

RICHARD T. BISSEN, JR.
Mayor

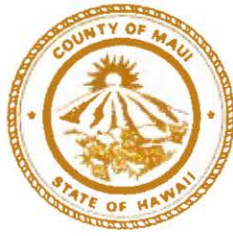
SHAYNE R. AGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

ERIC A. NAKAGAWA, P.E.
Wastewater Reclamation Division

Environmental Protection &
Sustainability Division



COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

March 4, 2024

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen, Jr. 3-5-24
Mayor Date

For Transmittal to:

Honorable Yuki Lei K. Sugimura
Chair, Budget, Finance, and Economic Development Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sugimura:

SUBJECT: BILL 40 (2024), AMENDING THE FISCAL YEAR 2024 BUDGET: REVENUES, DEPARTMENT OF FINANCE (COUNTYWIDE COSTS, SUPPLEMENTAL TRANSFER TO THE SOLID WASTE FUND); CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (COUNTYWIDE, SANITATION); AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (COUNTYWIDE, LĀHAINĀ WILDFIRE DISPOSAL SITES) (BFED-87)

In response to your request for information dated February 29, 2024, your request and the corresponding answer(s) are provided below by the Department of Environmental Management (DEM):

1. Provide a breakdown of how the \$7,403,000 appropriation will be used.

Response:

Due to various unknowns in regards to timing, Permanent Disposal Site selection, and number of potential opt-out properties, several assumptions were considered to develop the original below estimates.

Item	Task	Estimated costs	Description
1	Operational Planning	\$429,000	Prior expenditures for evaluating potential West side permanent disposal sites (i.e., permitting, entitlements, cultural and topo surveys, preliminary engineering, environmental controls, etc.), hazardous waste training for County personnel, and develop sampling analysis plan for opt-out commercial properties.
2	Design / permitting of Permanent Disposal site	\$1,075,000	Design, permitting, EA studies, cultural and topo surveys for a Permanent Disposal Site. Prepare bid documents and bid support.
3	Implement Commercial Sampling Analysis Plan	\$100,000	Non-hazardous waste profiling for required opt-out commercial properties.
4	Provide a Temporary Disposal Site	\$5,700,000	Design, construct, and operate a Temporary Disposal Site for opt-out properties.
TOTAL ESTIMATE		\$ 7,304,000.00	

Since selecting the Permanent Disposal Site and the continued receipt of residential and commercial right-of-entries (ROEs) by the County, the estimated budget needs for FY24 were revisited. The estimated volume of debris from the alternative debris removal program is estimated to be lower than originally anticipated; therefore, the below table reflects the anticipated budget amendment need for FY24. Also included in the table is the breakdown of funding type for the budget amendment.

Item	Task	Estimated Costs	Funding Type	Description
1	Operational Planning	\$429,000	B-Operations & Equipment	Prior expenditures for evaluating potential West side permanent disposal sites (i.e., permitting, entitlements, cultural and topo surveys, preliminary engineering, environmental controls, etc.), hazardous waste training for County personnel, and develop sampling analysis plan for opt-out commercial properties.
2	Design / permitting of Permanent Disposal site	\$1,075,000	CIP	Design, permitting, EA studies, cultural and topo surveys for a Permanent Disposal Site. Prepare bid documents and bid support.
3	Implement Commercial Sampling Analysis Plan	\$100,000	B-Operations & Equipment	Non-hazardous waste profiling for required opt-out commercial properties.
4	Provide a Temporary Disposal Site	\$3,250,000	B-Operations & Equipment	Design, construct, and operate a Temporary Disposal Site for opt-out properties.
TOTAL ESTIMATE		\$ 4,854,000.00		

New Total Request for B-Operations – \$3,779,000

New Total Request for Appendix C (CIP) – \$1,075,000

- 2. The proposed Appendix C project description includes operational costs for the disposal sites. Why are operational costs being paid as a capital improvement project appropriation instead of as a Category B (Operations and Equipment) appropriation? Please explain.**

Response:

In error, the full description of the original project was utilized as part of the description for the Appendix C project and should not have included the word “operation”.

