCESS ABOUT THAT. MY QUESTION IS WHAT IS THE ADVANTAGES, OR DISADVANTAGES OF GOING PRIORITIZATION, AS OPPOSED TO THE CORPS OF ENGINEERS? YOU KNOW, DO YOU HAVE MORE CONTROL ON IT? CAN YOU CONTROL THE COSTS BETTER?\r\n\r\n\r\nYOU KNOW, WOULD THEY HAVE -- IF YOU HAVE A PRIVATE ENTITY, WOULD THAT ALLOW YOU TO GAIN ACCESS FASTER TO YOUR PROPERTY THAN WAITING IN LINE FOR THE PECKING ORDER TO HAPPEN THROUGH THE COUNTY, OR THROUGH THE CORPS OF ENGINEERS? THOSE ARE THE QUESTIONS THAT I HAVE. SO HOW IT WORKS, I HAVE GOT THE BASIC IDEA. BUT I THOUGHT THIS MEETING WAS REALLY WHY SHOULD WE GO PRIVATIZATION AS OPPOSED TO GOING WITH THE CORPS OF ENGINEERS? LIKE I SAID, WHAT IS THE ADVANTAGES OR DISADVANTAGES, SO I CAN TAKE THAT INFORMATION BACK TO

MY BOARD, AND EXPLAIN IT TO THEM, AND THEN THEY CAN IN TURN MAKE THE DECISION, YOU KNOW? WE'RE GOING TO GO WITH COUNTY OR THE CORPS OF ENGINEERS OR GO TO PRIVATIZATION? THAT IS WHAT I'M LOOKING FOR CLARIFICATION.

>> THE SIMPLE ANSWER IS ONE IS FREE AND ONE YOU PAY FOR. >> WELL, IT'S FREE, BUT IT'S NOT FREE. THEY WILL BACK CHARGE YOUR INSURANCE. >> FIRST, YES. >> FIRST. AND THEN -- >> POINT OF ORDER? >> THE GOVERNMENT EATS THE DIFFERENCE.

WITH PRIVATIZATION, YOU DO THE WHOLE THING, OBVIOUSLY. SO IF IT'S THROUGH THE CORPS OF ENGINEERS, DO THEY HAVE A LIMIT THAT THEY CAN CHARGE? IN OTHER WORDS, IF YOU HAVE AN INSURANCE POLICY THAT DOES NOT HAVE A SUB LIMIT FOR DEBRIS REMOVAL, LIKE IT TALKS ABOUT, AND YOU HAVE X AMOUNT OF DOLLARS, CAN THE CORPS OF ENGINEERS THEN JUST WIPE OUT THE ENTIRE INSURANCE? >> THAT WILL PROBABLY BE QUESTIONS FOR THE CORPS OF ENGINEERS. >> YES. >> AND YOUR INSURANCE COMPANY. BECAUSE WHAT WE DO AS A LEGISLATIVE BODY TODAY IS THE SECOND AND FINAL READING OF THIS ORDINANCE, WHICH ALLOWS YOU TO CHOOSE.

SO BEYOND THAT, WE'RE NOT, YOU KNOW, WE DON'T IMPLEMENT THE ORDINANCE. THE ADMINISTRATION DOES. AND THAT IS WHY WE'RE TRYING TO REFER YOU TO DOWNSTAIRS, WHICH YOU HAVE ALREADY BEEN THERE. BUT I -- YOU CAN COME TO THE WEDNESDAY MEETING. >> MAYBE THAT IS THE BEST BET, BECAUSE THAT CAN ANSWER THE QUESTIONS THAT I HAVE. SO THIS IS BASICALLY SAYING YES, YOU CAN GO -- >> POINT OF ORDER, CHAIR. >> OR NOT?

>> CHAIR, POINT OF ORDER. >> YES. >> POINT OF ORDER. WE'RE GETTING INTO DELIBERATION DURING PUBLIC TESTIMONY. >> I REALIZE THAT -- >> >> VICE-CHAIR SUGIMURA WAS GOING TO TALK TO HIM LATER AND KEEP IT AT THAT DURING PUBLIC TESTIMONY. >> I WAS LEAVING TWO OR THREE TIMES, BUT YOU KEEP PULLING ME BACK. >> WE'RE DONE, IF NOBODY ELSE HAS QUESTIONS.

I APPRECIATE YOUR UNDERSTANDING. I TRY TO BE FLEXIBLE WITH THE PUBLIC, ESPECIALLY WITH THE VICTIMS. ALL RIGHT -- OF THE FIRE. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS RITA RYAN, FOLLOWED BY JOHN SARTER. >> ALOHA, CHAIR AND COUNCIL MEMBERS. >> ALOHA.

>> I'M RITA RYAN. I'M WITH 350 HAWAII.ORG. AS AN ADVOCATE AND CLIMATE REALITY PROJECT AS AN EDUCATOR. FIRST OF ALL, THANK YOU FOR HAVING THE SECOND READING. I DO HAVE TO MAKE A NOTE THAT THE FIRST READING WAS PULLED FROM LAST FRIDAY'S AGENDA AND PUT ON THURSDAY MORNING AT 8:00, A TIME WE'RE NOT USED TO BEING HERE OR BEING ONLINE. SO IF YOU PULL SOMETHING FROM AN AGENDA, MOVE IT FORWARD AND NOT BACKWARDS. THERE WASN'T A LOT OF PEOPLE TESTIFYING BECAUSE IT SLIPPED UNDER US.

SO IN SPIRIT OF TRANSPARENCY, PUSH IT FORWARD A DAY AND NOT BACK A DAY, BECAUSE WE MISSED IT. HERE I AM TODAY, AND YOU WANT TO TALK ABOUT THIS BILL. I KNOW IT'S ABOUT WHO PAYS FOR WHAT AND IN THE FIRST SIX MONTHS 100% GETS PAID BY THE GOVERNMENT AND AFTER SIX MONTHS ONLY 90% AND THEN THE COUNTY PAYS THE OTHER 10%. AND I GET THAT. BUT THERE'S SOME THINGS IN THAT BILL THAT REALLY KIND OF IRK US. ONE IS THE WORD "ESPECIALLY." WHEN YOU ARE TALKING ABOUT THE TOXIC DEBRIS AND SAYING ESPECIALLY SOLAR BATTERIES. OKAY? IF EVERYONE HAD SOLAR PANELS AND SOLAR BATTERIES AND DIDN'T NEED THE POWERLINES THIS WOULD HAVE NEVER HAPPENED.

SO LET'S NOT VILIFY SOLAR BATTERIES AND THERE'S OTHER TOXICS IN THE MIX THAT YOU DIDN'T USE THE WORD "ESPECIALLY ." SO PLEASE REMOVE THAT. ANOTHER THING IS THE LAHAINA REMAINS, I LIKE TO CALL IT THE LAHAINA REMAINS AND NOT THE TOXIC DEBRIS BECAUSE IF THOSE REMAINS NOT ONLY THE REMAINS OF LAHAINA TOWN, BUT THE REMAINS OF LAHAINA PEOPLE AND WE HAVE TO TREAT THIS WITH THE UTMOST RESPECT. LETTING THE FEDS DECIDE WHAT TO DO CONTAINERIZING THIS AND SHIPPING IT OFF THE ISLAND IS ABSOLUTELY IRRESPONSIBLE AND INAPPROPRIATE. WE NEED TO DEAL WITH THE LAHAINA REMAINS RIGHT HERE ON MAUI. AND THERE'S TIM GUNTHER TESTIFIED EARLIER, THERE ARE MANY DIFFERENT WAYS WE CAN DO THIS AND WE CAN KEEP IN THE CIRCULAR ECONOMY WHERE WE'RE DOING THE WORK AND NOT OFFSHORING IT. THEY ARE GOING TO TURNOVER IT FROM CALIFORNIA, MONTANA OR ARIZONA AND IT'S NOT IN MY BACKYARD SOLUTION, NIMBY, YOU HAVE HEARD THAT? TAKE OUR TOXINS AND SEND IT SOMEWHERE ELSE.

