



COURT REPORTING

LEGAL VIDEOGRAPHY

VIDEOCONFERENCING

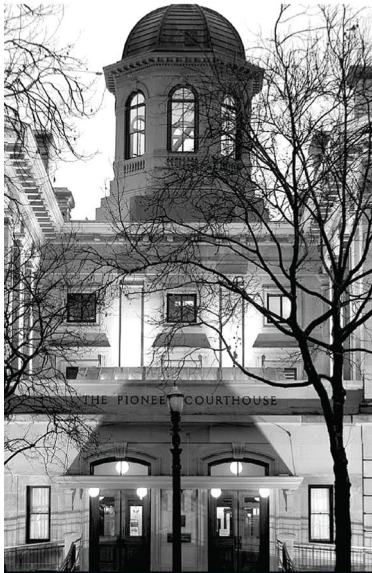
TRIAL PRESENTATION

MOCK JURY SERVICES

LEGAL TRANSCRIPTION

COPYING AND SCANNING

LANGUAGE INTERPRETERS



**NAEGELI**  
DEPOSITION & TRIAL



(800) 528-3335

[NAEGELIUSA.COM](http://NAEGELIUSA.COM)

**STATE OF HAWAII  
LAND USE COMMISSION**

Meeting held on August 8, 2024

Commencing at 8:37 a.m.

Held at

Airport Conference Center  
Hawaiian Airlines Terminal Building  
400 Rodgers Boulevard, 7th Floor  
IIT Suite 700, Room No. 3  
Honolulu, Hawaii 96819

- I. **Call to Order**
- II. **Approval of Minutes for July 23-24, 2024**
- III. **Tentative Meeting Schedule**
- IV. **Confirmation of funds and authorization for executive officer salary adjustment in FY 25 LUC budget designated as BED 144DA**
- V. **SP09-403 Department of Environmental Services, City and County of Honolulu (Waimanalo Gulch Sanitary Landfill) (Oahu)**  
Application to Modify SP09-403 (SUP No. 2008 SUP-2) by Modifying:
  - \* Condition No. 1 of the Planning Commission's Findings of Fact, Conclusions of Law, and Decision and Order, dated June 10, 2019
  - \* Condition No. 5 of the LUC's Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the City and County of Honolulu Planning Commission's Recommendation to Approve Special Use Permit, certified on November 1, 2019
- VI. **Adjournment**

**Before:**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**APPEARANCES**

**LUC COMMISSIONERS:**

- Dan Giovanni, Chair
- Kuike Kamakea-Ohelo
- Mel Kahele
- Brian Lee
- Bruce U'u
- Nancy Carr Smith
- Myles Miyasato
- Michael Yamane (excused)
- Ken Hayashida (recused)

**LUC STAFF:**

- Daniel Orodener, Executive Officer
- Scott Derrickson, Chief Planner
- Martina Segura, Planner
- Ariana Kwan, Chief Clerk
- Melissa Goldman, Esq., Deputy Attorney General (via

**OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT:**

- Alison Kato, Esq., Deputy Attorney General
- Katia Balassiano, Planning Program Administrator

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**APPEARANCES (CONTINUED)**

**CITY AND COUNTY OF HONOLULU, DEPARTMENT OF**

**ENVIRONMENTAL SERVICES:**

Jeffrey Hu, Esq., Deputy Corporation Counsel  
Kamilla C. Chan, Esq. Deputy Corporation Counsel  
Dr. Roger Babcock, Director, Department of  
Services

**CITY AND COUNTY OF HONOLULU, DEPARTMENT OF**

**PLANNING AND PERMITTING:**

Brad Saito, Esq., Deputy Corporation Counsel

**SCHNITZER STEEL HAWAII CORP.:**

Joyce W.Y. Tam-Sugiyama, Esq., Watanabe Ing LLP  
Ian L. Sandison, Esq., Watanabe Ing LLP  
Rihui Yuan, Esq., Watanabe Ing LLP

**KO OLINA COMMUNITY ASSOCIATION AND MAILE SHIMABUKURO:**

Calvert G. Chipchase, Esq., Cades Schutte LLP  
Christopher T. Goodin, Esq., Cades Schutte LLP  
Katherine E. Bruce, Esq., Cades Schutte LLP

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**APPEARANCES (CONTINUED)**

**PUBLIC SPEAKERS:**

Ed O. Werner

Senator Kurt Fevella

De Mont Manaole

1                   **IN-PERSON MEETING CONDUCTED ON THURSDAY,**  
2 **AUGUST 8, 2024 8:37 A.M.**

3                   **CHAIR GIOVANNI:** Good morning. It's 8:37,  
4 and we will commence with our meeting. So good  
5 morning to everyone.

6                   This is the August 8th, 2024, Land Use  
7 Commission meeting. It's being an in-person  
8 meeting, which is physically being held at the  
9 Airport Conference Center in the Hawaiian Airlines  
10 Terminal Building at 400 Rodgers Boulevard, 7th  
11 Floor, Room 3 in Honolulu.

12                   This meeting's open to the public. Court  
13 reporting transcriptions are being done from the  
14 Zoom recording of this meeting.

15                   For all meeting participants, I'd like to  
16 stress the importance of speaking slowly, clearly,  
17 and directly into your microphone. And each time  
18 before you speak, please restate your name and  
19 affiliation to identify yourself for the record.

20                   Now, even though this is an in-person  
21 meeting, please be aware that all participants are  
22 being recorded on the digital record of this Zoom  
23 meeting, and it will be posted to YouTube. And it  
24 will be used for court reporting purposes. So your  
25 continued participation is your implied consent to

1 be part of the public record of this event. If you  
2 do not wish to be part of the public record, you  
3 should exit the meeting now.

4 So my name is Dan Giovanni, and I have the  
5 pleasure to serve as LUC Chair. And we currently  
6 have nine seated commissioners. Along with me  
7 today, Commissioner -- the following Commissioners  
8 are in attendance: Commissioner Kamakea-Ohelo,  
9 Commissioner Mel Kahele, Commissioner Brian Lee are  
10 here from Oahu. Commissioner Bruce U'u is here from  
11 Maui. Commissioners Nancy Carr Smith and  
12 Commissioner Myles Miyasato are here from Hawaii  
13 Island.

14 Two commissioners are excused today.  
15 Michael Yamane is excused. He's out of -- off  
16 island -- I mean, out of the state. And Mr. Ken  
17 Hayashida has recused himself from today's meeting  
18 on the basis that he was on the City and County of  
19 Honolulu Planning Commission when the matter was at  
20 the county level.

21 So also in attendance are LUC Executive  
22 Officer Daniel Orodener, LUC Chief Planner Scott  
23 Derrickson, LUC Staff Planner Martina Segura, LUC  
24 Chief Clerk Ariana Kwan, and to my right, LUC  
25 Attorney General Melissa Goldman.

1 Again, court reporting transcriptions are  
2 being done from this Zoom meeting.

3 Our first order of business today is the  
4 adoption of minutes of the July 23 to 24, 2024,  
5 minutes.

6 So Ms. Kwan, has there been any written  
7 testimony submitted on the July 23-24 minutes?

8 **MS. KWAN:** No, Mr. Chair.

9 **CHAIR GIOVANNI:** Are there any members of  
10 the public who've signed up to testify on the  
11 minutes?

12 **MS. KWAN:** Not on the minutes, Chair.

13 **CHAIR GIOVANNI:** Thank you.

14 Commissioners, are there any corrections  
15 or comments on the minutes?

16 So the Chair would like to make a comment.  
17 So the business that was at hand was the -- a  
18 training session, a two-day training session for the  
19 Commission. I want to commend the LUC staff and  
20 thank them for their efforts to put on that  
21 training. It was very well received by a number of  
22 people, including fellow commissioners who have  
23 commented to me how well it went and how important  
24 it was. So thank you for that.

25 And for Commissioners and others in the --

1 in the public, you can view a video recording of  
2 those training sessions on YouTube. And if you have  
3 any questions about that, you can contact our staff.

4 Also, we received training in a prior  
5 meeting from the Commission on Water Resource  
6 Management, which was very well received by the  
7 Commission. And we've had an offer, and we welcome  
8 the offer from the Office of Planning and  
9 Sustainable Development for a similar training  
10 section -- session. And we encourage staff and --  
11 to schedule that as soon as possible. So thank you  
12 for that offer.

13 Commissioners, does anybody else want to  
14 comment on the training before we ask for a move to  
15 adopt the minutes.

16 Seeing none, do I have a motion to adopt  
17 the minutes for July 23-24, 2004 (sic)?

18 **COMMISSIONER CARR SMITH:** So moved, Chair.

19 **CHAIR GIOVANNI:** So moved by Commissioner  
20 Carr Smith.

21 Do I have a second?

22 **COMMISSIONER LEE:** Second.

23 **CHAIR GIOVANNI:** So moved by -- seconded  
24 by Commissioner Lee.

25 All in favor, signify by saying "aye".



1 (All replied "aye".)

2 CHAIR GIOVANNI: Is anyone opposed?

3 Okay. The minutes are adopted. Thank  
4 you.

5 The next agenda item is the tentative  
6 meeting schedule.

7 So Mr. Orodenger?

8 MR. ORODENKER: Thank you, Mr. Chair. On  
9 August 21st, we will be at the Fil Com for the  
10 Makakilo Quarry matter.

11 On August 22nd, we will be holding a  
12 virtual meeting to -- for the adoption of the order  
13 on this matter, if necessary.

14 On September 4th, we will also be having a  
15 Zoom meeting, a virtual meeting, to adopt the order  
16 for Makakilo Quarry if we reach that point.

17 On September 11th through 13th, we will be  
18 on the big island at the Westin Hapuna Resort for  
19 the HCPO conference.

20 Currently, September 25th and 26th are  
21 open.

22 October 9th and 10th -- on October 9th, we  
23 have tentatively scheduled the RK II Partners, a  
24 declaratory ruling matter. And October 10th is  
25 being looked at for OPSD's presentation if that's

1 possible.

2           October 23rd, we'll be hearing the -- and  
3 24th, we'll be hearing the Mahi Solar location to be  
4 announced.

5           On November 6th, we will be on Maui for  
6 the A&B Properties motion.

7           And on the 7th, we will also be on Maui  
8 for the Emmanuel Lutheran status report.

9           November 20th and 21st are currently open.  
10 And that takes us through the end of the year.

11           **CHAIR GIOVANNI:** Thank you.

12           Commissioners, any questions on the  
13 tentative schedule?

14           **COMMISSIONER CARR SMITH:** Chair?

15           **CHAIR GIOVANNI:** Sure. Commissioner Carr  
16 Smith.

17           **COMMISSIONER CARR SMITH:** Oh, I don't want  
18 to disrupt the schedule. I just -- I'm not  
19 available on October 10th if that's an in-person  
20 OPSD. I suppose I can always watch it after.

21           **MR. ORODENKER:** Thank you.

22           We can arrange to have a virtual meeting  
23 on that date if that -- if that's beneficial.

24           **CHAIR GIOVANNI:** Can you accommodate a  
25 virtual?

1           **MR. ORODENKER:** I could, yes. I could  
2 Zoom in. Thanks.

3           **CHAIR GIOVANNI:** That would be the  
4 potential date for a training session with OPSD.  
5 Yeah. Virtual would work, yeah.

6           I make that offer to all commissioners.  
7 If they want to participate that day by -- by  
8 virtual, that's -- that's fine, including myself.

9           Okay. Commissioner Lee?

10          **COMMISSIONER LEE:** Sure. Can I suggest we  
11 defer agenda item number 4 until after? Because we  
12 have the -- all these high-priced attorneys here  
13 and, you know, probably best to conserve their  
14 resources if possible.

15          **CHAIR GIOVANNI:** I will accept your  
16 suggestion, Commissioner Lee. I do consider the  
17 fourth agenda item to be an important agenda item  
18 and deserving of our full attention for all  
19 commissioners that are here today, but I will elect  
20 to reverse the order since we're all poised to go  
21 forward on agenda item 5, which is SP09-403  
22 Department of Environmental Services, Waimanalo  
23 Gulch Sanitary Landfill.

24           Any further comment on that?

25           Okay. We'll move forward.

1 This is an application to modify Condition  
2 number 1 of the Planning Commission's Findings of  
3 Fact, Conclusions of Law, and Decision and Order,  
4 dated June 10th, 2019; and Condition number 5 of the  
5 LUC's Finding of Fact, Conclusions of Law, and  
6 Decision and Order Approving the Modifications the  
7 City and County of Honolulu Planning Commission  
8 Recommendation to Approve Special Permit, certified  
9 on November 1st, 2019.

10 At this time, I'd like the parties to  
11 identify themselves. State -- state your name and  
12 affiliations, please, starting with Petitioner.

13 **MR. HU:** Deputy Corporation -- I'm sorry.

14 This is Deputy Corporation Counsel Jeffrey  
15 Hu. And with me, Deputy Corporation Counsel Kamilla  
16 Chan. We're on behalf of the petitioner with City  
17 and County of Honolulu's Department of Environmental  
18 Services, which we might refer to as ENV.

19 And with us in the audience is ENV  
20 Director Dr. Roger Babcock.

21 Thank you. Good morning.

22 **MR. SAITO:** Good morning. Aloha mai  
23 kakou. Brad Saito, Deputy Corporation Counsel, here  
24 for the Department of Planning and Permitting.

25 **CHAIR GIOVANNI:** Thank you.

1           **MS. KATO:** Good morning. Alison Kato,  
2 Deputy Attorney General for the Office of Planning  
3 and Sustainable Development. Also here is Katia  
4 Balassiano from OPSD.

5           Thank you.

6           **MS. TAM-SUGIYAMA:** Good morning. Joyce  
7 Tam-Sugiyama on behalf of Intervenor Schnitzer Steel  
8 Hawaii Corp. And with me are Ian Sandison and Rihui  
9 Yuan.

10           **CHAIR GIOVANNI:** I'm sorry. Could you say  
11 that a little slower, please?

12           **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama on  
13 behalf of Schnitzer Steel Hawaii Corp. And with me  
14 are Ian Sandison and Rihui Yuan.

15           **CHAIR GIOVANNI:** Thank you.

16           **MS. KWAN:** When you speak, please go  
17 closer into the microphone so the transcription can  
18 hear you clearly.

19           **CHAIR GIOVANNI:** You want to do it a third  
20 time? Okay.

21           **MR. CHIPCHASE:** Good morning, Chair and  
22 Commissioners. Medium-priced attorneys --

23           **CHAIR GIOVANNI:** Is your -- is your button  
24 pushed?

25           **MR. CHIPCHASE:** Try that again. Is that

1 better?

2 **CHAIR GIOVANNI:** See, I know you're trying  
3 to save us money, but that's okay.

4 **MR. CHIPCHASE:** I was. We'll try this a  
5 second time.

6 **CHAIR GIOVANNI:** Okay.

7 **MR. CHIPCHASE:** Good morning, Chair,  
8 Commissioners. Medium-priced attorneys Cal  
9 Chipchase, Chris Goodin, and Kathy Bruce for Ko  
10 Olina Community Association and Senator Maile  
11 Shimabukuro.

12 **CHAIR GIOVANNI:** Thank you so much.

13 Okay. Thank you so much.

14 So I'd now like to go over the  
15 reimbursement policy. So good morning, Mr. Hu.  
16 This is primarily directed to you since you are the  
17 petitioner. Have you reviewed HR 15-15-45.1  
18 regarding the reimbursement of hearing expenses?

19 **MR. HU:** I think that's -- is that the one  
20 Ariana sent?

21 Okay. Yes, I did.

22 **CHAIR GIOVANNI:** Very good. Can you state  
23 your client's position with respect to this policy?

24 **MR. HU:** We've agreed to pay for the  
25 hearing expenses, including this conference room.

1           **CHAIR GIOVANNI:** Yeah. So you're aware  
2 the County is responsible for the expenses,  
3 reimbursement.

4           **MR. HU:** Yes.

5           **CHAIR GIOVANNI:** Thank you very much.  
6           At this time, I'd like to address  
7 potential disclosures and conflicts of interest. So  
8 in accordance with HRS 84-14, commissioners are not  
9 allowed to take any official action affecting a  
10 business in which they or a member of their family  
11 has a financial interest. They must, therefore,  
12 recuse themselves from this matter if there is any  
13 benefit, monetary or otherwise, to themselves or  
14 members of their family.

15           Also, in accordance with legal, ethical  
16 standards, commissioners should disclose any  
17 relationship - - business, social, or otherwise --  
18 that they may have with the petitioner or its  
19 representatives or any other parties to this  
20 proceeding that may give rise to an allegation of  
21 bias or impropriety.

22           Do any of the Commissioners have any  
23 conflicts of interest or disclosures to make at this  
24 time?

25           I will note for the record, as I said,

1 Commissioner Hayashida has recused himself because  
2 he felt it would be a conflict of interest, and  
3 that's why he's not here today.

4 So I repeat. Do any commissioners have  
5 any conflicts of interest or -- they wish to  
6 disclose at this time?

7 Seeing none, we'll proceed.

8 Let me briefly explain the procedure for  
9 today. First, I will recognize written public  
10 testimony that has been submitted in this matter,  
11 identifying the person or organization who has  
12 submitted such testimony.

13 Next, I will call on for members -- pardon  
14 me -- next, I will call for members of the public  
15 who wish to testify on SP09-403, Waimanalo Gulch.  
16 This is a motion to amend conditions for an  
17 extension of time.

18 After completion of the public testimony  
19 portion of the proceedings, the Chair would like the  
20 petitioner to make their presentation.

21 After the completion of the petitioner's  
22 presentation, we'll receive any public comments from  
23 the City and County Department of Planning and  
24 Permitting, the State Office of Planning and  
25 Sustainable Development.



1 The Commissioners will ask questions of  
2 the parties at the conclusion of each of their  
3 presentations.

4 At the conclusion of the parties'  
5 testimony and Commissioners' questions, the public  
6 will be granted a second opportunity to provide  
7 public testimony in the same manner as set forth  
8 previously.

9 The parties will be given an opportunity  
10 for closing arguments. And after that, the  
11 Commission will conduct its deliberations.

12 One second.

13 Yeah. So I want to -- one modification to  
14 what I just said. So after we hear from the Office  
15 of Planning and Sustainable Development, we will  
16 welcome the intervenors to come forth and provide  
17 testimony as well.

18 I'll also like to -- everyone to note that  
19 from time to time I will be calling for short  
20 breaks. Typically, every hour, we'll take a break of  
21 approximately 5 to 10 minutes. And depending on how  
22 we go, we'll also be scheduling a longer break for a  
23 lunch break.

24 On the advice of the Executive Officer, I  
25 would like to reorder the presentations and ask the

1 intervenors to be prepared to provide testify --  
2 testimony prior to hearing from the County and OPSD.  
3 Okay.

4 Any parties have any questions on the  
5 procedure?

6 Petitioner? Please state your name and --  
7 every time.

8 **MR. HU:** Jeffrey Hu. No, Chair.

9 **CHAIR GIOVANNI:** Thank you.

10 **MR. SAITO:** Brad Saito. No questions.  
11 Thank you.

12 **MS. KATO:** Alison Kato. No questions.  
13 Thank you.

14 **CHAIR GIOVANNI:** Thank you.

15 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
16 questions.

17 **CHAIR GIOVANNI:** Thank you.

18 **MR. CHIPCHASE:** Cal Chipchase. None,  
19 Chair.

20 **CHAIR GIOVANNI:** Thank you.

21 At this time, I'd like to call on the  
22 Chief Clerk to introduce the record.

23 Ariana, please proceed.

24 **MS. KWAN:** Please be informed that the  
25 relevant records and documents pertaining to this

1 matter can be addressed or accessed for review on  
2 the LUC website at <https://luc.hawaii.gov/sp09403>.

3 It was recently brought to the attention  
4 of the Land Use Commission staff that the record  
5 transmitted from the City and County of Honolulu  
6 Planning Commission had inconsistencies involving  
7 the Ko Olina Community Association and Maile  
8 Shimabukuro's exhibits. The exhibit list was  
9 provided, but they did not indicate the actual  
10 exhibits that were located at the end of the exhibit  
11 list in a Dropbox link.