- 3. Have the temporary site for the alternative debris removal program and the permanent disposal site been selected? If so, please provide the selected site locations. If not, please provide the site locations under consideration and explain when the selections will be made.**

Response:

The Department of Environmental Management recently announced the location of the Permanent Disposal Site at the Lahaina community meeting of February 28, 2024. The Central Maui Landfill was selected as the Permanent Disposal Site. The Temporary Disposal Site for the alternative debris removal program will also be located at the Central Maui Landfill.

- 4. How much of the requested funds is for the design and planning costs the Department incurred for the previously proposed permanent disposal site at Olowalu? Could the design and plans be used for the new site? Why or why not?**

Response:

Please see Item 1 in the table above, \$309,000 of the requested funds were incurred for the previously proposed permanent disposal site at Olowalu. The remaining balance was utilized to provide hazardous waste training to landfill personnel and to develop a sampling and analysis plan for testing of ash for commercial properties.

Certain aspects of a design could be re-used, but due to differences in topography, geology, and environmental controls each design is site specific. Depending upon the location of the Permanent Disposal Site at Central Maui Landfill, existing environmental controls may be utilized and the topography and geology are mostly known.

Honorable Yuki Lei K. Sugimura, Vice-Chair
March 4, 2024
Page 4 of 4

Thank you for the opportunity to provide you with information on this matter. Should you have any questions or concerns, please feel free to forward them to the Department of Environmental Management via transmittal through the Office of the Mayor.

Sincerely,



Digitally signed by Shayne R. Agawa, P.E.
DN: cn=Shayne R. Agawa, P.E., o=County
of Maui, ou=Director of Environmental
Management,
email=shayne.agawa@co.maui.hi.us, c=US
Date: 2024.03.05 08:18:45 -10'00'

SHAYNE R. AGAWA, P.E.
Director of Environmental Management

cc: Mayor Richard T. Bissen, Jr.
Steve Tesoro, Dep. Director of Finance
Maria Zielinski, Budget Director

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 29, 2024

Mr. Shayne Agawa, Director
Department of Environmental Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Agawa:

SUBJECT: BILL 40 (2024), AMENDING THE FISCAL YEAR 2024 BUDGET: REVENUES, DEPARTMENT OF FINANCE (COUNTYWIDE COSTS, SUPPLEMENTAL TRANSFER TO THE SOLID WASTE FUND); CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (COUNTYWIDE, SANITATION); AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (COUNTYWIDE, LĀHAINĀ WILDFIRE DISPOSAL SITES) (BFED-87)

The Budget, Finance, and Economic Development Committee is in receipt of Bill 40, which recognizes and appropriates \$7,304,000 for your Department for the Lāhainā wildfire disposal sites. A copy of Bill 40 is attached for your reference.

May I please request your response to the following:

1. Provide a breakdown of how the \$7,304,000 appropriation will be used.
2. The proposed Appendix C project description includes operational costs for the disposal sites. Why are operational costs being paid as a capital improvement project appropriation instead of as a Category B (Operations and Equipment) appropriation? Please explain.

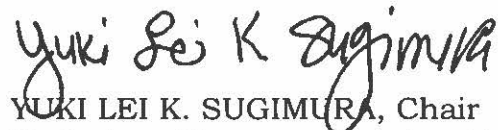
Mr. Shayne Agawa
February 29, 2024
Page 2

3. Have the temporary site for the alternative debris removal program and the permanent disposal site been selected? If so, please provide the selected site locations. If not, please provide the site locations under consideration and explain when the selections will be made.
4. How much of the requested funds is for the design and planning costs the Department incurred for the previously proposed permanent disposal site at Olowalu? Could the design and plans be used for the new site? Why or why not?

May I further request you transmit your response to bfed.committee@mauicounty.us by **4:30 p.m. on March 4, 2024**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, or Yvette Bouthillier at ext. 7758).