HOW WOULD WE FEEL IF CALIFORNIA SENT THEIR FIRE TOXINS TO US TO PUT IN OUR LANDFILL? SO LET'S DETOXYFIFY THE REMAINS THAT YOU CAN BE DONE. SOIL TACT, THE MAGICAL MYSTERY GLUE THAT EVERYONE IS IN FAVOR OF AND I TALKED TO THE EPA, IF HIS GLUE IS SO INNOCUOUS, WHY CAN'T HE TELL US THE MAGICAL INGREDIENTS

THAT GO INTO IT? SO I'M NOT TRUSTING. ANOTHER THING IT'S BIODEGRADABLE OR AND THAT DOESN'T MEAN IT DETOXIFIES THOSE THINGS. >> CAN YOU CONCLUDE IN 30 SECONDS, PLEASE. >> ALL THE TOXICS GO BACK INTO THE ENVIRONMENT.\r\n\r\nSO I'M URGING YOU TO RETHINK WHAT THE FEDS ARE TELLING YOU TO DO AND LET'S DO IT THE MAUI WAY AND LET'S DO IT RESPONSIBLY OUT OF RESPECT FOR THE LAHAINA REMAINS IN THAT TOXIC DEBRIS. >> QUESTIONS, MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. ALOHA AND MAHALO FOR YOUR TESTIMONY. WHAT SECTION OR WHAT PAGE IS THE "ESPECIALLY?" >> I READ IT LAST WEEK AND WHEN I LOOKED ON THE AGENDA TODAY TO LOOK FOR THE BILL IT WASN'T LINKED. I HAVE READ IT A COUPLE OF TIMES, BUT IT SAYS SOMETHING ABOUT ESPECIALLY SOLAR BATTERIES, LIKE CALLING THEM OUT AS IF THEY ARE THE BAD GUYS IN THIS SITUATION.\r\n\r\nYOU KNOW? AND THAT IS JUST A LITTLE BIT OFFENSIVE. BECAUSE YOU KNOW, RENEWABLE ENERGY WOULD HAVE GOTTEN US OUT THIS OF SITUATION OR PREVENTED THIS SITUATION. SO LET'S NOT VILIFY THAT. IT'S IN THE BILL SOMEWHERE. I COULDN'T FIND IT THIS MORNING, BECAUSE TODAY'S AGENDA DOESN'T LINK TO THE BILL. >> YES.\r\n\r\nTHAT IS WHY I'M ASKING, MS. RYAN. >> I WILL FIND -- >> I AGREE WITH YOU, AND I'M HAPPY TO MAKE THAT AMENDMENT, BUT I CAN'T FIND IT. >> I CAN SEND IT TO YOU. I CAN SEND IT TO YOU. I HAVE GOT IT ON MY HARD DRIVE. DOWNLOADED.\r\n\r\n>> THAT WAS MY LAST QUESTION, CHAIR, MAHALO. >> ARE THERE ANY OTHER QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, THE CURRENTLY LAST PERSON SIGNED UP TO TESTIFY IS JOHN SARTER. >> ALOHA COUNCIL MEMBERS, THANK YOU FOR HAVING THIS HEARING TODAY. HAD SOME CONFLICTING INFORMATION REFLECT ARMY CORPS REGARDING CLEAN-UP AND FIRST I HEAR IN COMMUNITY MEETING THEIR INTENT WAS TO TAKE EVERYTHING OUT, ANY TREE THAT WOULD FALL ONTO THE BUILDING POTENTIALLY, ALL CONCRETE SLABS, ET CETERA.\r\n\r\nI HAVE BEEN A BUILDER OVER 40 YEARS, AND I WAS ALSO INVOLVED IN THE REBUILDING AFTER THE NORTH BAY FIRES IN CALIFORNIA. THERE'S A POTENTIAL FOR VIABILITY OF SOME OF THAT CONCRETE, AND SO I THINK PEOPLE SHOULD BE ALLOWED TO HAVE THAT CONCRETE TESTED, AND THEN DETERMINE IF IT CAN BE SAVED OR NOT? AND HAVE THE -- HOPEFULLY HAVE THE ARMY CORPS WORK AROUND SLABS POTENTIALLY, AND ALSO THE SAME FOR TREES. THE OTHER COUPLE OF QUESTIONS THAT I HAVE, WELL ACTUALLY IT'S A COMMENT. I TRIED TO FIND OUT THE SEQUENCE FOR OPENINGS FOR REENTRY, BECAUSE PEOPLE HAVE TO HAVE PLANS AND I CAN'T LIVE ON ISLAND ANY MORE AND COULDN'T GET AN ANSWER TO WHAT THE SEQUENCE WAS GOING TO BE OF THE OPENING, NORTH TO SOUTH, SOUTH TO NORTH AND AS A RESULT I CAME IN AND GOT NOTICE BY ZONE WAS OPENED. SO HERE I AM HAVING TO MAKE QUICK PLANS TO RETURN. BUT I WANT TO MAKE SURE THAT PEOPLE HAVE THE OPPORTUNITY TO HAVE PEOPLE COME IN AND TEST THEIR CONCRETE SLABS, SEE IF THEY CAN BE PARTIALLY UTILIZED AS PERHAPS A BASE, IF THEY INTEND REBUILD THE SAME HOME THE GRADE BEAMS UNDERNEATH THE CONCRETE SLABS ARE STILL VIABLE AND IF THEY COULD KEEP THE BEARING WALLS IN THE SAME PLACER THE SLAB COULD BE THE BASIS FOR A NEW SLAB THAT COULD GO OVER THE TOP OF IT.\r\n\r\nIT COULD SAVE A LOT OF MONEY IN TEARING OUT AND IN DEBRIS REMOVAL AND DISPOSAL AND ALSO FOR REBUILDING FOR PEOPLE. MY FINAL COMMENT WOULD BE ABOUT THE UTILITY LATERALS THAT ARE POTENTIALLY ALSO GOING TO GET TORN OUT IN THE PROCESS. AND I'M NOT SURE WHO IS GOING TO PROVIDE FOR THOSE NEW LATERALS? WOULD BE THE OWNERS OR SUCH? BUT IT SHOULD ALSO BE ADDRESSED POTENTIALLY ON THE MEETING NEXT WEDNESDAY. THANK YOU FOR YOUR TIME. >> QUESTIONS? \r\n\r\nVICE-CHAIR SUGIMURA. >> COULD YOU -- HE IS ON LINE, COULD YOU CLARIFY DEBRIS LATERALS? >> WELL, IT'S THE UTILITY LATERALS ACTUALLY I WAS SPEAKING ABOUT. THE SEWER LATERALS AND ELECTRICAL AND WATER, IF THEY JUST TEAR EVERYTHING OUT, THOSE ARE GOING TO POTENTIALLY GET SEVERELY DAMAGED AND REQUIRE RECONSTRUCTION. SO I'M WONDERING IF CARE WILL BE TAKEN TO PRESERVE WHATEVER INFRASTRUCTURE CAN BE SAVED. >> SO THAT IS THE CONCERN. SO ANY KIND OF UTILITY LATERAL YOU'RE REFERENCING.\r\n\r\nTHANK YOU FOR THE CLARIFICATION. >> MEMBER PALTIN HAS A QUESTION. >> THANK YOU, CHAIR. ALOHA, MR. SARTER. I WAS JUST WONDERING IF YOU DID HAVE THAT WRITTEN OUT YOUR QUESTIONS, IF YOU COULD EMAIL IT TO ME, SO WE CAN KIND OF IN THE MEETING PREP -- TRY TO SEE THAT THOSE WILL BE ANSWERED. >> ABSOLUTELY.\r\n\r\n>> THANK YOU >> THANK YOU. >> ANY MORE QUESTIONS? IF NOT, NEXT TESTIFIER. >> CHAIR, THE NEXT

