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August 30, 2021

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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: IT-67 File

F R O M: Mike Molina, Councilmember



SUBJECT: **TRANSMITTAL OF CORRESPONDENCE RELATING TO PENDING
COMMITTEE ITEM (IT-67)**

The attached correspondence received by my office relates to Item 67 on the Committee's master agenda.

Attachment

MICHAEL P. VICTORINO
Mayor

ROWENA M. DAGDAG-ANDAYA
Director

JORDAN MOLINA
Deputy Director

GLEN A. UENO, P.E., L.S.
Development Services Administration

RODRIGO "CHICO" RABARA, P.E.
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COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET, ROOM 434
WAILUKU, MAUI, HAWAII 96793

April 1, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 4/5/21

Mayor

For Transmittal to:

Honorable Michael J. Molina, Councilmember
Maui County Council
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Councilmember Molina:

**SUBJECT: MATTER OF STORAGE AND MATERIAL AT THE UPCOUNTRY
BASEYARD MAKAWAO**

Thank you for your letter dated March 17, 2021 regarding correspondence from Mr. Kent Rayhill entitled, "Baseyard Community Grievance Report March 2021". The Department responds to your questions as follows:

1. The Department of Environmental Management (OEM) staff noted that relocating the storage of road and construction materials from the Makawao Baseyard may require certain permits.
 - a. Can you provide an outline of the permits and issuing agencies required for relocation of these materials?

The Department is in discussions with OEM to revisit the use of the old Makani landfill area for the storage of road and construction

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materials. The Makani landfill is subject to the Solid Waste permit post-closure requirements of the State Department of Health (DOH).

2. *There have been complaints that trucks serving the Baseyard idle for long periods of time.*

a. *What is the purpose for allowing trucks idle indefinitely?*

Heavy duty trucks may idle for longer periods of time because of the need for auxiliary power take-off requirements. These systems are needed for equipment checks at the start and end of the shifts as per Federal and State Commercial Vehicle Requirements. Other common activities include operating of equipment to powered parts of the truck. One example being the loading and unloading of equipment on trailers that require hydraulic operation of equipment being provided by the truck engine. These types of operations are exempt from idle laws. That being said, Highways Division will continue to work with our District managers to evaluate idling practices and make changes to reduce idling, where possible.

b. *Are there code restrictions that regulate the length of time a commercial or construction vehicle can idle?*

Hawaii Administrative Rules (HAR), Section 11-60.1-34 states that certain activities are limited to a period of no more than three (3) minutes, unless the engine is required to power other ancillary equipment, as discussed in Question No. 2a.

With respect to noise from warning devices such as reverse signal alarms, these devices are required by Federal, State and County laws for commercial vehicles and construction equipment.

3. *What are the current hours of operation at the Upcountry Baseyard in Makawao?*

The Makawao Baseyard is occupied by two (2) separate Departments: DPW and OEM.

The hours of operation for the Highways activities at the Upcountry baseyard are 7:00a.m. to 3:30p.m., Monday through Friday, under normal circumstances. However, Highways employees frequently respond to unplanned emergency callouts outside of regular work hours for fallen trees, road closures, and storm events with hours that are dictated by the event.

The hours of operation for the Solid Waste Refuse Collection activities are 5:00 a.m. to 1:30 p.m., Monday through Friday, as per Union contract and established work schedule.

It would be reasonable to make the assumption that employees will arrive 30 minutes before and/or after these work hours to process administrative tasks.

4. *It appears this issue has been occurring for a long period of time. Are there options for relocating the Baseyard to an area that is not as close to a residential area?*

The Makawao baseyard has existed in that location since 1945. Its physical location allows Highways staff to quickly and efficiently respond to emergencies and maintenance needs throughout Upcountry, including Keokea, Kula, Pukalani, Makawao, Paia, and Haiku. Over the past 75 years, significant residential development has occurred Upcountry and near the baseyard. It is clear the service provided to the area is critical to the public's safety.

A very substantial capital improvement project on land nearby Makawao town would be needed to relocate the baseyard. Those plans are not currently being considered by DPW at this time. There may be options to relocate some of the operations off-site to the Makani Landfill area (see response to Question No. 1) that may reduce onsite noise concerns. There may a/so be future *options* with OEM for relocating the refuse trucks off-site. The Department defers to OEM regarding any future plans for relocating their refuse *collection* operations to another location.

5. *Since Mr. Rayhi/1has raised this issue with the department} can you provide efforts you have taken to reduce noise and disruption to neighboring residents?*

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Highways Division staff received complaints regarding rock breaking in July 2020. Upon receiving the complaint, the staff discontinued the activity and is now purchasing crushed rock from aggregate suppliers and hauling them to the baseyard.