12 Various exhibits were filed with our  
13 office on August 6th, Tuesday, and they have been  
14 posted to our website for review if anyone needs to  
15 review Exhibit K-1 through Exhibit K-475.

16 **CHAIR GIOVANNI:** Thank you, Ms. Kwan.

17 So once again, I want to ask the parties  
18 if they have any questions regarding what you just  
19 heard from Ms. Kwan.

20 So Mr. Hu?

21 **MR. HU:** Jeffrey Hu. No -- no questions.

22 Thank you, Chair.

23 **CHAIR GIOVANNI:** Thank you.

24 **MR. SAITO:** Brad Saito. No questions from  
25 the Department. We also have no objections to

1 proceeding today, given the disclosure. Thank you.

2 **CHAIR GIOVANNI:** Thank you.

3 **MS. KATO:** Alison Kato. No questions or  
4 objections. Thank you.

5 **CHAIR GIOVANNI:** Thank you.

6 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
7 questions or objections.

8 **CHAIR GIOVANNI:** Thank you.

9 **MR. CHIPCHASE:** Cal Chipchase. No  
10 questions or objections.

11 **CHAIR GIOVANNI:** Thank you.

12 Ms. Kwan, are there any members of the  
13 public who wish to provide testimony on this agenda  
14 item?

15 **MS. KWAN:** Yes, Mr. Chair.

16 **CHAIR GIOVANNI:** Would you please call the  
17 -- tell me who the first and have them enter into  
18 the testimony microphone?

19 **MS. KWAN:** The first member of the public  
20 is Ed Werner.

21 **CHAIR GIOVANNI:** Welcome, Mr. Werner.  
22 Would you please state your name and affiliation,  
23 and then I'll swear you in.

24 **MR. WERNER:** Yeah. My name is Ed  
25 Oholihanapi (phonetic) Werner. I want to thank the

1 --

2 **CHAIR GIOVANNI:** One second. So what --  
3 what is your address?

4 **MR. WERNER:** 89-470 Farrington Highway.

5 **CHAIR GIOVANNI:** And do you swear your  
6 testimony today will be the truth?

7 **MR. WERNER:** Oh, yes.

8 **CHAIR GIOVANNI:** Very good. So please --  
9 please proceed. You have two minutes.

10 **MR. WERNER:** Yes. I -- I want to thank  
11 Chair, Vice Chair, the Committee, the opportunity to  
12 come here and testify on the behalf of my Ohana.

13 Just a little bit on the -- on the back  
14 end, my family came here to Nanakuli in 1920. I've  
15 been there for 60-plus years, my whole life, born  
16 and raised in Grandma's house on Farrington Highway.  
17 I live on Farrington Highway. We -- in fact, my --  
18 all my entire family live in Nanakuli and what -- we  
19 all live on a homestead.

20 I'm here to -- but I -- I -- I live dead  
21 center. On both side of me is two landfills, '85 or  
22 '87 since the landfill. My dad had a property,  
23 Mohihi Street, where the PVT landfill slope. Our  
24 backyard was PVT's front yard since the day they  
25 came into our -- our -- in -- in Nanakuli.

1 So Waimanalo landfill -- my uncle lived  
2 that first house right next to Waimanalo before the  
3 landfill even was there. We raised rabbits. We  
4 had, like, 500 rabbits. My dad had pigs and goats  
5 and whatever. So we -- we lived -- my uncle lived  
6 there.

7 My mom's brother live on Ko Olina. We --  
8 we had a house there, and he was the caretaker --  
9 Richard Eraolani (phonetic). This was back in the  
10 '50s or '60s.

11 If you guys come into Nanakuli, I did a  
12 mural out in Nanakuli as all our -- our people on  
13 that wall. If you guys ever get a chance, drive  
14 through Nanakuli and -- and see, you know, all our  
15 legends on our wall. It -- it was, you know,  
16 something that felt on my heart that we needed to  
17 get out there.

18 You know, I -- I love Nanakuli, born and  
19 raised there. So yeah, you know, I -- I -- I  
20 disagree with the landfills being there. But you  
21 know, if we close Waimanalo, it leaves us with one  
22 landfill. I -- I get almost 600 trucks pass my  
23 home, my grandma's home, my -- my cousin's. In  
24 fact, my entire cousins live all on the highway,  
25 even on my wife's side.

1 Like I said, we've been there. My -- my -  
2 - my tutu came into Nanakuli from 1928. I can  
3 pretty much see if anybody even was around in --  
4 that lived in Nanakuli in -- ooh, yes, who lived in  
5 Nanakuli over here?

6 Right?

7 They used to thought that we was deaf and  
8 blind, just from Nanakuli. So my grandparents used  
9 to look down at their niece because they couldn't  
10 afford to give water away to the people. My -- my  
11 dad rode the -- stick on the train and rode the  
12 train to Waipahu High School. My dad was the oldest  
13 of 13 in his family. So that's how he got around.  
14 You know, it was only car road at that time.

15 **CHAIR GIOVANNI:** Mr. Werner, I don't mean  
16 to rush you, but can you please bring to a summary  
17 conclusion?

18 **MR. WERNER:** Yes. So for me, if we -- you  
19 know, we -- we've got to give Waimanalo the  
20 opportunity to find another place. That's just the  
21 bottom line because if we don't, we've only got one  
22 more landfill, and that's PVT. We've got two. I  
23 live in the middle of two landfills.

24 I -- I just come here. And thanks for  
25 seeing attorneys, you know. I'm not an attorney.

1 I'm just -- I'm just a guy that gives back to my  
2 community and love my community. And if you come  
3 into Nanakuli, just, you know, stay. And you know,  
4 everybody know me.

5 But that's -- that's the main point why  
6 I'm here. Don't shut Waimanalo down. I think in  
7 2028, they need to find another place. And give  
8 them the opportunity to go out and what is federal  
9 land -- or whatever is -- you know, I'm -- I'm here.  
10 I'm -- I'm fighting for emergency access for my  
11 community so we can evacuate the Kolekole Pass from,  
12 I mean, terms with the military right now.

13 And -- and the fact that we -- we dealing  
14 with the landfill and everything, I just ask -- come  
15 here to say that, hey, give them an opportunity.  
16 Give the City an opportunity, you know. Have those  
17 guys who are operating that Waimanalo, clean the  
18 road, you know. Pick up the rocks, or whatever you  
19 guys do, you know. Bring the community.

20 You know, we might agree and disagree and  
21 things. But at the end of all this, we still got to  
22 come together. Life goes on where I live, you know.  
23 If you come into Nanakuli, speed bumps, I'm  
24 responsible for those speed bumps in Nanakuli.

25 **CHAIR GIOVANNI:** Thank -- thank you very



1 much.

2 **MR. WERNER:** So I just want to say thank  
3 you and for hearing me out. And any questions?

4 **CHAIR GIOVANNI:** Yeah. So -- so please  
5 stay in your seat. Everybody gets an opportunity to  
6 ask you questions.

7 So Petitioner, any questions for this  
8 witness?

9 **MR. HU:** Jeffrey Hu. No questions. Thank  
10 you.

11 **CHAIR GIOVANNI:** Mr. Saito?

12 **MR. SAITO:** No questions. We thank the  
13 witness for his testimony.

14 **CHAIR GIOVANNI:** My apologies for the  
15 interference. Could you restate that?

16 **MR. SAITO:** Brad Saito. We have no  
17 questions, and we thank the testifier for their  
18 testimony.

19 **CHAIR GIOVANNI:** Thank you for your  
20 comment.

21 Ms. -- Ms. Kato?

22 **MS. KATO:** Alison Kato. No questions.  
23 Thank you.

24 **CHAIR GIOVANNI:** Thank you.

25 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No

1 questions. Thank you.

2 **CHAIR GIOVANNI:** Thank you, Ms. Sugiyama.  
3 Mr. Chipchase?

4 **MR. CHIPCHASE:** Cal Chipchase. Just very  
5 briefly, Chair.

6 Good morning. And thank you for coming  
7 here today.

8 **MR. WERNER:** Good morning.

9 **MR. CHIPCHASE:** Just to make sure that I  
10 understood your testimony correctly, you support  
11 giving the City more time to site the landfill but  
12 would still like the landfill to close as scheduled  
13 in 2028.

14 **MR. WERNER:** If it goes over '28, I'm --  
15 I'm -- I'm fine with that, as long as we can get  
16 another place and -- and calm the -- the -- the --  
17 the ease of, you know, the west side.

18 **MR. CHIPCHASE:** Very good. Thank you very  
19 much.

20 **CHAIR GIOVANNI:** Yeah.

21 **MR. WERNER:** Thank you.

22 **CHAIR GIOVANNI:** Commissioners, any  
23 questions for this witness?

24 **COMMISSIONER KAHELE:** I have a question,  
25 Chair. Mel Kahele.

1           **CHAIR GIOVANNI:** Proceed.

2           **COMMISSIONER KAHELE:** Mr. Werner, with --  
3 with all the stuff that I've watched on -- on the  
4 news and read in the newspapers and some of the  
5 testimony that was given at the Planning Commission,  
6 most of the residents still wants Waimanalo Gulch  
7 closed. So what would be a legitimate reason why  
8 would you -- you're asking for an extension?

9           **MR. WERNER:** Yes. I -- I -- I -- you  
10 know, I think, you know, landfills been on the west  
11 side for a long time. When we talk about giving him  
12 the extension to, you know, look for another site, I  
13 -- I think it's -- it's a very good thing because,  
14 like -- like I said, if we close Waimanalo, we only  
15 got one, you know. Instead of 600 trucks passing my  
16 home -- I live on Farrington Highway. We're probably  
17 going to get 800 trucks or even 900 trucks.

18           I mean, giving them the -- the time to go  
19 out and -- and look, I know it probably take about  
20 seven or eight years or even longer to, you know,  
21 determine another site. But we need to give the City  
22 the opportunity to -- to look for another site.

23           **CHAIR GIOVANNI:** Thank you. Thank you for  
24 coming today.

25           **MR. WERNER:** Yes. Mahalo.

1           **CHAIR GIOVANNI:** Ms. Kwan, is there  
2 another signed up?

3           **MS. KWAN:** We have another sign-up on the  
4 list. Can I bring up Kurt Fevella?

5           **CHAIR GIOVANNI:** Mr. Fevella, please state  
6 your name and address for the record. And then I'll  
7 swear you in.

8           **SENATOR FEVELLA:** Kurt Fevella. Ewa Beach  
9 96706, 91-941 E. Ikulani Street.

10          **CHAIR GIOVANNI:** Thank you. So do you  
11 swear the testimony today will be the truth?

12          **SENATOR FEVELLA:** Yes, sir.

13          **CHAIR GIOVANNI:** Please proceed. You have  
14 two minutes.

15          **SENATOR FEVELLA:** First of all, I was one  
16 of them on the neighborhood board who continued to  
17 tire to see this whole issue kicked down the road  
18 over and over and not in my backyard, not in your  
19 backyard, but continue to pollute our side of the  
20 island.

21               My family live on the west coast, and  
22 they've been victimized. And you know, Uncle Ed is  
23 somewhat correct. But it's 8 to 900 trucks going to  
24 PVT documented; some days, thousands. Yeah, daily.  
25 Okay? So I just wanted to correct that -- and my

1 phone acting up. Hold on.

2 I know you guys got my -- my -- hopefully,  
3 you did get, Chair -- again, Chair Dan and members  
4 of the Commission. Thank you guys for letting me  
5 testify. But I support SP09-403, Department of  
6 Environmental Services and the City and County of  
7 Honolulu with the Waimanalo Gulch Sanitary Landfill.

8 Previously, Mayor Peter Carlisle had the  
9 blue ribbon panel, and they choose Ameron site in  
10 Kailua to be the next landfill. Kirk Caldwell  
11 opposed, and you guys know why. (Indiscernible)  
12 through that. Keep to the truth.

13 Anyway, so they did a new site, required  
14 an extension of 2028. So Mayor Blangiardi on his  
15 townhall meetings came out not only to the west side  
16 but to the rest of the community and swore that he  
17 was never going to open up another landfill on the  
18 west side. So I have to correct him again.

19 I heard you guys talking about Great  
20 Pacific Crater. PVT is not stupid. They know if  
21 Waimanalo closes, there's going to be a need for a  
22 new landfill. And guess where the new landfill is  
23 going to be, guys? Great Pacific hole.

24 Money is made from rubbish, not closing  
25 it. And when we had this idea when I was on the

1 neighborhood board as the chair, we wanted it to be  
2 closed. We all say that H-Power is our new -- or  
3 our -- at that time when the City paid for the city  
4 boiler was a solution to downsize landfills. That  
5 was not the truth, Chair.

6 They pick and choose what they can burn.  
7 They pick and choose what comes to the land from --  
8 through the -- the H-Power. It's not a true waste-  
9 to-energy plan.

10 So a lot of you guys who know me, I've  
11 been in the square building for about five years now  
12 harping on the fact that we are the backend of any  
13 technology in the world, Hawaii -- windmills, solar  
14 farms, everything that is not done in other  
15 countries.

16 A waste-to-energy plan, a true waste-to-  
17 energy plan, where the City going to do them, the  
18 mayor likes it and even Mike Formby.

19 But who's going to -- who's going to push  
20 it through? This is on the City and, of course, the  
21 State, that you work together and come out with a  
22 great idea because it was presented. It passed  
23 through the Senate unanimously. It stalled in the  
24 House. And it was because of political mumbo jumbo,  
25 right?

1 We know who the powers to be and the guys  
2 who try to stop things. But if we do it just like  
3 Ahkoi (phonetic) had said, our family's going to  
4 suffer. I don't approve that we need to extend it  
5 to 2028, but we've been kicking this can since I was  
6 on the neighborhood board since 2000.

7 What is this now?

8 **CHAIR GIOVANNI:** Mr. Fevella, could you  
9 bring it to --

10 **SENATOR FEVELLA:** Yeah. I -- I'll bring it  
11 to a close.

12 The reason why I support it, like I said,  
13 Chair. But the land use, the City, everybody that  
14 has a part of this needs to look at better  
15 technology to reduce the use or even try to find  
16 another landfill in somebody else's backyard. And  
17 that's try to find with better technology. The  
18 Singapore, Utah -- every other place does it except  
19 us. We're always the backend of the rubbish.

20 We're not going to have the powers to be,  
21 Chair, everybody out there, they actually have this  
22 thing done unless the powers to be step up because  
23 we have big opposition to this waste-to-energy plan.  
24 We have all the unions supporting this plan to get  
25 it done.

1 The City and the State, for whatever  
2 reason, whatever political contributions that some  
3 of these guys get, is stonewalling this. And I'm  
4 bringing it up again this year.

5 **CHAIR GIOVANNI:** Okay.

6 **SENATOR FEVELLA:** That's it, Chair.

7 **CHAIR GIOVANNI:** Please come to a close.

8 **SENATOR FEVELLA:** Yeah. So this is the  
9 thing. We need this landfill to still open because  
10 you're going to victimize the rest of my family that  
11 is dying on the west side for too much landfills  
12 with PVT -- yeah, 10 years less of their life, dying  
13 in the community. And they want to put -- close  
14 their landfill and go someplace else.

15 And the people that is in opposition to  
16 the landfill --

17 **CHAIR GIOVANNI:** Please bring it to a  
18 close.

19 **SENATOR FEVELLA:** Okay.

20 **CHAIR GIOVANNI:** You promised me twice  
21 now.

22 **SENATOR FEVELLA:** Okay. Sorry. Okay.  
23 Now I'm going to say I promise.

24 It's all about money, Chair.

25 **CHAIR GIOVANNI:** Please.



1           **SENATOR FEVELLA:** Thank you.

2           **CHAIR GIOVANNI:** You're repeating --

3           **SENATOR FEVELLA:** That's it.

4           **CHAIR GIOVANNI:** -- yourself.

5           **SENATOR FEVELLA:** Thank you.

6           **CHAIR GIOVANNI:** Thank you.

7           **SENATOR FEVELLA:** It's about money.

8           **CHAIR GIOVANNI:** Thank you.

9           **SENATOR FEVELLA:** Mahalo.

10          **CHAIR GIOVANNI:** Please stay there for  
11 questions.

12          **SENATOR FEVELLA:** Yes, sir. Thank you  
13 guys for your time. Sorry. I will never promise --  
14 only once. But anyway. Okay.

15          **CHAIR GIOVANNI:** No worries.

16          Mr. Hu, any questions for this witness?

17          **MR. HU:** Jeffrey Hu. No questions. Thank  
18 you.

19          **CHAIR GIOVANNI:** Thank you.

20          Mr. Saito?

21          **MR. SAITO:** Thank you. I do have a  
22 question.

23          And thank you, Mr. Fevella, for your  
24 testimony, Senator.

25          You did mention a potential site for the

1 landfill that the Carlisle administration  
2 identified, and that was in Kailua. It's my  
3 understanding that that site is not viable under Act  
4 73. Do you agree with that?

5 **SENATOR FEVELLA:** Yes. So at the time  
6 when Act 73 came involved was before Act 73 -- when  
7 this was selected. Act 73 came involved because of  
8 the people in our community that was suffering.

9 And Ameron created -- if you look where  
10 it's at, it's really not -- no close to any homes,  
11 anyplace that is close. But the people in Kailua,  
12 that time at the Ikaika and the (inaudible) was  
13 there, told him the same thing. It's because it's  
14 Kailua. That's it. Sorry. You're not going to  
15 have a landfill. And they put them in the poor  
16 community and not the rich community, just to be  
17 honest.

18 **MR. SAITO:** Okay. But under Act 73, the  
19 site is not a possibility --

20 **SENATOR FEVELLA:** Right.

21 **MR. SAITO:** -- currently.

22 **SENATOR FEVELLA:** Right.

23 **MR. SAITO:** Thank you.

24 **CHAIR GIOVANNI:** Thank you.

25 Anything further, Mr. Saito?

1           **MR. SAITO:** Nothing further. Thank you.

2           **CHAIR GIOVANNI:** Ms. Kato?

3           **MS. KATO:** Alison Kato. No questions.

4 Thank you.

5           **CHAIR GIOVANNI:** Thank you.

6           **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
7 questions. Thank you.

8           **CHAIR GIOVANNI:** Thank you.

9           **MR. CHIPCHASE:** Cal Chipchase. No  
10 questions.

11           **CHAIR GIOVANNI:** Thank you.

12           Commissioners, any questions?

13           **COMMISSIONER KAHELE:** (Inaudible).

14           **CHAIR GIOVANNI:** Commissioner Kahele.

15           **COMMISSIONER KAHELE:** Chair, I've got a  
16 question.

17           Again, Senator Fevella, your testimony --  
18 you know, you're looking at all these better  
19 technologies, right? (Inaudible). So -- so what --  
20 what you stated earlier was -- so if PV- --  
21 Waimanalo Gulch closes, there was a concern of now  
22 the stuff that's currently being dumped there at  
23 Waimanalo Gulch going to PVT.

24           **SENATOR FEVELLA:** Yes. Yes.

25           **COMMISSIONER KAHELE:** And -- and only

1 because that was the only landfill on the island; is  
2 --

3 **MS. KATO:** Yes, the only landfill. And  
4 you know, I understand, Chair, he asked the question  
5 about that Act, whatever. They're going to amend  
6 the act, Commissioners, and they're going to amend  
7 it to open up Grace Pacific Crater. They're going  
8 to do that for our side of the island, yeah, but  
9 they're not going to do that for Kailua Ameron. But  
10 they're going to do it for ours.

11 Commissioner, just mark this today.  
12 That's what's going to happen. They close Waimanalo  
13 Gulch. They're going to amend the Act, come over  
14 here to amend the Act, and they're going to put the  
15 rubbish in the crater.

16 Anybody around here thinking that they  
17 sold that thing so cheap to the person they sold it  
18 to when it was offered double by the previous person  
19 that wanted to mine the crater, think about it that  
20 way, Chair. They're going to amend the Act because  
21 rubbish makes money not rocks.