TESTIFIER IS THE PHONE NUMBER ENDING IN 3324, AND JUST AS A POINT OF CLARIFICATION, WE HAVE PUT IN THE CHAT THE LINK TO THE BILL. IT IS ATTACHED TO THE AGENDA. >> 3324, IT'S YOUR TIME TO TESTIFY. CHAIR MOVING ON TO ERIN WADE.\r\n\r\n>> GOOD MORNING, COUNCIL. THANK YOU FOR TAKING UP THE BILL TODAY. I JUST WANTED TO TAKE A MINUTE TO RESPOND TO SOME OF THE INFORMATION THAT WE'RE HEARING, AND OFFER SOME INFORMATION ABOUT WHAT IS HAPPENING IN TERMS OF PEOPLE GETTING AN UNDERSTANDING OF HOW TO BEST MAKE THE DECISION FOR THEIR PROPERTY. SO -- >> ERIN? >> YES. >> ONE THING, YOU STILL HAVE THREE MINUTES THOUGH, AND IF YOU REALLY WANT TO ELABORATE, YOU COULD COME TO MEMBER PALTIN'S MEETING. OKAY?\r\n\r\n>> I WOULD BE HAPPY TO DO THAT, IF SHE WOULD LIKE ME THERE. MY PLEASURE. >> I'M SURE SHE WILL. THANK YOU. >> NO PROBLEM. SO THE SOIL TACT VIDEOS WITH THE KULA FOLKS HAPPY TO WORK WITH THAT. THE THING TO UNDERSTAND ABOUT THAT IS THE ONLY MATERIALS THAT ARE CURRENTLY BEING SHIPPED OFF-ISLAND ARE WHAT IS BEING REMOVED BY EPA.\r\n\r\nSO THE HAZARDOUS MATERIALS, LIKE, PROPANE TANKS, ET CETERA. THAT IS WHAT WAS AGREED TO BE SHIPPED OFF-ISLAND. EVERYTHING ELSE WOULD REMAIN ON-ISLAND AS DESCRIBED BY DIRECTOR KRUEGER OF ARMY CORPS, REMOVED BY A HAZMAT TEAM, BURRITO WRAPPED AND BROUGHT TO A FACILITY ON ISLAND AND MORE INFORMATION COULD BE PROVIDED BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT IF THAT IS THE DESIRE, BUT THERE ISN'T AT THIS TIME A PLAN TO MOVE THE MAJORITY OF THE DEBRIS OFF-ISLAND. AND THEN I THINK THERE WAS ALSO A QUESTION ABOUT THE ADVANTAGES AND DISADVANTAGES OF GOING PRIVATE OR PUBLIC? THAT WILL ABSOLUTELY NEED TO BE INDIVIDUAL DECISIONS BASED ON WHAT DOES YOUR INSURANCE POLICY OFFER YOU? WHAT IS THE NATURE OF THE IMPACT TO YOUR PROPERTY? AND HOW CAN -- WHAT RESOURCES DO YOU HAVE AT YOUR DISPOSAL IN TERMS OF HAZARDOUS MATERIAL DEBRIS CLEAN UP?\r\n\r\nEVERYBODY IS GOING TO BE IN A DIFFERENT SITUATION FOR THAT, WHICH IS WHY WE'RE OFFERING BOTH PROGRAMS THE VAST MAJORITY OF THE FOLKS WE BELIEVE COST-EFFECTIVES WITH AND FOR HEALTH AND SAFETY IT WILL BE ADVANTAGE TO USE THE GOVERNMENT PROGRAM. THERE WILL BE SOME THAT IS NOT TO THEIR ADVANTAGE AND CHOOSE THROUGH THEIR OWN RESEARCH TO GO WITH PRIVATE CLEAN-UP AND THE TEAMS AT THE COUNTY BUILDING ARE IN THE LOBBY OF THE COUNTY BUILDING 8-4 EVERY WEEK DAY OR AT THE LAHAINA DRC8-6, MONDAY THROUGH SATURDAY, WHERE YOU CAN TALK ONE-ON-ONE WITH ARMY CORPS STAFF, EPA STAFF AND COUNTY STAFF, TO FIND OUT WHAT WORKS TO YOUR ADVANTAGE AND BRING YOUR INSURANCE POLICY. BRING A SKETCH OF YOUR PROPERTY IF YOU HAVE THAT. ALL OF THAT INFORMATION, THE TEAMS CAN WALK YOU THROUGH TO HELP YOU MAKE INDIVIDUAL DECISION ABOUT YOUR PROPERTY. >> THANK YOU, CHAIR. THANK YOU. MEMBERS, QUESTIONS?\r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. CAN I REQUEST MS. WADE BE A RESOURCE? MY OFFICE HAS BEEN TRYING TO CALL HER THIS WEEK WITH SOME QUESTIONS, NOT REALIZING THAT SHE WAS ON VACATION. >> CERTAINLY, WOULD YOU BE AVAILABLE ON WEDNESDAY? >> YES, I WILL BE THERE.\r\n\r\n>> TODAY? >> THE QUESTION PERTAINS TO SECTION 5A. >> WOULD YOU BE ABLE TO STAY WITH US A WHILE AS WE DISCUSS THIS BILL? >> YES, I CAN DO THAT, CHAIR. ANY OTHER QUESTIONS FOR ERIN? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SINCE MS.\r\n\r\nWADE WILL BE A RESOURCE PERSON, I'M HAPPY TO HOLD MY QUESTIONS, IT'S BASICALLY GOING TO BE ABOUT WHERE THIS INFORMATION IS AVAILABLE ONLINE? SO IF YOU COULD RESPOND TO THAT WHEN WE BRING THE ITEM UP, AND THEN I WILL HAVE OTHER NON-CLARIFYING QUESTIONS TO ASK AS WELL. THANK YOU, CHAIR. >> THANK YOU. ANYBODY ELSE? IF NOT, WE'LL TALK TO YOU IN A FEW MINUTES AGAIN, ERIN. THANK YOU.\r\n\r\n>> CHAIR, THERE'S NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY. IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY, YOU MAY APPROACH THE PODIUM OR UNMUTE AND LET US KNOW. CHAIR, IT APPEARS THAT MR. LAU WOULD LIKE TO TESTIFY. >> ALOHA COUNCIL CHAIR AND COUNCIL, J.C. LAU WAILUKU. THE BILL THAT WE'RE TALKING ABOUT TODAY IS SAYS REMOVAL OF DEBRIS BUT THEY TALK MUCH ABOUT WHERE IT'S GOING TO GO. SO I APPRECIATE YOU GUYS HASHING IT OUT.\r\n\r\nI THANK MR. GUNTHER. WELCOME BACK MR. GUNTHER, LONG TIME NO SEE. HE WAS HERE SCORES AGO TRYING TO GET THE PROJECT GOING WITH THE GASIFICATION PROCESS AND I URGE THE ADMINISTRATION IF THEY ARE WATCHING TO WORK WITH HIM. THE ONLY THING MR. GUNTHER'S TESTIMONY HE WAS GOING TO SEND THAT THING TO HANA WHEN YOU ARE DONE

