

WATER AND INFRASTRUCTURE COMMITTEE
Council of the County of Maui

MINUTES

March 9, 2026

Online Only via Teams

CONVENE: 1:36 p.m.

PRESENT: Councilmember Tom Cook, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Kauanoë Batangan, Member (arrived 1:42 p.m.)
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Nohelani U‘u-Hodgins, Member

EXCUSED: Councilmember Shane M. Sinenci, 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:

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Keomailani Hirata, Council Aide, Moloka‘i Residency Area Office
Chaelin Ryu Council Aide, South Maui Residency Area Office

ADMIN.: Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
Patrick McCall, Director, Department of Parks and Recreation
Grant Hutaff-Nakamura, Lieutenant, Investigative Services, Department of Police
Jonathan Young, Juvenile Officer, Department of Police
Chad Kumagai, Prosecuting Attorney, Department of the Prosecuting Attorney
Jordan Molina, Director, Department of Public Works
Marc Takamori, Director, Department of Transportation
Michael Petersen, Deputy Director, Department of Environmental Management
Eric Nakagawa, Chief of Wastewater Engineering, Department of Environmental Management
Michael Kehano, Chief of Solid Waste Division, Department of Environmental Management

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OTHERS: Testifiers
 Jasee Law
 Mike Moran
 Travis Liggett

(25) additional attendees

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

CHAIR COOK: . . .*(gavel)*. . . Will the Water and Infrastructure Committee of March 9th, 2026, please come to order. It's 1:36 p.m. May I ask that all participants please silence noisemaking devices. Today 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 [*sic*] with you today, exclusive of minors. I would also like 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. Committee Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good afternoon, Chair.

CHAIR COOK: Councilmember Batangan is going to be a little late. Good afternoon, Councilmember Johnson.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There's no testifiers here at the Lānaʻi District Office. I'm alone in my side of the office, and hopefully everybody's preparing for this upcoming storm. Please take care. Thank you.

CHAIR COOK: Council Chair Alice Lee, aloha and good afternoon.

COUNCILMEMBER LEE: Aloha, Chair. And I'm alone in my workspace here, and I used my lunchtime to work on my leaky roof. Thank you.

CHAIR COOK: Good afternoon. Aloha, Member Paltin.

COUNCILMEMBER PALTIN: Aloha 'auinalā. Streaming live and direct from the Council Chambers.

CHAIR COOK: Aloha. Good afternoon, Councilmember Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā, Chair. Aloha 'auinalā kākou mai Molokaʻi Nui a Hina. I'm at my private residence, alone here. Oh, sorry, no...well, mostly alone. I do have my daughter with me, she's feeling under the weather. And there are currently no testifiers at the Molokaʻi District Office. Mahalo Chair.

CHAIR COOK: Councilmember Shane Sinenci, is he with us? Okay. Excused. And Councilmember Nohelani U'u-Hodgins.

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COUNCILMEMBER U‘U-HODGINS: Aloha, Chair. Aloha, everyone. I am alone in my car right now. After this, I’m going to turn off my video and listen along until I get to a place where I can turn it back on safely. Thank you.

CHAIR COOK: Okay. Yeah, we want you to drive safe. And we’re going to pause for a minute. Staff, if you could come here? I need to have...the Chair’s having a little issue with his video. *(pause)*

MR. HUTAFF-NAKAMURA: Hi. Good afternoon. It’s Lieutenant Grant Hutaff-Nakamura from Juvenile. Yeah, I’m having difficulty getting my camera to work. Are you guys hearing me okay?

CHAIR COOK: Yes. Okay. Thank you for that brief pause there. From the Administration, we’re joined today by representatives from the following departments. Public Works? Do we have Public Works with us? Parks and Recreation? Good afternoon, Director.

MR. MCCALL: Good morning, Chair. Thank you for having us here.

CHAIR COOK: Department of Transportation? No. And MPD. Oh, wait. Good afternoon, Mr. Takamori. I see you on the video --

MR. TAKAMORI: Good afternoon.

CHAIR COOK: -- now. And MPD, Mr. Young? He’s on.

MR. YOUNG: Hello, everyone. Can you hear me?

CHAIR COOK: Yes. And from the Prosecuting --

MR. YOUNG: Thank you for having me.

CHAIR COOK: -- Prosecuting Attorney today, we Mister...we have Mr. Kumagai.

MR. KUMAGAI: Good afternoon. . . .*(inaudible)*. .

CHAIR COOK: And from Inventor...Environmental Management...that’s going to be for this afternoon’s. Corporation Counsel.

MR. ROWE: Good afternoon, Chair.

CHAIR COOK: We also invited the State Department of Education, but they were unable to join us today. From Office of Council Services, we are assisted by our Committee Staff, which we very much appreciate. Please see the last day [*sic*] of the agenda for information on the meeting connectivity. Good afternoon, everyone. We have two items on today’s agenda. WAI-22 relates to Bill 16 (2026), Regulating Low-Speed Electric Bicycles. WAI-1(6) relates to an Operational and Budgetary Review of the Department

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of Environmental Management. Members, if there are no objections, I'd like to take testimony after receiving each of the opening comments on WAI-22, and then after on WAI-1(6). Thank you, Members. Let's begin.

ITEM 22: BILL 16 (2026), REGULATING LOW-SPEED ELECTRIC BICYCLES

CHAIR COOK: Members, WAI-22 relates to Bill 16 (2026), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.52, MAUI COUNTY CODE, BY ADDING A NEW SECTION REGULATING LOW-SPEED ELECTRIC BICYCLES." Bill 16's purpose is to establish regulations for the safe [sic] operation of low-speed electric bicycles, with particular focus on protecting minors and promoting responsible use. The bill seeks to accomplish this by mandating helmet use, requiring individuals under 18 to wear a helmet that meets specific safety standards, defining safe riding conduct, pro...prohibiting unsafe maneuvers such as standing on the seat or lifting wheels from the ground, restricting expedi...expedition [sic] driving, making it unlawful to operate in an expedition [sic] or unsafe manner on public rights-of-way. Member [sic], a proposed CD1 version of Bill 16 can be found under Granicus item number 5. Apart from minor technical revisions, it removes the fa...the phrase "non-standing or" from proposed paragraph 10.52.125. Members, I've also transmitted an inform...in...informational document for your review, located under Granicus number 3. This document includes three exhibits on recent State Department of Education safety guidelines and local school impacts to help inform our discussion today. I would also like to note that the Director of Public Works has recommended that following our discussion in Committee today, this bill will be transmitted to the Public Works Commission for their review and comment. I'll start by asking if Committee Vice-Chair Sugimura would like to provide any opening remarks, as she is the introducer of this proposed bill.

VICE-CHAIR SUGIMURA: Thank you.

CHAIR COOK: Vice-Chair?

VICE-CHAIR SUGIMURA: Thank you very much for taking this bill up, this proposed bill. This actually came from community who asked about this, having seen disruption in their...in their neighborhood, and so therefore, this is modeled after what City and County of Honolulu has for this similar topic. So, thank you for bringing this up.

CHAIR COOK: Thank you. I'd also like to welcome and acknowledge Member Kauanoë [sic].

COUNCILMEMBER BATANGAN: Thank you, Chair.

CHAIR COOK: Now, let's ask if the following departments would like to provide any comments. Department of Public Works? (*pause*) Okay. Department of Parks and Recreation, comments?

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MR. MCCALL: Thank you, Chair. (*echoing*) The Parks Department here. We would like to support this bill. Though it doesn't necessarily address the opera...a operation of these bikes in the parks themselves, we believe that the extension of making it...the pub...en...enhancing the public awareness of the need for safety will translate over to better behavior in the parks. We currently have quite a few problems with e-bikes being operated in parks, and...though we also see the positive side. We...we...we note that we have a number of kūpuna and also kids who ride e-bikes to parks to participate in, you know, court sports or...or just walk or...or use the parks, the pools, et cetera. It's the oftentimes unsupervised [*sic*] juveniles that rider...are riding in an unsafe way on...on our walking paths or on our fields, doing destruction to fields or even, to be quite honest, in our restrooms. And therefore, I think we...we view this as a positive step towards getting some kind of regulation for this current...you know, this relatively new phenomenon in our community.

CHAIR COOK: Thank you, Director. I want to acknowledge Director Molina from Public Works. Welcome. And do you have any comments regarding electric bicycles?

MR. MOLINA: Thank you, Chair. My comments is just as a member of the public, and to say that I guess I'm not sure that the bikes I've seen doing exposit...exhibition riding fall into this class. They seem to be more powerful type bikes that are doing those kinds of activities and don't necessarily have pedals on them. So, just a comment on ensuring that you guys are targeting the right class of vehicles with the legislation. Thank you.

CHAIR COOK: Correct. So, you're...you're pointing out that the electric bicycles are the ones with pedals that go under a certain speed, and then the electric nonmotorized vehicles aren't part of this particular electric bicycle bill, but...

MR. MOLINA: I mean, I guess just to clarify, you know, there's a broader range of e-bikes than what the bill defines it as, and so just to provide clarity...because I'm not sure. I mean, I didn't quite know what a low-speed e-bike was necessarily classified as. Thank you.

CHAIR COOK: Well, thank you, Director. Do we have anybody from Department of Transportation?

MR. HURDLE: Director is online.

CHAIR COOK: Forgive me if I can't see everybody at once. There you go. Thank you, Mem...Director Takamori. Do you have a comment for WAI-22?

MR. TAKAMORI: Yeah. So, good arfternoo...good afternoon, Committee Chair Cook and Committee Members. For the record, I'm Marc Takamori, Director for the County Transportation Department. The Department has reviewed the proposed CD1 version of...of Bill 16 regarding the low-speed electric bicycles. We are supportive of the safety measures proposed in this bill and do not have any additional comments or changes to recommend at this time. But we believe that these regulations will help promote responsible riding as cyclists do access our Maui Bus programs, including our

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transit hubs and our services. So, thank you for the opportunity, and I'll be here and available to answer any questions.

CHAIR COOK: Thank you, Director. Department of Police, Mr. Young, do you have any comments?

MR. HUTAFF-NAKAMURA: Hi. I can start. This is Lieutenant Grant Hutaff-Nakamura from Juvenile. We're in support of this...of this bill. And I'm just making sure that I'm reading the right one, that it does talk about the...does this bill also talk about the operating a high-speed electric device? Is this the same one?

CHAIR COOK: This is principle for the electric bicycles and children under 18 wearing a helmet and --

MR. HUTAFF-NAKAMURA: Okay.

CHAIR COOK: -- riding...riding responsibly, and not being able to do wheelies and dangerous driving.

MR. HUTAFF-NAKAMURA: Yeah, I think what the problem that we have is more of the operating a high-speed electric device. I'm looking at a bill that one of our secretaries sent me, and it says in here that in the case of violation...a violator under the age of 18, enforcement may be applied against the parent or legal guardian. That's something that we definitely need, but I guess it's the...it's the wrong one that got sent. But I think we're moving in the right direction for sure, but what we're really battling is that high-speed electric devices.

COUNCILMEMBER PALTIN: Chair, point of information is by those high-speed electric vehicles, he's referring to e-motorcycles, which are already illegal on the street. Is that...just wanted to clarify that.

CHAIR COOK: Yes, thank you. And I was...I wanted to go e-motorcycles, but they're not. They're e-bikes, correct? For...

COUNCILMEMBER PALTIN: If...if they're those high-speed ones without pedals that they can pop wheelies on, in the presentation given in the DRIP Committee, that's an e-motorcycle, which is already illegal on the streets. It's not street legal. So, when you see people on those e-motorcycles on the street, it's already illegal because they're not supposed to be on the street.

CHAIR COOK: Thank you for that clarification. That's what I was trying to clarify, and you did that quite well. Thanks. Prose...Prosecuting Attorney, do you have comments on the bill?

MR. KUMAGAI: Thank you, Chair. The Department supports this bill. The only, I guess, substantive comment or suggestion I would make would be relating to Part C. It's currently written in the conjunctive, meaning that all three...one, two, and three would

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have to be satisfied in order to be covered under the prohibition under C. I suggest that the County Council committed...consider changing it to disjunctive or, so that each individual iteration under C would be a standalone offense. Thank you.

CHAIR COOK: Thank you for that, Prosecuting Attorney. I see the Staff nodding, so it is noted. And from Department of Corporation Counsel?

MR. ROWE: Thank you, Chair. I don't really have any comments, other than we might want to consider defining what a low-speed electrical bicycle is.

CHAIR COOK: Thank you for that comment. We'll have the discussions on that. Thank you all. Before we begin our discussion, let's see if anyone would like to provide testimony on WAI-22. Staff, do we have any testifiers?