22 **COMMISSIONER KAHELE:** So I'm -- I'm sorry,  
23 Senator. So the Act that you're referring to is Act  
24 73, the buffer -- that buffer zone bill that was  
25 just --

1           **SENATOR FEVELLA:** Yes.

2           **COMMISSIONER KAHELE:** -- became law in, I  
3 believe, 2020?

4           **SENATOR FEVELLA:** Yeah. When I was with -  
5 -

6           **COMMISSIONER KAHELE:** Oh.

7           **SENATOR FEVELLA:** -- Senator Kai Kahele.

8           **COMMISSIONER KAHELE:** Okay. All right.

9 Thank you, Senator.

10           **SENATOR FEVELLA:** Thank you, Chair. Thank  
11 you guys.

12           **CHAIR GIOVANNI:** Anything further,  
13 Commissioners?

14           Thank you, Senator.

15           Ms. Kwan, anybody else?

16           **MS. KWAN:** We have one more testimony, De  
17 Mont Manaole. I think I said that correctly.

18           **CHAIR GIOVANNI:** Mr. Manaole, please state  
19 your name and address or the record. And then I'll  
20 swear you in.

21           **MR. MANAOLE:** (Inaudible) --

22           **CHAIR GIOVANNI:** I think -- I think you  
23 need to hit the button that says "Talk."

24           **MR. MANAOLE:** Yeah. De Mont Kalai  
25 Manaole, Co- Manager of Ho'omana Pono, LLC, a native

1 Hawaiian advocacy corporation operating out of  
2 Waianae Coast. My address is 86-044 Hoaha Street.  
3 For anybody that don't know, that's right behind  
4 Tamura's in Waianae.

5 **CHAIR GIOVANNI:** Do you swear your  
6 testimony today will be the truth?

7 **MR. MANAOLE:** Yes.

8 **CHAIR GIOVANNI:** Please proceed. You have  
9 two minutes.

10 **MR. MANAOLE:** All right. For -- for me, I  
11 -- as a resident of the Waianae Coast, we don't like  
12 PVT. And if you guys close Waimanalo Gulch now,  
13 guarantee PVT going to get more action over there.

14 And PVT is an eyesore in our neighborhood.  
15 I used to live in Nanakuli homestead. Right behind  
16 my house, in second increment, right behind my house  
17 is Pu'u Heleakala. And for native Hawaiians, it's a  
18 sacred place for us because that's where Maui got  
19 his training to be able to do what he did when he  
20 went to Maui and lassoed the sun. That is in our --  
21 our moku aho (phonetic).

22 And I've got to tell you that I think you  
23 guys should extend the time for -- to find another  
24 landfill someplace else because if you close them  
25 now, PVT, guarantee, you won't be able to expand.

1 And as you come down Paakea, before you  
2 couldn't even see anything that PVT had over there.  
3 Now when you come down Paakea going eastbound, the  
4 hill that they get, that -- that they're building  
5 over there is equal to Pu'u Heleakala. So you're on  
6 big ass -- sorry -- on big hill --

7 **CHAIR GIOVANNI:** Okay.

8 **MR. MANAOLE:** -- or what -- and --and the  
9 thing matching Pu'u Heleakala, what you guys going  
10 to do? Build on one -- one hill bigger than  
11 Heleakala itself? I don't think so. You know what  
12 I mean?

13 And -- and that's just telling native  
14 Hawaiians that nobody cares about us, you know what  
15 I mean, that we're going to -- you -- you guys are  
16 just going to shove them down our throats.

17 So can you guys just pump the breaks a  
18 little bit? Waimanalo Gulch -- you guys need a  
19 little bit more time to figure out what you guys  
20 want to do with that. Go ahead. Take your time.  
21 Go find them. Maybe, like, Koko Head maybe. Maybe  
22 the people over there in Koko Head might like them,  
23 but not over here in Waianae.

24 Thank you. Aloha.

25 **CHAIR GIOVANNI:** Thank you. Please stay -

1 - stay here for questions --

2 **MR. MANAOLE:** All right.

3 **CHAIR GIOVANNI:** -- if you don't mind.

4 Mr. Hu?

5 **MR. HU:** No questions, Chair. But I'd  
6 like to make a comment.

7 It's funny you mention Koko Head. We've -  
8 - we actually did receive a phone call, a voicemail,  
9 from a person who supposedly used to work at the LUC  
10 as a staff member, and they had suggested Koko Head  
11 as well. And it's my understanding that Koko Head  
12 is not Act 73-compliant.

13 And I -- I don't know if you were just  
14 making that as a joke, but just --

15 **MR. MANAOLE:** Yeah. No. I -- I halfway  
16 joking, but I'm halfway serious because I think that  
17 if it's good enough for the west side, it should be  
18 good enough for the east side. When is state  
19 government ever going to consider moving homeless,  
20 rubbish, all the bad things that society thinks of,  
21 stop sending them to the west side and send them to  
22 the east side. They're telling us that the people  
23 on the east side is better off than us and they're  
24 better than us.

25 **CHAIR GIOVANNI:** Thank you.



1 Mr. Saito, any questions?

2 **MR. SAITO:** No questions. We thank him  
3 for his testimony.

4 **CHAIR GIOVANNI:** Thank you.

5 Ms. Kato?

6 **MS. KATO:** Alison Kato. No questions.  
7 Thank you.

8 **CHAIR GIOVANNI:** Sugiyama, please?

9 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
10 questions. Thank you.

11 **MR. CHIPCHASE:** Cal Chipchase. No  
12 questions.

13 **CHAIR GIOVANNI:** Commissioners?

14 Thank you, sir. Appreciate you coming  
15 forward.

16 **MR. MANAOLE:** All right. I'd like to say  
17 aloha to my brother over there, to his seat over  
18 there. Aloha 'aina mau e mau.

19 **CHAIR GIOVANNI:** Anybody else?

20 **MS. KWAN:** That is all we have for now,  
21 Chair.

22 **CHAIR GIOVANNI:** Thank you.

23 So it is now 9:18, and we will continue.

24 So Mr. Hu, it's up to you to make your  
25 presentation. Can you give me -- give me an idea of

1 how much time you -- you will need?

2 **MR. HU:** Jeffrey Hu. Chair, I would  
3 probably need 10 to 15 minutes.

4 **CHAIR GIOVANNI:** So why don't you go ahead  
5 and proceed, and there will be Q&A after that.  
6 We'll probably take a break before we enter that  
7 piece. So go ahead and make your presentation.

8 **MR. HU:** Thank you.

9 **CHAIR GIOVANNI:** One -- one more question.  
10 I think you indicated you have a -- somebody here  
11 that can also provide testimony that's not an  
12 attorney. If you plan to have them testify, I'd  
13 like to -- I'd like to swear them in at -- right  
14 now.

15 **MR. HU:** Oh, I'm sorry, Chair. I -- I  
16 made no indication of that.

17 **CHAIR GIOVANNI:** It must have been Mr.  
18 Saito then, or somebody. I thought you --

19 **MR. SAITO:** Brad Saito. The Department  
20 did not prepare a non-attorney witness for today.

21 **CHAIR GIOVANNI:** Okay.

22 **MR. SAITO:** Thank you.

23 **CHAIR GIOVANNI:** So if you have no non-  
24 attorney witnesses, please proceed.

25 **MR. HU:** Jeffrey Hu. Thank you.

1 Good morning, everyone. Again, I'm Deputy  
2 Corporation Counsel Jeffrey Hu on behalf of the  
3 City's Department of Environmental Services, known  
4 as ENV.

5 Sorry. I'm going to try to work this  
6 slide.

7 **CHAIR GIOVANNI:** So you'll be referring to  
8 the slides that are on the screen now?

9 **MR. HU:** Yes. Yes, sir.

10 And so would I just be scrolling down?  
11 Oh, okay. Oh, I wasn't sure.

12 **CHAIR GIOVANNI:** Is it possible to turn  
13 the lights off above the screen?

14 **MR. HU:** Okay. Oh, do that? Okay. Sorry  
15 about that, everybody.

16 This is --

17 **CHAIR GIOVANNI:** This -- yeah. That's --  
18 that's -- okay. There you go. Perfect.

19 I know you're there, Mr. Hu. So please  
20 proceed.

21 **MR. HU:** Yes. Jeffrey Hu.

22 The ENV's application before the City's  
23 Planning Commission and now the State Land Use  
24 Commission is about one issue only, which is the  
25 modification of the single condition from ENV's

1 special use permits for the Waimanalo Gulch Sanitary  
2 Landfill. That condition sets for a December 31,  
3 2022, deadline for the City to identify a new  
4 landfill site.

5 The City filed its application to modify  
6 this condition back on December 23 of 2022. But due  
7 to the legal process, it has taken a bit of time to  
8 get to where we are today in front of the -- the  
9 LUC, the Land Use Commission.

10 Again, we are here solely seeking to  
11 modify the single permit condition, and we are  
12 respectfully requesting an extension of time until  
13 December 31st, 2024, to identify a new landfill  
14 site.

15 The condition we are seeking to modify is  
16 found in both the Planning Commission and the Land  
17 Use Commission's 2019 decisions and orders, which is  
18 -- and the provisions are on the screen for you --  
19 your review. Due to circumstances beyond the  
20 control of the Planning Commission, Land Use  
21 Commission, and ENV, the original December 31, 2022,  
22 deadline that was imposed did not provide enough  
23 time.

24 As stated in ENV's application before you,  
25 as well as ENV Director Roger Babcock's oral

1 testimony at the contested case hearing in front of  
2 the Planning Commission, we are talking about two  
3 events that occurred after the LUC issued its 2019  
4 decision and order that led to ENV needing more  
5 time.

6 First, we are talking about the passage of  
7 Act 73 of 2020, which limited the areas for  
8 potential sites. And second, we are talking about  
9 the Honolulu Board of Water Supply's disapproval of  
10 all six potential sites that were reviewed and  
11 ranked by our Landfill Advisory Committee because of  
12 the No Pass Zone and in light of the Red Hill fuel  
13 incident that occurred in November of 2021.

14 Act 73 was signed into law in September  
15 2020, almost a full year after the Land Use  
16 Commission issued its 2019 decision and order. Act  
17 73 consists of two restrictions. First, it prevents  
18 the siting of a landfill on State conservation  
19 districts. And as we mentioned -- or -- such as  
20 Koko Head Crater.

21 Second, it imposes a second -- I'm sorry -  
22 - second, it imposed a one-half mile buffer zone  
23 around residential properties, schools, and  
24 hospitals in which a landfill cannot be constructed  
25 or expanded.

1 And there are various legal restrictions  
2 already in place when siting a new landfill, such as  
3 tsunami inundation zones and airport buffer zones.  
4 Act 73 imposed additional restrictions and further  
5 limited the potential areas for new sites.

6 And as you can see on this map, there are  
7 other restrictions, such as developed and  
8 undevelopable lands. Developed lands are lands that  
9 contain a major building or buildings.  
10 Undevelopable lands are areas that already have a  
11 planned development in place.

12 Earlier, I referenced the No Pass Zone.  
13 So what is the No Pass Zone? The Board of Water  
14 Supply, or BWS, describes the No Pass Zone as areas  
15 over the fresh water aquifer that have no thick  
16 caprock. And so if you look at this map here, the  
17 light areas are the areas in or above the No Pass  
18 Zone, and the dark blue areas are outside or below  
19 the No Pass Zone.

20 And so according to the BWS, the caprock  
21 serves as a barrier that prevents surface  
22 contamination from reaching the aquifer below. So  
23 it's sort of like a filter. Just in case you're  
24 wondering, the current landfill is located outside  
25 the No Pass Zone.

1 In September of 2021, Mayor Blangiardi  
2 established the Landfill Advisory Committee, or what  
3 we call the LAC. The LAC consisted of nine members  
4 of the general public with background and experience  
5 that would enable them to fairly and effectively  
6 evaluate potential landfill sites on behalf of all  
7 residents of the City and County of Honolulu.

8 With the help of ENV, the LAC held eight  
9 meetings pursuant to the Sunshine Law, which are  
10 open to the general public and public testimony.

11 And in December of 2021, during one of the LAC  
12 meetings, leaders from the BWS attended and made a  
13 presentation in which they provided their  
14 perspectives and concerns regarding siting a new  
15 landfill above the groundwater aquifer.

16 The LAC members served in an advisory role  
17 in evaluating, scoring, and ranking potential  
18 landfill sites under consideration. The  
19 understanding was that they would make a  
20 recommendation of a site to the City, but the City  
21 would make the final decision on site selection.  
22 The LAC scored and ranked six potential sites, but  
23 ultimately did not recommend any of them because all  
24 were located within the No Pass Zone.

25 In the LAC's final reports, it listed

1 certain recommended courses of action, such as  
2 amending or repealing Act 73, exploring eminent  
3 domain options, and obtaining federal lands outside  
4 of the No Pass Zone.

5           The -- the Board of Water Supply's stance  
6 on the No Pass Zone is the second main issue for  
7 ENV's request for additional time to find a new  
8 landfill site. In November of 2022, the BWS  
9 provided its official position via a letter dated  
10 November 16, 2022, on the six potential sites  
11 evaluated by the LAC, which is that the BWS  
12 disapproved of all of them.

13           According to the BWS, in light of the Red  
14 Hill emergency, protecting the island's freshwater  
15 aquifer is more paramount than ever. And I put a  
16 quote of -- I -- I believe that quote is from their  
17 letter. I -- I put that on the slide.

18           So here I have attempted to overlay the  
19 map with the No Pass Zone on top of ENV's map with  
20 the siting restrictions. When you combine the No  
21 Pass Zone with all of the restrictions in place for  
22 siting a landfill, the result is that there are no  
23 potential areas to site a new landfill other than  
24 perhaps the federal-owned land.

25           Because of the Act 73 and the Board of



1 Water Supply's position regarding the No Pass Zone,  
2 ENV was not able to identify a new landfill site by  
3 December 31, 2022. In hopes of finding a new  
4 landfill site that is legally compliant and outside  
5 of the No Pass Zone, the ENV requests to modify the  
6 Planning Commission and Land Use Commission single  
7 condition. This will allow ENV more time to follow  
8 the Landfill Advisory Committee's recommendations.

9           Since ENV's filing of this application  
10 with this planning -- with the Planning Commission,  
11 the -- the City has followed the Landfill Advisory  
12 Committee's recommendations. We knew from the  
13 beginning that discussions with the military would  
14 be a long process with the low probability of  
15 success. That's the reason why ENV didn't consider  
16 those federal lands in the first place.

17           But in review of all of the remaining  
18 options and recommendations provided by the Landfill  
19 Advisory Committee, obtaining military land was the  
20 low-hanging fruits of a 100-foot-tall tree. The  
21 City had numerous discussions with high-level  
22 members of the military from 2023 to early 2024  
23 regarding this possibility.

24           The Waipio Peninsula had been our most  
25 promising potential site outside the No Pass Zone.

1 The discussions had been positive. The military  
2 expressed their interest in helping the City and its  
3 residents. They wanted to show goodwill in light of  
4 Red Hill. But unfortunately, after their analysis,  
5 they concluded that, due to national security  
6 concerns, they could not allow for a landfill to be  
7 constructed on that site. It's unfortunate, but we  
8 appreciate that they looked into the possibility.

9 Now that we've -- have exhausted the  
10 federal lands option, we are continuing to look at  
11 the remaining, even more difficult options. And  
12 what's even more challenging than obtaining federal  
13 land is to amend or repeal Act 73, which ENV did not  
14 pursue yet but will not be able to attempt until  
15 next year during the next legislative -- legislative  
16 session.

17 Similar to obtaining federal land,  
18 amending or repealing state law is something out of  
19 the City's control. But you're no longer dealing  
20 with just an -- one entity like the military. It is  
21 up to a majority vote from the State Legislature.  
22 We can only provide our reasoning and request. But  
23 for the State Legislature, each member has their  
24 constituents to think about. And it would be much  
25 easier to say no and not in my backyard than to say

1 yes for the greater common good.

2 Now that Act 73 is current law, repealing  
3 it would be like supporting a new bill to allow for  
4 landfills to be constructed closer to homes,  
5 schools, and hospitals. Who would even sponsor such  
6 a bill?

7 Siting and constructing landfills is  
8 simply not a popular issue that people can get  
9 behind. Just look at when the newspapers first  
10 reported the Waipio soccer complex as a potential  
11 landfill site. We had 25,000 people sign a petition  
12 against it. Community leaders also opposed it.

13 And I'm not blaming anyone. And no one  
14 wants a landfill in their district or in close  
15 proximity to their homes. After we identify or even  
16 hint at a new location, instead of calling the  
17 community association and Senator Shimabukuro of  
18 District 22, we'll have a new set of parties and a  
19 new senator from another district oppose us at the  
20 next hearing for an application.

21 Again, I'm not blaming anyone. Landfills  
22 are simply not popular. But in the meantime, ENV  
23 and the City administration, we're continuing to  
24 work to -- towards identifying the next landfill  
25 site.

1 In conclusion, the parties before you --  
2 ENV, KOCA, and Schnitzer -- have gone through a  
3 multi-day contested hearing from the Planning  
4 Commission, examined various witnesses, and argued  
5 for and against certain details in the Planning  
6 Commission's findings of fact, conclusions of law,  
7 decision and order.

8 KOCA -- sorry. When I -- when I say KOCA,  
9 I'm referring to Ko Olina Community Association and  
10 Centers (inaudible). KOCA is currently the only  
11 intervening party, or parties, that opposes ENV.  
12 But in these contested hearings, even KOCA has  
13 stated that it does not oppose this limited two-year  
14 extension time for ENV to identify new sites.

15 ENV has also agreed to the new in-person  
16 reporting requirement, which was proposed by KOCA.  
17 And that's -- I believe that's Condition number 2 in  
18 the decision and order on this slide.

19 And so the finalized version of the  
20 Planning Commission's decision and order now sits  
21 before you for your review and, hopefully, your  
22 concurrence. While time is running out, ENV remains  
23 hopefully and continues to work towards identifying  
24 a new site by the end of the year.

25 Thank you.

1           **CHAIR GIOVANNI:** Thank you, Mr. Hu.

2           It's 9:34. We'll take a brief recess and  
3 reconvene at 9:40.

4           **(Recess taken from 9:34 - 9:44 a.m.)**

5           **CHAIR GIOVANNI:** Okay. It's 9:44. We're  
6 back on the record.

7           So Mr. Hu, did that complete your  
8 presentation?

9           **MR. HU:** Jeffrey Hu. Yes, it did, Chair.  
10 Thank you.

11          **CHAIR GIOVANNI:** Thank you very much.

12          So parties, you're given an -- -- getting  
13 an opportunity to ask questions, right? Yeah?

14          Mr. Saito, any questions for the --

15          **MR. SAITO:** Brad Saito. No questions.  
16 Thank you.

17          **CHAIR GIOVANNI:** Ms. Kato?

18          **MS. KATO:** Alison Kato. No questions.  
19 Thank you.

20          **CHAIR GIOVANNI:** Thank you.

21          Ms. Sugiyama?

22          **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
23 questions.

24          **CHAIR GIOVANNI:** Thank you.

25          **MR. CHIPCHASE:** Cal Chipchase. No

1 questions.

2 **CHAIR GIOVANNI:** Very good. Thank you  
3 very much.

4 Commissioners, any questions for the  
5 petitioner?

6 Mr. Kahele?

7 **COMMISSIONER KAHELE:** I -- I have a couple  
8 of questions, Chair. Mel Kahele.

9 Mr. Hu, so I'm -- I'm -- I'm -- I'm  
10 looking at, you know, what you just reported to the  
11 Commissioners on. And -- and it seems like Act 73  
12 seems to be the biggest problem. And -- and I  
13 believe your intent is to go back to the legislators  
14 and try to amend Act 73. Is -- is that your only  
15 option or alternative? Because it seems like you  
16 cannot find another location.