WITH IT, BUT I THINK WE OUGHT TO GET THE THING PERFECTED FIRST BEFORE WE SEND IT OUT THERE.\r\n\r\nTHAT IS A GOOD IDEA. MAYBE NOW WE CAN GET THE U.S. BOX TO GET THE HAWAIIAN PEOPLE OUT OF THE MESS THEY GOT THEM IN BY SENDING ALL OF THAT JUNK OVER HERE IN THE FIRST PLACE. I BELIEVE WE CAN SHIP THE HAZARDOUS MATERIALS, THE BATTERIES AND STUFF AND HEAVY METALS AND STUFF LIKE THAT OFF-ISLAND, BECAUSE MOST OF THE SHIPS LEAVE HALF EMPTY ANYWAY BECAUSE WE DON'T HAVE A PRODUCT TO SEND. I WOULD URGE SOMEBODY TO TRACK IT TO MAKE SURE IT'S NOT JUST DUMPED IN ANOTHER PILE IN CHINA, OR PUT OUR PROBLEMS ON SOMEBODY ELSE, EVEN THE UNITED STATES' LAND. AND LAST, BUT NOT LEAST, I WOULD LIKE TO TALK WITH MY UP COUNTRY COUNCILWOMAN YUKI LEI SUGIMURA ABOUT WASTE DISPOSAL IN OUR AREA, TOO. I RESERVE THE REMAINDER OF MY TIME FOR THE HAWAIIANS. THANK YOU.\r\n\r\n>> QUESTIONS, MEMBERS? NO QUESTIONS. THANK YOU. >> CHAIR THERE'S NO ONE ELSE SIGNED UP TO TESTIFY. IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY, PLEASE LET US KNOW AT THIS TIME. WE'LL DO A QUICK COUNTDOWN. FINAL CALL, 3, 2, 1. CHAIR, THERE'S NO FURTHER TESTIFIERS.\r\n\r\n>> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY. >> NO OBJECTIONS. >> NO OBJECTIONS. >> SO ORDERED. WOULD YOU CALL UP THE ITEM, PLEASE. >> CHAIR BEFORE YOU IS BILL 86, CD 1, FD 1 (2023) A BILL FOR AN ORDINANCE RELATING TO MAUI WILDFIRES DEBRIS REMOVAL. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU, I MOVE TO PASS BILL 86 CD 1, FD 1 (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO PASS BILL 86 CD 1, FD 1 (2023) ON SECOND AND FINAL READING. VICE-CHAIR SUGIMURA. >> THIS ESTABLISHES PROCEDURES FOR THE REMOVE HAZARDOUS WASTE, FIRE DEBRIS AND HAZARD TREES FROM PROPERTIES DESIGNATE ORDER DESTROYED IN THE AUGUST 2023 MAUI WILDFIRES. IT LAYS THE FOUNDATION FOR TWO DEBRIS REMOVAL PROGRAMS THAT PROPERTY OWNERS WILL BE ABLE TO CHOOSE FROM A GOVERNMENT PROGRAM, OR AN ALTERNATIVE PROGRAM. WHEN WE LAST MET ON THIS BILL, WE AMENDED IT TO AUTHORIZE US AS A COUNCIL TO ADOPT THE REQUIREMENTS OF THE ALTERNATIVE PROGRAM BY RESOLUTION.\r\n\r\nIT IS ON PAGE 6, SECTION 6A. WHICH ADDS THAT. I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. CHAIR, I ALSO WANT TO LET THE MEMBERS KNOW THAT BECAUSE MEMBER PALTIN HAD ASKED FOR COMMUNICATION WITH HER WEST MAUI RESIDENTS ABOUT THIS PROCESS, MY OFFICE CONNECTED WITH HER AND WE SENT OUT A PRESS RELEASE THAT ALL OF YOU PROBABLY GOT COPIES OF OCTOBER 11TH. AND IF YOU ALSO GO TO THE DRC DOWNSTAIRS THEY ARE OPEN MONDAY AND SATURDAY 8-4. SATURDAY I WALKED THE LINE AND BASICALLY PRETENDED I WAS A RESIDENT AND HOW THEY COULD HELP ME, WHO IS THERE IS REALLY IMPRESSIVE, THAT YOU CAN GET YOUR RE-ENTRY PACKET AND NUMBER, IF AREA WEST MAUI RESIDENT AND RE-ENTRIES ARE COORDINATED THROUGH DARRYL OLVERA AND EMERGENCY MANAGEMENT. AND ALSO, NEXT YOU CAN GO AND TALK TO SOMEBODY FROM EPA. YOU CAN TALK TO THE ARMY CORPS OF ENGINEERS, WHO ARE DOING THE DEBRIS REMOVAL WITH QUESTIONS. THERE'S INFORMATION REGARDING THE RIGHT-OF-ENTRY.\r\n\r\nTHERE IS A REPRESENTATIVE FROM REAL ESTATE PROPERTY TAX, BECAUSE YOU NEED TO KNOW YOUR EXACT REAL PROPERTY TAX NUMBER TO APPLY FOR THE RIGHT-OF-ENTRY FORM, SO THEY HAVE THAT FOR CLARIFICATION. OF COURSE FEMA IS THERE. I GOT TO SEE LAUREN TANG, WHO WAS THERE, DOING THE DEPARTMENT OF HEALTH IN GIVING PEOPLE INSTRUCTIONS ABOUT THE PPE. SO IT WAS PRETTY COMPREHENSIVE. I THINK ERIN DID A GOOD JOB IN PLACING THEM THERE. I DID GET BACK TO ERIN -- MEMBER PALTIN TO LET HER KNOW ABOUT THIS PRESS RELEASE, AND THAT I THOUGHT THIS WOULD SATISFY THE NEED FOR PEOPLE WHO NEED TO KNOW ABOUT IT COULD GO THERE. >> THANK YOU.\r\n\r\n>> THANK YOU. >> AND OUR OFFICE HAS SUBMITTED TO THE COUNCIL, AS WELL AS TO ALL THE MEMBERS A COPY OF THE PRESS RELEASE, AND THEN THIS CONSOLIDATED DEBRIS REMOVAL PROGRAM FLIER THAT WAS DONE BY THE COMMITTEE. >> THE SECONDER, PRO TEM KAMA, DO YOU HAVE ANY DISCUSSION? ANYBODY ELSE? MEMBER PALTIN? >> THANK YOU, CHAIR. MY QUESTION WOULD BE FOR MS.\r\n\r\nWADE. WE HAD BEEN TRYING -- WE DIDN'T REALIZE SHE WAS ON VACATION AND DEPENDING ON HER ANSWER IT WOULD ALSO BE TO CORP. COUNSEL IF IT COULD BE CLARIFIED. I THINK ONE OF THE TESTIFIERS DID SPEAK A LITTLE BIT TO THE ISSUE, AND WE HAVE GOTTEN CALLS WHEN WE TRIED TO LET FOLKS KNOW ABOUT THIS DEBRIS REMOVAL BILL. SOME PEOPLE'S INSURANCE HAS A SET AMOUNT FOR BOTH DEBRIS REMOVAL,

AND REBUILD, AND IT'S NOT BROKEN DOWN INTO DIFFERENT CATEGORIES. AND THE CONCERN IS DID THAT SET AMOUNT ENCOMPASSES LESS THAN WHAT THE REBUILD FOR WHAT THEY HAVE WOULD BE, DO THEY STILL NEED TO FRONT MONEY FOR DEBRIS REMOVAL? LIKE, IF THE TOTAL AMOUNT IS \$500,000 FOR DEBRIS REMOVAL AND REBUILD AND CALCULATE THE SQUARE FOOTAGE OF WHAT THEIR HOUSE USED TO BE AND WHAT THE SQUARE FOOTAGE COSTS PER SQUARE FOOT TO REBUILD EXACTLY WHAT THEY HAVE AND IT'S GOING TO BE LESS THAN WHAT THEIR INSURANCE COVERS, THEN ARE THEY ON THE HOOK TO PAY SOME OF THAT \$500,000 FOR EXAMPLE AS PART OF THE DEBRIS REMOVAL PORTION THAT THEY OWE THE GOVERNMENT PROGRAM?