MR. PASCUAL: Chair, there's no individual signed up to testify at this time, but I do see an individual approaching the podium.

MR. LAW: Thank you, Jarret.

CHAIR COOK: Anyone wanting to testify, please sign up in the lobby, join online meeting, or call in the phone number noted on today's agenda. For online testifiers, please click the raise-your-hand button. For those calling in, please follow the prompts via star-5 to raise and lower your hand, star-6 to mute or unmute. Please ensure your name on Microsoft Teams appears as the name you prefer to be referred to or as anonymous if you wish to testify anonymously. If you are in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Written testimony will continue to be accepted and can be submitted via eComment at maucounty.us/agendas. Staff will enable your microphone and video when it is your turn to testify. Oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. You can view the meeting on Akakū 53, Facebook Live, or maucounty.us/agendas. Decorum will be maintained throughout this meeting. Breaching decorum includes anything that disrupts the orderly management of the meeting. Violation of decorum may result in being removed from the meeting. At this time, I would like to open public testimony for WAI-22. Staff, please call the first testifier.

MR. PASCUAL: Thank you, Chair. There is one individual in the gallery that would like to testify.

. . . OPEN PUBLIC TESTIMONY FOR WAI-22 . . .

MR. LAW: Thank you, Jarret. For the record, this is Jasee Law from Kula Uka, Waiakoa Ahupua'a. I've ridden a bicycle most of my life, probably more than I've driven around in cars and trucks. And so, I'm...I'm a...really a big fan, and I was really happy, as I know Mr. Chair was, to see when the electric bicycles came along to...so that older

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people could enjoy that sport or recreation or transportation or whatever you want to call it. And then they start doing the wheelies up the road, and even though it kind...I didn't feel like I was in any kind of danger or anything, nobody really came close to me. Like they're usually there in the street, and I stay on the sidewalks. But it's really annoying to see them do that, so I'm kind of in favor of trying to get them to stop doing that. And I haven't seen anybody crash or wreck or hurt anybody yet. The Hawaiian word of the day for...for bicycle is probably in...translated from the English word, because I'm pretty sure the Hawaiians didn't have bicycles, was paikikala. And so, when I was...it looked like it was very thorough. All the departments are involved with this. I would like to see more bicycles on Maui, so if y'all could focus on like the community plans and making trails and stuff. It's kind of...oh, one more thing I forgot to mention was like electric bikes are very useful for going up the mountain, too, because it gets really steep up there. And one thing I was looking at, it looks like all the departments are in on this one. I'm looking for, like, they didn't...hopefully you are...you all aren't going to be fining anybody. That might be up to the Prosecuting Attorney's Office. And...yeah, that's about it, I guess. Thank you for your time, Mr. Cook. And I save the rest of my time for the Hawaiian peoples.

CHAIR COOK: Members, any clarifying questions? Seeing none. Thank you.

MR. PASCUAL: Chair, the next individual is Mike Moran on Teams.

MR. MORAN: Good afternoon, Chair and Committee Members. Mike Moran, a lifelong cyclist, and I still...I still use the pedals. I do not have a powered bicycle, but in my travels, on...in...mostly in South Maui bicycling around, I do encounter all manner of...of e-bikes. And I, too, as one of the...the professionals mentioned, I wasn't sure where you distinguish a low-speed and a high-speed e-bike. So, I think that has to be clarified. And in my...my experience, I don't see this violation on what I would consider low-speed bicycles. I don't see this circus acts by the cyclists. They're just people that are trying to get along, they're commuting, you know, going from place to place. Where I do see the antics are on these very high-speed vehicles that are...they're literally...some of them are literally going faster than the motor vehicles. So, that's the...the real danger. They're weaving in and out between the cars and trucks because they can go so fast and they're maneuverable. So, to me, that's the danger, not only to the individual riding, but to...to everyone that's participating in transit. Because wha...what is a driver going to do if an unsafe high-speed cyclist comes flying by doing tricks? He's going to try and avoid it and...and may brake or may wea...swipe. So, I think that has to have some attention. And of course, it's just like the...the...what we've had forever is antics on high-speed two-wheel vehicles where some of these riders have the attitude that as hard as...as our MPD will try, they can go off-road. They feel they can escape, so they almost feel like they're...they're omnipotent to...to doing these antics and getting away with it. But any action is something positive because, as the prior testifier said, it would be so much better for our whole community if we had safe ways to...to cycle, whether motorized or not. Every bi...every bike on the road is one less car, and I think all parts of our island would say that that would be a good thing to have less cars and more bicycles if there were safe places for kids to get to school and for old goats like me to commute. Thank you for the opportunity to testify.

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CHAIR COOK: Thank you, Mr. Moran. Any clarifying questions? Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Moran, for your testimony. I just wanted to clarify. You're saying that the problem seems to be more with those high-speed electric motorcycles, electric dirt bikes, than bicycles and e-bikes?

MR. MORAN: That's...that's correct. I mean, to tell you the truth, sometimes I'm not sure exactly what kind of a vehicle it is because they're going so fast. But yes, the ones that are certainly high-powered, high-speed, whether they're motorcycles or motorbikes or e-bikes, whatever you want to call them, the ones that do have the ability to go...go fast are the dangerous ones, in my opinion. Mahalo for the question.

COUNCILMEMBER PALTIN: Thank you.

CHAIR COOK: Members, any other clarifying questions? Chair Lee?

COUNCILMEMBER LEE: Yes. Oh, thank you. Hi, Mike.

MR. MORAN: Aloha.

COUNCILMEMBER LEE: Hi. Do you see these bikes only on the roads or you see them on sidewalks and so forth?

MR. MORAN: The vast, vast majority on roads. Unfortunately, in South Maui, we have so few extended sidewalks, and that's...that's also a challenge is that there doesn't seem to be community clarity on whether bicycles can ride on sidewalks or not. Even if it's just a pedal bike, are they allowed? My understanding...maybe MPD can help me with this, my understanding is it's a State law that says bicycles are prohibited in commercial districts on the sidewalk. So, what I'm seeing is mostly on the streets because of the short stretch of sidewalks, these high-speed guys would be...would be...wouldn't use it because it's too...too short a span. So, what I'm seeing in South Maui is on streets.

COUNCILMEMBER LEE: Now, Mike, I...I barely recognized you. Did you just get a haircut and you don't wear glasses anymore?

MR. MORAN: Well, boy, you're very adroit. The hair is actually just pulled back and I finally was subjected to the cataract surgery. So, from...I wore...wore prescription glasses since the third grade. Now, I'm still getting used to being able to see without them. So, super observation, Chair Lee.

COUNCILMEMBER LEE: Well, you look ten years younger.

MR. MORAN: Hurrah. Thank you. . . .(laughing). . .

CHAIR COOK: Members, any other clarifying questions? Seeing none. Staff, any other testifiers?

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MR. PASCUAL: Thank you, Chair. That is all the individuals signed up to testify. If anyone in the audience or on Teams would like to testify, please come up to the mic and begin your testimony or use the raise-your-hand function on Teams and Staff will unmute you. Here's a brief countdown...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Okay. Members, seeing that there's no other testifiers, any objection to...

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-22 . . .

CHAIR COOK: Thank you. A reminder, written testimony is always accepted. Okay. 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. Let's start with Committee Vice-Chair Sugimura.

VICE-CHAIR SUGIMURA: Thank you. So, I guess I want clarification. Do we even need to define, then, high-speed electric bikes based upon the discussion?

COUNCILMEMBER PALTIN: I can answer that. From the presentation given in the last DRIP, there's three classes of low-speed, and then once you get to high-speed, it's considered an e-motorcycle or e-dirt bike. I emailed to the WAI Committee the presentation from the DRIP Committee, which has legal definition of an e-bike, operable pedals less than or equal to 750-watt motor, 20 to 28 mile-per-hour assist limit, bicycle, not a motor vehicle. And then the next slide has Class 1, Class 2, and Class 3 e-bikes. All of those are low-speed. Then moped, Class C, electric foot scooter. Everything else is not street legal. So, if it's not street legal, just being on the road is already --

VICE-CHAIR SUGIMURA: Illegal.

COUNCILMEMBER PALTIN: -- illegal. So, no sense saying, like, oh, you have to wear a helmet on the road because you're not supposed to be on the road. Remember this?

VICE-CHAIR SUGIMURA: Yeah. Thanks.

CHAIR COOK: Okay. Can we pause for a minute? Staff, is that something you can put on the screen, what she emailed you?

MR. PASCUAL: Thank you, Chair. If you could give us a moment to briefly download the presentation, then we can screen share that slide.

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CHAIR COOK: After...thank you. After discussion, so I'd like us to be able to put that up for point of reference.

MR. PASCUAL: Yes, of course.

CHAIR COOK: Thank you. Thank you, Member Paltin.

VICE-CHAIR SUGIMURA: Yeah, Thank you, Member Paltin. So, based upon that then, I'll wait for maybe Corp. Counsel, someone's recommendation of how to do this definition. That...then my second question would be then, what does that mean for police? Like, how easily identifiable is this for enforcement basis?

CHAIR COOK: MPD, did you hear the question?

MR. HUTAFF-NAKAMURA: Go ahead, Johnny. I'll leave that up to you. *(pause)*

CHAIR COOK: Mr. Young, are you going to answer or somebody else? You're muted. *(pause)*
Top of the screen, a little mic next to the camera.

MR. YOUNG: Yeah. So, I...I believe I heard, does this help with enforcement?

VICE-CHAIR SUGIMURA: Will...will you be able to identify if you have these different categories, grades, I guess, for enforcement? Does it matter?

MR. YOUNG: Yes. You know, this...from what I read, it does help a lot. It does clarify a lot of things. You know, one of the main issues is...as a lot of you mentioned already, is the electric motorcycles. So, you know, it's a step in the right direction with addressing those. I think there might be able to add a little bit more information specifically for those. It looks like there was a lot of focus to the lower speed e-bikes. But yeah, it...it will increase our awareness of the different types of e-bikes, as well as kind of define which is which, Class 1, 2 versus 3.

VICE-CHAIR SUGIMURA: So, basically, if they're riding it without helmets, that would be the most obvious indication of a violation of this law?

MR. YOUNG: Yes.

VICE-CHAIR SUGIMURA: Okay. And so, Mr. Kumagai, then, your...your suggestion was, C, it is unlawful for an individual to operate a low-speed electric bicycle. And you said it would...rather it would be best if it was "or." So, can you then provide language to clarify that?

MR. KUMAGAI: I think that the "and" at the end of Section C2 can be changed to an "or." The...the way it reads right now, it...it wi...a violation of Section C would require unsafe manner or exhibition driving . . . *(timer sounds)*. . . plus standing or kneeling, plus any

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other maneuver that endangers. So, if we change the “and” to an “or,” then that addresses the concern.

VICE-CHAIR SUGIMURA: Okay. So, we can do that at the appropriate time, with your permission. Thank you.

CHAIR COOK: You got that? Thank you, Staff.

VICE-CHAIR SUGIMURA: Yeah.

CHAIR COOK: Councilmember Batangan, questions? Discussion?

COUNCILMEMBER BATANGAN: Thank you, Chair. So, I’m in support of the proposed legislation. I think that there’s more we can do to help keep our streets safe. A big part of that is going to be enforcement, and I think a big part of that is going to be education as well. Because, you know, when I talked to some of the people who I know were riding e-motorcycles in our parks, like they didn’t even realize that that wasn’t allowed. They were just given a dirt bike for their birthday and thought they could go, right? So, I guess my question for...well, one for Police is, is there anything else that we can do to help you enforce the laws that are currently on the books? And then following that, I’m going to ask Parks, or maybe even Police, if there are resources that we can provide to you to help get the message out to schools, or to families, or...you know, users of these vehicles to help them better understand what is and is not permissible, and then, you know, what the consequences are, both legally and to their health and safety.

CHAIR COOK: Okay. We’ll start with MPD. Did you hear the question?

MR. HUTAFF-NAKAMURA: Yes, I’ll answer that. This is Lieutenant Grant Hutaff-Nakamura. One thing that I think would help us with the enforcement is putting it on the parents. Because we have multiple offenders, you know. We...we arrest a juvenile, we...we impound their bike, they go to court, you know, get a slap on the wrist, and they get the bike back, and next week we know they’re going to be out doing it again, right? It’s...it’s really, we’re going to need to hold the parents accountable because if we don’t do that, you know, they’re just going to keep allowing it. And it’s going to be a...same cycle, you know, arrest them, take the bike, give it back, and they’re just doing it again. And that’s the biggest thing is...for us is that the safety, right, of these kids. You know, it might not be their fault, but if they get into an accident...you know, they get banged by a car and, you know, there’s no taking that back, and that’s what we want to prevent. So, we want to get...I guess, figure out a way to get stricter consequences. Maybe...maybe on the parents would be...that’s the way that we’ve been thinking, that we got to start putting it on the parents, you know, figuring out ways to kind of get them involved in this whole process. That way, you know, it’s...it’s their lives too, not they’re just juveniles, and they’re like, hey, they’re not going to do nothing to these juveniles. You know, they get arrested two, three times, come right back out, it’s the same thing. So, that’s one thing that we want to look at.