17 Another -- another -- oh, I'm sorry. Go  
18 ahead and answer.

19 **MR. HU:** I -- I believe both of the issues  
20 we've laid forward are -- are big obstacles,  
21 including the BWS No Pass Zone. I -- I believe -- I  
22 believe the No Pass Zone itself it -- it encompasses  
23 a huge, huge, bigly mass of land. If you look at  
24 the map -- I -- I'm sorry. I don't have the  
25 presentation slide up anymore.

1 But -- and so -- and -- and -- and also,  
2 Act 73, if we were to repeal Act 73 completely --  
3 and I -- I -- and I say we. But you know, ENV  
4 cannot do that, right? It's up to -- it's up to the  
5 -- the State Legislature. But if - - if -- if Act  
6 73 were repealed, there might be a few -- a few  
7 sites -- not a lot, but a few -- that -- that are  
8 outside of the No Pass Zone.

9 **COMMISSIONER KAHELE:** Well, I've got  
10 another question. Maybe -- so the No Pass Zone, is  
11 that by law? It's -- it's -- or is it just  
12 considered by the Board of Water Supply as a No Pass  
13 Zone because the aquifers, whether it's -- whether  
14 it's --

15 **MS. KWAN:** Closer.

16 **COMMISSIONER KAHELE:** Or is that a  
17 decision that was made considering these areas as no  
18 pass by the Board of Water Supply, or is it by  
19 ordinance, by law?

20 **MR. HU:** Jeffrey Hu again. That's a very  
21 good question.

22 It's -- it is a -- it's a -- it's a BWS  
23 rule land regulation. My understanding is it's not  
24 in the Hawaii statutes, the Hawaii Revised Statutes.

25 I'm sorry. Does that answer your question

1 or --

2 **COMMISSIONER KAHELE:** Yeah. Yeah. Well,  
3 yeah. I guess so because it's -- you know, my -- my  
4 -- my concern

5 -- or my question was: With all these areas  
6 that's considered as no pass, all these -- all of  
7 these locations that you pointed out in your map is  
8 all -- is that all drinkable water, aquifers?

9 **MR. HU:** I -- I apologize. I'm -- I'm --  
10 I'm not -- I'm not an expert with the water aquifer.  
11 But from -- from what BWS has informed us, our  
12 island sits above a freshwater aquifer. And -- and  
13 so that map that I showed in the slides, that --  
14 that is a map from the BWS. And -- and so I -- I --  
15 I trust that, you know, they provided an accurate  
16 map depicting, you know, where the -- where the  
17 thick caprocks are. And -- and -- and I -- I  
18 believe BWS has informed us that, you know, we are  
19 above the freshwater aquifer.

20 **COMMISSIONER KAHELE:** All right. Thank  
21 you, Mr. Hu. One more question.

22 **MR. HU:** Yes.

23 **COMMISSIONER KAHELE:** A six-month  
24 extension -- is -- is -- is that what we're asking  
25 for to extend the time for you to find another



1 location? Are we looking at six months?

2 **MR. HU:** You --

3 **COMMISSIONER KAHELE:** December '24?

4 **MR. HU:** Jeffrey Hu. Practically  
5 speaking, we are about less than six months away  
6 from December 31, 2024. When we made this request,  
7 it was back in December of 2022. And so we -- we had  
8 made a request for two years at that time.

9 **COMMISSIONER KAHELE:** Okay. Oh, so -- so  
10 I'm sorry. So -- and what -- what you're asking for  
11 is for two-year extension or a six-month extension?

12 **MR. HU:** Well -- Jeffrey Hu. The -- the  
13 permanent condition currently for our special use  
14 permits states that we're -- we have to identify a  
15 new landfill site by the end of 2022.

16 **COMMISSIONER KAHELE:** Right.

17 **MR. HU:** And so we're trying to extend  
18 that date for two years, which would make it 2024.

19 **COMMISSIONER KAHELE:** So you've got  
20 approximately six months.

21 **MR. HU:** From -- from today --

22 **COMMISSIONER KAHELE:** Yes.

23 **MR. HU:** -- yes.

24 **COMMISSIONER KAHELE:** I'm sorry. Yes?

25 **MR. HU:** From --

1           **COMMISSIONER KAHELE:** From today.

2           **MR. HU:** Jeffrey Hu. From today, yes.

3           **COMMISSIONER KAHELE:** Okay.

4           **MR. HU:** That would be about five/six  
5 months.

6           **COMMISSIONER KAHELE:** Is that enough time?

7           **MR. HU:** Jeffrey Hu. Do you want my  
8 personal opinion?

9           **COMMISSIONER KAHELE:** Well, you know, I'm  
10 -- I'm just asking. I mean, you will be asking for  
11 another -- you know, if -- if it -- if it's going up  
12 to 2024, December 31st -- and, you know, I'm looking  
13 at the records, and I'm looking at the Planning  
14 Commission, the City Planning Commission meetings  
15 and some of the testimony. A blue- ribbon committee  
16 was established in 2012. So it's been all these  
17 years that has gone by. And then now you're asking  
18 for just a six-month extension, or up until 2024. I  
19 -- I am -- I'm -- I'm just confused.

20           And then the -- the Act 73 didn't become  
21 law until 2020. So all the time between 2012 to  
22 2020, there was no Act 73. Now, the reason why we  
23 cannot find a place is because of Act 73 and because  
24 of the no pass. I -- I'm -- I'm -- I'm just  
25 confused. And then now we're asking for 2024, we'll

1 find a place. I -- and I'm not sure what six --  
2 what six months going to do. Anyway.

3 **MR. HU:** Jeffrey Hu. So the extension is  
4 for the deadline just to identify a new site. We're  
5 not talking about siting or construction or buying  
6 the land. And so that -- that's going to take a lot  
7 more time.

8 **COMMISSIONER KAHELE:** More than up past  
9 December 31st, 2024?

10 **MR. HU:** Yes.

11 **COMMISSIONER KAHELE:** Is that what you're  
12 saying?

13 **MR. HU:** Yes.

14 **COMMISSIONER KAHELE:** Or to identify a  
15 site? So you're saying up -- hopefully, December  
16 31st, 2024, you're going to be able to identify a  
17 site.

18 **MR. HU:** Jeffrey Hu. Yes, that's correct.  
19 We're -- we're -- we are -- that's our goal.

20 And earlier you asked is -- you know, if  
21 we want more time, if the LUC wants to give us more  
22 time, I think we will take it. But our application  
23 in front of you is for this two years, up until the  
24 end of 2024, just to identify the sites.

25 **COMMISSIONER KAHELE:** But you're supposed

1 to have found one in year 2022, and we've gone up to  
2 2024 and we --

3 **MR. HU:** Jeffrey Hu. Yes, that's correct.

4 **COMMISSIONER KAHELE:** Thank you.

5 **MR. HU:** Jeffrey Hu. No. Thank -- thank  
6 you for asking the questions for clarification.

7 **CHAIR GIOVANNI:** Commissioners?

8 I don't have any questions.

9 Commissioner, yes, please, Miyasato.

10 **COMMISSIONER MIYASATO:** Myles Miyasato.

11 I'd just like to do a little follow-up on  
12 Commissioner Kahele's questioning.

13 Prior to November 16, 2022, when BWS had  
14 the official position, six sites were identified as  
15 potential future sites.

16 **MR. HU:** Jeffrey Hu. Yes, that's correct.

17 **COMMISSIONER MIYASATO:** And then after --  
18 you know, prior -- I guess justification for their  
19 position was little or no caprock.

20 **MR. HU:** Jeffrey Hu. I'm sorry. Could  
21 you repeat that? The -- the justification for the  
22 BWS's --

23 **COMMISSIONER MIYASATO:** Yeah. On slide 6,  
24 "over the freshwater aquifer with smaller or  
25 nonexistent caprock."

1           **MR. HU:** Yes. Jeffrey Hu. Sorry.

2           Should I keep saying my name?

3           **CHAIR GIOVANNI:** Yep.

4           **MR. HU:** Okay. Jeffrey Hu.

5           Yes. So the BWS explained that the areas  
6 with the thick caprock are, essentially, good  
7 because then the thick caprock can filter, I guess,  
8 like, toxic fluids, whereas the areas closer to --  
9 or within the island -- so, you know, inside the No  
10 Pass Zone -- those areas don't have the thick  
11 caprock.

12           So they are -- so -- so if -- if -- if  
13 there were to be some sort of leak, such as, you  
14 know, the fuel leak from Red Hill, then there --  
15 there -- there's no thick caprock there to filter  
16 that. And so that -- that leakage is going to go  
17 into our freshwater aquifer. And -- and, you know,  
18 that -- that -- that's the water that everybody on  
19 this island relies on. So it's -- so that -- that --  
20 - that's what the BWS is stressing there.

21           **COMMISSIONER MIYASATO:** Okay. You know,  
22 in reviewing, I believe they made a statement of  
23 verifying the nonexistent or thin caprock with  
24 boring -- by boring. Is there any exhibits of those  
25 boring samples?

1           **MR. HU:** Jeffrey Hu. That's -- that's a  
2 good question. I -- I don't believe we have any  
3 exhibits of those boring samples. We -- we are  
4 relying on the BWS's -- I don't want to say  
5 testimony, but they didn't come to testify. So  
6 we're -- we're relying on their -- the -- the -- the  
7 letter and the presentation that -- that -- that  
8 they've provided to us.

9           Sorry. That's -- that's all I have.

10           **COMMISSIONER MIYASATO:** Okay. So -- so at  
11 this point, we're assuming after those six sites  
12 were identified, they physically went out to those  
13 six sites and did bore tests.

14           **MR. HU:** Jeffrey Hu. I -- I don't believe  
15 they did that. I -- I believe they -- they -- I'm  
16 speculating. I -- but I believe that they looked at  
17 those sites on a map, and those sites are all inside  
18 the No Pass Zone, you know, according to that No  
19 Pass Zone map that they have. And so I -- I believe  
20 that was probably their -- the basis of their  
21 disapproval.

22           **COMMISSIONER MIYASATO:** Okay. Thank you.

23           **MR. HU:** Jeffrey Hu. Thank you.

24           **CHAIR GIOVANNI:** So now I do have a  
25 follow-up, couple of questions.

1 Just I think you testified that your --  
2 your negotiations with -- regarding federal land  
3 came to pay and pass. Is it dead stop, or is there  
4 any potential in the future to revisit any federal  
5 lands on this island?

6 **MR. HU:** Jeffrey Hu. So the discussions  
7 with the military were conducted by the top  
8 officials of the City, you know, the mayor and the  
9 managing director. And the military, I believe,  
10 sent a letter back in April of this year pretty much  
11 rejecting Waipio Peninsula. And Waipio was the most  
12 promising of the -- of the federal lands.

13 And I -- I believe we have other rejection  
14 letters regarding other federal lands as well. But  
15 it's -- I -- I believe it's fair to say that that --  
16 that option is dead.

17 **CHAIR GIOVANNI:** That's what I'm looking  
18 for, not, like, pretty much. It's dead.

19 **MR. HU:** Jeffrey Hu. To my knowledge,  
20 it's dead.

21 **CHAIR GIOVANNI:** Thank you.

22 So I'd like to follow up on Commissioner  
23 Miyasato's questions about water and dealing with  
24 the BWS. Have you conferred with the State  
25 Commission of Water Resource Management on these

1 issues?

2 **MR. HU:** Jeffrey Hu. No. I have not.

3 **CHAIR GIOVANNI:** So it seems like you are  
4 -- if there -- if I understand your testimony, that  
5 they have a generalized map that shows this -- these  
6 zones in blue and that they cross-plotted the six  
7 sites that were identified. And they happened to be  
8 in those zones, those generalized zones.

9 And based on that alone, with no testing,  
10 no bore samples, no nothing, no -- no -- no  
11 discussions with the -- with the State Commission of  
12 Water Resource Management. You just basically took  
13 it at face value, shut it down, and says it's not  
14 going to work in any of these zones; is that  
15 correct?

16 **MR. HU:** Jeffrey Hu. It's a -- it's a  
17 very difficult issue. And I can't say that we take  
18 anything at face value. But it's -- this is a very,  
19 you know -- siting a landfill above the freshwater  
20 aquifer would be a very -- it would be very  
21 unpopular. It would -- and so we -- we didn't see  
22 it as an option.

23 **CHAIR GIOVANNI:** Mr. Hu, the entire island  
24 is above freshwater aquifer -- the entire island.  
25 Does that in and of itself, based on your testimony,



1 mean there's no site possible on this island?

2           **MR. HU:** Well, there's the -- so -- sorry.  
3 Jeffrey Hu. There's the -- the No Pass Zone, and  
4 there is -- there is thick caprock in areas outside  
5 of the No Pass Zone, including Waimanalo Gulch  
6 Sanitary Landfill. And so it's -- it's not the  
7 whole island. But I mean, when we look at the map,  
8 yes, it's -- it's huge -- it's a huge part of it --  
9 or it's a huge part of the island. And -- and I --  
10 I -- I agree with you, Chair, that, you know, we  
11 performed -- not siting a landfill above the No Pass  
12 Zone pretty much handcuffs us. I agree.

13           I'm sorry. Did I say that incorrectly? I  
14 -- I wish I could look at a transcript. I -- I'm  
15 trying to say that if the --

16           **CHAIR GIOVANNI:** Yeah. I appreciate the  
17 difficulties that the City and County has been going  
18 through. I --

19           **MR. HU:** Sure.

20           **CHAIR GIOVANNI:** -- absolutely do. And I  
21 appreciate that Act 73 added further complications.  
22 And I appreciate the -- the -- the unfortunate Red  
23 Hill calamity has put increased scrutiny on and  
24 protections for water resources on this island. I  
25 understand all of that.

1 I just encourage you to not take things at  
2 face value and to penetrate and go for expertise on  
3 these matters if you're going to use them as  
4 rationale for what you do and you do not do. The  
5 fact that you haven't conferred with the State  
6 conservation -- Commission on Water Resource  
7 Management on this issue is very surprising. And I  
8 do encourage you to confer with them.

9 And I'll be asking Ms. Kato and the State,  
10 similarly, questions about whether or not we've --  
11 we should or could involve them in this matter  
12 because they -- they might have a solution. We  
13 don't know.

14 **MR. HU:** Jeffrey Hu. Thank you, Chair.

15 **CHAIR GIOVANNI:** Where are we? Mr. Lee.

16 **COMMISSIONER LEE:** Thank you.

17 Mr. Hu, isn't it true that the County  
18 administration is planning on talking to the Board  
19 of Water Supply manager about his position?

20 **MR. HU:** Commissioner -- Jeffrey Hu.  
21 Commissioner Lee, that -- that might be a  
22 possibility. I -- I -- I just can't say for sure  
23 because --

24 **COMMISSIONER LEE:** Yeah, I guess what I'm  
25 saying is that, you know, engineers like to have a

1 margin of safety so we don't blame Ernie Lau for his  
2 position. But - - but I think I heard that the  
3 mayor will be discussing if there's any movement so  
4 nothing is being taken at face value is what I had  
5 heard.

6 So I'm just asking if that is -- is -- is  
7 true from your perspective.

8 **MR. HU:** Jeffrey Hu. Yes. I -- I believe  
9 that would -- that might be true, yes.

10 **COMMISSIONER LEE:** Thank you, Chair.

11 **CHAIR GIOVANNI:** Thank you.

12 Anything further, Commissioners?

13 Okay. Thank you, sir.

14 Mr. Saito?

15 **MR. SAITO:** Thank you. Brad Saito.

16 So in terms of the Department of Planning  
17 and Permitting's decision, we're here in support as  
18 we were at the Planning Commission with respect to  
19 the time extension to designate a new site.

20 And I won't go over it again. I'll just  
21 say that our rationale is set forth in the  
22 director's report, which is on record. It's dated  
23 May 25th, 2023. And so that lays out our reasons  
24 for supporting more time to designate a new site.

25 Beyond that, I'd just like to say -- or

1 maybe observe that the public has come out today.  
2 And I think they've kind of been in harmony saying  
3 we don't like the landfill out on the west side.  
4 But we can't (inaudible) and give the City more time  
5 to identify a new site. I think that's remarkable  
6 and very gracious.

7 So we thank them for their comments and  
8 their understanding. And we encourage the  
9 Commission to approve the request for more time.

10 Thank you.

11 **CHAIR GIOVANNI:** Thank you.

12 Petitioner, Mr. Hu, any questions from  
13 this?

14 **MR. HU:** Oh, my mic is still on. Jeffrey  
15 Hu. No questions. Thank you.

16 **CHAIR GIOVANNI:** Thank you.

17 Ms. Kato, any questions?

18 **MS. KATO:** Alison Kato. No questions.

19 Thank you.

20 **CHAIR GIOVANNI:** Thank you.

21 Ms. Sugiyama, any questions?

22 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
23 questions.

24 **CHAIR GIOVANNI:** Mr. Chipchase?

25 **MR. CHIPCHASE:** Cal Chipchase. No

1 questions.

2 **CHAIR GIOVANNI:** Thank you.

3 Commissioners? No questions?

4 Thank you, sir.

5 So Ms. Kato, we'll go to you.

6 **MS. KATO:** Thank you. Alison Kato.

7 OPSD recommends approval of the City's  
8 application to extend the deadline to identify an  
9 alternative landsite to December 31st, 2024.

10 The parties all agree that the deadline to  
11 locate an alternative site should be extended. No  
12 one disputes the severe impact to health and safety  
13 of the people that would occur if the landfill is  
14 not able to continue operating or an alternative  
15 site is available, a realistic alternative site.

16 And while much time has passed since the  
17 requirement to locate a new landfill was imposed,  
18 locating another site to accommodate a landfill is  
19 not a simple matter, which was described in detail  
20 and is shown in the record. And as the record  
21 shows, the City has been making efforts to actively  
22 locate a new site, although with difficulty.

23 The December 2022 deadline to identify a  
24 new landfill site was found to be reasonable at the  
25 time it was set. But, you know, as -- as discussed

1 here today and in the record, unanticipated events  
2 occurred that led to significant restrictions on the  
3 potential sites.

4 And the reasons for those restrictions and  
5 concerns -- so options such as Amendment of Act 73  
6 or repeal of Act 73 or siting it within an area  
7 disapproved by the Board of Water Supply are serious  
8 matters that cannot be pursued lightly or quickly.

9 In particular, the concerns regarding the  
10 water supply is -- is a matter of quality of water,  
11 which is within the jurisdiction of the Board of  
12 Water Supply. So if any of those sites are being  
13 seriously considered, I think more effort is needed  
14 to look into whether it's safe.

15 So the City -- the remaining time of the  
16 extension request is approximately five months from  
17 today. We understand there are concerns regarding  
18 feasibility of meeting this condition by the end of  
19 the year, particularly with the update regarding the  
20 federal lands option.

21 But there are still several months left in  
22 the year, and the City has stated its intention to  
23 meet that deadline. So OPSD feels that they could  
24 be given the time to look into the options more  
25 closely and to, hopefully, locate a site.

1 And again, this is a deadline to identify  
2 a site, not to actually acquire it and make it  
3 ready. So OPSD does believe that it is possible to  
4 still identify a site that will work by the year.

5 Additionally, the Planning Commission  
6 included a condition for ENV to provide quarterly  
7 reports on its progress and plans. The LUC may want  
8 to require that they also provide any reports to the  
9 LUC so that the Commissioners can stay informed of  
10 the progress.

11 So based on the necessity to allow  
12 continued permitted operation of landfill at this  
13 time, the status of the City's current efforts, and  
14 agreement of the parties, OPSD believes extension at  
15 this time is appropriate to December 31st, 2024.

16 I'm available for any questions. Thank  
17 you.

18 **CHAIR GIOVANNI:** Thank you, Ms. Kato.

19 Mr. Hu, any questions?

20 **MR. HU:** Jeffrey Hu. No questions, Chair.  
21 Thank you.

22 **CHAIR GIOVANNI:** Thank you.

23 Mr. Saito?

24 **MR. SAITO:** Brad Saito. No questions.  
25 Thank you.