>> ERIN. >> YES. THANK YOU. THANKS FOR THAT QUESTION. IT HAS COME UP SEVERAL TIMES WITH FOLKS THAT WE HAVE MET WITH. WE DID CONTACT UNITED POLICY HOLDERS ABOUT THAT AND I EMAILED ANGELA THIS MORNING AFTER I GOT BACK FROM FAMILY MEDICAL LEAVE. THE ISSUE WILL BE DEPENDENT ON THE POLICY.

THE MAJORITY OF THE TIME, THE UNITED POLICY HOLDERS SAID IT'S ABOUT 4%. IF IT'S A BIG LUMP, IF THE POLICY IS ONE BIG LUMP APPROXIMATELY 4% IS APPLIED TO DEBRIS REMOVE AND THE REMAINDER LEFT TO RECONSTRUCTION AND OTHER USES. IT WILL DEPEND ON HOW EACH INDIVIDUAL POLICY IS WORDED. SO THEY WILL NEED TO ASK THEIR INSURANCE AGENT TO BE AS SPECIFIC AS POSSIBLE ABOUT THAT. >> OKAY. IF I MAY HAVE A FOLLOW-UP QUESTION WITH CORPORATION COUNSEL, I GUESS. >> SURE CORPORATION COUNSEL. >> YES, CHAIR, CAN YOU HEAR ME OKAY?

>> YES, WE CAN HEAR YOU. >> OKAY. >> MY QUESTION WAS IF WE COULD WORD THE BILL IF THE ESTIMATED REBUILD COSTS IS LESS THAN THE INSURANCE POLICY COSTS, THAT ALL OF THE MONEY COULD GO TO THE REBUILD, AND THAT THE GOVERNMENT PROGRAM WOULD COVER THE CLEAN-UP? >> I'M NOT SURE OF THE EXACT WORDING WE'RE THINKING OF, BUT THE BILL DOESN'T REALLY HAVE THE AUTHORITY TO DICTATE THAT. THE LAW THAT WE'RE LOOKING AT IS THE STAFFORD ACT WHEN PROHIBITS WHAT IS CALLED DUPLICATION OF BENEFITS AND BECAUSE IT'S FEDERAL LAW, WE DON'T REALLY HAVE THE ABILITY TO ALTER HOW THE FEDERAL GOVERNMENT IS GOING TO REQUIRE THOSE INSURANCE PROCEEDS BEING USED. I AGREE WITH YOU, ANY HOMEOWNER NEEDS TO HAVE THAT CLARIFIED THROUGH THE PROCESS. SO THEY CAN MAKE A DECISION OF WHAT IS BEST FOR THEM.

I DON'T THINK IN OUR BILL WE COULD REALLY ALTER THAT, BECAUSE THAT IS A FEDERAL LAW THAT IS REQUIRED TO BE FOLLOWED AND IF THEY HAVE GOT A SITUATION WHERE I THINK THE GOVERNMENT, IF THEY ARE GOING TO DO THE DEBRIS REMOVAL IS GOING TO WANT ANY COSTS THAT GOES TO THE HOMEOWNER THAT IS ELIGIBLE FOR -- THAT IS SET ASIDE IN THE POLICY FOR DEBRIS REMOVAL, WHETHER IT'S A PERCENTAGE OF THE WHOLE OR FLAT AMOUNT, THEY ARE GOING TO REQUIRE THAT BE REMITTED TO THEM TO THE EXTENT THAT IT'S UP TO THE AMOUNT OF THE DEBRIS REMOVAL. SO I DON'T THINK WE CAN REALLY -- >> JUST CLARIFYING, MR. HOPPER, ON PAGE 5, SECTION 5A. WHERE IT SAYS, " "BECAUSE FEDERAL LAW PROHIBITS AN OWNER FROM RECEIVING INSURANCE PROCEEDS FOR FIRE DEBRIS REMOVAL IF THE SAME WORK IS PERFORMED BY THE GOVERNMENT, AN OWNER WILL BE REQUIRED TO PROVIDE ANY INSURANCE PROCEEDS BY DEBRIS OR HAZARD TREE REMOVAL TO GOVERNMENT TO AVOID DUPLICATION OF BENEFITS." INSURANCE PROCEEDS, AND DUPLICATION OF BENEFITS IS WHAT I WAS FOCUSING IN ON, BECAUSE IF IT'S FOR REBUILD, AND THE AMOUNT THAT THEY HAVE DOESN'T COVER THE WHOLE AMOUNT OF REBUILD, HOW IS IT DUPLICATION OF BENEFITS, OR PROCEEDS IS I GUESS MY CLARIFYING QUESTION. IT'S NOT EVEN GOING TO COVER THE COST OF REBUILD. SO IT WON'T COVER THE COST OF REBUILD AND DEBRIS REMOVAL, SO IT'S NOT A DUPLICATION OF BENEFITS IN MY INTERPRETATION. BUT I'M JUST A PERSON. >> THIS SECTION, I BELIEVE, WAS NOT IN THE COUNTY ORDINANCE.

I ADDED THIS IN, BECAUSE A, IT MIRRORS FEDERAL LAW AND B, BECAUSE IF IS RIGHT AFTER THE SENTENCE THAT TALKS ABOUT NO OUT-OF-POCKET COSTS TO THE OWNER. I THINK SOME -- A TIP FOR US WAS TO BE VERY CLEAR WHILE THERE'S NO OUT OF POCKET COST TO THE INSURANCE PROCEEDS THAT COVER DEBRIS REMOVAL HAVE TO BE REMITTED. SO THIS SECTION I PUT MANY TO MAKE CLEAR, YES THERE'S NO OUT-OF-POCKET COSTS, BUT TO THE EXTENT THAT YOUR INSURANCE COVERS DEBRIS REMOVAL, IF YOU GO WITH THE GOVERNMENT PROGRAM, THEY ARE GOING TO REQUIRE THOSE PROCEEDS GO TO THEM TO EXCEPT THAT THEY COVER IT. IF YOU ARE TALKING ABOUT CLARIFYING LANGUAGE, I WOULD WANT TO SEE WHAT THE PROPOSED LANGUAGE IS, AND THEN RUN IT BY TO THE EXTENT WE CAN, IF WE HAVE THE FOLKS HERE, THE FEDERAL GOVERNMENT.

BECAUSE I DON'T WANT TO SAY ANYTHING IN HERE THAT IS INCONSISTENT WITH THE STAFFORD ACT THAT WOULD GIVE POTENTIAL PROBLEMATIC INFORMATION TO THE PUBLIC. I MEAN, MY READING OF THIS AS-IS THAT JUST RESTATES FEDERAL LAW. IF YOU ARE CORRECT AND THERE'S A SITUATION THAT SOMETHING WOULD NOT BE A DUPLICATION OF BENEFIT AND THE OWNER WOULD BE ABLE TO KEEP THE INSURANCE PROCEEDS IN A GIVEN CASE, THAT WOULD STILL BE THE CASE.