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COUNCILMEMBER BATANGAN: Thank you. Chair, do you mind if I do a follow-up question before moving on to the Parks?

CHAIR COOK: No. You have time, go ahead.

COUNCILMEMBER BATANGAN: Okay. So, for MPD, do you have any specific recommendations for what those consequences might look like? Have you guys had conversations with...like internally about introducing legislation to that effect, or would you like to work with us to do something to that effect? . . .*(timer sounds)* . . .

MR. HUTAFF-NAKAMURA: Yeah, we...we'd definitely like to work with you guys. We...we spoke about it within our...our unit. You know, one thing that we could do is maybe cite the parents, right? Give them a fine or something, or make them show up in court. Well, actually, the court thing, it doesn't really matter because you have to show up for their child, but maybe cite them or...you know, one...one of the...those laws that we're looking at is endangering welfare of a minor too. And we spoke to the prosecutors, and they're kind of on the fence about it, if it really fits or not. But that...that is one thing that we're going to try and look at. But if there's something specifically, you know, saying that they're...they have knowledge of allowing their kids to do illegal activi...activities, something like that, that would definitely help out.

COUNCILMEMBER BATANGAN: Thank you, Chair. I'll hold the second question for the next round.

CHAIR COOK: Okay.

VICE-CHAIR SUGIMURA: I like that.

CHAIR COOK: Councilmember Johnson, questions for presenters?

COUNCILMEMBER JOHNSON: Okay. I'm going to try to be open-mind [*sic*] here. Councilmember Sugimura, what was the...you said this was kind of community-driven. I'd like to hear a little bit more on that. Where...where...where did this bill come from?

VICE-CHAIR SUGIMURA: So, this bill came from City and County of Honolulu, but the...the request for this came from community...concerns from community of kids riding bikes and being, you know, unsafe. So that's where that came from.

COUNCILMEMBER JOHNSON: Just so they're calls your office kind of thing?

VICE-CHAIR SUGIMURA: Yeah.

COUNCILMEMBER JOHNSON: Or is it organization...is like a community association or...

VICE-CHAIR SUGIMURA: No, it wasn't a community --

COUNCILMEMBER JOHNSON: Oh . . .*(inaudible)* . . .

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VICE-CHAIR SUGIMURA: -- association, but it was constituent-based.

COUNCILMEMBER JOHNSON: Okay.

VICE-CHAIR SUGIMURA: Yeah.

COUNCILMEMBER JOHNSON: I...I understand that. You know, for these kinds of bills, I have always considered myself to have like a light touch versus a heavy hand. I think of the territorial laws, the old-school territorial laws, this reminds me of that. As you know, right now, State law says you can't ride a bike with one hand. That sounds ridiculous to me. You're going to get pulled over for riding a bike with one hand? That doesn't make any sense. I think the solution, for me, is education...education, education. We...we do bike classes. We teach them. You know, Mr. Moran is very knowledgeable in our community, and he himself is telling that some of the community doesn't know the rules. So, that's...instead of making more new rules, let's look at just educating our folks. People who study traffic safety--and I don't...maybe Director of Transportation can speak on it--they say the solution is bike lanes...bike lanes, bike lanes, bike lanes. And every time developers come before this Council, we talk about cutting sidewalks out because they're expensive, not doing road improvements because they cost so much. I think we need to really... . . .(laughing). . . I don't like this bill. I'm just going to say it. I...I'm trying to be open-minded. It's...it's not...it's not...it's not really how I...I want to do policy. I think, you know, what I...I was maybe hearing from the department is like, oh, they fervently believe in this, and you guys are here, the department. So, we're like, yeah, okay, sure. I didn't really see anybody really pushing this. But I...I...I'm...this is...this is going to be hard for me...hard for me to get on board with though. So, that's my time. Thank you, Chair.

CHAIR COOK: Thank you, Member Johnson. The purp...the purpose of this meeting basically is just to have the discussion and hear from everybody. We're not going to pass any legislation, make any laws. And I concur, you know, bicycle helmets and basic, basic things. It's very obvious from our conversation today that there's a lot of misconfusion [*sic*] and la...and lack of --

COUNCILMEMBER JOHNSON: Right.

CHAIR COOK: -- understanding about e-bikes and e-cycles, and the high-speed and the low-speed. So, I think today we'll all learn a little bit, and thanks for weighing in.

COUNCILMEMBER JOHNSON: Well, Chair, I guess I'll just end on this, if you'll allow me. You know, I'm...I'm working on using the district funds that I have to kind of have like a education class, have some bike giveaways. I'm trying to bring people together and educate them on this, as opposed to say--well, I'm sorry, I didn't catch his name--arresting the parents. No, thank...no, please don't do that. . . .(laughing). . . Or fining the parents. I don't want to have a bench warrant because I can't afford a fine because my kid is riding a bike. That just sounds awful to me. So, those are things that I...that I...I can't, you know. But I'm here to listen, and if this is going to the

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Public Works Commission, let's hear what they say...have to say. But, you know, hey, we're...we're all in here. And I'm going to admit I do not own a bike, and I don't know many other Councilmembers who are really in...e-bike enthusiasts, but we're all deciding what e-bikes folks, riders, should be doing, and I'm not really in that crowd. So, maybe a youth group who rides bikes...you know, those Cycle Maui, those guys, they should be at the table. We're...we're...we're deciding these things for folks, and we're not e-bike riders, at least I'll say for myself.

CHAIR COOK: Okay.

COUNCILMEMBER PALTIN: Just wanted to let you know, Chair Lee owns a e-bike, and she's the only one that registered it.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

COUNCILMEMBER JOHNSON: I...does that help my point? I don't know.

CHAIR COOK: Member Paltin? Thank you, Mr. Johnson.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair Lee, was it you calling Member --

CHAIR COOK: Member Paltin's turn.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- Sugimura's office to complain?

CHAIR COOK: Member Paltin.

COUNCILMEMBER LEE: . . .*(laughing)*. . . I hope nobody was complaining about me.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR COOK: Okay. Member Paltin, your turn for some discussion.

COUNCILMEMBER PALTIN: I guess my question may be to Corp. Counsel or something. I see that this is the law. What is the enforcement, or what...what is the consequence?

MR. ROWE: Thank you. I...I will have to look if there's some catch-all provision under this chapter. It does fall under the General Traffic Ordinance though, so I'd imagine that it is in there, but I'd have...I have to do some quick research if you want to get an answer to that question.

COUNCILMEMBER PALTIN: Okay. So, we're...we possibly are making a law, but we don't...we're not clear on what the consequence is yet?

CHAIR COOK: But we're not making a law today. We're reviewing the bill, and we're going to be very well-versed in this before we make a law.

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COUNCILMEMBER PALTIN: Okay. I would agree a little bit with Member Johnson because, you know, I see the e-motorcycles or the e-dirt bikes driving unsafely all over the place. But that's already against the law. And until I had the education in the other Committee, I thought those were called e-bikes. But apparently, like, you know, if you can pop a wheelie on an electric thing without pedals, then it's not a e-bike, it's a e-motorcycle. And if that's already illegal, and then when they had the Police in here to discuss that, they can't...they determined it's more dangerous to try and chase those folks down through traffic than to, I guess, let them go and do whatever they're doing. And so, I...I don't know what the solution is except for that like as parents, we may be uneducated that those are not e-bikes, they're e-motorcycles or they're e-dirt bikes, and actually are not legal on our streets. But I see Mr. G.H. with his hand up. I'm not sure his rank, I'm sorry, but go ahead if you wanted to respond to me.

MR. HUTAFF-NAKAMURA: Oh, no, sorry. It wasn't to you, it's to Mr. Johnson regarding about the...holding the Cou...the parents accountable. So, our biggest thing is for the safety of these children, right? These kids that's, you know, 12 years old riding an e-bike, right? They...we arrest them, we confiscate their bike, it gets...you know, we return it, right? The last thing we want to see is a accident. We...we hear about it happening in Honolulu, kids getting killed on these bikes, right? And one way that...because obviously, we arrest him, give him back the bike, and he did it again. It's happened multiple times, same...same kid. So, that's why we talk about...we're talking about getting the parents more involved, have consequences for them. So, our biggest thing is the safety, right? We keep allowing these kids to ride these bikes, doing wheelies, whatever, driving recklessly. I'm sure you've seen them on the road. And if somebody gets hurt, if these juvenile gets hurt, you know, that's...that's the last thing we want. So, I...I was just kind of curious what you had in mind for us to continue this enforcement, and try to keep the kids safe in Maui County. . . .(timer sounds) . . .

CHAIR COOK: Member Paltin?

COUNCILMEMBER PALTIN: Okay. Thanks. That was an answer to Member Johnson's question on...on my timing [sic]. But I guess for me, I don't know what the solution is to illegal e-motorcycle or e-dirt bikes on roads because that's already illegal. You know, so...I mean is that what he's talking about is like on like the third offense or something of e-motorcycle or e-dirt bike, the same person, same parents, then it gets to be like third strike, you're out? Like I don't...I kind of agree with Member Johnson with all the things that people are facing right now. Can we just like take it away? Like third strike, you're out, we're going to confiscate your e-bike or e-motorcycle. Is that a possibility?

CHAIR COOK: I think Corp. Counsel has a comment.

MR. ROWE: Hi. And...and sorry about your earlier question. I did find the answer to that. Section 10.72.020 applies to all of Title X. And that says any person convicted of a violation of any section or provision of this title will be punished by a fine of not more than \$200 for the first offense and not more than \$500 for every subsequent offense. So, if you were to add anything onto that, we should probably also amend that specific section.

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COUNCILMEMBER PALTIN: Thank you. And...and we can take away their e-bike --

MR. ROWE: And as...and as far as taking it away --

COUNCILMEMBER PALTIN: -- on the third strike?

MR. ROWE: -- that would potentially be a constitutional taking of property. I...I would defer to the Prosecutor's Office about how they handle, you know...

COUNCILMEMBER PALTIN: Constitutional taking of property being used illegally?

MR. ROWE: The bicycle.

COUNCILMEMBER PALTIN: I mean like...

MR. ROWE: I mean so...so there are...there are things I would defer to the Prosecutor's --

COUNCILMEMBER PALTIN: I mean...

MR. ROWE: -- Office over how they --

COUNCILMEMBER PALTIN: Yeah.

MR. ROWE: -- handle that . . . *(inaudible)* . . .

COUNCILMEMBER PALTIN: If you're using science stuff to build a meth lab they can take it away. So, I mean...right?

CHAIR COOK: So...okay. Thanks. I'm going to get this back on track. Just FYI, it was pointed out to me, there's a State bill, HB 2021. It's moving through the Legislature. It will clarify certain definitions and authorize seizure of nonroad legal high-speed electric devices, and it'll help enforce this bill. So, I think the...this and our discussion clarifies that there...this is a new technology. It is...you know, people are used to bicycles. Now we're having conversation, is it an electric bicycle, is it an electric motorcycle, and all of these things. So, I just want to...from Chair's perspective, we are in a learning expedition, all of us together, and that includes MPD and everybody else. So, I'd like to move on to Councilmember Rawlins-Fernandez. Questions for our resource people?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. No questions. I agree with Member Johnson. Mahalo.

CHAIR COOK: Chair Lee?

COUNCILMEMBER LEE: No questions. Thank you.

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CHAIR COOK: Councilmember...did...is Councilmember Sinenci on? I don't see him. Okay. He's excused. Councilmember U'u-Hodgins, you're online, but no video. Are you still with us?

MR. HURDLE: She's online, but her...oh, there she is.

COUNCILMEMBER U'U-HODGINS: I just --

CHAIR COOK: I see.

COUNCILMEMBER U'U-HODGINS: -- got home --

CHAIR COOK: Hi, Nohe.

COUNCILMEMBER U'U-HODGINS: -- I'm going to . . .*(inaudible)*. . . computer. But I'm at my private residence. I do have two minors with us here. I think I missed the discussion in DRIP, so I feel like I'm a little bit behind. Are we talking about like the bikes that you can get from Costco and Walmart? Is that what we're talk...like being driven on the road alongside cars? Is that what we're talking about right now? Not like the other bikes that like you can ride, I guess more fun in the park, right.