1           **CHAIR GIOVANNI:** Ms. Sugiyama?

2           **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
3 questions.

4           **CHAIR GIOVANNI:** Mr. Chipchase?

5           **MR. CHIPCHASE:** Cal Chipchase. No  
6 questions, Chair.

7           **CHAIR GIOVANNI:** Thank you.

8           Commissioners, any questions?

9           **COMMISSIONER KAHELE:** No -- Chair, I've  
10 got a question, but ask the question back to Mr. Hu.  
11 I know you're in the hot seat.

12           **CHAIR GIOVANNI:** Please do, just for  
13 clarity.

14           **COMMISSIONER KAHELE:** Mr. Hu, what -- what  
15 is currently (audio disruption) that currently  
16 Waimanalo Gulch has, when does that expire?

17           **MR. HU:** Jeffrey Hu. My understanding  
18 that it expires on the day of the closure deadline,  
19 which is, I think, March 3rd, 2028, I think.

20           **CHAIR GIOVANNI:** I think that's correct.

21           **COMMISSIONER KAHELE:** Thank you.

22           How much light does Waimanalo Gulch has?

23           **MR. HU:** Jeffrey Hu. That's a good  
24 question. We've -- it -- it kind of fluctuates every  
25 year because ENV, we -- we -- we have this -- this



1 process where we -- I -- I think we have, like, a  
2 flyover of the landfill, and it gets analyzed. And  
3 so at this current time -- and I -- I don't want to  
4 cause panic to everybody, but at this current time,  
5 I believe it's about seven and a half years.

6 **COMMISSIONER KAHELE:** Mr. Babcock here?

7 **MR. HU:** Jeffrey Hu. Yes, he's here.

8 **COMMISSIONER KAHELE:** Maybe I can ask him  
9 a question, Chair?

10 **CHAIR GIOVANNI:** Let's come back to him.

11 **COMMISSIONER KAHELE:** Okay. All right.

12 Perfect.

13 **CHAIR GIOVANNI:** Yeah. Mr. Babcock,  
14 please stay in attendance, please.

15 **COMMISSIONER KAHELE:** Yeah. All right.

16 Okay.

17 **CHAIR GIOVANNI:** Any more questions for --

18 **COMMISSIONER KAHELE:** Okay. No. That --  
19 that's it. Thank you.

20 **CHAIR GIOVANNI:** Mr. Kahele, I'll give you  
21 full opportunity before we --

22 **COMMISSIONER KAHELE:** All right. Thank  
23 you, Chair.

24 **CHAIR GIOVANNI:** -- before we deliberate.

25 Any further questions for Ms. Kato?

1 I have a question. Well, in fact, I'm  
2 hung up on this water question. Even you in your  
3 remarks said more effort is needed to make sure the  
4 water is safe. What are these more -- more effort -  
5 - more effort? Could you describe the more effort  
6 that's needed?

7 **MS. KATO:** Alison Kato. I am no expert on  
8 water issues. But I mean, just during questioning,  
9 I -- because it's a serious matter and because the  
10 Board of Water Supply has indicated some concerns  
11 and including a formal letter regarding it, an  
12 option such as choosing one of the previously  
13 identified six locations that are disproved by Board  
14 of Water Supply, I think it needs to be worked out  
15 with the Board of Water Supply.

16 And I've seen -- I guess, in the record,  
17 there are comments from maybe it's -- the No Pass  
18 Zone is not -- is conservative. Possibly, if they  
19 look closer at the actual site and the testing, et  
20 cetera, things that -- that I don't quite know  
21 about, but perhaps if they looked closer at a  
22 particular site, maybe they could find one that is  
23 acceptable and see. But this is something that I'm  
24 just speculating, so I don't know what those steps  
25 would be.

1           **CHAIR GIOVANNI:** All right. Is it your --  
2 is it your feeling or opinion -- it certainly is  
3 mine -- that the Commission of Water Resource  
4 Management could lend some technical assistance on  
5 this matter? Have they been consulted at all by  
6 OPSD on -- on this --

7           **MS. KATO:** We --

8           **CHAIR GIOVANNI:** --- issue?

9           **MS. KATO:** We did not because this is an  
10 extension request of a -- of a condition, but also  
11 because my understanding is that CWRM, they govern  
12 availability of water and not quality of water. And  
13 this seems like a quality issue, which I -- I  
14 believe is within the jurisdiction of Board of Water  
15 Supply.

16           **CHAIR GIOVANNI:** It just seems that, as  
17 important as this issue is -- and I agree that safe  
18 water is -- is important -- there ought to be a  
19 scientific technically engineered based position,  
20 not one that is -- that might be just hand waving in  
21 the wake of -- the Red Hill dilemma, in my opinion.  
22 I don't see any evidence that it's anything other  
23 than that. They don't have any bore samples. They  
24 just have a letter that says we don't like it, so  
25 problematic for me.

1           **MS. KATO:** Mm-hmm.

2           **CHAIR GIOVANNI:** A little bit off the  
3 subject of what's the motion before us today, but  
4 that's where I've got (inaudible). Think we'll end  
5 up there sooner or later.

6           **COMMISSIONER CARR SMITH:** Chair, can I ask  
7 you a quick question? Is there a reason that the  
8 Board of Water Supply isn't a part of this hearing?

9           **CHAIR GIOVANNI:** I don't know.

10           Mr. Hu, is there any reason that -- did  
11 you seek to bring the Board of Water Supply here for  
12 any representation, or you just entered their letter  
13 in evidence?

14           **MR. HU:** Jeffrey Hu. I'm trying to recall  
15 if we -- if we invited the Board of Water Supply or  
16 not, but I -- I can't remember at this time. But  
17 this -- this application is -- is admitted, and --  
18 and that might have been -- and again, I'm  
19 speculating, but that might have been why Board of  
20 Water Supply did not believe that it -- it needed to  
21 attend.

22           And I -- I don't know if the Board of  
23 Water Supply has attended these hearings in the  
24 past, and perhaps not because the Waimanalo Gulch,  
25 you know, is -- it doesn't sit above the No Pass

1 Zone.

2 Sorry. I'm -- I'm just talking out loud  
3 now. I'm --

4 **CHAIR GIOVANNI:** Fair enough. But you  
5 know, I -- I have every -- let me respond to  
6 Commissioner Carr Smith.

7 I have every expectation that this is -- I  
8 have every expectation that this matter is going to  
9 get more convoluted, and you're going to be back in  
10 front of us again for various reasons. And if, in  
11 fact, the Board of Water Supply is identified as a  
12 major reason or contributing factor for the  
13 difficulties you're having to find a new landfill,  
14 we strongly encourage you to invite them and to come  
15 forward and represent their positions rather than  
16 you have to do it for them and to speculate on why  
17 they take the positions they do; fair enough?

18 **MR. HU:** Jeffrey Hu. Yes, Chair. Thank  
19 you.

20 **CHAIR GIOVANNI:** Thank you.

21 Is that a good -- yeah, okay.

22 Okay. Thank you, Ms. Kato. I have no  
23 further questions.

24 Ms. Sugiyama?

25 **MS. TAM-SUGIYAMA:** (Inaudible). Joyce

1 Tam- Sugiyama for Schnitzer Steel Hawaii Corp.

2 Schnitzer is here in support of the City's  
3 application to modify Department to extend the  
4 deadline to select an alternative site. Schnitzer  
5 operates Hawaii's largest metal recycling facility  
6 and is the largest commercial user of the Waimanalo  
7 Gulch landfill. And in doing so, Schnitzer provides  
8 a vital service to Oahu.

9 Every year, Schnitzer processes, roughly,  
10 120,000 tons of end-of-life vehicles, old  
11 appliances, and other metal scraps that would  
12 otherwise end up in the landfill or illegally dumped  
13 around the island. Schnitzer's metal recycling  
14 operations produce a waste called automobile  
15 shredder residue, or ASR, that cannot be recycled  
16 and must be disposed of in a landfill.

17 Currently, Waimanalo Gulch is the only  
18 permitted landfill in Oahu that will accept the ASR.  
19 In other words, when Waimanalo Gulch closes, there  
20 is no other place for ASR to go unless another  
21 landfill is ready and operational to accept the ASR.

22 And given the storage limits under  
23 Schnitzer's permits, Schnitzer would have to cease  
24 operations within days if it has nowhere to dispose  
25 of the ASR. Therefore, having an operational

1 municipal landfill is integral to Schnitzer's  
2 operations.

3           As we've all heard here today, siting a  
4 new landfill is a complicated and often  
5 controversial process. In this case, the record  
6 shows that the City was diligent in trying to site a  
7 new landfill. But due to, among other things,  
8 regulatory and statutory changes, the City was  
9 unable to meet the original deadline to identify an  
10 alternative site.

11           The record justifies the granting of the  
12 requested extension to give the City additional time  
13 to identify a new candidate site. And therefore,  
14 Schnitzer requests that the Land Use Commission  
15 grant the City's application for an extension of the  
16 deadline to December 31st, 2024, to site a new  
17 landfill.

18           And before I conclude, I just want to  
19 clarify a couple things based on the record,  
20 questions from the Commission. If you look at the  
21 Planning Commission's order, Findings of Fact 84-  
22 291, that discusses land -- Landfill Advisory  
23 Committee that was formed by the mayor. And it was  
24 the Landfill Advisory Committee that vote -- that  
25 voted to reject the six proposed sites based on the

1 Board of Water Supply's position that it would  
2 oppose any sites within the No Pass Zone. I just  
3 wanted to clarify that it was the Landfill Advisory  
4 Committee's decision.

5 And in Findings of Fact 92 through 94,  
6 that at least in part addresses Commissioner Lee's  
7 questions about what further efforts to talk and  
8 meet with the Board of Water Supply to clarify their  
9 position and their opposition. I can't make a  
10 statement as to whether or not those conversations  
11 are going on today. But based on the record, those  
12 conversations did take place after the Landfill  
13 Advisory Committee's report.

14 Thank you.

15 **CHAIR GIOVANNI:** Thank you, Ms. Sugiyama.

16 Mr. Hu, any questions?

17 **MR. HU:** Jeffrey Hu. No questions. Thank  
18 you.

19 **CHAIR GIOVANNI:** Mr. Saito?

20 **MR. SAITO:** Brad Saito. No questions.

21 Thank you.

22 **CHAIR GIOVANNI:** Ms. Kato?

23 **MS. KATO:** No questions. Alison Kato. No  
24 questions. Thank you.

25 **CHAIR GIOVANNI:** Thank you.



1           **MR. CHIPCHASE:** Cal Chipchase. No  
2 questions.

3           **CHAIR GIOVANNI:** Thank you.  
4 Commissioners, any questions?  
5 Thank you.

6           Mr. Cal Chipchase?

7           **MR. CHIPCHASE:** Yes, Chair. I have about  
8 a 15- minute presentation. Would that be all right?

9           **MS. KWAN:** Can staff request a five-minute  
10 break?

11           **CHAIR GIOVANNI:** We've only been going 40  
12 minutes. Yes, you may. Let's take --

13           **MS. KWAN:** Thank you.

14           **CHAIR GIOVANNI:** -- a five-minute break.  
15 We'll resume at 10:27. Take a recess.

16           **MR. CHIPCHASE:** Very good.

17           **(Recess taken from 10:22 - 10:29 a.m.)**

18           **CHAIR GIOVANNI:** Okay. Mr. Chipchase,  
19 please proceed.

20           **MR. CHIPCHASE:** Cal Chipchase. Thank you,  
21 Chair.

22           We have a presentation up on the screen.  
23 I'll walk us through it a little bit as well.

24           The place to start, of course, is that the  
25 landfill requires a special use permit because it's

1 located on agricultural land. And so it's not an  
2 agricultural use. It's a special use, and that  
3 requires a special permit under Chapter -- Section  
4 205-6.

5 It's had a special permit, a very special  
6 permit, since 1987, when it was first permitted for  
7 operation. The current special permit was issued by  
8 this body, by the LUC, in 2019. That special permit  
9 took eight years to issue. We began those  
10 proceedings in 2011. It's not 2023 or approaching  
11 the end of it. So we've been doing this -- this  
12 special use permit for more than half of my career.

13 The order that was issued remains in  
14 effect today. And that is reflected in the Planning  
15 Commission's proposed findings as well. (Inaudible),  
16 Chris.

17 The order contains two conditions, one of  
18 which is relevant to this body's decision today.

19 Chris.

20 The 2019 order directed that the landfill  
21 -- or the City needed to site a new landfill by  
22 December 31, 2022, and to close the landfill by  
23 March 2nd, 2028. Those dates were selected by the  
24 Land Use Commission based on extensive evidence  
25 involving how long the landfill had been in

1 operation, how long it would take to site a  
2 landfill, the efforts that had been made to site a  
3 landfill to date, and how long it would take to  
4 develop a new landfill and, therefore, close this  
5 landfill once it was sited.

6           The date to site the new landfill gave the  
7 City more than three years from that point to site a  
8 landfill. At that point in 2019, the City had been  
9 working to site a landfill already for nearly two  
10 decades. Those efforts had begun in 2003 when the  
11 City had previously promised to close the landfill.

12           In 2003, the No Pass Zone was known  
13 already. It was considered by the City in its 2003  
14 siting efforts. And in 2003, the City adopted its  
15 own criteria for siting a landfill while still  
16 protecting drinkable water.

17           That remained true in 2012, when the City  
18 resumed its efforts to site a new landfill. The No  
19 Pass Zone was known. The City had its own criteria.

20           That was also true when the City again  
21 resumed efforts to site a landfill in 2021, two  
22 years after this Commission directed the City to  
23 site again a new landfill.

24           So the six sites that were selected were  
25 selected with the No Pass Zone being known by the

1 City and the City being aware that it had its own  
2 criteria for safely siting a landfill despite the No  
3 Pass Zone.

4 The second date, the closure date,  
5 reflected the time that it would take to complete  
6 the environmental work, to complete the permitting  
7 work, and to complete the physical work from that  
8 date, that siting date, in order to have an  
9 operational landfill and to finally then close  
10 Waimanalo Gulch.

11 The order to site and then to close  
12 reflected a number of considerations, as I said, one  
13 being the length that it had been in operation.  
14 Another was the impact that the landfill had had on  
15 the community for all of those years.

16 There were extensive proceedings before  
17 the Planning Commission where many residents and  
18 others testified about the impact of the landfill on  
19 the community. That evidence was brought before  
20 this body over a number of hearings over a number of  
21 years. And that impact is reflected all over the  
22 LUC's 2019 order, the -- the real palpable effect  
23 that it has had on the community.

24 Because it's a special permit, one of the  
25 requirements before it can be issued is that it not

1 have an adverse effect on the surrounding community.  
2 The landfill, indisputably, has had an adverse  
3 impact on the surrounding community. The LUC  
4 recognized that and, in posing the siting, the  
5 closure conditions reflected the community had borne  
6 those impacts longer than it should have.

7           So in order to issue the permit, the Land  
8 Use Commission had defined that, ultimately, as long  
9 as these conditions are followed, it won't have a  
10 further impact on the community because, ultimately,  
11 it will be taken out of the community. And so the  
12 conditions were essential to finding that there was  
13 no impact on the surrounding community.

14           The closure order also reflected the 20  
15 years -- more than that, really -- of promises that  
16 the City had made to the community that it would  
17 close the landfill. So every time the City had come  
18 in and asked for an extension of time, that it said  
19 please give us a little more time, we will close it  
20 now if you just give us this additional five years,  
21 if you just give us this additional one year, we  
22 will close it -- each time, the community supported  
23 the City's request believing that now it would  
24 finally close.

25           When the City came in and asked in 2012 to

1 leave it open in perpetuity until it reaches  
2 capacity, the community had had enough. It didn't  
3 believe those promises any more. The Land Use  
4 Commission respected that those promises had been  
5 made and should be honored and imposed those  
6 conditions.

7           The City, as we've talked about, did not  
8 meet its siting condition. The City came in nine  
9 days before the siting condition had expired and  
10 requested a further extension of that siting  
11 condition. That is the only matter before this land  
12 -- or before the Land Use Commission. The City's  
13 petition only seeks to amend that condition and only  
14 for the two years taking it to the end of December  
15 31, 2024.

16           So acting on that request is the only  
17 thing that this Commission can do in this hearing.  
18 But like the Chair, I don't believe this will be the  
19 end of the proceeding. I believe we will be back on  
20 a further request to extend the closure condition.

21           And that's why KOCA and Senator  
22 Shimabukuro participated in this request. Even  
23 though we did not oppose giving the City more time  
24 to site the landfill, because it obviously hadn't  
25 met its deadline, we were concerned that this

1 proceeding would be a precursor to another  
2 proceeding to further break another closure  
3 condition and further extend the landfill either for  
4 a number of years or indefinitely.

5           The City believes that, with this further  
6 extension -- and I asked Director Babcock in the  
7 Planning Commission proceedings, do you believe that  
8 with this further extension the City can meet this  
9 siting deadline? And he said yes.

10           He also said that, if they're given more  
11 time to site the landfill, do you believe you can  
12 still meet the closure condition? And he said yes.

13           So we are here today taking the City at  
14 its word, despite our misgivings, despite my  
15 personal misgivings that we'll be back here again,  
16 that they will meet this site -- siting deadline and  
17 that they will still meet their closure deadline.  
18 And for those reasons, we haven't opposed extending  
19 the siting deadline.

20           The LUC's role in this proceeding, at this  
21 point in the proceeding, is to review the record  
22 that has been developed by the Planning Commission  
23 that has been presented to the Land Use Commission,  
24 and to adopt -- keep going, Chris -- modify, or  
25 reject the City's petition. That is where we sit

1 today.

2 As part of the City's order, recognizing  
3 the Planning Commission proposed order, recognizing  
4 this history that I've talked about, the impacts hat  
5 I've talked about, the orders that this body has  
6 entered -- you can keep going, Chris -- the Planning  
7 Commission required the City to engage in an  
8 additional public meeting -- an orderly, in-person  
9 public meeting -- before the Planning Commission to  
10 report on the City's efforts to site and then,  
11 ultimately, to develop a new landfill.

12 We had requested that condition because of  
13 our misgivings, because we don't know what efforts  
14 have been engaged in at the federal level other than  
15 what we've read in the papers, because we don't know  
16 what discussions may have been had with BWS  
17 regarding adjustments to its No Pass Zone, because  
18 we don't know whether direct testing of any of these  
19 sites has been engaged in. The public doesn't know.  
20 And so we ask for an opportunity, a requirement,  
21 that the City present those -- that information to  
22 the Planning Commission on a quarterly basis. And  
23 the City agreed. Dr. Babcock agreed that it had no  
24 objection to such a condition, and we appreciate  
25 that willingness to be transparent going forward.



1 We remain concerned for a number of  
2 reasons. For example, the order that we're here on,  
3 the 2019 order, was issued in 2019. But the City  
4 didn't restart the site selection efforts until  
5 2021. What happened in those two years? Dr.  
6 Babcock couldn't answer that.

7 What happened in the prior eight years  
8 from when they had previously started? Dr. Babcock  
9 could not answer that.

10 Or in the prior nine years? Dr. Babcock  
11 could not answer that. And he wasn't here over  
12 those times, and I don't fault him for it. But the  
13 community was there, the community is here, and the  
14 community has and continues to live with the adverse  
15 effects of the landfill.

16 And so I would ask this body to, yes,  
17 approve the City's request for an extension of time  
18 to site the landfill; to, yes, adopt the Planning  
19 Commission's order, including the condition  
20 requiring reporting to the Planning Commission in  
21 person on a quarterly basis. But I also ask you to  
22 be vigilant so that, if we are here again, we don't  
23 forget the history that came before.

24 Thank you.

25 **CHAIR GIOVANNI:** Thank you, Mr. Chipchase.

1 Mr. Hu, any questions?

2 **MR. HU:** Jeffrey Hu. No questions. Thank  
3 you.

4 **CHAIR GIOVANNI:** Mr. Saito?

5 **MR. SAITO:** Brad Saito. No questions.  
6 Thank you.