BUT BECAUSE THERE'S A LOT OF DIFFERENT POLICIES AND DIFFERENT WORDINGS THAT I HONESTLY DON'T KNOW ALL OF THE DIFFERENT WORDINGS THAT THEY THERE COULD BE I THINK THEY NEED TO BE LOOK AT IN EVERY CASE AND THE COUNTY AND STATE ARE WORKING ON A PROCESS FOR THAT, BECAUSE THAT IS NOT SOMETHING THAT THE COUNTY HAS TYPICALLY DONE IN THE PAST AND IS GOING TO GET HELP FROM CONTRACTORS TO WORK OUT THAT PROCESS. I JUST DON'T KNOW ABOUT EDITING THIS LANGUAGE ON THE FLOOR TODAY - I JUST COULDN'T WANT TO BE INCONSISTENT WITH THE STAFFORD ACT AND I BELIEVE THAT IS GOING TO APPLY REGARDLESS OF WHAT WE HAVE. IF YOU ARE TALKING ABOUT A SITUATION THAT WOULD NOT ACTUALLY BE A DUPLICATION OF BENEFITS, THEN I DON'T THINK PUTTING IT IN THE BILL WOULD NECESSARILY CHANGE THAT, AND I DON'T THINK WITHIN THE BILL NOW WOULD NECESSARILY BE OVERLY RESTRICTIVE THAT SOMETHING THAT IS A DUPLICATION OF BENEFITS BASED ON THIS LANGUAGE. THAT IS WHERE I'M AT ON THIS. I'M IFKY ON THIS AND FEMA ASKED FOR A CHANGE TO THIS SECTION AND TALKED ABOUT AN ASSIGNMENT AND THAT DIDN'T REALLY DUPLICATE FEDERAL LAW. SO I HAVE ALREADY MADE A CHANGE TO THIS BASED ON FEMA'S REQUEST. SO I JUST DON'T WANT TO FIDDLE WITH THIS LANGUAGE TOO MUCH, BECAUSE I THINK THE INTENT IS JUST TO DUPLICATE FEDERAL LAW.

I'M SORRY I DON'T HAVE A BETTER WAY FORWARD ON THAT. I DON'T WANT TO GET INTO SITUATIONS WHERE WE'RE INCORRECT AS FAR AS HOW WE PHRASE THIS SECTION. >> OKAY. THANK YOU, CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO I HAVE THREE QUESTIONS.

AND I DON'T KNOW IF IT'S FOR MR. HOPPER OR MS. WADE, WHOEVER WANTS TO ANSWER. I WILL START WITH THE FIRST ONE ALONG THE LINES OF WHAT MEMBER PALTIN WAS ASKING. CAN YOU EXPLAIN WHY THE BILL IS WRITTEN IN A WAY THAT OFFERS THE CHOICE OF ALL-OR-NOTHING? SO WE GOT ADDITIONAL TESTIMONY FROM MR. SARTER THAT FOR EXAMPLE, IF AN INDIVIDUAL WANTING TO HAVE THEIR SLABS TESTED BY THE EPA, OR ARMY CORPS.

I WILL JUST READ IT. CHOICE OF THE ARMY CORPS OR PRIVATE CLEAN-UP IS AN ALL OR NOTHING CHOICE, PEOPLE SHOULD BE ABLE TO USE SOME OF THE INSURANCE CLEAN-UP FUNDS TO TEST THEIR SLABS TO SEE IF THEY MIGHT BE REUSED AS A BASE FOR NEW STRUCTURAL SLAB AND CHECK THE VIABILITY OF THEIR TREES TO SEE IF THEY WILL SURVIVE? SO IS THERE A REASON THAT IT WAS WRITTEN AS AN ALL OR NOTHING AND NOT AN OPTION TO HAVE CERTAIN THINGS? >> MR. HOPPER. >> I CAN SAY THERE'S NOT NECESSARILY A LOT ABOUT SPECIFICS THE PROGRAM HERE. IT SAYS YOU CAN HAVE A GOVERNMENT PROGRAM OR AN ALTERNATE PROGRAM AND THE ALTERNATE PROGRAM IS BEING CREATED THE GOVERNMENT PROGRAM I'M NOT SURE, THAT IS DICTATED BY FEMA, AND ARMY CORPS OF ENGINEERS AND I DON'T KNOW IF THEY PLAN DO ANY OF THAT TESTING REQUIREMENTS.

DO MO AND THIS IS MAYBE A QUESTION, IF ARMY CORPS OF ENGINEERS OR HI-EMA ARE ON THE LINE? I DO KNOW IN THE PRIVATE PROPERTY DEBRIS REMOVAL REQUEST LETTER FROM THE STATE TO THE FEDERAL GOVERNMENT THERE WERE SEVERAL PARAGRAPHS ABOUT THE DANGERS OF REUSING CONCRETE SLABS THAT HAVE BEEN BURNED FOR A PERIOD OF TIME. AND SO THAT MAY HAVE BEEN A FACTOR. I CAN'T SPEAK TO THE SPECIFICS OF THE PROGRAM -- THE BILL SAYS YOU HAVE TO SIGN UP FOR ONE OF THE TWO PROGRAMS, BUT DOESN'T REALLY SPECIFY THE REQUIREMENTS FOR THE PROGRAM. THE REQUIREMENT FOR THE ALTERNATE PROGRAM IS GOING TO BE ADOPTED POTENTIALLY BY THE COUNCIL BY RESOLUTION ONCE IT'S READY. AS FAR AS THE GOVERNMENT PROGRAM, THAT IS GOING TO BE DETERMINED BY ARMY CORPS OF ENGINEERS AND FEMA THROUGH THEIR PROCESS. SO THIS BILL IS LARGELY TO PUT THE FRAMEWORK IN PLACE FOR GIVING THOSE -- REQUIRING THE OWNER TO DO ONE OF THOSE TWO THINGS, BECAUSE THE INTENT IS TO MAKE SURE THAT THE PROPERTY GETS CLEANED UP IN A REGULATED FASHION THAT IS SAFE, AND WE SORT OF MODELED THAT AFTER WHAT OTHER JURISDICTIONS HAVE DONE.

AS FAR AS THE SPECIFIC QUESTIONS ON WHETHER FOUNDATIONS ARE SAFE IN A GIVEN CASE, YOU KNOW, THE FEDERAL PROGRAM AGAIN IS BOG GOING TO BE DICTATED BY THE ENTITIES AND THE ALTERNATE PROGRAM BEING WORKED ON AND ADOPT BY RESOLUTION. AS

FAR AS THE SPECIFICS THE PROGRAM, THEY ARE NOT REALLY DICTATED IN THE BILL. IT'S JUST A REQUIREMENT, AND I HOPE THE INTENT WASN'T TO NECESSARILY FORECLOSE THOSE OPTIONS, BUT IT'S A LOT OF THAT WILL BE DICTATED TO US BY THE ENTITIES THAT ARE GOING TO BE PERFORMING THAT WORK. >> MAHALO, MR. HOPPER. IN SIMPLE TERMS THE DETAILS OF THE ALTERNATE PROGRAM WILL BE ADOPTED BY RESOLUTION, WHICH WILL BE POSTED SIX DAYS PRIOR TO US TAKING ACTION ON THAT RESOLUTION WHICH WILL HAVE THE DETAILS AT WHICH TIME THE PUBLIC WILL BE ABLE TO REVIEW THE DETAILS OF THE ALTERNATE PROGRAM AND PROVIDE ADDITIONAL TESTIMONY AND FEEDBACK SO WE CAN SHAPE IT SO IT WORKS FOR THE COMMUNITY. >> I MEAN, I DON'T WANT TO GIVE A FALSE SENSE IT'S GOING TO BE DRASTICALLY DIFFERENT FROM THE GOVERNMENT PROGRAM.