VICE-CHAIR SUGIMURA: I think Costco has manual bikes.

COUNCILMEMBER U'U-HODGINS: Just regular, standard Costco bikes.

VICE-CHAIR SUGIMURA: Yeah, but they don't have pedals.

COUNCILMEMBER U'U-HODGINS: They have e-bikes. My kids have e-bikes.

CHAIR COOK: So, Mem...Member, are you meaning the Costco bikes that don't have pedals and are basically would be the e-cycles?

COUNCILMEMBER U'U-HODGINS: Well, the ones that my kids have, they have pedals. So, they have like pedal assist. You can...you can use your thumb to go faster as you're pedaling the bike. This is what we're talking about.

CHAIR COOK: Correct. We're talking about...

COUNCILMEMBER U'U-HODGINS: I feel like we had all this different conversations about the different tiers of bikes, and so I feel like I'm...I'm confused. I just need to understand what we're actually talking about.

CHAIR COOK: Well, right after we do the first round of questions, we're going to see a slide, and that's going to help. In fact, can you show that --

COUNCILMEMBER U'U-HODGINS: Okay.

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CHAIR COOK: -- Staff? We're going to show a slide that was...

MR. PASCUAL: Chair, I believe this is a slide that Member Paltin was referencing.

CHAIR COOK: Correct. Member Paltin, would you like to refresh us from that...from your meeting...just that you're well-versed in it?

COUNCILMEMBER PALTIN: Oh, sure. So, there's three classes of e-bikes. Class 1 can go 20 miles per hour, pedal assist. It could have two to three wheels, all of them. The motor is under 750 watts, I believe, and the pedal assist is up to 20 miles per hour. Low-speed electric bike, Class 2. I don't know, really, the difference between Class 1 and Class 2. They look similar to me. But Class 3 can pedal assist up to 28 miles per hour. They must have a registration sticker. You don't need a license. Under 18 should wear a helmet. But basically under 750 watts. Anything more than that, or if they don't have pedals, are considered e-motorcycle or e-dirt bikes, and those are already not supposed to be allowed on the street, as well as electric unicycles, hoverboards, electric skateboards, mopeds without a license plate or a VIN number.

COUNCILMEMBER U'U-HODGINS: Okay.

CHAIR COOK: Thank you.

COUNCILMEMBER U'U-HODGINS: Thank you very much.

CHAIR COOK: Thank you.

COUNCILMEMBER U'U-HODGINS: This slide is very helpful. Right now, Chair, I'm going to transition, so I'm going to turn off my phone and go back on my computer. But I'll still be listening. Thank you.

COUNCILMEMBER PALTIN: Oh, I'm sorry. The difference between Class 1 and Class 2, I just noticed, is Class 1 doesn't have a throttle, but it has pedal assist, and Class 2 has a throttle...pedal assist and throttle.

CHAIR COOK: And it...look, Class 1, 2, and 3, you do need to register them, as far as...because...because those are basically bicyc...e-bicycles. You can ride them on the road, bicycle path, bicycle trail. You need to follow the rules of the road, just like you do on a bicycle. Under 18 years old, we're proposing that you have to wear a helmet. So, very common and parallel with bicycle laws and bicycle rules, as far as where you can ride them and what you're going to do. Thank you for that, because it helps clarify. As you've mentioned a couple of times, the e-cycles are not street legal. They don't have headlights. They don't have taillights. They're not registered. They don't have licenses. So, Chair's question to first Parks and second MPD, where is it legal for children, young adults, who have these e-cycles that are not bicycles, to legally ride them? If you can't ride them in the parks and you can't ride them on the road, and people are buying them for their kids, is there a place for them to go and use these vehicles? *(pause)* Are they legal in parks anywhere?

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MR. MCCALL: Actually, we don't ban bikes from the parks. But...because...and I...and I believe this conversation has led us down the...the...to the point here. We have a...we have a situation where technology has gotten ahead of the rules, laws, regulations, et cetera. What most of us in the room once referred to as a bike, you know, had two pedals, a chain, and whatnot, and the only other classifications were mopeds and motorcycles. Well, mopeds and motorcycles aren't allowed in parks. Bikes are, but...because again, used properly, the parks are the perfect place for them. But what has become with the new technology available, whether it be pedal assist or a throttle or whatnot, it gets them to speeds that are a little bit more dangerous, especially because they're sustainable speeds. And the issue for Parks becomes also one of enforcement. We play cat and mouse, and the...the...you know, we're at the point where some people enjoy taunting staff members, and then as they are approached, they disappear through a hole in the fence or whatever it may be, and it's not like we're going to be chasing them down the...down the pathways with a, you know, Ford F-150. And so, the...the enforcement issue, I think, becomes a problem, is...is very problematic, people behavior using technology as it wasn't intended. I would like to throw my support in behind what was mentioned earlier, kind of a campaign of education. We could do it through the schools, through the parents. I'd also like to throw in maybe the vendors should bear some of that responsibility. If you're going to be selling things that are an endangerment or are...are known to cause problems in the community, I think you should be responsible for at least inform...informing the buyers what proper behavior and use should be. But again, I have not heard about this House bill that you mentioned, and it might be addressing that as well.

CHAIR COOK: Thank you, Director. MPD, could you...do you have a perspective on where it's legal? If they're illegal on the road, where...where and how can the kids use this? Because I think we need...as part of the education. . . .(timer sounds). . . Mr. Young or your colleague --

MR. YOUNG: Yes.

CHAIR COOK: -- did you hear the question?

MR. YOUNG: Yes. So, if...if we're talking about electric dirt bikes, and they have the requirements as far as age and so forth, with...the same as a dirt bike, private property and racetracks is, as far as I know, the...the only place I would say, hey, this is where you can ride an electric dirt bike or a dirt bike legally.

CHAIR COOK: Okay. No, thanks. And that's...yeah, just in there, again, for clarity. So, Members, any other further need for questioning on this, or we'll defer this? Go ahead, Member Batangan.

COUNCILMEMBER BATANGAN: Thank you, Chair. So, it's a little bit of discussion, a little bit of questions. I guess, for the record, I'm coming into this with some perspective from, you know, my previous role, as getting our seefs...our streets safer was a big part of the MPO's plan and its commitment to Vision Zero. So, I'm familiar with the debate on

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e-bikes, but mostly at the State level. You know, I hadn't seen any drafted legislation, but I do know that the Hawai'i Bicycling League was pushing for legislation, similar to what's being proposed here and now, in part because it's been so dangerous, and in part because of the confusion. You know, not every...as we saw here, not everybody made the distinction between an e-bike and an e-motorcycle, and bicyclists were getting a bad rap for the behavior of others who are operating outside of the law. So, part of it, the advocacy for this type of legislation, at least at the State level, did come from the Bicycling League themselves. They wanted it clear what's legal, what's not legal, and then when it came down to what is an e-bike and what is legal, they wanted it refined so that their members would understand what's permissible, what their rights are, and that was a...and that was a big part of it, too. And so, I followed this . . . *(inaudible)*. . . I wasn't as intimately familiar with the legislation that was introduced here at Council, but I've been supportive of at least this concept for a while now. I can say that I remember from those discussions that e-bikes are registered permitted vehicles and are allowed wherever traditional bikes are allowed. You know, that's not always...but that's not how they're used. And I think we're trying to legislate in an environment where people are just not following the law itself. So, back to my first round of questioning. The enforcement is important, and so is the education, and I think that's a value that the Council can add to this discussion. You know, I hadn't seen the State's proposed bill, I hadn't been following it, but if they are starting to tackle something to this effect, maybe this is redundant, maybe there's something value-added. I...I'm not sure, I'd have to go look at what that proposal is. But I definitely think there is a role that we can play when it comes to enforcement and when it comes to education. So, I guess before we get to budget, because I don't know how much value we'll have here, but I'd like the departments, Parks and Police, to consider what an educational campaign may look like, what we can do to raise awareness of what is permissible under the current situation, and then maybe even under what we're proposing, should the State not pass its bill and we take up ours instead. You know, different scenarios, but I...I do think that the edu...the education and the enforcement is going to go a long way in helping our youth stay safe and making our streets, you know, a friendlier place for everybody. I, just for the record, am of a different opinion than some of my colleagues. I actually do think that there might be benefit to holding some of the parents accountable for the actions of . . . *(timer sounds)*. . . their kids, and would be interested in exploring that a little bit further as well. Thank you, Chair.

CHAIR COOK: Thank you, Member. Member Sinenci...I mean Sugimura.

VICE-CHAIR SUGIMURA: Thank you, Chair. I think...you know, I'm curious. I did not know about this House bill, and if...if it passes, depending on what it says, it...it'll basically supersede anything that's relevant here. So, if we defer this and take it up at the appropriate time, I think got to research, I'll...I'll read this after you defer this bill and, you know, take us to a...maybe another place. Education is always important. I have worked with the South Maui...they used to have a children's day, and we used to give out bikes, give away bikes. And...and it's so true, most...most people don't register their bikes. You know, we used to give them all the licenses and whatever. I don't know what happened after that, but we did give them the...the paperwork to make it a legal bike. But then it takes the next step, which the parents have to, you know, take it further.

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But there is a...a big responsibility of your child to make sure they're safe, and I...I agree that there should be some responsibility of parents in terms of education and educating them so that they can do the right thing for their kids, but also for the kids to know. So, defer. Thanks.

CHAIR COOK: Thank you. So, Members, if...okay. Member Paltin?

COUNCILMEMBER PALTIN: Oh, just in the interest of education, I did want to let the community know that West Maui privately-own...bike park is open every day, 8:00 to 6:00. If the gate is closed, the park is closed. They will close in high winds or rain. And they secured five acres of privately-owned land in Nāpili for bikers in West Maui. No throttle...supposed to be no throttle, just bike. But I've seen otherwise.

CHAIR COOK: Thank you. So, if no further questions, Members...because Bill 16 (2026) is being sent to the Public Works Commission for review and comment, if there's no objections, the Chair would like to defer this item.

COUNCILMEMBERS: No objections.

ACTION: DEFER pending further discussion.

CHAIR COOK: Thank you. Thank you, Members. So, we're going to take a five-minute recess, and then we're going to address WAI-1(6) with Environmental Management.

MR. HURDLE: Sorry, Chair. Can you just gavel?

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

RECESS: 2:29 p.m.

RECONVENE: 2:47 p.m.

CHAIR COOK: . . .*(gavel)*. . . Aloha, Members. It's now 2:47. We'll reconvene for WAI-1(6).

ITEM 1(6): OPERATIONAL AND BUDGETARY REVIEW OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (EXCLUDING ENVIRONMENTAL PROTECTION AND SUSTAINABILITY DIVISION)

CHAIR COOK: WAI-1(6) relates to an Operational and Budgetary review of the Department of Environmental Management (Excluding the Environmental Protection and Sustainability Division). Under Rule 7(B), the Committee intends to receive a status update from the Department on its operations and implementation of FY 2026 Budget. Topics for today's review may include the status and timeline of the Central Maui Wastewater Reclamation Facility, R-1 water production at the Kahului, Moloka'i, and Lāna'i wastewater treatment facilities, and the expansion of R-1 distribution system in

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West and South Maui. At this time, would the Deputy Director of Environmental Management like to introduce his team, and to provide any opening comments for the presentation? There you go.