7 **CHAIR GIOVANNI:** Ms. Kato?

8 **MS. KATO:** Alison Kato. No questions.  
9 Thank you.

10 **CHAIR GIOVANNI:** Ms. Sugiyama?

11 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
12 questions. Thank you.

13 **CHAIR GIOVANNI:** Commissioners?  
14 Ms. Carr Smith?

15 **COMMISSIONER CARR SMITH:** Mr. Chipchase,  
16 what is your opinion as to why they didn't ask for  
17 the other condition to be extended?

18 **MR. CHIPCHASE:** Cal Chipchase.

19 Commissioner, when I discussed this matter  
20 with Dr. Babcock in the Planning Commission  
21 proceeding, he said that he believes that they can  
22 continue to meet the closure condition, and I will  
23 take him at his word.

24 **COMMISSIONER CARR SMITH:** When was that  
25 that you asked him those questions and he answered -

1 -

2 **MR. CHIPCHASE:** October of last year.

3 **COMMISSIONER CARR SMITH:** Last year.

4 Thank you.

5 **CHAIR GIOVANNI:** Commissioners?

6 Mr. Chipchase, could you expand a little  
7 bit about the -- to the -- to the degree you know  
8 about it, about the question -- about the issue of  
9 the City and County having criteria other than that  
10 of the BWS?

11 **MR. CHIPCHASE:** Cal Chipchase. Happy to,  
12 Chair.

13 So the -- it is in the record as an  
14 exhibit that we presented to the Planning Commission  
15 -- it was accepted -- that when the City was engaged  
16 in the siting efforts in 2003, it recognized BWS had  
17 this No Pass Zone, the same zone that we're dealing  
18 with today, 21 years later -- 20 years later.

19 The City, recognizing he limitations that  
20 that No Pass Zone imposed on the availability of  
21 land for a landfill, developed its own criteria and  
22 used those criteria to site potential landfill areas  
23 that it believed would still be protective of the  
24 groundwater.

25 And so in the proceedings, I discussed

1 that letter with Dr. Babcock. He acknowledged it  
2 and acknowledged that the City had been aware of the  
3 No Pass Zone since at least 2003. That's reflected  
4 in the Planning Commission's proposed orders.  
5 That's a finding that the City has been aware of the  
6 No Pass Zone since at least that time.

7 We also presented the testimony of Dwight  
8 Miller, who had been an expert witness for us in the  
9 prior phase of the proceedings and who testimony  
10 helped inform the site development conditions that  
11 this -- this body ultimately adopted in that 2019  
12 order. And he explained that the No Pass Zone is a  
13 very conservative estimate of what is needed to  
14 protect groundwater from leachate or other methods  
15 of contamination and that you would have to do site-  
16 specific review in order to be certain whether a  
17 site would be appropriate. And then of course, in  
18 siting landfills, you would conduct that degree of  
19 due diligence.

20 **CHAIR GIOVANNI:** Well, at some point, the  
21 City and County changed its mind instead of -- if  
22 I'm understanding you correctly, and they no longer  
23 relied on their criteria, and they just took at face  
24 value the representations of BWS -- question mark?

25 **MR. CHIPCHASE:** Cal Chipchase. That is --

1 that is correct, Chair. And as you can see from the  
2 timeline, that happened after it had convened the  
3 most recent site selection committee because they  
4 proposed six sites that were within the No Pass  
5 Zone, the City being aware when it proposed those  
6 sites that they were within the No Pass Zone. So it  
7 was after that that the City changed its position  
8 and accepted No Pass Zone as -- as inviolable,  
9 regardless of what testing may actually show.

10 **CHAIR GIOVANNI:** Are you aware of any  
11 testing that has been done?

12 **MR. CHIPCHASE:** I am not, and none was  
13 presented in the record.

14 **CHAIR GIOVANNI:** Thank you.

15 I don't have anything further.

16 Commissioners?

17 No? Where's my script? My apologies.

18 At this time, I'd like to revisit Mr. Hu  
19 and give him an opportunity to bring Dr. Babcock  
20 forward for a question.

21 **MR. HU:** Jeffrey Hu. Yes, Chair. Is  
22 there something I need to say or --

23 **CHAIR GIOVANNI:** No. Just bring him  
24 forward. I'll swear him in. And then we have a  
25 Commissioner that has a question for Dr. Babcock.

1 Is it Dr. Babcock or Mr. Babcock?

2 **DR. BABCOCK:** Either is fine.

3 **CHAIR GIOVANNI:** Okay. Just, yeah, state  
4 your name and affiliation for the record, and then  
5 I'll swear you.

6 **DR. BABCOCK:** Yes. Roger Babcock,  
7 Director of Department of Environmental Services.

8 **CHAIR GIOVANNI:** So do you swear the  
9 testimony you're about to give will be the truth?

10 **DR. BABCOCK:** I do.

11 **CHAIR GIOVANNI:** Yeah. Just explain if --  
12 just to elaborate a bit more on your role and your  
13 job.

14 **DR. BABCOCK:** Sure. As Director of  
15 Department of Environmental Services, we take care  
16 of wastewater and solid waste for the City. That  
17 involves collection, transfer, disposal, H-Power  
18 waste energy facility, and the Waimanalo Gulch  
19 landfill.

20 **CHAIR GIOVANNI:** Thank you.

21 Commissioner Kahele, you had a question?

22 **COMMISSIONER KAHELE:** Yes, Chair. Thank  
23 you.

24 I forgot what I was going to ask you.

25 Oh, can you hear me, Ariana? I don't want

1 to get scolding.

2 Mr. Babcock, okay, I -- I believe my  
3 question to Mr. Hu was -- well, your permit is good  
4 for 2028, right? So how much more life do you  
5 actually have with the recycling going on, H-Power  
6 popping out all this stuff? How much more life do  
7 you have currently at Waimanalo Gulch?

8 **DR. BABCOCK:** Yeah. Thanks for that  
9 question. Roger Babcock.

10 The -- the determination of how much space  
11 there is left in the landfill is done annually by  
12 our contract operator. Waste Management  
13 International runs the landfill by contract with the  
14 City, handling all -- all operations there for us.

15 So figuring out how much space is  
16 available is done through a calculation. So it's --  
17 it's an estimate based on a couple of things. One  
18 is it does involve flying drones around to figure  
19 out the area still available in -- within the permit  
20 in terms of an area and then a depth to, again,  
21 what's -- what's -- what's in the permit.

22 So that gives a volume of additional space  
23 remaining as a best estimate of that number in cubic  
24 yards of space. Then an estimate is made based on  
25 current fill rates and/or trends of how much waste

1 is being sent to the landfill each year.

2           So you have two -- two numbers there that  
3 we're estimating. One is the volume, and the other  
4 is the -- is the fill rate. So that -- that's  
5 critical, how much we're sending there. That number  
6 changes every -- every year -- every month,  
7 essentially -- depending upon, primarily, what's  
8 happening at H-Power waste energy facility.

9           As you probably know, or may or may not  
10 know, the landfill is really two landfills. There's  
11 an ash monofil portion, and then there's an MSW  
12 portion of the landfill. Those are separate. They -  
13 - municipal solid waste can't be put in the ash  
14 monofil, and ash can't be put in the MSW part. So  
15 the -- again, so the space estimate is -- considers  
16 both of those things as well.

17           So when -- depending upon the performance  
18 of H- Power and its -- how -- what percentage of the  
19 time it's in service, when it's been -- when it's  
20 been out of service, that influences the amount of  
21 ash going in as well as the amount of diverted  
22 municipal solid waste that we're not able to process  
23 at H-Power.

24           So the -- the estimate of time remaining  
25 is dependent upon what you assume for fill rate and



1 -- and -- and available space. And so again, like I  
2 said, it's done -- it's done on an annual basis.  
3 And the -- the most recent estimate -- so it's done  
4 in April, and the most recent estimate from this --  
5 this April was a little less than eight years  
6 remaining space. So that brings us to the end of  
7 2031.

8           So that's it. The current fill rates, the  
9 -- and the current fill rates have been fairly high  
10 because we've had quite a bit of downtime with H-  
11 Power recently in the past year. So that number is  
12 -- is lower than it was a year ago fairly  
13 significantly. But we're working to -- with -- with  
14 our contract operator of H-Power to improve -- or  
15 reduce our diversions to -- to the landfill and --  
16 because last year it was -- it was -- there was 5  
17 more year -- 5 years longer than that -- 13 years at  
18 the fill rates from last year. Based on the fill  
19 rates of this -- this -- this most recent year, it's  
20 more like eight years.

21           **COMMISSIONER KAHELE:** Chair, I've got --  
22 I've got other questions.

23           And I can see why the concern of the  
24 testifiers here was concern about the construction  
25 demolition landfill. I'm not going to name it by

1 name, but the construction demolition landfill  
2 that's currently in their area, or in their  
3 community. So a statement was made by, I believe,  
4 one of the testifiers that construction demolition  
5 landfill that's currently in Nanakuli, would --  
6 wouldn't it likely be used for the City's current --  
7 what they're doing currently at Waimanalo Gulch and  
8 -- and be dumped there at the construction  
9 demolition landfill because that's the only active  
10 landfill that's on the island besides Waimanalo  
11 Gulch?

12 So what would be that possibility when  
13 Waimanalo Gulch closes and that landfill is the only  
14 active landfill on the island and the City decides  
15 on using that construction demolition landfill?  
16 Would that be a possibility?

17 **DR. BABCOCK:** No. My -- my understanding  
18 is, no, that landfill is not permitted to accept  
19 MSW.

20 **COMMISSIONER KAHELE:** One more question,  
21 Mr. Babcock. What happens in the event the City is  
22 not able to find a location? I believe the  
23 statement that was made by Mr. Chipchase that there  
24 was a commitment -- or a statement by you that you  
25 guys will -- you would be able to meet the deadline?

1 What happens if that deadline is not met and you  
2 cannot find a landfill because of Act 73 and because  
3 of the -- there's No Pass Zones?

4 You haven't found one -- well, the City --  
5 not saying you personally, but the City haven't  
6 found one in the last 14 years. So I guess my  
7 question and my concern is, as a member of the Land  
8 Use Commission or being a Commissioner, is what  
9 happens if you guys can't find a place?

10 **DR. BABCOCK:** So I'm sorry. I'm not sure  
11 I understand the final question.

12 **CHAIR GIOVANNI:** He's asking you what your  
13 contingency plan is if you don't find an alternative  
14 site for a landfill.

15 **DR. BABCOCK:** Yeah. Roger Babcock.  
16 Thanks for that question.

17 I -- I think the plan is to find a  
18 landfill that is necessary for us to run H-Power, to  
19 be able to collect refuse from everybody's home.  
20 And so we have to have a landfill, and we will find  
21 a site for a landfill.

22 **CHAIR GIOVANNI:** Good?

23 **COMMISSIONER KAHELE:** Yes. Thank you,  
24 Chair.

25 **CHAIR GIOVANNI:** So I'd just like to

1 clarify a couple things for the record. Going back  
2 to our decision and order that was made in 2019 in  
3 which we did the closure of -- date of 2028, we made  
4 that decision based on the information that was on  
5 the record at that point in time and the information  
6 on the record at that point in time said that the --  
7 that the Waimanalo Gulch landfill would be filled up  
8 and exhausted at that time.

9           Recognizing that the -- that estimate is  
10 updated periodically and changes periodically,  
11 depending on the performance of H-Power, as you  
12 said, we couldn't speculate on that. We had to take  
13 what was in the record. And what was in the record  
14 officially was represented by City and County of  
15 Honolulu that it would be exhausted by 2028 and that  
16 you needed to find another place no matter what.

17           So that's where that date came from. You  
18 can check the record of the hearing if you -- if you  
19 want to get more detail.

20           Secondly, you brought up H-Power, which is  
21 an important resource for the City and County to  
22 take the municipal solid waste and, in effect,  
23 significantly reduce the net amount that's going to  
24 the landfill; is that correct?

25           **DR. BABCOCK:** Roger Babcock. Yes, that's

1 correct.

2           **CHAIR GIOVANNI:** Since you brought it up,  
3 the H- Power operates under a power purchase  
4 agreement with Hawaiian Electric Company; is that  
5 correct?

6           **DR. BABCOCK:** Correct.

7           **CHAIR GIOVANNI:** Do you know when that  
8 power purchase agreement terminates?

9           **DR. BABCOCK:** Roger Babcock. I believe  
10 it's 2032, but I -- I'm -- we will have to check to  
11 verify that.

12           **CHAIR GIOVANNI:** Based on my memory, I  
13 think that's about -- is correct, within the year,  
14 plus or minus.

15           **DR. BABCOCK:** Yeah.

16           **CHAIR GIOVANNI:** What are your plans once  
17 that terminates use H -- with H-Power?

18           **DR. BABCOCK:** Roger Babcock. So the plan  
19 would be to extend -- to extend that power purchase  
20 agreement.

21           **CHAIR GIOVANNI:** Is it your understanding  
22 that that power purchase agreement can be extended  
23 based on a bilateral negotiation with the electric  
24 company, subject to approval by the Public Utility  
25 Commission?

1 **DR. BABCOCK:** That's correct.

2 **CHAIR GIOVANNI:** And then would you have  
3 to compete for that opportunity to do that under the  
4 competitive -- competitive bidding requirements for  
5 energy resources in this State, or would -- do you  
6 feel that you have the ability to do your  
7 negotiation directly?

8 **DR. BABCOCK:** Yeah. I'm -- I'm not sure  
9 the answer to -- you know, to that question. I'd  
10 have to find out.

11 **CHAIR GIOVANNI:** Yeah. I'm not sure  
12 either. And in the instance that you do come back  
13 before this body, that's going to be a key question  
14 that I hope you have all the answers for.

15 **DR. BABCOCK:** Yeah. We'll make sure we  
16 have that answer.

17 **CHAIR GIOVANNI:** Thank you.  
18 Commissioners, anything further?

19 Commissioner Carr Smith.

20 **COMMISSIONER CARR SMITH:** Thank you,  
21 Chair.

22 So I -- I understand what's on the table  
23 here, but I can't help but be curious about a couple  
24 more things. So the Landfill Advisory Committee was  
25 the one that selected the six sites, all of which

1 appear to be on the west side. And those have been  
2 eliminated, and then all these other options appear  
3 to be eliminated.

4 I'm trying to understand how you guys are  
5 so optimistic about finding a site in -- before five  
6 months as well.

7 **DR. BABCOCK:** So I guess I don't need to  
8 keep saying my name, right? Roger Babcock. Okay.

9 **CHAIR GIOVANNI:** Actually, you do, but I'm  
10 sorry.

11 **DR. BABCOCK:** Okay. Okay. So the -- as  
12 was described, the Landfill Advisory Committee --  
13 Commission -- Committee was given six sites that had  
14 been part of all of the previous evaluations as  
15 well, or at least the areas were identified. The --  
16 they -- they didn't come up with the sites. They  
17 were given -- given the suite of sites based on the  
18 prior studies that had been -- been described  
19 beginning back in the early 2000s.

20 And -- and subsequent evaluations that had  
21 gone on and -- and sites then eliminated -- a lot of  
22 sites were eliminated with the passage of Act 73 --  
23 so took the original package of sites, eliminated  
24 everything that was -- took everything out that was  
25 eliminated by Act 73, and -- and presented that to

1 the -- to the Landfill Advisory Committee. So  
2 that's how the six sites were -- were determined.

3 So -- and then as you know, it -- in the -  
4 - in the end, they decided not to recommend any of  
5 the sites. And this was our committee that we had  
6 put together to -- by the mayor to advise us. They  
7 advised against all those sites and recommended then  
8 several things, as have been described -- to look at  
9 military sites, to look at eminent domain, and to  
10 look at modifying Act 73 or repealing. And so that  
11 is the way we've -- the way we've proceeded.

12 So we -- we still have -- we still are  
13 pursuing those -- those items as per our advisory  
14 committee, you know, final report. And -- and  
15 that's what we'll continue to do.

16 I hope that answers your question.

17 **COMMISSIONER CARR SMITH:** Sort of. Thank  
18 you.

19 **CHAIR GIOVANNI:** Thank you.

20 Commissioners, anything further?

21 Thank you very much.

22 At this point in time, we're going to  
23 proceed with a second round of public testimony.

24 Ms. Kwan, is anybody signed up to testify  
25 at this point in time?



1           **MS. KWAN:** Would anyone like to do public  
2 testimony Round 2 in the back?

3           Ed would like to come back up.

4           **CHAIR GIOVANNI:** Mr. Werner, may I remind  
5 you you're still under oath?

6           Let me welcome you back to testify and, if  
7 possible, you know, we heard your testimony in the  
8 first round. And so this is an opportunity for you  
9 to provide new and different testimony but on the  
10 same topic. So please proceed.

11          **MR. WERNER:** Okay.

12          **CHAIR GIOVANNI:** You have two minutes.

13          **MR. WERNER:** Thank you again. Ed Werner.

14                 The reason Act 73 was implemented for us  
15 in Nanakuli, PVT landfill were going to come over  
16 the (inaudible) 179 acres, if I'm not -- right  
17 around in here. And they were going to continue and  
18 double up production in our hometown, in our  
19 backyard. And that's the reason why Act 73 got  
20 involved. And I thank (indiscernible) for doing  
21 them.

22                 You know, we -- we've been, you know, what  
23 we call a dumping ground for years. You know,  
24 that's the whole reason why Act 73 was implemented.

25                 I -- I think if we can -- if we get

1 another good site, maybe Hawaii Kai, or something,  
2 we can appeal Act 73 just for that site. That would  
3 be good. What about Koko Head and these other  
4 places? You know, why only us, you know?

5 I'm -- I'm here to -- to fight for our  
6 people in my community, and that's the west side.  
7 That's why I'm here. And I strongly oppose  
8 landfill, but still, we need to give Waimanalo some  
9 chance because, you know, you guys cannot predict if  
10 we close Waimanalo, you know, even though it's a  
11 City landfill. You know, if you look, what about  
12 for disasters, you know? Where do disasters' debris  
13 going to go to? For instance, a hurricane. It's  
14 coming to our hometown. That's basically where it's  
15 going to come, you know.

16 That's why I'm here. And you know, people  
17 make - - make fun about Act 73, you know, a No Zone,  
18 you know. If you look radium tanks -- the leak of  
19 radium, remember, there's still tanks up there. Who  
20 can tell me how long in 200 years if that liner  
21 plastic is not going to leak and go into our ocean?  
22 Come on. If you can tell me that, then, you know, I  
23 -- I agree with you. But nobody in here can tell me  
24 that, you know, if the liner's not leaking right  
25 now.

1 But you know, my -- my say is the -- my --  
2 my community. I'm there to -- to speak out for  
3 those who cannot fight in this okapuna (phonetic).  
4 And for my grandkids, the keikis, I stand up for  
5 them because they cannot fight right now. But one  
6 day they're going to stand up, and they're going to  
7 be probably right here where I'm sitting and  
8 fighting for what is right.

9 But that's all I get to say.

10 **CHAIR GIOVANNI:** Thank you. Please sit in  
11 case there's questions.

12 So Mr. Hu, any questions?

13 **MR. HU:** Jeffrey Hu. Jeffrey Hu. No --  
14 no questions. Thank you.

15 **CHAIR GIOVANNI:** Mr. Saito?

16 **MR. SAITO:** I do have one question. So I  
17 -- I heard you express concerns about groundwater  
18 contamination. So could you tell us, if you have  
19 one, what is your position on siting a landfill  
20 within the BWS No Pass Zone?

21 **MR. WERNER:** I mean, for me, you know, if  
22 it's a place that we're not drinking the water, you  
23 know what I mean, put it there. That's how I feel.  
24 If you're not drinking them, put them there, you  
25 know.

1 We would -- you know, this whole thing, I  
2 can see that, you know, we live on the west side,  
3 the most driest side. That's why they like the  
4 landfill, you know. Don't -- you know, what about  
5 putting them in Kaneohe or someplace? Why? Because  
6 the grounds there wet?