BECAUSE THE CLEAN-UP STANDARDS, THE GOVERNMENT IS PAYING FOR CLEAN-UP PROPERTY CLEAN-UP TO A CERTAIN STANDARDS. AND GENERALLY THOSE STANDARDS ARE GOING TO MIRROR THE ALTERNATE STANDARDS BECAUSE IF THE COUNTY STANDARDS ARE SIGNIFICANTLY LESS STRINGENT THAN GOVERNMENT STANDARDS THE GOVERNMENT IS GOING TO SAY WHY ARE WE AT TAXPAYER EXPENSE CLEANING UP TO A HIGHER STANDARD THAN ALTERNATE PROGRAM? I WANT TO CAUTION THAT I DON'T THINK THE ALTERNATIVE STANDARDS ARE GOING TO BE ANY MORE FLEXIBLE THAN THE GOVERNMENT PROGRAM STANDARDS. THOSE WILL BE PROPOSED BY RESOLUTION, AND I D ONE WAY TO BE ADOPTED IS BY RESOLUTION AND THE OTHER IS BY ADMINISTRATIVE RULE. MY UNDERSTANDING IS BECAUSE OF THE TIMING FOR ADMINISTRATIVE RULES THAT IS GOING TO TAKE 30 DAYS FOR A PUBLIC HEARING AND ADDITIONAL TEN DAYS TO TAKE EFFECT ONCE THEY ARE SIGNED. AND AT THAT TIME THE FRAME WOULDN'T NECESSARILY WORK AND THAT THE ALTERNATE PROGRAM, I THINK THE PREFERRED OPTION IS TO HAVE AN ADULTED HAVE A REQUEST BY COUNCIL TO ADOPT BY RESOLUTION WHEN IT'S READY, WHICH WOULD TAKE SIX DAYS AS FAR AS NOTICE. I HAVEN'T BEEN DIRECTLY WORKING ON THE REQUIREMENTS OF THAT PROGRAM.

MY UNDERSTANDING, IN OTHER JURISDICTIONS IT'S TYPICALLY ESSENTIALLY EQUIVALENT TO THE FEDERAL PROGRAM AS FAR AS REQUIREMENTS. IT'S JUST THAT THE OWNER WOULD HIRE THE SAME CONTRACTORS TO DO THE SAME LEVEL OF CLEAN-UP. IT'S JUST THEY WOULD DO THAT THEMSELVES OUT OF THEIR OWN POCKET AND IF THAT OPTION WORKS BETTER FOR THEM, FOR SOME REASON, FOR EXAMPLE, SIGNIFICANT INSURANCE COVERAGE, THAT COULD BE AN OPTION FOR THEM. I DON'T WANT TO CREATE A FALSE SENSE THIS ALTERNATE PROGRAM IS GOING TO BE SIGNIFICANTLY LESS STRINGENT THAN THE FEDERAL REQUIREMENTS, BECAUSE THE FEDERAL REQUIREMENTS ARE BEING PUT INTO PLACE UNDER THE STATE SAYING -- >> MAHALO, MR. HOPPER. >> SORRY. >> SO I WASN'T TALKING ABOUT THE LEVEL, OR THE STANDARD OF CLEAN-UP.

I WAS JUST TALKING ABOUT HOW IT'S CLEANED UP, I GUESS, IS WHAT THE QUESTION IS. IF, LIKE, IF IT WOULD HAVE TO COMPLETELY BE COVERED BY PRIVATE, OR COMPLETELY COVERED BY GOVERNMENT? I UNDERSTAND THAT THE STANDARD OF CLEAN-UP WOULD BE THE SAME . MY SECOND QUESTION IS REGARDING THE TESTIFIER BROUGHT UP THE EMPHASIS ON SOLAR BATTERIES AS PARTICULARLY HAZARDOUS. I CAN'T FIND IT IN THE BILL. I LOOKED AT IT AGAIN. >> IT'S IN THE COMMITTEE REPORT. >> OH.

OKAY. >> MEMBER RAWLINS-FERNANDEZ, I ALSO LOOKED AT THE BILL, AND AN EARLIER VERSION OF THE BILL AND I DIDN'T SEE IT THERE. I KNOW WE HAD A PURPOSE SECTION THAT DISCUSSED THE ISSUES, AND THE TOXICITY OF THE DEBRIS, BUT I DIDN'T RECALL HAVING THAT SPECIFIED. BUT THERE COULD BE A GOOD REASON FOR THAT, BUT I DON'T THINK IT WAS IN THE INTRODUCTION SECTION OF THE PURPOSE SECTION OF THE BILL. >> MAHALO, MR. HOPPER. SO IF WE CAN AMEND THAT IN OUR COMMITTEE REPORT, AND THAT WAY, IT'S NOT CALLING OUT ONE PARTICULAR THING, JUST BECAUSE OF THE POLITICS BEHIND FOSSIL FUEL CORPORATIONS, AND RENEWABLE ENERGY.

THIS QUESTION IS FOR MS. WADE. MS. WADE, I GUESS THERE'S TWO QUESTIONS. ONE IS REGARDING THE INFORMATION. IS IT ON MAUIRECOVERS.ORG FREQUENTLY ASKED QUESTIONS. TWO THINGS THE WAY THAT PEOPLE WOULD BE ALERTED, OR WOULD HAVE AN IDEA OR A SENSE OF WHEN THEY WOULD BE ABLE TO RETURN TO THEIR PROPERTIES IN LAHAINA?

AND THEN IF THAT IS AVAILABLE ON MAUI RECOVERS.COM, AND THEN THE SECOND IS THE FAQs FOR THE DEBRIS REMOVAL. >> THANK YOU FOR THE QUESTION YES AT MAUIRECOVERS.COM, IF YOU GO TO THE MAIN PAGE, THERE'S MULTIPLE BUTTONS AFTER YOU SEE THERE'S A COUPLE OF HEADERS AND THERE'S A MENU, A DASHBOARD OF BUTTONS. THE FIRE DEBRIS REMOVAL, YOU CLICK ON THAT, AND IT WILL TAKE