MR. PETERSEN: Thank you, Chair Cook and Councilmembers. Today I have Eric Nakagawa, Chief of Wastewater, and Michael Kehano, Chief of Solid Waste, with us. I'll be presenting both a quick overview of 2025, because a lot of those projects are still active and transitioning into 2026, and we also have some information on the Central Maui Wastewater Reclamation Facility as well, because we know there's been a lot of inquiries on that. So, we'll give a quick update on that as well. Next slide, please. Here's...here's a look, an overview of our total budget, looking at just the two divisions. And you can see the...the steady and gradual increase of CIP budget monies for various reasons...expansion projects, R-1 water usage projects, as well as planning for the Central Maui facility will account for the increase here. Next slide, please. Across the board, you can see that Wastewater is a big chunk of our...our budget. You know, anywhere from 92 to 90...roughly 95 percent of our budget is for Wastewater. Next slide. Approximately 30 percent of our total CIP budget are regulatory and maintenance-related projects. Approximately 70 percent of the total CIP budget are for expansion and new infrastructure-related projects. And looking at the bottom graph, the yellow bar really shows how, you know, our budget has really increased on the expansion side over the years...and again, related to expanding R-1 usage and Central Maui capacity. Next slide, please. A quick recap of 2025...Fiscal Year 2025 CIP projects that are still active. Wailuku-Kahului Solids Building Piping Rehab project, design is 100 percent, and looking at a bid opening in April of this year in a couple of months. Our Roofing Rehab Project, which is, I believe, a re-bid, the design is 100 percent, and we're looking at a bid opening in July. Honokōwai R-1 Water Distribution, design 5 percent, and still consultants doing evaluation and demand...demand evaluating the needs and potential users. Kaunakakai Effluent Forced Main Replacement, we're at 5 percent design, and there's still some evaluating existing data and design alternatives on that project as well. Kihei 3 Pump Station Modification--excuse my typo--design 5 percent, project background research and data gathering still happening there. Kihei 8 Pump Station Modifications, same update there, 5 percent design and project background research and data gathering. Kihei North Mauka System/Lipoa Pump Station, construction has not began yet, but the contracted...the contract has been awarded and construction is set to begin at the mid...mid this year. Kihei UV System Upgrade, design at 5 percent, still gathering data and design alternatives. Kā'anapali Resort R-1 Distribution System, construction is at 80 percent, and we're on schedule to finish by the end of the mandated deadline. Next slide, please. Lahaina pump...Lahaina 5 and 6 Pump Station Renovation, design is at 5 percent, just getting going on this, evaluate...evaluating alternatives and cost analysis. Lahaina Dewatering Upgrades, construction has not begun, preconstruction meeting is set for April 30th, and construction will begin in the middle of this year. Nāpili 1 Force Main, construction contract awarded, and looks to begin at the middle of this year again. Nāpili 1 Pump Station Renovation, again, construction should begin middle of this year. Pā'ia Pump Station Renovation, design is at 40 percent, preparing for 50 percent review workshop coming up here shortly. Maui R-1 Distribution Expansion Wailea Makena, we're at 5 percent evaluation, and we're looking at R-1 demands and potential users.

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West Maui Recycled Water System Expansion Force Main from Elevation 300 to Elevation 700, design is at 5 percent, and evaluating demand and potential users. Kahului Beach Road Sewer Upgrade, construction's at 5 percent, where they're mobilizing and staging equipment. Wailuku-Kahului Process Improvements, construction is at 10 percent, structural concrete repairs and gate modifications is the scope of work there. Next slide, please. Going into 2026. We've got our...our large project. Central Maui Wastewater Reclamation Facility, design is on schedule at 60 percent, the EI...EIS has been published, design to be complete this year, light en...land entitlements by July of 2027, and we hope to have the project bid also in 2027...mid-2027. Kaiola Place Sewer Expansion, construction has not begun yet, anticipated bid opening in August pending final approval of SMA. Kihei 4 Pump Station Modification, construction 0 percent, has not begun yet, anticipate bid opening in September of 2026. Kihei 5 Pump Station Modification and Force Main Replacement, anticipated bid opening in September of 2026. Kihei 6 Force Main Replacement, again, construction has not begun, and bid opening July of 2026. Kihei 6 Pump Station Modification, we are in a project background research and data gathering stage. Kihei 7 Pump Station Relocation, design is at 40 percent, anticipated bid opening in September of this year. Kihei South Capacity Sewer Upgrade, initial meeting coming up shortly, background research still going on. Nāpili 1 Force Main Replacement, notice to proceed issued, long lead times on material, construction starts in July. Nāpili 1 Pump Station Renovation, again, long lead times, and we are awaiting resolution of a right-of-entry with HHFDC. Next slide, please. Nāpili 2 Force Main Replacement, design's at 75 percent, anticipated bid opening in August of 2026. Nāpili 2 Pump Station Renovation, design's at 100 percent, and we looking at opening that bid in May of 2026 pending SMA approval. Waiehu Kou Pump Station Modification, design's at 100 percent, opening...bid opening in May of 2026 pending SHPD approval. Waikapu-Wailuku Diversion System Gravity Sewer and Force Main, design at 26 percent, EIS published, anticipated bid July of 2027. And...and the next project, the Waikapu-Wailuku Diversion Kehalani Pump Station is the...the same status with anticipated bid of July of 2027. Waiko Road sewer expansion, design is at 50 percent, EA published, bid in July of 2026. Waiko Sewer Expansion (Upper), design at 30 perc...50 percent, sorry, EA published, anticipated bid July of 2026. Wailuku-Kahului Shoreline Erosion Protection, scheduled scoping meeting, and request for proposal coming up here shortly. West Maui Recycle Water System Expansion construction, 70 percent...the construction is at 70 percent. Construction of a new effluent pump station and force main to elevation 300 feet. And lastly, West Maui Recycled Water System Expansion Lahaina Siphon and Ditch Distribution, design just going to start here shortly, and doing background research for potential R-1 water use. Next slide, please. Moving on to Solid Waste projects. This list is...this list is much shorter, so it won't be as...as extensive. With Solid Waste, 50...52 percent of our total CIP budget is for regulatory or maintenance-related projects, and 47.7 of the total CIP budget is for expansion or new infrastructure. Next slide. Continuing 2025 CIP projects. Our Integrated Solid Waste Management Plan is 100 percent complete. Moloka'i Landfill Scalehouse Replacement, we're deferring that to Fiscal Year '27. Central Maui Comprehensive EIS, consultants selected, and we're 10 percent completed. Central Maui Landfill Gas System Expansion, and we're currently out for bid on that...on that project. Beneficial Use of Landfill Gas, evaluating options, whether or not we'll put this

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out for RFP or use and amend the current contract. Prefab Building with Solar Power at CML, contract...contract being executed, and the contract is...contractor is Betsill Brothers. CML Gas Collection System Reliability (Flare), construction is currently at 85 percent complete. Next slide. CML Phase II/III Interface (Disposal Area) Development, design is 100 percent complete, estimated bid date June 2026. CML Landfill Gas System Expansion, again, design is 100 percent complete, and we're looking to bid that here shortly...hopefully this month. CML Supplement to Primary Litter Screen, design is at 50 percent, and we're looked at...we're looking at bidding that late 2026. Solid Waste Master Plan for County Landfills and Solid Waste Facilities, design consultant selected, proposal pend...pending notice to proceed April 2026. And this last bullet item, CML Infrastructure, is actually for planning on our 99-acre parcel adjacent to the landfill. So, that...that bullet point there is incorrect, but it is for the 99-acre planning. Next slide, please. To give a quick overview, I'm going to turn this over to Eric to give us the timeline on the Central Maui Wastewater Reclamation Facility.

MR. NAKAGAWA: I'll keep it short, sweet, simple. So, essentially, at this point, we published the final EIS. We'll be moving on and seeking help from this body, right? We got to do the committee...committee pla...amendment, right? Community plan amendment. We need the...I think it's a Change in Zoning, right? So, we'll be seeking this body for a little bit of help. We're on schedule to complete design, as Deputy Director Mike talked about in the, I guess, project status updates. And...yeah, if all goes well, we...we're on schedule and anticipated to be done and operational in the beginning to mid of 2030, which is kind of what we anticipated. I think we anticipated at the end of '29, but we realized that long lead items now are taking a lot longer to get here. So, we had to anticipate another six months, I guess, to accommodate that. But other than that, we're still on schedule, we've been on schedule, and so, hopefully that stays consistent throughout the rest of the project.

MR. PETERSEN: Thank you, Eric. Next slide, please. And that concludes our presentation. We do have a couple of supplemental slides that we can get to if...if questions come up that require.

CHAIR COOK: Okay. Thank you, Deputy Director and Staff and Eric guys. Before we begin our discussion, let's see if anyone would like to provide testimony for WAI-1(6). Staff, do we have any testifier?

MR. PASCUAL: Thank you, Chair. There is one individual online, Travis Liggett, and let me promote him to presenter.

. . . OPEN PUBLIC TESTIMONY FOR WAI-1(6) . . .

MR. LIGGETT: Aloha, Chair and Councilmembers. I hope you are doing well today. It's very nice to see everyone. I just wanted to chime in here real quick with some ideas that I had. Of course, we all know Bill 52. We mandated universal municipal wastewater disinfection by 2039. I don't know if you have heard, but a Statewide version of the same idea was introduced by Senator McKelvey, SB 2971. And my feeling is, is that it

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did not fly because of the sort of undefined financial commitment of it that the State was not really interested in undertaking. So, I've been really thinking about this, how to get the Kahului and Kihei plants and all plants Statewide across the finish line for 100 percent R-1, which for me really boils down to 100 percent disinfection because right now, the Kihei and Kahului plants, the most recent UIC reports show elevated fecal indicator bacteria measurements. So, I uploaded some written testimony. So, a couple friends and I got together, a master of science in water quality and an old friend from Kipahulu, and we started a nonprofit called Kai Action Institute. And the whole idea...not the whole idea, but the core idea is to solicit donations for projects like CBS 5521 or CBS 1169, which DEM Staff told me would get those plants to 100 percent disinfection. So, I just want to put out there the idea that a donor could make a donation for those projects. A very simple memorandum of agreement could be drafted and passed, and the donation could be accepted. And we could accelerate both of those projects to have just these huge bragging rights of being the first municipality or island in Hawai'i to have 100 percent municipal wastewater disinfection. And it...it would have hopefully ripple effects across the budget because those projects are in the pipeline. It would save some tax revenue, and maybe that can be applied to some of the projected losses for Bill 9. So, I just want to put this kind of novel idea out there, which is that people care about wastewater disinfection. There's a lot of zeros in a lot of bank accounts and there might be donors listening. And that it's just a really efficient solution to a problem that really just needs funding, I understand. And that we all agree, wastewater should be disinfected. I've never met anyone that disagrees with that. You know, I've met a lot of medical professionals...I'm not going to name names, but all the way up to the toxicologist's office, DOH disease outbreak people. It's just not widely understood that the wastewater is not always being treated with the disinfection step. I would say it's so common sense that the common sense is that this is happening. I would argue the disinfection step is the most important treatment step. So, I just want to put this out there as maybe a new model to just really efficiently receive the donation, transfer it, and just have that . . .(timer sounds). . . feather in our cap that, yeah, you are not going to get an infection when you swim here. And it's great for tourism.

CHAIR COOK: Thank you, Mr. Liggett, for your testimony. Members, clarifying questions for the testifier. (pause) Thank you very much.

MR. LIGGETT: Thank you, Chair.

CHAIR COOK: And...Staff?

MR. PASCUAL: Chair, the next testifier is Mike Moran.

MR. MORAN: Aloha, Chair and Committee Members. Mahalo once again for allowing me to testify on this other item today. Two concerns which I hope we can...we can address in your deliberations and discussion. For years at the South Maui Water Treatment Plant, we have gone back and forth of, is this water that we're pumping into injection wells treated with UV or not? It seems like we hear it is, and then somebody investigates and says, well, it's not really. It's almost. And there never seems to be any clarity. It's like it seems like, well, can we decide? Is it UV treated? Great. If it is, then we'll be done.

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If it's not, why not? What's...why is it going back and forth for years? And...and we try talk to...try and talk to water quality experts in the private sector, and that seems to be the consensus that we're hearing...it's...it's not UV treated. They're working on it, but it's not. And of course, our...our outfall from...from the injection wells is by Cove Park and Kalama Park. And those of you who know...know Cove Park, that's the big training area for novice surfboards. And...and that's the area that most every water quality study that's done shows this is the worst water quality in general of anywhere in Maui County, usually in the State, is Cove Park. And here we're taking novices, some visitors, some residents into this water every day with...without any knowledge that the poor quality of this water. So, if we can please get this decided. If we're...if it's being treated with UV, great. Let...let's make sure we know it is. If it's not, let's get on to it. And the other issue at...at our South Maui plant is, let...let's get the expansion done so that we're not injecting anything in it. We know...we just saw again South Maui's dry...driest year ever with rainfall was 2025, so we know how badly we need irrigation. And here we have water that we're pumping into the into the...into the kai, killing the coral reef, making people ill, when we could be expanding it and using it for proper irrigation where it's safe. So, if we can please work on that expansion. And granted, we...we're only looking at our...our district. We know other districts have issues as well, but we're just looking at...at our home front. So, thank you for the opportunity to testify. Mahalo.

CHAIR COOK: Thank you, Mr. Moran. Members, clarifying questions for our testifier? Seeing none. Thank you, Mike.

MR. MORAN: A hui hou.

CHAIR COOK: Staff?

MR. PASCUAL: Thank you, Chair. I believe I saw one individual approaching the podium in the Chamber.