7 That's the whole reason why we are here.  
8 We're the driest place, and that's where they like  
9 the landfills be, you know.

10 Like I said, I'm here for fight for our  
11 kupuna and fight for my grandkids and keiki because  
12 they cannot fight right now.

13 You know, it's your guys' decision, the  
14 City's decision. I mean, it's the Health  
15 Department's decision to -- to regulate al this, you  
16 know. We -- we -- I'm probably going to come back  
17 again and address the same thing to you guys. And I  
18 strongly -- I strongly stand on what I said. I -- I  
19 --

20 **CHAIR GIOVANNI:** Thank you.

21 **MR. WERNER:** I live in Nanakuli all my  
22 life. Thank you.

23 **CHAIR GIOVANNI:** Thank you. Stay there.  
24 Anything further, Mr. Saito?

25 **MR. SAITO:** Yes. If I could follow up, so

1 my understanding of your response was, if we're not  
2 going to drink the water, if we don't have a plan to  
3 use it, then that would be okay. But if we have  
4 plans to use the water, that may not be a good  
5 location for the landfill. Is that an accurate  
6 understanding of your response?

7 **MR. WERNER:** You know, it gives and take,  
8 you know. If we're not going to drink it, there's  
9 another place to put it. I've been drinking bottled  
10 water for a long time. I'm not drinking out of my  
11 pipe. You know, old days we could drink out of  
12 water hose. But I -- I don't drink out of my water  
13 hose and -- and not even my kids. I buy water.

14 But you know, this -- this -- this -- our  
15 areas is polluted. Whatever we do, our grounds is  
16 contaminated. Our ocean is contaminated. Whatever  
17 the landfill bring in and -- and dumps in the ground  
18 is contaminated.

19 So how are you guys going to prevent in  
20 something being contaminated and make it better for  
21 all of us? Never going to happen.

22 So right now, we -- we -- we -- the  
23 Nanakuli -- like I said, I live in the middle of two  
24 landfills. We've been thinking about all the city  
25 landfill since 1985 or '87 when they came in -- our

1 -- you know, out of school that time and everything.

2           But I remember the first day they came in  
3 our backyard. I remember the first day that they  
4 studied Waimanalo. My uncle was the one that went  
5 (inaudible), and there was some strange things  
6 happening when they were in - - I don't know if you  
7 guys know -- machines are starting up at Waimanalo  
8 Gulch jumping in holes. I'm not too sure if you  
9 guys know that. But -- but I believe that, you  
10 know, Akua -- be very careful where you put them,  
11 you know.

12           All I can say is we need our landfill. I  
13 -- I'm not saying that, you know, close the  
14 landfill. This is all about relocating a landfill.  
15 That's what it is. Relocate the thing.

16           You know, we -- we -- we hold the brunt of  
17 these landfills in Nanakuli and on the west side for  
18 a long, long time. All I'm here to say that --

19           **CHAIR GIOVANNI:** That's what we're trying  
20 to do.

21           **MR. WERNER:** Yes. And I appreciate it,  
22 you know, that I can come out then and come here and  
23 speak, you know. I may not look like one speaker,  
24 but you know, I'm getting kind of used to it. So I  
25 can come out and talk and -- and --

1           **CHAIR GIOVANNI:** I just need to cut you  
2 off --

3           **MR. WERNER:** Yes.

4           **CHAIR GIOVANNI:** -- because you go on and  
5 on.

6           **MR. WERNER:** Yes. Keep cut me off. But -  
7 - but I appreciate it. Thank you.

8           **CHAIR GIOVANNI:** Okay. Do you have any,  
9 Mr. Saito?

10          **MR. SAITO:** One last follow-up. I'm  
11 sorry.

12          **CHAIR GIOVANNI:** Okay. It's all right.

13          **MR. SAITO:** So I'm not trying to push you  
14 one way or the other way. But we're probably going  
15 to be back here again at some point or another.

16                 And so the site selection is still in  
17 process, right? The City's going to be considering  
18 all of the different bases we might be able to put  
19 this. And so, you know, your testimony, your input  
20 today, I'm sure the City will be considering it.  
21 We're going to try and consider everything on the  
22 record through our process. So that's why I'm  
23 asking about this BWS No Pass Zone, because it seems  
24 like it could be an issue in the future.

25                 So I'm going to read the definition for No

1 Pass Zone from the BWS administrative rules. And it  
2 says, "'No Pass Zone' means areas in which the  
3 installation of waste disposal facilities, which may  
4 contaminate groundwater resources used or expected  
5 to be used for domestic water supplies." So the  
6 definition says the No Pass Zone is areas that are  
7 in use or areas of expected use for domestic water.

8 So with that definition in mind, do you  
9 have a position on whether or not siting within that  
10 definition of No Pass Zone is appropriate?

11 **MR. WERNER:** Ed Werner again. If it's a  
12 No Pass Zone and if it's not drinkable and if it's -  
13 - truly, I think if it -- if -- if a designated area  
14 is -- is -- is a no drinking, we -- we're not going  
15 to drink it. If there's no other place to put it, I  
16 agree to put it there.

17 **CHAIR GIOVANNI:** That was a very good,  
18 succinct answer. Thank you very much.

19 Anything further?

20 **MR. SAITO:** Nothing further. Thank you to  
21 the --

22 **CHAIR GIOVANNI:** Okay.

23 **MR. SAITO:** -- witness.

24 **CHAIR GIOVANNI:** Thank you.

25 Ms. -- Ms. Kato?



1           **MS. KATO:** Alison Kato. No questions.

2 Thank you.

3           **CHAIR GIOVANNI:** Thank you.

4 Ms. Sugiyama?

5           **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
6 questions. Thank you.

7           **CHAIR GIOVANNI:** Mr. Chipchase.

8           **MR. CHIPCHASE:** Cal Chipchase. No  
9 questions.

10          **CHAIR GIOVANNI:** Thank you.

11 Mr. Werner, thank you.

12 Well, I assume, Commissioners, did you  
13 have anything?

14 We're good. Thank you.

15 Anybody else, Ms. Kwan?

16           **MS. KWAN:** Yeah. We have two more that  
17 just raised their hand.

18 Kurt Fevella, would you like to take the  
19 floor?

20          **CHAIR GIOVANNI:** Senator Fevella, you're  
21 still under oath, but please proceed.

22          **SENATOR FEVELLA:** You know, I keep hearing  
23 Act 73, yeah? When I was on the Water-Land  
24 Committee, the reason why we did that was to protect  
25 our family. Yeah.

1 The landfill at PVT -- I know it is not  
2 the subject here, but I'm going to share with you  
3 guys so you understand why.

4 There's been a term for them -- Abigail  
5 Weinberg Clinic had moved. The clinic was right  
6 there by the -- by the landfill. Came numerous and  
7 numerous of testimony -- neighborhood bars,  
8 everything you can think of -- of all the health  
9 issues that -- that place was causing, but they  
10 still was going to expand. They still was going to  
11 move forward on it.

12 You guys got to remember two things.  
13 Waimanalo Gulch, when they built it, there was no Ko  
14 Olina -- no Ko Olina. None of them was there. When  
15 you bought into Ko Olina or those areas, you knew  
16 the landfill was there.

17 PVT came into a community that was  
18 thriving, utilizing, taking care of the aina. They  
19 got shoved down their throat with a landfill right  
20 in their backyard.

21 So I don't know where the City stands or  
22 anybody else stands inside this square building. I  
23 will never, ever repeal Act 73 for no reason as a  
24 legislator. And I'll fight every single colleague  
25 in that building to come over there and drink the

1 water out of PVT river. And then you tell me you  
2 want to repeal that Act because we, again, cannot do  
3 the job that they should have done before everything  
4 else and then, going forward, protecting the people.

5 It came all in the -- in the federal about  
6 landfills. In the area of the landfill, 10 years,  
7 1.5 miles -- that's the reason why we had to  
8 restriction for Bill 39 of the City. Going forward,  
9 1.5 miles from the landfill, your life span from  
10 that is less than -- 10 years less than anybody  
11 living in the urban area (indiscernible). They have  
12 a longer life to live than Hawaii Kai, Kailua.

13 Now, you guys got to remember this. And  
14 all of you guys -- I'm -- I'm not that old. But  
15 remember dumping rubbish in the landfill above the  
16 water park. How much of you guys remember that  
17 landfill being above the water park?

18 So again, they didn't move it. When they  
19 had to move it from Makakilo on the bottom part,  
20 they didn't find anyplace else but further in the  
21 west side. And if you look at the statistics, it's  
22 all the areas where there's low -- and -- and low  
23 income and poverty income, borderline, communities.  
24 That's where they put landfills. They don't put it  
25 where there's -- I'm not saying high- priced

1 lawyers. They don't put them where all the lawyers  
2 are at.

3 Hawaii Kai, Koko Head Crater, Diamond Head  
4 Crater, all where the attorneys stay, you don't see  
5 one of them (indiscernible) to have that there.

6 **CHAIR GIOVANNI:** So Senator, I know you're  
7 very passionate about this.

8 **SENATOR FEVELLA:** All right. I'm done. I  
9 just --

10 **CHAIR GIOVANNI:** I'm going to have to cut  
11 you off.

12 **SENATOR FEVELLA:** I just wanted to talk  
13 about Act 73.

14 **CHAIR GIOVANNI:** Okay.

15 **SENATOR FEVELLA:** But that's the only  
16 thing that they have, Commissioners, then they're  
17 falling upon deaf ears --

18 **CHAIR GIOVANNI:** Thank you.

19 **SENATOR FEVELLA:** -- because we'll never  
20 repeal it as long as I'm in this square building  
21 (inaudible).

22 **CHAIR GIOVANNI:** Okay.

23 **SENATOR FEVELLA:** Thank you.

24 **CHAIR GIOVANNI:** Let's see if we have any  
25 -- hold it.

1           **SENATOR FEVELLA:** Sorry.

2           **CHAIR GIOVANNI:** Any questions, Mr. Hu?

3           **MR. HU:** Jeffrey Hu. No questions. Thank  
4 you.

5           **CHAIR GIOVANNI:** Mr. Saito?

6           **MR. SAITO:** I do have a question.

7           **CHAIR GIOVANNI:** Please.

8           **MR. SAITO:** So there's been testimony  
9 about Act 73. And its impetus seems to have been to  
10 protect, you know, the communities that have been  
11 burdened by the landfill historically. And there  
12 have been statements that, you know, you're opposed  
13 to a repeal of Act 73.

14                 Would you support any amendment to Act 73  
15 that would open the door to the location of a  
16 landfill outside of this area historically used for  
17 those purposes?

18           **SENATOR FEVELLA:** You -- you know what?  
19 When I say Hawaii Kai and Kailua and all of that, I  
20 really don't mean it. There is no place that should  
21 deserve what my family and my nieces and nephews  
22 went through with eczema. Anybody know about eczema,  
23 raise your hand.

24                 Yeah. Constant eczema. And it was given  
25 to the clinic, and it was an environmental, not

1 hereditary.

2 So absolutely not. No amendments because  
3 I don't think Hawaii Kai, Kailua, Koko Head Crater,  
4 or Diamond Head Crater should have the burden of  
5 what our community has been going through all their  
6 lives. And absolutely not.

7 **CHAIR GIOVANNI:** Thank you.

8 Mr. Saito?

9 **MR. SAITO:** No more questions. Thank you.

10 **CHAIR GIOVANNI:** Thank you. Ms. --

11 **MR. SAITO:** And thank you to the witness.

12 **CHAIR GIOVANNI:** Yes. Thank you.

13 Ms. Kato?

14 **MS. KATO:** Alison Kato. No questions.

15 Thank you.

16 **CHAIR GIOVANNI:** Ms. Sugiyama?

17 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
18 questions. Thank you.

19 **CHAIR GIOVANNI:** Mr. Chipchase?

20 **MR. CHIPCHASE:** No questions, Chair.

21 **CHAIR GIOVANNI:** Thank you.

22 Commissioners, any questions?

23 Ms. Carr Smith?

24 **COMMISSIONER CARR SMITH:** Just a quick  
25 one. Is it -- on Act 73, is it mostly the buffer

1 zone that you're concerned about, or is it the  
2 conservation district as well?

3 **SENATOR FEVELLA:** Well, when we -- when we  
4 discussed this in water and land, it was both, yeah,  
5 because if we don't protect it and the State don't  
6 protect it, who is going to protect it? And that  
7 was our -- that was our duty, not only to protect  
8 human life, but with the water and -- and everything  
9 else that have to do with it.

10 **CHAIR GIOVANNI:** Thank you.

11 (Indiscernible)?

12 **COMMISSIONER MIYASATO:** Well, I've got a  
13 question.

14 **CHAIR GIOVANNI:** (Indiscernible).

15 **COMMISSIONER MIYASATO:** Mahalo, Senator,  
16 for your testimony. I don't have a question, but I  
17 have a comment.

18 All day I've been hearing about Hawaii  
19 Kai, Koko Head Crater. I just want to give a little  
20 bit of historical context, yeah.

21 Hawaii Kai wasn't named Hawaii Kai until  
22 the mid- 1950s because Henry J. Kaiser, yeah,  
23 developed Hawaii Kai or developed Moanalua. So it  
24 was -- it was given the name Hawaii Kai because of  
25 that development.

1 But I just want to roll us back to the  
2 mid-1860s, yeah. Moanalua was named that area. But  
3 previously, it was Waimanalo. So I just want that  
4 historical context, yeah. If when -- when we're  
5 talking about moving a current landfill from  
6 Waimanalo to Waimanalo, that all aina is native  
7 Hawaiian aina. All aina is Kanaka Maoli, right, so  
8 from the -- the backs of a native Hawaiian community  
9 on the west side of Oahu to the backs of a native  
10 Hawaiian community on the east side of Oahu  
11 So I just wanted to provide a little bit of  
12 historical context for our Commission today. Yeah.  
13 When we talking about these things or we're hearing  
14 testimonies about these things, yeah, what is the  
15 historical context? Why was the burden pushed on the  
16 backs of native Hawaiians? Is it because,  
17 historically, we are underrepresented in all of  
18 those conversations at the tables. Today we're not.

19 So mahalo, Chair. I yield back to you.

20 **CHAIR GIOVANNI:** Mahalo.

21 **SENATOR FEVELLA:** Chair, just  
22 clarification. Like I said, no disrespect to no on  
23 our community. It's just a reference that we're  
24 hearing in our community seeing that we're not  
25 getting the same treatment as the people in the



1 other areas. I don't want this in anybody's  
2 backyard.

3 Thank you, Chair.

4 **CHAIR GIOVANNI:** Thank you. Mahalo.

5 One more. Who's next?

6 Sorry. I don't remember your name. Would  
7 you restate it?

8 **MR. MANAOLE:** Aloha mai kakou. Glad to be  
9 here again. De Mont Kalai Manaole.

10 **CHAIR GIOVANNI:** Yeah. Still under oath.  
11 Please proceed.

12 **MR. MANAOLE:** All right. I'd like to  
13 commend brother over there for that. A lot of  
14 people don't know that Hawaii Kai is part of the  
15 moku of Waimanalo. So -- and I am -- I am cognizant  
16 of that.

17 The reason why I raise that -- that --  
18 that area over there is because, traditionally -- I  
19 grew up in Kalihi Valley housing, (indiscernible)  
20 housing, where we were pushed out of the urban core  
21 because my mom and our siblings and my grandpa and  
22 my grandma, they all come from Kaka'ako. And we  
23 were pushed out by the powers that be to the -- to  
24 Kalihi. And then -- then opened up the homesteads  
25 in Waianae and Waimanalo, Nanakuli and pushed us out

1 of there. And now all we have left is Waimanalo and  
2 Waianae, 96792.

3 So for me, if it's good enough for the  
4 powers that be to put their rubbish in our -- in our  
5 turf, I just say maybe they like a little taste of  
6 their own medicine.

7 But nevertheless, I like to say that, for  
8 a long time, native Hawaiians have been told stand  
9 down, Hawaiians, for the greater good of the  
10 community. It's always like that with us. Every  
11 time, we've got to stand down for the greater good  
12 of the community. But we suffer for the greater  
13 good of the community. And we have never been given  
14 the gift back for that. So we get bitterness.

15 I find it ironic that I'm over here  
16 supporting the expansion -- or the extension of the  
17 site selection in bed with these guys over here.  
18 This is crazy, you know. For us in native Hawaiian  
19 community, we -- we loathe government. Government  
20 has never been kind to us, you know. Only recently  
21 we got 600 million to build homestead. But that is  
22 pennies compared to what we actually need.

23 But we need to be able to have them extend  
24 it because, if not, they cannot tell me then -- when  
25 the question was asked to this guy about PVT, if the

1 -- if the landfill closes, if -- if none of that  
2 stuff went to PVT, he cannot guarantee that it would  
3 never happen because all it takes is a government  
4 emergency proclamation -- a government emergency  
5 proclamation -- and it going to be shoved down our  
6 throat in PVT.

7 We vehemently oppose PVT. And I'm going  
8 to continue to vehemently oppose PVT because of the  
9 damage it is doing to our native Hawaiian community  
10 in the immediate area.

11 So you know, it -- we cannot -- we cannot  
12 continue to use Waianae as a dumping ground.  
13 Something else got to happen.

14 I can tell you what may happen. There's  
15 going to be a breaking point where the people are  
16 just going to say enough is enough, you know.  
17 Waioli, Waikane, if you guys remember in the '70s,  
18 you know, west side only easy for that happen. I  
19 will not like that happen.

20 So hear our plea. Please extend them to  
21 find another site. But at the same time, you guys  
22 get one duty, brah. Right over there when -- and  
23 talk about his meeting -- no, not him, the guy over  
24 at the end, Chip -- is that his name, that brother  
25 over there, very articulate?

1           **CHAIR GIOVANNI:** By the way, just for the  
2 record, he's referring to Mr. Chipchase.

3           **MR. MANAOLE:** Yeah. By the way, for the  
4 record, Chipchase, okay, (indiscernible) suits, try  
5 to get the Attorney General's Office after me one  
6 time. And I won that -- I won that beef between us.

7           No. But he -- he's talking about keeping  
8 to your promises. I -- I support what you're  
9 saying. They've got to keep to their word.

10           So yeah, we'll come over here and support  
11 an extension. But don't take our kindness for  
12 weakness. You have a duty.

13           I notice, Mr. Hu, you had a problem  
14 answering a lot of the questions. And they raised a  
15 lot of good issues. You've got to come with your  
16 science. You know what I mean? You've got to do  
17 homework before you come. You know what I mean?

18           So anyway, that's my manaho on that.

19           **CHAIR GIOVANNI:** Thank you, sir. Please  
20 sit for questions.

21           Mr. Hu, you have a question?

22           **MR. HU:** Jeffrey Hu. I have no questions.  
23 Thank you.

24           **CHAIR GIOVANNI:** Mr. Saito?

25           **MR. SAITO:** No questions.

1           **CHAIR GIOVANNI:** Ms. Kato?

2           **MS. KATO:** Alison Kato. No questions.

3 Thank you.

4           **CHAIR GIOVANNI:** Sugiyama?

5           **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama. No  
6 questions. Thank you.

7           **CHAIR GIOVANNI:** Mr. Chipchase, you can't  
8 be quiet.

9           **MR. CHIPCHASE:** Cal Chipchase. No  
10 questions. But I -- I'm certain that wasn't me in  
11 the case you referred to.

12           **CHAIR GIOVANNI:** Yeah. My odds are that  
13 it was you.

14           So Commissioners, anything for --  
15 Commissioner U'u?

16           **COMMISSIONER U'U:** Yeah. I just wanted to  
17 make one comment. So everything you just said  
18 earlier is -- is exactly what I'm thinking. You  
19 guys get on duty for the community.

20           It's my second meeting as a Commissioner  
21 and I -- again, a four-year term. I'm hoping not to  
22 see you guys for my four years of this term -- you  
23 guys. You guys get on duty. You guys got an  
24 obligation. You guys not volunteers, by the way.