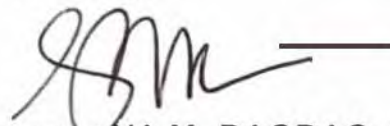
The staff will continue to explore options and alternatives in having to address the concerns raised by neighboring residents, including noise and dust mitigation. The staff has been working on ways to reduce idling time on vehicles and to identify other locations within the district to relocate our activities where impacts to neighboring property owners are minimal.

The Department is also in consultation with State agencies and with the Planning Department to understand the laws and rules with respect to permitted activities on the County property and how to remain in compliance with these laws and rules.

DPW will defer responses related specifically to DEM's Solid Waste Refuse Collection activities to the Department of Environmental Management.

Should you have any questions or require additional information, please feel free to contact me at Ext. 7845.

Sincerely,



ROWENA M. DAGDAG-ANDAYA
Director of Public Works

RMDA:jso
Attachment

cc: Highways Division

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MICHAEL P. VICTORINO
Mayor

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COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET, ROOM 434
WAILUKU, MAUI, HAWAII 96793

July 27, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

APPRoVED FOR TRANSMttrAL

Michael P Victorino

Mayor

7/27/21

Date

For Transmittal to:

Honorable Michael J. Molina, Councilmember
Maui County Council
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Councilmember Molina:

SUBJECT: MAKAWAO BASEYARD

Thank you for your letter dated July 19, 2021 regarding the above subject matter. The Department responds to your questions as follows:

1. *Mr. Rayhill's concerns about noise from trucks idling in the early morning hours next to his property.*

a. *Would it be possible to relocate the trucks to a different side of the lot?*

Highways Division trucks have been relocated to the bottom of the baseyard where there is separation by vegetation to adjacent property owners, and replaced with trucks/equipment that are used less frequently (once a month) by Highways. In regards to the parking of the refuse trucks, there currently is no other area where these vehicles can be stored at the Makawao Baseyard, without significant investment by the Department of Environmental Management (OEM).

b. *Does the union contract prevent drivers from beginning work later in the morning?*

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Under Union contract, Highways Division work hours are from 7:00 a.m. to 3:30 p.m. excluding scheduled and emergency overtime work. Highways has one position (Street Sweeper Operator) whose hours are 3:00a.m. to 11:30 a.m., due to the need for the streets to be clear of vehicles (i.e., no overnight parking is enforced) in order to effectively clean the roadways. This activity includes Makawao and more importantly, Paia town, which is regulated under the County of Maui's Municipal Separate Storm Sewer System (MS4) Stormwater permit by the State of Hawaii Department of Health.

Refuse collection work hours normally start, per Union agreement, at 5:00 a.m. This modification would have to be discussed with OEM.

2. *Besides the dust barrier, are there other ways to mitigate dust? When will the temporary dust barrier be removed?*

Highways Division uses established Best Management Practices such as the use of a water tanker to spray down the area, as well as hydro mulch application to mitigate dust.

The dust barrier will remain in place as long as the potential of fugitive dust continues to exist (Hawaii Administrative Rules, Section 11-60.1-33, Fugitive Dust).

3. *Concerns from reported illegal activity in the Baseyard after hours.*

- a. *Would the Department support installing a gate to prevent trespassers?*

There currently is a gate and fence line to secure the equipment within the baseyard. However, there is no fence or gate around the front property section fronting Makawao Avenue, used for employee parking.

Staff has also noticed that after-hours, non-County recreational activities as well as illegal activities, have been increasing in this area of the Makawao Baseyard, mainly from residents and children who live in the area. Securing this area of the baseyard would help to deter any such actions, as well as Police enforcement of trespassing.

- b. *Is funding available for a Baseyard gate?*

We would support this recommendation to fully fence in the property, however, it has not been budgeted for Fiscal Year 2022.

- c. *If funding is available, how soon can it be installed?*

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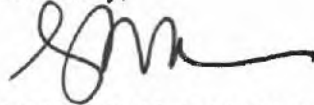
See response to Question No. 3b. above. It would have to be accomplished by a budget amendment for "C" equipment. Typical lead time for materials and installation is approximately two (2) to three (3) months once a contract is executed.

d. *If funding not available, what is the estimated cost of a Baseyard gate?*

Based upon approximately 900 linear feet of property line (enclosing approximately 1.50 acres of property) that would need to be installed around the front of the property line where employees park their vehicles, the cost to install a gate and fence would be approximately \$100,000.

Should you have any questions or require additional information, please feel free to contact me at Ext. 7845.

Sincerely,



ROWENA M. DAGDAG-ANDAYA
Director of Public Works

RMDA:PB:jso
Attachment
cc: Highways Division
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