MR. LAW: Thank you, Jarret. Mr. Cook, I appreciate you inviting the Environmental...whatever these guys are called. They're actually my favorite. You don't see them a whole lot, so that's why I'm glad to see them. And I'll make this brief so you guys can get back to work. It looks like...I like that first testifier's point of view because it looks like the...that the County is going to need some help with all this waste problems. Yeah, I had a question about the exclusion of the...the...the other guys, Cecile's department, but you got...I'm sure you guys got your reasons. I just wanted to say, okay, you got one of the coolest names of the...I don't know if you looked it up, Luna Ho'omalua Cook, the...what the Hawaiian definition of kuhikuhipu'uone is. It's a noun. It says a seer, soothsayer, necromancer, especially a class of priests who advise concerning building and locating of temples, homes, fish ponds...hence, a professional architect. That's pretty cool. And so, it kind of fits in with you as a builder there. And I just wanted to say one thing about...I noticed a lot of you guys' budget is going towards regulations. So, going along with the previous agenda item, the...the bicycles, I'm pretty sure that a lot of those electric bicycles are running on lithium-ion batteries, and I would just like the public to know that the lithium-ion batteries do not go in the landfill. And that's about it. And I save the rest of my time for the Hawaiians.

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CHAIR COOK: Members, any clarifying questions for our testifier? Okay. Seeing none. Staff, is there anyone else wishing to testify?

MR. PASCUAL: Thank you, Chair. That's all the individuals signed up to testify on this item. If anyone in the audience or on Teams would like to testify, please come up to the podium and begin your testimony, or use the raise-your-hand function on Teams and Staff will unmute you. I'll provide a brief countdown...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there's no individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR WAI-1(6) . . .

CHAIR COOK: No objections. As a reminder, written testimony will continue to be accepted into the record. Now for our discussion. Members, I'm proposing two rounds of three-minute questions per Member. Any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Seeing none. Thank you, Members. Let's begin the discussion with Committee Vice-Chair Sugimura.

VICE-CHAIR SUGIMURA: Thank you. Thank you for having this. And so, on the Central Maui Wastewater Reclamation Facility, can you talk about...I know you went through project by project, but can you go through funding? Are we in line with funding or...I think we asked 10.5 million, I think it was, for that project with that joint WAM and Finance meeting the County did; is that correct...for this project?

CHAIR COOK: Department?

MR. NAKAGAWA: Yeah. Thank you, Chair. Thank you, Member Sugimura. Yeah, so the 10.5 million, that's for the design phase. So, we'll...we'll expend that probably around by the mid of next year, right? That's kind of our schedule, yeah. And then most likely we'll probably need additional funding, but we'll come during the construction funds when we do construction servi...during...services during construction. Yeah.

VICE-CHAIR SUGIMURA: Okay. Okay. So, we got to follow that, right? The State --

MR. NAKAGAWA: Yeah.

VICE-CHAIR SUGIMURA: -- is...I think they are seriously looking at that. It was asked for at that WAM and Finance meeting.

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MR. NAKAGAWA: Yeah.

VICE-CHAIR SUGIMURA: The State of the State address that same day, whenever it was, Monday, on that. So, completion date is...we're looking at early 2030. I keep on hearing that date move.

MR. NAKAGAWA: For the entire project.

VICE-CHAIR SUGIMURA: Entire project.

MR. NAKAGAWA: Yeah.

VICE-CHAIR SUGIMURA: Okay. And that will then secure whatever funding we need, and the remaining of the construction funds are coming from where?

MR. NAKAGAWA: Hmm. How do I answer that?

VICE-CHAIR SUGIMURA: Too early.

MR. NAKAGAWA: Well, I...I guess...Chair, am I allowed to answer, like future?

CHAIR COOK: I guess the question is how much of the funding is like Federal, State, bonded? I mean...

MR. NAKAGAWA: Oh. It's unknown. Oh, sorry, Chair. Yeah. So, Member Sugimura, so it's kind of unknown. Like so, we are...we do know that it's...we applied, right, for certain funds, such as like EDA and...

VICE-CHAIR SUGIMURA: Let me ask them the quick...is any of the...are any of the funds coming from the recovery funds...from that 1.6? No. I guess it has to be from the resiliency portion...or any of the funds coming from those...those...you...you would know that already, right?

CHAIR COOK: We'll...we'll put...let's put your questions --

MR. NAKAGAWA: So, Chair...

CHAIR COOK: -- in writing --

MR. NAKAGAWA: Yeah.

CHAIR COOK: -- and we'll forward it to them if they don't have answers right now.

MR. NAKAGAWA: Well, I think the...I just don't know if...like what's publicly known and what's not. Like...so, that's kind of where I'm coming from. But we heard that potentially we

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definitely have some funds coming from CDBG-DR, right? That's what you're talking about, the 1.6 million?

VICE-CHAIR SUGIMURA: Yeah.

MR. NAKAGAWA: But it's not confirmed yet.

VICE-CHAIR SUGIMURA: Okay. And my last question. So, the testifier who basically is talking about Mā'alaea, I think, that Travis Liggett?

CHAIR COOK: He was talking about Cove...Cove Park in Kihei.

VICE-CHAIR SUGIMURA: Oh, he's talking about Cove Park?

MR. NAKAGAWA: No.

VICE-CHAIR SUGIMURA: No, he's talking about...

MR. NAKAGAWA: So, Mike Moran. I think --

VICE-CHAIR SUGIMURA: Yeah.

MR. NAKAGAWA: -- Mike was talking about Cove and --

VICE-CHAIR SUGIMURA: Cove Park.

MR. NAKAGAWA: -- then Travis Liggett was talking about, in general, just R-1 for the entire State and County.

VICE-CHAIR SUGIMURA: There's a program or something or legislation going through that you know of, or...

MR. NAKAGAWA: Yeah. So, we were following that. And so, my understanding is the bill was supposed to be...have all municipal facilities R-1 by 2040 is my understanding of it.

VICE-CHAIR SUGIMURA: Oh, okay. And it's a Angus McKelvey bill. That's the one he was talking about?

MR. NAKAGAWA: And that's what he said. I'm not too sure who introduced it.
...*(timer sounds)*...

VICE-CHAIR SUGIMURA: Okay.

MR. NAKAGAWA: But our take on it was, we in the County will probably...I don't know if all facilities, but the majority of our facilities will be. So, we had no for or against it. So, we --

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VICE-CHAIR SUGIMURA: Okay.

MR. NAKAGAWA: -- didn't really kind of follow it. But it sounds like it dropped out, according to --

VICE-CHAIR SUGIMURA: Oh, okay.

MR. NAKAGAWA: -- Travis Liggett. Yeah.

VICE-CHAIR SUGIMURA: Okay.

MR. NAKAGAWA: The testifier. Yeah.

VICE-CHAIR SUGIMURA: Thank you. Thank you.

CHAIR COOK: Thank you. Councilmember Batangan?

COUNCILMEMBER BATANGAN: Thank you, Chair. And thank you, Department. Necromancers. I had not heard that one before. . . .*(laughing)*. . . I have a question to you. It's not...it wasn't covered on the presentation. So, if you're not allowed to respond at this time, that's okay. But I had my budget meeting with Mayor in my second week after being sworn in. So, some of the things that I talked to him about, you know, were flushed through. Like I had a pretty good idea of what it would take to make happen. Some of them were very conceptual. And one of those conceptual projects that I took to him related to green waste diversion. I was interested in trying to get like a pilot program to have green waste bins delivered to parts of the island to see if we could revive at least part of the 3-Can Plan, the green waste portion of it. And at that time, I was told that the Department was looking into a green waste diversion project. Do you have any information that you can share? Are you guys moving forward? Is my idea to try to pilot something feasible? I didn't get any feedback then. I was told that the Mayor would follow up with you. I'm wondering if you have anything that you can share now, either about your green waste diversion program that you were looking at independently or, you know, the...the project that I had proposed to Mayor back in January.

MR. PETERSEN: Thank you for the question, Councilmember. We have had conversations with the Mayor, along with Managing Director Nishita, and we are currently still exploring options. It...it's a...it's a complex problem that has more to do with just collecting the green waste from our residents. That's actually probably the easier part. We are working on getting our compost program up and running, and looking at getting our permit submitted here shortly. But there are some obstacles that we anticipate with the permit. And because of that, we are also looking at other avenues to, you know, utilize the green waste as a resource. And to answer your question, you know, it is one of our priorities to...to not landfill our...our green waste. Thank you.

COUNCILMEMBER BATANGAN: Thank you, Chair. That's all from me for this round.

CHAIR COOK: Thank you. Councilmember Johnson, questions for our resource people?

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COUNCILMEMBER JOHNSON: Thank you, Chair. My questions have been answered, and I appreciate the Department's work. Thank you, Chair.

CHAIR COOK: Member Paltin, questions for our resource people?

COUNCILMEMBER PALTIN: Thank you. On the April 14, 2025 transmittal, page 17, it was roughly 3.5 million gallons per day of R-1 water that would be available daily. I was wondering, with the Kā'anapali Resort R-1 Distribution System 80 percent complete, when it's completed, how much of the 3.5 million gallons is that expected to use?

CHAIR COOK: Eric?

MR. NAKAGAWA: Yeah. Thank you, Chair. Thank you, Member Paltin. So, that expansion, I think if...like bigger picture, sorry, not to take more time, but we still got to finish the elevated storage, right, because we need the pressure.

COUNCILMEMBER PALTIN: Yeah, I know that.

MR. NAKAGAWA: But it's anticipated...

COUNCILMEMBER PALTIN: I'm just asking for the R-1 expansion for Kā'anapali Resort. How much of that...how much will that use daily if 3.5 is available daily?

MR. NAKAGAWA: Yeah. So, we anticipated...I think it was only like 2 or 300,000 gallons per day.

COUNCILMEMBER PALTIN: And then on slide 16, that would cover all the purple on the makai side and then the line purple at the top. I know that there's been a foreign billionaire talking about getting our R-1 to go out north. How is that going to ultimately be decided, and what role will the public have in inputting to that decision?

MR. NAKAGAWA: Well, we've heard...sorry, Chair. . . .*(laughing)*. . . I'm rusty. I don't do this anymore. So, Member Paltin, so we heard that going north is a potential, but the direction for this Department and my direction has always been going up and south. So, in order to make that happen, I kind of just basically told that guy, well, if you build the infrastructure and we put a meter and you can have as much as you want, right? Just like any other development. But our plans as far as infrastructure building, R-1 expansion, is really going south for now, according to all the updates I've always given you for about ten years. Yeah.

COUNCILMEMBER PALTIN: So, I guess the question is, when I met with the foreign billionaire, they wanted 5 million gallons, and if our capacity total is 3.5 and you're giving .2, .3 to Kā'anapali, and that going north, you're not going to need it year-round because, I mean, right now it's raining up north. So, if...how are you going to prioritize who gets the water? If the foreign billionaire builds the infrastructure to go out north, and the County

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builds the infrastructure to go south, how do you prioritize where . . .(timer sounds) . . .
3.5 of a more than 5 million gallon need goes?

MR. NAKAGAWA: Yeah. So, Chair? Yeah. So, that's a great question, and we actually have...never have to cross that bridge because right now, everything that people want, we kind of give, right? So...so, in West Maui, just for instance, right now after the fire, we only have 3.1 MGD, right? We already use an average of 1.5 a year. It's like 45 percent, right? So, you figure if Kā'anapali gets another 2 to 3, and then, you know, once we finish the elevated storage at Kā'anapali Golf Course, they're going to want another 600,000, I think it was?

COUNCILMEMBER PALTIN: So, only 1 million gallons would be enough.

MR. NAKAGAWA: Yeah, so now you're down to 1 million, right? So, then you have other entities like DHHL, you have Kā'anapali Land Development with their coffee farms, and you have all these other people who want larger quantities. I think in the slide, you'll see there's like Bishop Estates who wants it. And so, we...as far as like water allocation, then it becomes us as a department coming to this body with the Administration to figure, okay, so how do we do water allocation after that, right? Because to this point in history, we've never had...had to...had overuse of our R-1 water. We...we were able to give everybody water. So, at that point, I believe that it's an entity of this body, right? And the policies and the executive side...the Administration will come down to us figuring out how...what does that look like in the future.

COUNCILMEMBER PALTIN: Okay. I heard the buzzer. I'll come back for second round.

CHAIR COOK: Thank you, Member Paltin. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Member Paltin can have my time.

COUNCILMEMBER PALTIN: So, the other question is, Hawai'i Water Service is doing a feasibility study to do a packing plant. If they were to create their own packing plant, would that take away from the estimated 3.5 million gallons of R-1 available for irrigation?

MR. NAKAGAWA: Take away, so...Chair?

CHAIR COOK: Director?

MR. NAKAGAWA: So, I guess technically, yes. Because right now, we treat all the way up to Kapalua. Kapalua has a private system that they're thinking about trying to...trying to divert, right? But it's on...I mean in reality, it's only like...