Sincerely,



YUKI LEI K. SUGIMURA, Chair
Budget, Finance, and Economic
Development Committee

bfed:ltr:087aem01:jgk

Attachment

cc: Mayor Richard T. Bissen, Jr.
Interim Budget Director

ORDINANCE NO. _____

BILL NO. 40 (2024)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024
BUDGET FOR THE COUNTY OF MAUI, REVENUES;
DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, SUPPLEMENTAL
TRANSFER TO THE SOLID WASTE FUND; CAPITAL IMPROVEMENT
PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
COUNTYWIDE, SANITATION; AND APPENDIX C,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
COUNTYWIDE

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Ordinance No. 5528, Bill No. 22, CD1, FD2 (2023), as amended, "Fiscal Year 2024 Budget", Section 2, Estimated Revenues, is amended to increase Carryover/Savings, General Fund in the amount of \$7,304,000, increase Interfund Transfers in the amount of \$7,304,000, and increase the total accordingly, to read as follows:

"ESTIMATED REVENUES"

FROM TAXES, FEES AND ASSESSMENTS:

Real Property Taxes		534,949,079
Circuit Breaker Adjustment		(325,398)
Transient Accommodations Tax		60,000,000
Charges for Current Services		172,264,662
Public Service Company Tax		7,000,000
Licenses/Permits/Others		45,268,317
Fuel and Franchise Taxes		23,500,000
Special Assessments		6,700,000
Other Intergovernmental		19,150,000

FROM OTHER SOURCES:

Interfund Transfers	[76,491,088]	<u>83,795,088</u>
Bond/Lapsed Bond		61,545,000
Carryover/Savings:		
General Fund	[70,591,201]	<u>77,895,201</u>
Sewer Fund		10,073,191
Highway Fund		8,000,039
Solid Waste Management Fund		4,945,233
Environmental Protection and Sustainability Fund		665,143
Liquor Fund		855,282
Bikeway Fund		199,760
Water Fund		<u>9,905,110</u>

TOTAL ESTIMATED REVENUES [1,111,777,707] 1,126,385,707"

SECTION 2. Fiscal Year 2024 Budget Section 3.B.5.g.(6), Department of Finance, Countywide Costs, Supplemental Transfer to the Solid Waste Fund, is amended to reflect an increase of \$7,304,000 in Category B – Operations & Equipment, and to adjust the total accordingly, to read as follows:

<u>"FUNCTION AND PROGRAMS</u>	<u>A - Salaries</u>	<u>B – Operations & Equipment</u>	<u>Total</u>
4. Department of Finance			
g. Countywide Costs			
(6) Supplemental Transfer to the Solid Waste Fund	0	[8,929,310]	[8,929,310]
		<u>16,233,310</u>	<u>16,233,310"</u>

SECTION 3. Fiscal Year 2024 Budget, Total Operating Appropriations, is amended to reflect an increase of \$7,304,000 in Category B – Operations & Equipment and to adjust the total accordingly, to read as follows:

<u>"FUNCTION AND PROGRAMS</u>	<u>A - Salaries</u>	<u>B – Operations & Equipment</u>	<u>Total</u>
TOTAL OPERATING APPROPRIATIONS	241,153,134	[718,221,239]	[959,374,373]
		<u>725,525,239</u>	<u>966,678,373"</u>

SECTION 4. Fiscal Year 2024 Budget, Section 4.A.1.a.(1), Department of Environmental Management, Countywide, Sanitation is amended to add a new appropriation for Sanitation, Solid Waste Management Fund, entitled "Lāhainā Wildfire Disposal Sites" in the amount of \$7,304,000, to read as follows:

<u>"PROJECT TITLE</u>	<u>APPROPRIATION</u>
A. Department of Environmental Management	
1. Countywide	
a. Sanitation	
(1) Solid Waste Management Fund	
(i) Environmental Compliance System Design and Construction	750,000
(ii) Partial Closures of Active Landfills	50,000
(iii) <u>Lāhainā Wildfire Disposal Sites</u>	<u>7,304,000"</u>

SECTION 5. Fiscal Year 2024 Budget, Total Capital Improvement Project Appropriations, is amended to reflect an increase of \$7,304,000, to read as follows:

"TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS	[152,403,334]	<u>159,707,334"</u>
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SECTION 6. Fiscal Year 2024 Budget, Total Appropriations (Operating and Capital Improvement Projects), is amended to reflect an increase of \$14,608,000, to read as follows:

"TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)	[1,111,777,707]	<u>1,126,385,707"</u>
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SECTION 7. Fiscal Year 2024 Budget, Appendix C – Capital Improvement Projects, Department of Environmental Management, Countywide is amended to add a new project and project description entitled "Lāhainā Wildfire Disposal Sites" in the amount of \$7,304,000, to read as follows:

"APPENDIX C – Capital Improvement Projects		
CBS NO.	PROJECT TITLE/DESCRIPTION	APPROPRIATION
	Department of Environmental Management	
	1. Countywide	
CBS-1132	a. Countywide Environmental Protection Agency (EPA) Compliance Projects	1,000,000
	Investigation, assessment, design, permitting, construction and rehabilitation of wastewater collection lines as required by the Environmental Protection Agency (EPA)/Hawaii Department of Health (DOH) issued a Consent Decree (CD) dated November 8, 1999. The scope of current projects includes CCTV/hydraulic analysis of existing lines, collection system rehabilitation to eliminate infiltration and inflow and additional assessments/repairs as required.	
CBS-1119	b. Countywide Environmental Protection Agency (EPA) Compliance Wastewater Reclamation Facility Renovation Projects	4,150,000
	Design and construction, renovation or upgrade of assets/equipment at the Wastewater Reclamation Facilities as required by the 20-Year Rehabilitation and Replacement Plan developed under the 1999 Consent Decree and other minor facility upgrades. Projects for FY 2024 include, but are not limited to: 1) Process and facility improvements at Kahului Wastewater Reclamation Facilities, 2) Clarifier and basin rehabilitation, 3) Solids Building renovations, 4) Piping Rehabilitation, 5) Injection well rehabilitation/modifications/drilling and 6) Various roofing repair/replacements and other minor projects.	
CBS-7878	c. Countywide Wastewater Project Management	2,000,000
	Management of large construction projects, including, but not limited to construction inspections, review of submittals, request for information review, coordination of construction with Wastewater Reclamation Division staff, review change order requests, review construction progress and schedules, prepare reports as needed, solve construction-related issues with contractor and engineering consultants, etc.	
CBS-1128	d. Countywide Wastewater System Modifications	3,000,000
	Additional funding to be used as required for projects where construction/design bids exceed the funding appropriation. Bid amount overruns have commonly occurred with the strong construction climate in Maui County and global uncertainty of material and energy prices and supply chain interruptions	
CBS-3182	e. Environmental Compliance System Design and Construction	750,000
	This project will provide design, construction, and related services to address environmental compliance opportunities and operational improvements at all County Solid Waste Management facilities in alignment with state and federal requirements.	

CBS-7867	f. Partial Closures of Active Landfills	50,000
	The State of Hawaii Department of Health is requiring a demonstration of closure cap effectiveness prior to closing landfill cells. The proposed project will develop test methodology and conduct testing and reporting to satisfy this requirement. The closure cap construction approved by DOH will be utilized to begin partial closure of active landfills.	
CBS-xxxx	g. Lāhainā Wildfire Disposal Sites	7,304,000*
	<u>Site, plan, design, and operation of a temporary site for the alternative debris removal program and a permanent disposal site related to August 8, 2023 severe weather and Lāhainā Wildfires.</u>	

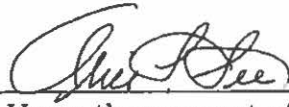
SECTION 8. Material to be repealed is bracketed. New material is underscored.

SECTION 9. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

KRISTINA C. TOSHIKIYO
Deputy Corporation Counsel

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Paul Lee", written above a horizontal line.

Upon the request of the Mayor.

BFED Committee

From: Michelle Santos <Michelle.Santos@co.maui.hi.us>
Sent: Tuesday, March 5, 2024 1:52 PM
To: BFED Committee
Cc: Cynthia Sasada; Josiah Nishita; Keanu LauHee; Leo Caires; Louise Batoon; Nadine Orikasa; Pili Nahooikaika; Robert Schmidt; Shayne Agawa; Shirley Blackburn
Subject: MT#10540 Bill 40
Attachments: Scanned from a Xerox Multifunction Printer.pdf

NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.

Michelle L. Santos

Office Operations Assistant

Office of the Mayor
County of Maui
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