YOU TO A PAGE ABOUT YOUR DIFFERENT OPTIONS FOR FIRE DEBRIS REMOVAL AND KIND OF EXPLAINS A LITTLE BIT ABOUT WHAT HAPPENS. THERE ARE FAQs IN THERE RIGHT NOW. WE'RE CURRENTLY BUILDING OUT A MUCH MORE ROBUST LIST OF FAQs BASED ON THE QUESTIONS, LIKE COUNCIL MEMBER PALTIN ASKED ABOUT THE INSURANCE POLICY. THE THINGS THAT WE'RE HEARING COMING UP REPETITIVELY WE'RE DEVELOPING ADDITIONAL FAQs TO POST TO THE WEBSITE THERE. REGARDING RE-ENTRY INFORMATION, AGAIN BACK TO MAIN PAGE ALONG WITH A MAP THAT SHOWS THE DIFFERENT ZONES OF RE-ENTRY AREAS.
AND A CALL OUT OF ALL OF THE AREAS AND THEIR STATUS OF RE-ENTRY. THERE ISN'T A FORWARD-LOOKING SCHEDULE YET AT THIS POINT, AS THE TESTIFIER HAD MENTIONED. BUT I THINK, YOU MO, AS WE'RE MOVING THROUGH THE PROCESS, KNOW MEMIA IS MOVING TOWARDS MAKING THAT MORE POSSIBLE. AT THIS TIME IT'S ANNOUNCEMENT AND IDENTIFICATION TO PICK UP YOUR PASS TO COME IN AND WHAT DAYS IT WILL BE OPEN. >> MAHALO FOR THAT INFORMATION. DOES IT SHOW THE SEQUENCE OF WHAT ZONE WILL BE OPENED NEXT EVEN IF THERE'S SEASON A SCHEDULE OF DATE-CERTAIN? >> IT CURRENTLY DOES NOT.
IT JUST SHOWS WHAT IS ABOUT TO BE OPENED AND THE VERY NEXT ZONES TO BE OPENED. IT DOESN'T SHOW ANY FURTHER THAN THAT AT THIS TIME. >> HOW IS THE ADMINISTRATION GETTING THAT INFORMATION OUT ABOUT WHERE PEOPLE CAN FIND THAT INFORMATION? >> THANK YOU. WE'RE GOING TO DO PRESS RELEASES AND IF YOU GO TO MAUIRECOVERS.ORG AND SIGN UP FOR NOTIFICATIONS YOU WILL GET AN EMAIL OR TEXT DIRECTLY REGARDING NOTIFICATIONS OF UPDATES. THERE'S A CALL CENTER NUMBER ON THE WEBSITE 808-727-1550 >> IS THE INFORMATION BEING ADVERTISED OR PROMOTED ON THE RADIO, OR ANY OTHER WAY? SO THAT PEOPLE KNOW TO GO TO THE WEBSITE?
>> SO FOR INFORMATION NOT RELATED TO RIGHT-OF-ENTRY, THAT HAS BEEN ON THE RADIO. RELATED TO RE-ENTRY AND I KNOW THEY SHOULDN'T SO SIMILAR IT'S HARD TO KEEP THEM DISTINCT. WE HAVE BEEN WAITING FOR THE ALTERNATIVE DEBRIS REMOVAL AND TELL PEOPLE FACTS RATHER THAN THIS MAY OR MAY NOT HAPPEN. SO AS SOON AS WE HAVE THIS BILL COMPLETE WE'LL BE VERY CLEAR ON HOW PEOPLE CAN MOVE FORWARD. >> MAHALO. LAST QUESTION, HAVE YOU FOLKS CONSIDERED USING GASIFICATION? >> DID SAY GASIFICATION?
OKAY, I DON'T KNOW WHAT THAT MEANS. CAN YOU CLARIFY? >> THE TESTIFIER EARLIER SPOKE ABOUT THE TECHNOLOGY THAT I'M GOING TO SAY IT WRONG, BUT BREAKS DOWN CARBON AND TURNS CARBON INTO GAS. >> OH, OKAY. THAT WOULD HAVE TO BE -- SORRY I WOULD HAVE TO DEFER TO DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND DEPARTMENT OF HEALTH FOR THAT. THOSE ARE THE FOLKS THAT ARE OVERSEEING THE APPROPRIATE METHODS FOR DEBRIS REMOVAL, AND SAFE CONTAINMENT. >> MAHALO, MS.
WADE. MAHALO, CHAIR. >> THANK YOU. ANY OTHER QUESTIONS FOR MS. WADE? MEMBER PALTIN. >> I JUST WANTED TO TRY TO GIVE A LITTLE MORE ANSWER TO MEMBER RAWLINS-FERNANDEZ WAS THAT WHEN I SPOKE WITH MR.
NISHITA, HE WAS SAYING THAT THE WAY THAT THE REENTRY WAS PROCEEDING WAS FROM NORTH TO SOUTH TO GO THE PREVAILING TRADEWINDS AND THAT THE WAY THAT THE VARIOUS ZONES WERE SET UP, 1A, 1B, 1C AND THINGS LIKE THAT WERE BASED ON TRAFFIC MANAGEMENT AND THE WAYS THAT THEY CAN OPEN UP SOME OF THE BLOCKADES FOR CERTAIN SECTIONS WITHOUT OPENING UP THE ENTIRE SECTION. SO I SIGNED UP FOR THE NOTIFICATION, AND EVERY TIME I GET A TEXT ALERT OF NEW STREETS OPENING UP, AND IT'S KIND OF COMING FROM THE NORTH ACROSS, AND BASED ON WHICH ROADS CAN BE OPENED WITHOUT OPENING UP THE WHOLE ENTIRE SECTION. SO IT'S NOT LIKE AN EXACT ANSWER, BUT IF YOU KNOW WHAT ZONE YOU LIVE IN, AND YOU KEEP TRACK OF WHAT ZONES ARE OPENING UP, YOU CAN KIND OF SEE WHEN YOURS IS COMING UP. >> MEMBERS, ANY MORE QUESTIONS? WE'RE STILL IN DISCUSSION ON THE MOTION. AND FOR CLARIFICATION, IN CASE YOU WERE CONTEMPLATING AN AMENDMENT REGARDING THE TESTIMONY, I'M GOING TO CALL ON COUNTY CLERK FOR CLARIFICATION ON THE REFERENCE TO ESPECIALLY SOLAR BATTERIES, ET CETERA? >> THANK YOU, MADAM CHAIR.
WHAT WE UNDERSTAND IS THAT THE COMMITTEE REPORT REFERENCES A DIRECT QUOTE FROM MAUIRECOVERS.ORG. SO FOR THAT REASON, THE COMMITTEE REPORT WOULD NOT BE AMENDED TO CORRECT THAT QUOTE OR CHANGE IT. ALSO, BECAUSE THE COMMITTEE REPORT ISN'T ON TODAY'S AGENDA, CAN'T TAKE ACTION ON AMENDING IT TODAY. THE COMMITTEE REPORT, THAT IS. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAY I ASK MS.
WADE IF THEY COULD AMEND THAT ON THEIR WEBSITE THEN? >> MS. WADE. >>

THANK YOU. I WILL TAKE A LOOK AT IT. I KNOW THAT LANGUAGE CAME FROM THE EPA DUE TO THE VOLATILITY OF THE BATTERIES AND THE SAFE CONCERNS RELATED TO THEM WITH WATER BEING APPLIED. YES, WE CAN CERTAINLY TAKE A LOOK AT HOW IT'S WORDED ON THE WEBSITE AND EVEN POTENTIALLY MAKE ADDITIONAL CLARIFICATIONS, SO PEOPLE KNOW IF THEY DO NEED TO BE CALLED OUT SPECIFICALLY, WHY THAT WOULD BE THE CASE?\r\n\r\nIT IS CERTAINLY NOT TO VILIFY THE USE OF DIFFERENT FORMS OF POWER. IT'S FOR SAFETY REASONS. SO POTENTIAL CLARIFICATION WOULD BE REALLY APPROPRIATE. >> MAHALO, MS. WADE. MAHALO, CHAIR. >> ANY MORE DISCUSSION BEFORE WE TAKE THE VOTE?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION TO PASS BILL 86, CD 1, FD 1 (2023) ON SECOND AND FINAL READING RAISE YOUR HAND, SAY AYE? >> AYE. >> AYE. >> ALL AYES, SO THAT IS EIGHT AYES, ONE EXCUSED. MOTION CARRIES. I BELIEVE THIS BRINGS US TO THE END OF THE CALENDAR. ANY LAST ANNOUNCEMENTS?\r\n\r\n>> THANK YOU, CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. WHEN THE RESOLUTION WITH THE DETAILS FOR THE ALTERNATE PROGRAM IS READY FOR POSTING , CAN WE GET THAT PRESS RELEASE PERHAPS OUT? SO THAT PEOPLE ARE AWARE THAT WE'LL BE TAKING UP THE DETAILS OF THE ALTERNATE PROGRAM? >> CERTAINLY. >> OKAY, MAHALO.\r\n\r\n>> I'M SORRY, I DIDN'T HEAR YOU? WHAT? >> OH, BECAUSE -- >> YOU'RE WELCOME. >> IN THE PRESS RELEASE, IT'S JUST ONE READING BECAUSE IT'S A RESOLUTION, YEAH? SO IF WE COULD ALSO CLARIFY THAT, IT'S A RESOLUTION. SO IT WOULD ONLY BE ONE READING AND THERE WOULDN'T BE A SECOND OPPORTUNITY AFTER IT'S PASSED. MAHALO CHAIR.\r\n\r\n>> MEMBER PALTIN. >> I DON'T KNOW IF IT'S MY COMPUTER, I ONLY SEE SEVEN MEMBERS. >> YES, I WAS GOING TO MAKE A CORRECTION TO THE RECORD THAT MAYBE NOHELANI UU-HODGINS IS EXCUSED AS WELL. SO THE RECORD SHOULD SHOW SEVEN AYES, TWO EXCUSED. MOTION CARRIES. >> THAT IS ALL I HAD. THANK YOU.\r\n\r\n>> ANYTHING ELSE? IF NOT, THIS SPECIAL COUNCIL MEETING IS ADJOURNED. [GAVEL] THANK YOU EVERYONE.