COUNCILMEMBER PALTIN: 500,000 gallons?

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MR. NAKAGAWA: Even smaller, I think. So, it came to me, and I'm like...I mean I gave them the information they wanted because Nāpili 5 and 6 pumps from them into us, right, into our system. So, I gave them those values, right, 250,000, something like that.

COUNCILMEMBER PALTIN: And so, about 60 percent of their total is what they would create in R-1? If it's less than 500,000, it would be...

MR. NAKAGAWA: Yeah. So, they want...well, they want...you said they want 5 million gallons, right? Yeah.

COUNCILMEMBER PALTIN: Yeah, they want 5 million gallons.

MR. NAKAGAWA: I mean, I...I guess I shouldn't say my opinion, but it...it basically doesn't make sense, right? Because they have too little for the amount of capital they need to put in, right? It doesn't make sense. Because they only have that...it doesn't even serve their needs, you know what I mean? So, will they be able to di...take away from...like build it further? I think that's your question, right? And start taking more of the municipal system? I...I believe...and I don't know all the law, but for right now, it's no, right? Because it's a municipal system, it comes to us. But we would definitely have to work with like Corporation Counsel or whoever, the Administration, to figure out like is that possible or not? Yeah.

COUNCILMEMBER PALTIN: And then if...if we were at full capacity of the West Maui Water Treatment Facility, how much R-1 would that produce?

MR. NAKAGAWA: So, the facility right now, the design is 9 MGD.

COUNCILMEMBER PALTIN: So --

MR. NAKAGAWA: Right.

COUNCILMEMBER PALTIN: -- the R-1 available from 9 would be like 6 MGD?

MR. NAKAGAWA: You mean...you mean after it's all clean and stuff?

COUNCILMEMBER PALTIN: Treated, yeah.

MR. NAKAGAWA: No, it'll be higher.

COUNCILMEMBER PALTIN: Higher than 6?

MR. NAKAGAWA: But...but you're talking about...

COUNCILMEMBER PALTIN: That many toilets flushing.

MR. NAKAGAWA: Right. So, from Puamana, right, all the way to Kapalua, right, before the fire, it was about 4.2 maybe at the most, 4.3, 4-1/2 when tourists are in.

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COUNCILMEMBER PALTIN: Of R-1?

MR. NAKAGAWA: No, no, just flow in total. To reach that full capacity, you've got to double the West Side, right? And that's not going to happen.

COUNCILMEMBER PALTIN: Hopefully.

MR. NAKAGAWA: Not...not in our lifetime, right? Like...you know what I mean? Like just imagine trying to rebuild that whole area.

COUNCILMEMBER PALTIN: Would the CWRM . . . *(timer sounds)* . . . have any say on the R-1 distribution?

MR. NAKAGAWA: To my understanding, no.

COUNCILMEMBER PALTIN: Zero.

MR. NAKAGAWA: They don't have any say on R-1 water. But...yeah, I mean, I guess somebody...Corporation Counsel, or somebody else can tell me otherwise, but they only regulate in the in-stream stuff, right?

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR COOK: Okay.

MR. NAKAGAWA: State waters.

CHAIR COOK: Thank you. Chair Lee, questions for our resource people?

COUNCILMEMBER LEE: Yes. Hi, Eric. Eric, you keep talking about elevated storage. So, that's another word for...another term for reservoir, right?

MR. NAKAGAWA: Yes.

COUNCILMEMBER LEE: Okay. So, how much would this reservoir cost?

MR. NAKAGAWA: Right now, we finished the...the one, with your help, in South Kihei. We...I think it was roughly \$6 million. I don't know, like...that was like maybe two or three years ago, though?

COUNCILMEMBER LEE: Yeah.

MR. NAKAGAWA: For 1 million gallons reservoir.

COUNCILMEMBER LEE: Okay.

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MR. NAKAGAWA: So, we...we are actually designing two tanks right now to bid out for the 300-foot level in West Maui.

COUNCILMEMBER LEE: Okay. Good. So, you know, Member Paltin talked about making a decision to take the water to north...or south? But we have one offer by the billionaire, TY, of \$10 million to pay for the transmission system, right?

MR. NAKAGAWA: Chair? Yeah. Chair Lee, I mean I'm not too sure how much they offered, but it...and I don't know how much it would cost.

COUNCILMEMBER LEE: Okay. I met with the representative, and the representative said 10 million. Is somebody giving us 10 million to go south?

MR. NAKAGAWA: Chair? Yeah. Chair Lee, right now we have a potential, I guess, to get funded for going up to the 700-foot level and then maybe going south. We're not...we're not too sure yet.

COUNCILMEMBER LEE: Okay. Getting funding from whom? I mean, from the Council? From whom?

MR. NAKAGAWA: . . .*(laughing)*. . .

CHAIR COOK: Chair Lee, I think it's one of those work-in-progress conversations with public-private.

MR. NAKAGAWA: Yeah, I guess that would be a good characterization, potentially public-private partnerships.

COUNCILMEMBER LEE: Okay.

MR. NAKAGAWA: As well as potential funding that Ms. Sugimura talked about. . . .*(laughing)*. . . How's that?

COUNCILMEMBER LEE: Okay. So, these are...well, it's...it's kind of hard to understand without have...having all the information, you know, just having part of the information. It's hard for us to --

MR. NAKAGAWA: Yeah, yeah.

COUNCILMEMBER LEE: -- make decisions based on that. The other thing is, you know, the golf courses, they used brackish water, didn't they? Not potable water, I know. We stopped that . . .*(timer sounds)*. . . back in the '90s.

MR. NAKAGAWA: Well, I'm not the water expert, but my assumption is...is, it had to do with CWRM. CWRM can only control State waters. So, they potentially may be blended with brackish water. Maybe they have a well, but...

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COUNCILMEMBER LEE: Okay. So, you're not sure then?

MR. NAKAGAWA: Yeah, not sure.

COUNCILMEMBER LEE: Okay. Okay. Never mind. I'll let you off the hook. Thank you.

MR. NAKAGAWA: . . . *(laughing)*. . . And Chair, I think...like for this body, like probably when we come to budget, I mean, right, in less than three or four weeks, it will all be clear for you guys, right? Like what...where's funding coming from. Central Maui versus this recycled water stuff. I...I think it will be a little more crystal clear, and you guys can make better decisions.

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR COOK: So, also...also submitting questions to the Department in writing, so you would have time to basically be able to go over it. So, today...today's an overview. Thank you for sharing what you can. Member U'u-Hodgins, questions for the resource?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Thank you, Wastewater, for being with us today. I really don't have any questions. I appreciate your time and your updates. Thank you.

CHAIR COOK: Okay. Chair has a couple questions. It seems like the...a lot of the projects with either like 5 percent design and, you know, research data and evaluation seems extremely preliminary, and there's a lot of those projects. Are those projects in the CIP and being requested funding? I'll...I'll tell you one of my concerns. One of my concerns is Carryover/Savings that is occurring from projects that are being planned and budgeted, which I think everybody is super supportive of. But then when they don't become encumbered, then that...that's a large sum of money that we have accounted for in the budget, bonding or cash, that turns up later, and we end up overtaxing people. Do you have a response?

MR. NAKAGAWA: Yeah. Sure, Chair. So, I...so, I think those...all those are planning projects. A bunch of those planning projects, I think, were funded through DEM, not through Wastewater. So...and then maybe a long story short, like so those are all encumbered. So, you don't have to worry about Carryover/Savings because they're already encumbered, and they won't lapse at the end of the fiscal year, right? And then any funds...just a reminder, right, to this body, like if we do have certain type of projects that was not...that are cash, right, that kind of missed...missed the deadline, whatever, it comes right back to Wastewater, and all it does is reduce...either gets reappropriated or it reduces the sewer rates for the next following year. So, just kind of in big general reminder in...in terms of just if it's a worried about the funding stuff, yeah. But definitely, I think there's a balance between...well, one, right, we have manpower shortage, right? So, we're trying to...I think we've been okay, like not 100 percent, but like 95 percent getting all the projects out to bid. And then there's a balance of we still need to keep this schedule because of the...we look at...for...we try to forecast out six years and balancing those sewer rates so that it's uniform versus these valleys and

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peaks, right, where we're above double digits, and then we're all the way down at like a sing...whatever, a small single digit, right? So, we kind of are aware of that, your guys' concern also. So, we...we try to do our best to stay on schedule.

CHAIR COOK: Thank you for that. My other question is how is it the like contractor capacity? It seems like there's a lot of projects coming online in a relatively short period of time. So, I have a two-fold question. How is the project . . .*(timer sounds)*. . . manage...project management handled within the Department? How much of it is outsourced? And is that a challenge, being able to manage the projects as well as the funding? And is there anything that is planned or that we could do to assist besides extra personnel to facilitate that enabling projects to move forward by giving you the tools?

MR. NAKAGAWA: Right. All right. Thank you, Chair. Yeah, so that's a great question. So, you guys have helped us already, right? So, during budget seasons, for the first time in all of my career, 25 years, I think the past thr...two or three years we've asked for construction management funds, and this body has given that, and it's gone to different consultants who run the larger, highly-specialized projects, right? Like so, we have a few...I think a one or two like consultants that helped us with that construction management side. So, that's good. So, that's how you guys helped us. So, we'll probably do that in the future also. The second question was about, you know, contractors, the capacity, that kind of stuff. So, yeah. So, I don't know if there's any...I mean, we would...I would hope, and every department that came up here would hope that we could name certain names on contractors that this body could do something about. But unfortunately, that's a...it's a State procurement system, so we follow that. Everybody kind of knows the same characters. So, the kind of answer to your question is, like...it's like anything, right? If you have a kid who's . . .*(laughing)*. . . kolohe, then takes more time, takes more management, takes more overseeing, and the one who's the straight arrow, whatever, right, less time to manage, going to do what you got to do, and everything goes smooth. I mean, and we're the same with these contractors. It's like we have a lot of headaches with certain people, and not only our Department, but just Countywide, and they can all tell you who they are. And then we have these other ones who are pretty straightforward, knows what they're doing. Unfortunately, they're a little bigger companies that because of...and they bid a little higher because of the whole...you know, they're huge, a lot bigger companies, right?

CHAIR COOK: And that's where the...

MR. NAKAGAWA: But I...yeah. I think with...the only way to combat that is really going to like larger...combining them all, and then getting the dollar value higher, right? As far as...like if you go into like our treatment plant, and I kind of keep my fingers crossed, like that's hundreds of millions of dollars. Now we can attract these larger, huge people like Kiewit and, you know, all these other ones who are straightforward, they know what they're doing. You just got to keep up with them, and it's...everything is good, right? Versus all the smaller companies that try to think they know what they're doing, but don't really know what they're doing. . . .*(laughing)*. . . Yeah.

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CHAIR COOK: Well, that's music...music to my ears, and I'm hoping that that's the case, is that we do outreach for the bigger companies that are capable and then navigate the...yeah --

MR. NAKAGAWA: And then...

CHAIR COOK: -- the procurement laws. But we need...we need...need to get these projects done professionally and well, which would take the weight off of you.

MR. NAKAGAWA: And then the good part about that is when you have this large project they're here, and then they can bid on medium-sized projects, so then they can expand to that. So, hopefully in the next...our projected, what, six-year forecast, right, we have these large projects, and then our Department and other departments can benefit from...from that.

CHAIR COOK: Excellent. . . .*(timer sounds)*. . . Chair will yield for the next round of questions. Member Sugimura?

VICE-CHAIR SUGIMURA: I'll wait for budget.

CHAIR COOK: Member...Member Paltin?

COUNCILMEMBER PALTIN: Thank you. You know, in Fiscal Year '24, the Council adopted budget was about \$8 million higher than the Fiscal Year '24 actual. And then Member Sugimura, in one of her BFEDs, gave us the carryover report from the following year. And each year there's a lot of carryover, and yet the sewer increase last budget was 9...9 percent, I believe. And you said that if there is a lot of carryover, then it would result in lower rates. And so, with the carryover from the previous year, can we anticipate...then anticipate lower rates this year than the 9 percent increase we had last year?

MR. NAKAGAWA: Chair? Yeah. So, in general, right, so that's correct. However, it...I can...let's go back, right, because I can't talk forward. So, it would have been double digits if...instead of 9 percent, right? We're...we're at 9 percent this year.

COUNCILMEMBER PALTIN: Okay.

MR. NAKAGAWA: It would have been --

COUNCILMEMBER PALTIN: Got it.

MR. NAKAGAWA: -- like 13 or 14 percent.

COUNCILMEMBER PALTIN: And then for the CIPs, if it's a bond-funded one, you're not going to float the bond until you're ready to start construction, right?

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MR. NAKAGAWA: Yeah. So, Chair? Yeah. So, the way the algorithm goes with the rate model, if I'm correct, it's always one year after, right? Because it anticipates that you now build...you got to build the facility first, you pay it out, and then the debt service comes into the next following years, right?

COUNCILMEMBER PALTIN: So, where...where does the money come to build it out if you don't float the bond until one year after?

MR. NAKAGAWA: No, no, I'm talking about the repayment, right? So, your debt service, right? Because that's --

COUNCILMEMBER PALTIN: Oh, okay.

MR. NAKAGAWA: -- that's what you're kind of getting at, right? The debt service --

COUNCILMEMBER PALTIN: Yeah.

MR. NAKAGAWA: -- right?

COUNCILMEMBER PALTIN: And so, those for the CIP that you're talking about, it's...it's not usually general funded, it's based on you folks' revenues.

MR. NAKAGAWA: Revenues. That's correct.

COUNCILMEMBER PALTIN: So, lowering the property taxes wouldn't change anything because it's funded by sewer rates and fees.

MR. NAKAGAWA: Not...yes, that's correct, not for us. And so...

COUNCILMEMBER PALTIN: But lowering the rates might help, no?

MR. NAKAGAWA: No. Because if you lower the rates, then essentially you're cutting...you're cutting projects. So, I...I think you...so, when you look at it, you look at our operations, right, you look at ABC, right, and then you look at CIP, right? ABC is always pretty much flat except for bargaining unit, right --

COUNCILMEMBER PALTIN: Steps.

MR. NAKAGAWA: -- the collective bargaining unit --

COUNCILMEMBER PALTIN: Yeah.

MR. NAKAGAWA: -- stuff, and then maybe a little bit for electricity for inflation, right? All of what...historically, you look from '24 to now, you look at what the CIP budget is, right? That is where all the money is going.

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COUNCILMEMBER PALTIN: So, if A and B have carryover, that goes into lowering the rates for the next year?

MR. NAKAGAWA: Yes. Because that's your starting balance is, right? So, then you have a little bit of credit. It's kind of just like your checking account, if you check...if you keep track of it every year, right? Now you're starting with, hey . . .*(timer sounds)*. . . we've got a little bit, so now I don't have to charge as much.

COUNCILMEMBER PALTIN: Thank you.

CHAIR COOK: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And mahalo, Department, for all the information. No questions.

CHAIR COOK: Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. For my second round, I did bring up a que...question through the discussions. What Mr. Nakagawa was mentioning was that he mentioned Staff shortages. And I'm curious, within the Department, how is it, your Staff shortages? Do you have a number of how many vacant positions? And...and has...has it increased? What...what are you guys doing for that kind of issue?

CHAIR COOK: Director? Deputy Director or...

MR. NAKAGAWA: Chief? No, no. Okay. Sorry, sorry.

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

MR. NAKAGAWA: Yeah. Thank you, Member Johnson. So, vacancies for us is all...I mean, it's pretty much staying the same at roughly 18 percent, roughly.

COUNCILMEMBER JOHNSON: Wow.

MR. NAKAGAWA: We got under 126 or 127 people, I think we have like roughly 17 or 18 always vacant. The challenges are with every department, they'll share the same thing, is the engineers are hard to come. They...if we get them, then potentially they'll...and these are the local ones who actually have housing, right? They potentially move on, right, for higher pay or better...or different interests. You get all these licensed people who try to come outside of the state who doesn't have housing. They cannot find housing here. And the cost...or I should say they can find it, it's just not...an affordable for them. Pretty much those are the...all the...all the laborers, all the other ones that are potentially easier to fill, we've been able successfully to fill those positions. It's just the engineers, GIS analysts, the --

COUNCILMEMBER JOHNSON: Right.

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MR. NAKAGAWA: -- . . .*(inaudible)*. . . operators --

COUNCILMEMBER JOHNSON: Right.

MR. NAKAGAWA: -- and so on.

COUNCILMEMBER JOHNSON: I understand those, but your...your Department has the ability to contract out if you need be, right? You could...on a priority project that needs GIS or whatever the things you just mentioned, you could certainly contract those out. Or what do you do in that situation? Do you just have to deal with 18 percent slower?

MR. NAKAGAWA: Yeah, Chair? Yeah. So, you're absolutely correct. So, we've been hiring out, right? So, like I said, for construction management, we've always done it in-house, and now we contract with consultants through the QBS process. I've never contracted out certain stuff that you're talking about, but as far as engineering goes that's kind of --

COUNCILMEMBER JOHNSON: I was only using your example.

MR. NAKAGAWA: -- . . .*(inaudible)*. . .

COUNCILMEMBER JOHNSON: I'm sorry to jump in. I was only using your example as saying these are the positions that were open and they're hard to fill. So, I'm just saying, well, if there are positions that are open and hard to fill, for example, GIS guys, maybe you could contract that out. But I know you do contract out other things, and that's fine. But I'm just curious, you know, if that helps streamline the process, that you're willing to be, you know, fine...fine if that's the thing that you do need to contract out, then that's what you do. But I...I'm aware you guys do do it with other places, so just trying to help you. . . .*(laughing)*. . . All right.

MR. NAKAGAWA: All right. Thank you.

COUNCILMEMBER JOHNSON: Thank you, Chair.

CHAIR COOK: Member U'u-Hodgins? No questions? Chair Lee, any questions?

COUNCILMEMBER LEE: Eric, I do recall us on several occasions having to subsidize your...your division. So, in other words, although technically you're supposed to be self-supporting, oftentimes you're not; is that correct?

MR. NAKAGAWA: Yeah, Chair? I mean, historically...like I think it was up to like 1994, I think, we were subsidized. Then from then, we were self-sufficient. And then I think recently, you guys gave us some GET funds for the design of the Central Maui facility.

COUNCILMEMBER LEE: Yeah. So, we do subsidize you from time to time. And then...what was I going to say? The other thing I was concerned about is that...that long list of projects that were presented to us. I...I guess your entire Department, but it was

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concerning that many of the projects were just starting, you know, 5 percent, 5 percent, 5 percent. So, is that the same case in your division, where a lot of projects are just starting in the early stages of design and development? The reason why I ask is, every year we ask everyone which projects do you think may not go forward? And everybody says they're all going forward. So, you know, we don't know which ones really have very little chance of advancing. Because what we're after is really not to cancel any projects necessarily, but to find out which ones can be deferred. So, my question is, is every project that you bring up an absolute necessity, or will there be one or two projects that can be...can wait a year or two?

CHAIR COOK: Answer.

MR. NAKAGAWA: Yeah, Chair. Yeah. So, we...I think your...to answer your question is yes . . .*(laughing)*. . . because you like short answers. So, we look at whatever we can, right, and we push back a bunch of projects. So...and then...so, going forward, those are the projects, we feel that we should be able to do. And a lot of those 5 percent, like the designs, is really...it's either in the study, PER, right, preliminary engineering report stages. So, they're kind of not a project yet. But we understand that we all...all the design stuff got to go because we will follow up with construction after, right? So, those are...that's the key part.

COUNCILMEMBER LEE: Okay. Well, thank you. Thanks, Eric.

MR. NAKAGAWA: All right.

CHAIR COOK: Thank you, Department. So, if none of the other Members have a question, the Chair has a couple of questions and close out. Anybody? Okay. The Kihei UV upgrade. So, if we have...how many...what, 4-point-something million gallons in Kihei R-1? What...what is the current capa...manif...capacity that's being treated to R-1? And how much of it do...that we are putting into the injection wells? And how does that two balance?

MR. NAKAGAWA: Yeah. Thank you, Chair. I think for 2025, I know that we pretty much...it was 45 percent, roughly, that was...we sold for reuse because we account for that. As far as what's...and then I guess...I...I was told it's not a simple math question as then you subtract the total flow coming in. I think the flow...average flow coming in for Kihei is rough...usually 3.8, 3.9. I heard recently it's as high as 4.1, 4.2, I guess. But I was told that you cannot just subtract the two. So, I...I don't know how to quite answer your question of like exactly what percentage, you know what I mean?

CHAIR COOK: But --

MR. NAKAGAWA: But...

CHAIR COOK: -- the majority of it's being treated?

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MR. NAKAGAWA: Right. So, all of the things that we sell per DOH guidelines, right, reuse guidelines, is...has to meet R-1. And so, that's a regulatory requirement. And whatever goes down our injections...that we divert towards the injection wells, right, that is regulation that does not require it to be R-1 water. So, I think we have the capability of, as far as equipment, disinfection side, to do that. But we still have...I think this UV, I think we have UV improvements to physically be able to do that because there's still some chokepoints or some infrastructure that needs to be modified in order to accommodate 100 percent.

CHAIR COOK: Okay. So...

MR. NAKAGAWA: . . . *(inaudible)* . . .

CHAIR COOK: Anyway, the WAI Committee would like to help you to do that. So, funding whatever is needed, bring it to the Council's attention so that we can expedite that particular aspect of it. Two-fold. One, so that what's going in the injection wells is treated, but two, so that we're in a position to utilize all of it as soon as possible. And I know that that's elevated storage, transmission lines, et cetera, et cetera. But first step, if it's all treated to R-1 quality, and then we can put the pedal to the metal to use it all. So, I have a question for the green waste. Is the green waste...okay. The sewage sludge, is part of it being...it's taken to the dump and it's mixed with green waste; is that correct? Is de...is it possible to dewater the sludge so that we don't have to use the green waste for that?

MR. NAKAGAWA: So...yeah. Thank you, Chair. So, that's a wastewater question. So, essentially...potentially you could dry it out further. We do 14 percent, right? But that is an industry standard for sludge. We looked at trying to dry it out with solar equipment, that kind of stuff, but you need a whole football field in order to do that. So, I guess my short answer would be not at this time until we can look at other potential equipment and that kind of stuff to...which basically dry...you're saying to dry it out in order to landfill without mixing green waste. Yeah.

CHAIR COOK: Thank you. So, my solid waste, green waste question is, are we subsidizing the green waste that's being delivered to the plant and used? Is that pay its own freight or is it subsidized? And would it be...is it practical to divert that to somebody else who's doing it?

MR. NAKAGAWA: Well, I'm not sure I quite follow, Chair, but we pay EP&S and we pay Solid...Solid Waste a fee, so I don't think we're being subsidized...if that's the question?

CHAIR COOK: I apologize, not the wastewater.

MR. NAKAGAWA: Oh.

CHAIR COOK: What I mean is green waste. If I...if I misstated, I apologize. I mean the green waste that's being taken to the Central Maui Landfill. That...is that...we...you charge

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for it, is it...is that subsidized at all, and do you need it, and is it possible for private entities that are doing it?

MR. PETERSEN: So...

CHAIR COOK: I know we're planning on doing it, but that's down the road.

MR. PETERSEN: Thank you, Chair, for the question. At the current moment, the volumes of green waste that we are receiving is needed for the bulking of the sewage sludge.

CHAIR COOK: Thank you. Okay. Members, any further...okay. Member...

COUNCILMEMBER BATANGAN: Can I ask you to clarify what you just said? What...what does it mean to bulk?

MR. PETERSEN: Thank you for the question, Councilmember. To mix the green waste with the sewage slud to...sludge to get it dry enough to landfill and make it workable in the tipping phase at the landfill.

CHAIR COOK: Thank you. Members, any further questions, clarifications? Department, would you like to make any statements?

MR. PETERSEN: Thank you, Chair, Councilmembers. Just like to thank this body for the opportunity to give you folks an update. Sorry for the long list. And, you know, I think a lot...a lot of the answers will become clearer as, you know, we come closer to budget time. But appreciate your patience with us. Thank you.

CHAIR COOK: Well, thanks. I/we appreciate your departments and what you're doing, and we're supportive. We'll ask you...we'll...we'll send you in writing questions for budget so that you'll have the appropriate time to answer and whatnot. I think there's a lot of support for funding all the projects, our concern is we would like to be funding what's going to be done, and then assisting whatever personnel issues so that you could increase what can be done, but not funding projects that don't get start...started. It's not like you'll lose the opportunity. So, I want to get them done sooner than later. As a contractor, they don't get any cheaper. So, anyway. Members, if there's no objections, the Chair would like to defer this item?

COUNCILMEMBERS: No objections.

ACTION: DEFER pending further discussion.

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CHAIR COOK: Okay. It is now 4:03. The meeting is adjourned. . . .(*gavel*). . .

ADJOURN: 4:03 p.m.

wai:min:260309:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 46 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 March 2026, in Wailuku, Hawai'i



Daniel Schoenbeck