25           I hope you guys do these people who are

1 testifying not a favor. Just do your job. Come  
2 back with the -- come back with answers when we seek  
3 questions. We've got to have that.

4 So I'd like to thank the community for  
5 coming out, giving us clarity on what we're talking  
6 about and what goals we all try to achieve.

7 So I hope you achieve your goals. Let us  
8 know how we can help you achieve your goals. But  
9 please do your due diligence before you come here  
10 because time is valuable. And the years you guys  
11 spent on this, too, the outcome of where we are  
12 today is shameful. It's shameful.

13 So I wish you the best in the nicest way,  
14 hope to see you guys all the time here. Hope your  
15 extension is exactly that, an extension of a little  
16 bit of time, because you've still got to go develop  
17 the site.

18 So good luck to you. Thank you guys for  
19 testifying.

20 And you're pretty eloquent, too, Hawaiian  
21 (indiscernible). Aloha.

22 **MR. MANAOLE:** (Speaking Hawaiian). Aloha.

23 **CHAIR GIOVANNI:** Mahalo.

24 Further comments?

25 Commissioners, anything further?

1 Kahele?

2 **COMMISSIONER KAHELE:** No questions for the  
3 testifier, but I just have a comment. Just mahalo  
4 to the community. Mahalo to the testifier. And  
5 yes, you are heard. So mahalo, mahalo, mahalo.

6 **CHAIR GIOVANNI:** Thank you.

7 Okay. Anything -- any other public  
8 testifiers?

9 Fine. So now it's time for -- let me  
10 thank all of the community witnesses today. You  
11 really added a dimension that we need in these  
12 hearings. And I want -- I want to give you the  
13 sense that we hear you, we listen to you, and we  
14 really appreciate you coming forward. It's not easy  
15 sometimes, but we hear you.

16 Closing arguments. So Petitioner, do you  
17 have any further comments you want to make at this  
18 time?

19 **MR. HU:** Jeffrey Hu. I -- I -- I don't.  
20 I -- I think I've laid out everything in my opening.  
21 And so I have nothing further.

22 Thank you, Chair.

23 **CHAIR GIOVANNI:** Mr. Chipchase, do you  
24 have any closing argument you'd like to make?

25 **MR. CHIPCHASE:** I -- Chair, I -- I believe

1 in terms of the argument and our position, I've set  
2 them out. I -- I do, with respect, have one minor  
3 correction on the prior decision. It wasn't based  
4 on the time estimated left in the life of the  
5 landfill, which would have gone beyond 2028. It was  
6 based on the time from that point necessary to site  
7 a new landfill so that Waimanalo could close.

8 Thank you, Chair.

9 **CHAIR GIOVANNI:** I will beg to differ with  
10 you on that point because it was a major point that  
11 I researched in the record of the Planning  
12 Commission for the City and County. And there were  
13 representations exclusive of what was on the record  
14 that the -- the -- there was extensively more time  
15 available on that landfill.

16 But in terms of the evidence that we had  
17 to deal with, the -- the latest evidence in the  
18 record was 2028 it would close. It would be full.

19 **MR. CHIPCHASE:** We -- we can respectfully  
20 disagree on that point then.

21 **CHAIR GIOVANNI:** We will respectfully  
22 disagree. Thank you.

23 Intervenor Schnitzer, anything further?

24 **MS. TAM-SUGIYAMA:** Joyce Tam-Sugiyama.  
25 Nothing further, just that Schnitzer Steel supports



1 the request for an extension of the time frame.

2 **CHAIR GIOVANNI:** That's clear.

3 County, anything further? Where did they  
4 go?

5 **MR. SAITO:** Nothing further, thank you.

6 **CHAIR GIOVANNI:** And OPSD, anything  
7 further?

8 **MS. KATO:** Alison Kato. Nothing further.  
9 Thank you.

10 **CHAIR GIOVANNI:** Yeah. I might give the  
11 petitioner one last shot.

12 Anything further?

13 **MR. HU:** Jeffrey Hu. Thank you, Chair.  
14 Nothing further. Thank you.

15 **CHAIR GIOVANNI:** Okay. So then now we go  
16 into deliberations on the motion that's before us.

17 Commissioner, the Chair will entertain a  
18 motion regarding how the Commission should proceed  
19 on this manner. Commissioners, what is your  
20 pleasure?

21 Commissioner Miyasato?

22 **COMMISSIONER MIYASATO:** Chair, thank you.  
23 Myles Miyasato.

24 I would also like to thank the testimony  
25 from the public. And in light of the testimony, the

1 positions of Intervenors, our governmental agencies,  
2 you know, I'll be inclined to supporting the  
3 Planning Commission's D&O with one concern.

4 You know, there's been a huge public  
5 outcry for oversight in all of the previous public  
6 testimonies in all of the meetings throughout the  
7 years.

8 So I would also like to add into Condition  
9 number 2, if it be the pleasure of this body, that  
10 they also report to the LUC quarterly.

11 **CHAIR GIOVANNI:** So if I understand your -  
12 - I'd like to put that in the form of a motion. So  
13 let me see if I can say it back to you and you can  
14 agree or -- or change it.

15 You'd like to move to -- in support of the  
16 motion before us to grant an extension to the -- to  
17 the -- to find the new landfill, which would be to  
18 the end of December of 2024. And you'd like to add  
19 to that condition of quarterly reporting on progress  
20 reporting to the LUC.

21 **COMMISSIONER MIYASATO:** Correct, Chair.

22 Thank you for that.

23 And motion open for discussion.

24 **CHAIR GIOVANNI:** Yes. Do I have a second  
25 to motion?

1                   **COMMISSIONER KAMAKEA-OHELO:** Second.

2                   **CHAIR GIOVANNI:** Seconded by Commissioner  
3 Kamakea-Ohelo.

4                   So I think the movant actually expressed  
5 his rationale for making the motion.

6                   Did you want to add anything to that that  
7 you've already said?

8                   **COMMISSIONER MIYASATO:** Myles Miyasato.  
9 No. No, Chair. Thank you.

10                  **CHAIR GIOVANNI:** Okay. Great.

11                  Then Commissioner Kamakea-Ohelo, did you  
12 want to elaborate on why you -- you seconded the  
13 motion?

14                  **COMMISSIONER KAMAKEA-OHELO:** Mahalo,  
15 Chair. I move because the testimonies today from  
16 the members of our communities, as well as given the  
17 fact that December 31st, 2024, is creeping up on us,  
18 yeah. I -- I don't think we can wait another six  
19 months to hear back from the petitioner.

20                  **CHAIR GIOVANNI:** Totally agree.

21                  Anybody else want to comment on the --  
22 Commissioner Lee?

23                  **COMMISSIONER LEE:** Yeah. I appreciate the  
24 community and the intervenors making reasonable  
25 accommodations because it's not an easy situation

1 for anyone.

2 I just have a question on the quarterly  
3 reporting. In practicality, that just means two  
4 more reporting. Would that be merely forwarding  
5 what they already are required to do at the Honolulu  
6 Planning Commission, or would they have to appear  
7 here in person?

8 **CHAIR GIOVANNI:** I don't interpret it to  
9 be in person. We're looking for progress reports  
10 because I would presume that whatever's presented at  
11 the quarterly meetings that they've agreed to with -  
12 - with the City and County and the Planning  
13 Commission of the County, we would get a copy of  
14 those presentations.

15 **COMMISSIONER LEE:** Thank you. I would  
16 agree to that. Thank you.

17 **CHAIR GIOVANNI:** Anybody else want to  
18 comment on the motion?

19 **MR. HU:** Chair, Chair, if I may, this is  
20 Jeffrey Hu. I believe the --

21 **CHAIR GIOVANNI:** Go ahead.

22 **MR. HU:** Oh, thank you.

23 Jeffrey Hu. I believe the Planning  
24 Commission's conditions are for in-person reporting.  
25 And so I'm not sure if we would have something

1 written down.

2 **CHAIR GIOVANNI:** So we'll either get you  
3 the transcripts of -- of that presentation or copies  
4 of any exhibits, evidence that you put on the  
5 record.

6 **MR. HU:** Understood. Jeffrey Hu.  
7 Understood. Thank you.

8 **CHAIR GIOVANNI:** That's the expectation,  
9 yeah. I just don't want to be in the dark, yeah.

10 **COMMISSIONER CARR SMITH:** When is that? I  
11 mean, we're practically in the last quarter. So --

12 **CHAIR GIOVANNI:** Yeah. Do you have --  
13 want anything scheduled, Mr. Hu?

14 **COMMISSIONER CARR SMITH:** Mr. Hu, do you  
15 know when that meeting with the Commissioner -- the  
16 Planning Commission will be?

17 **MR. HU:** Jeffrey Hu. I -- I do not. I --  
18 I just assumed that the Planning Commission was --  
19 will set it in one of their agendas going forward.

20 **CHAIR GIOVANNI:** Mr. Chipchase, do you  
21 have any clarity when it will occur?

22 **MR. CHIPCHASE:** I don't have any clarity  
23 as to the -- the scheduling. My expectation is that  
24 it would be Q3 and Q4, as we have two remaining  
25 quarters.

1 I would say I'm a little concerned that  
2 we're relying on the Planning Commission to schedule  
3 it. I would think that ENV has an affirmative  
4 obligation to comply with its conditions. And  
5 therefore, it should request particular dates.

6 **CHAIR GIOVANNI:** I would agree with that.  
7 Mr. Hu, does that make sense to you?

8 **MR. HU:** Jeffrey Hu. Yes, it -- it --  
9 yes. Thank you.

10 **CHAIR GIOVANNI:** So the summary of what we  
11 just discussed is that the -- the expectation is  
12 there will be a Quarter 3 and a Quarter 4 report.  
13 And the date of those would be as requested by ENV  
14 to the Planning Commission of the City and County of  
15 Honolulu and that whatever is presented on the  
16 record or the transcripts of what happens would be  
17 shared with LUC.

18 **COMMISSIONER CARR SMITH:** I just wanted to  
19 make sure that the motion maker was okay with that  
20 being not in a meeting.

21 **COMMISSIONER MIYASATO:** Yeah. Myles  
22 Miyasato. I'm fine with that. Thank you.

23 **CHAIR GIOVANNI:** Yeah. Okay. You're good  
24 with that?

25 **COMMISSIONER KAMAKEA-OHELO:** Agreeable.

1           **CHAIR GIOVANNI:** Okay. Anything further?

2           So the Chair is going to support the  
3 motion as amended -- I mean, the motion with the --  
4 yeah, the additional condition for reporting. I  
5 think it's a great motion, and I -- I think it makes  
6 sense.

7           I am concerned how far we'll get in the  
8 next five months, but I wish you all -- all the  
9 best. And as Commissioner U'u said, it's -- it's a  
10 duty. It's a job. Get it done. And -- and let's  
11 move forward.

12           Okay. Anything further?

13           Mr. Ohelo?

14           **COMMISSIONER KAMAKEA-OHELO:** Since --  
15 since we're -- we're having open discussion, just  
16 for the record, I just wanted to also share more  
17 historical context.

18           **CHAIR GIOVANNI:** Please.

19           **COMMISSIONER KAMAKEA-OHELO:** Several times  
20 today during our hearing, a special cultural site  
21 was referred to as Koko Head. However, historically  
22 and as articulated and identified in numerous --  
23 Nupepa Hawaii, yeah, the historical name of Koko  
24 Head as we know today is Kohelepelepe. Now, that  
25 comes from a story, or stories, of Pele's travel

1 throughout Hawaii.

2 So just consider, yeah, that when the  
3 County is considering sites, it's cultural  
4 significance. I mean, for instance, the definition  
5 of Waimanalo is sweet water.

6 So all of the discussions today about  
7 protected - - protection of Hawaii and water and how  
8 it's our most precious resource living in the very  
9 center of the largest salt bowl on this planet,  
10 yeah. Please, I implore you to consider all the  
11 cultural impacts of all of the decisions you guys  
12 make.

13 So Mahalo, Chair, for the time. I yield  
14 back.

15 **CHAIR GIOVANNI:** Thank you so much.

16 **COMMISSIONER KAHELE:** Chair, I want to  
17 make a comment. I'm going to support the motion.  
18 But you know, I had a lot of questions. I had a lot  
19 of questions for Mr. Hu. I had some question for  
20 Mr. Babcock.

21 I -- I'm -- I'm excited to final -- what's  
22 going to be reported not only to the Planning  
23 Commission at the City, but what's going to be  
24 reported to the Land Use Commission with you having  
25 so little time to find a new location. I'm excited,



1 just to let you know, and appreciate the kanakas  
2 that come -- the kanakas that came out from Nanakuli  
3 on the -- and from the west side.

4 I appreciate you guys coming out here,  
5 Senator Fevella. I know there's been an issue for  
6 many years. But yeah, I'm kind of excited.

7 Thank you, Chair.

8 **CHAIR GIOVANNI:** Thank you.

9 Mr. Orodenger, take a roll.

10 **MR. ORODENKER:** Thank you, Mr. Chair.

11 The motion is to grant the request to  
12 extend time and designate -- to extend time to  
13 designate a new site for the landfill and add into  
14 Condition 2 that the petitioner report to the LUC  
15 quarterly.

16 Commissioner Miyasato?

17 **COMMISSIONER MIYASATO:** Aye.

18 **MR. ORODENKER:** Commissioner Kamakea-  
19 Ohelo?

20 **COMMISSIONER KAMAKEA-OHELO:** Aye.

21 **MR. ORODENKER:** Commissioner Kahele?

22 **COMMISSIONER KAHELE:** Aye.

23 **MR. ORODENKER:** Commissioner Carr Smith?

24 **COMMISSIONER CARR SMITH:** Aye.

25 **MR. ORODENKER:** Commissioner Lee?

1           **COMMISSIONER LEE:** Aye.

2           **MR. ORODENKER:** Commissioner U'u.

3           **COMMISSIONER U'U:** Aye.

4           **MR. ORODENKER:** Commissioner Yamane and  
5 Hayashida are -- Yamane and Hayashida are abstained,  
6 excused.

7           Commissioner Giovanni?

8           **CHAIR GIOVANNI:** Aye.

9           **MR. ORODENKER:** Thank you.

10          Mr. Chair, the motion passes unanimously.

11          **CHAIR GIOVANNI:** Thank you. And thank you  
12 all for coming forward and making the time today.  
13 I've got a feeling we'll see you again in the not-  
14 too-distant future. But we wish you all the best in  
15 your efforts, your job, to find a new site.

16                 It's currently 11:40. I'm going to take a  
17 lunch break at this time, and we'll come back at  
18 12:30.

19                         **(Recess taken from 11:40 a.m. - 12:30**  
20 **p.m.)**

21          **CHAIR GIOVANNI:** Okay. 12:30. We'll come  
22 back in session. I hope everybody had a good lunch.  
23 And thanks again to staff for providing lunch for  
24 the Commissioners. Appreciate it.

25                 And I'm actually going to take another

1 thing out of order. I'm going to make a specific  
2 request for lunch for our next meeting.

3 **COMMISSIONER KAHELE:** Motion.

4 **CHAIR GIOVANNI:** And our next -- I don't  
5 need a motion. I can just ask them.

6 **COMMISSIONER KAMAKEA-OHELO:** Yeah. Well,  
7 then, ask. Don't need motion.

8 **CHAIR GIOVANNI:** And our next meeting will  
9 be held in the area with limited access to the  
10 restaurants, and the Commission intends to work  
11 through lunch. I would like to request that the  
12 staff arrange for lunch to be provided to the  
13 Commission to facilitate the meeting.

14 **MS. KWAN:** Yes, sir.

15 **CHAIR GIOVANNI:** Thank you.

16 Okay. Now we'll go to what was originally  
17 our fourth order of business.\*\*\*

18 **UNIDENTIFIED SPEAKER:** Chair?

19 **(Discussion between the Chair and Ms.  
20 Goldman.)**

21 **CHAIR GIOVANNI:** Yeah, I do.

22 **MS. GOLDMAN:** I think that might be what  
23 he's about to remind you.

24 **CHAIR GIOVANNI:** Is he going to remind me  
25 of that?

1 **MS. GOLDMAN:** Perhaps.

2 **CHAIR GIOVANNI:** Yeah, because I'm a hard-  
3 head, for sure.

4 **UNIDENTIFIED SPEAKER:** No, you're not,  
5 Chair.

6 Just a reminder, if we can have a moment  
7 in silence due to the date today for Lahaina people.

8 **CHAIR GIOVANNI:** Yes.

9 **UNIDENTIFIED SPEAKER:** Thank you.

10 **CHAIR GIOVANNI:** So today is the one-year  
11 anniversary of that event. So let's take a moment  
12 of silence in memory of the people that were most  
13 affected.

14 Thank you.

15 Okay. Our next -- originally, the fourth  
16 order of business -- and it'll be our final order of  
17 business today -- is related to funds and  
18 authorization for executive officer salary  
19 adjustment in fiscal year '25 by LUC.

20 And I want to start this. This is  
21 primarily informational, but it's -- it's a very  
22 much learning experience for all of us, myself  
23 included, because it's a pretty dynamic situation.  
24 And I want to try to explain that from my  
25 perspective to everybody what's been going on, and

1 then we can just go from there with open discussion  
2 and whichever way we want to -- may want to leave  
3 it.

4 But I want to start by referring everyone,  
5 all Commissioners and staff, to Section 205-1, which  
6 is called establishment of the Commission. That's  
7 HRS 205-1. And there are four parts to that -- A,  
8 B, C, and D, so -- pardon me -- A, B, and C -- three  
9 parts to that.

10 And I want you all to familiarize yourself  
11 with that if you haven't because I think it's  
12 relevant and, in particular, with paragraph C. In  
13 fact, I think it's so important. I'm going to read  
14 it for the record. Just take a second -- a minute.

15 So the commission may engage employees  
16 necessary to perform its duties, including  
17 administrative personnel and an executive officer.  
18 The executive officer shall be appointed by the  
19 commission and the executive officer's position  
20 shall be exempt from civil service. Departments of  
21 the state government shall make available to the  
22 commission such data, facilities, and personnel as  
23 necessary for it to perform its duties. The  
24 commission may receive and utilize gifts and any  
25 funds from the federal or other government agencies.

1 It shall adopt rules guiding its conduct, maintain a  
2 record of its activities and accomplishments, and  
3 make recommendations to the governor and to the  
4 legislature through the governor.

5 Now, this is the paragraphs that governs -  
6 - or -- or directs us as a Commission to build a  
7 staff so that we can do our work and, in particular,  
8 the executive officer. And this has -- I'm not an  
9 attorney. And so I don't -- there are things here  
10 that I don't know how to directly interpret. And  
11 I've been in a conference with -- in -- over the  
12 last three weeks with the Deputy Director of DBEDT.  
13 And you -- you guys know that LUC is a part of the  
14 DBEDT family of agencies and boards and commissions.

15 And he's not an attorney either, so we've  
16 been trying to interpret this. And it -- it boils  
17 down to a -- one key word in the first sentence that  
18 can be interpreted in different ways, and that's  
19 really where we've been focused.

20 So I'm going to read that first sentence  
21 again. The commission may engage -- excuse me --  
22 engage -- and that's the word -- employees necessary  
23 to perform its duties, including administrative  
24 personnel and executive officer.

25 So the question is: What does "engage" mean in

1 a -- in a literal or a legal sense? I mean, and so  
2 the discussions among us non-legal people, does it  
3 mean authorize? Does it mean is has the discretion?  
4 You know, what -- does it mean it has the -- you  
5 know, the independent authority? And I can't answer  
6 that explicitly. So I'd like to ask Ms. Goldman.

7           Would it be possible, Ms. Goldman, to get  
8 a legal opinion in lay terms for us Commissioners of  
9 how to interpret this paragraph and, in particular,  
10 how to interpret that word "engage"?

11           **MS. GOLDMAN:** Yes. That would be  
12 possible.

13           We've -- oh, pardon me. Yes, that's  
14 possible. We would prefer to have a request made in  
15 writing to our office, and then it will be defined -  
16 - oh, I'm sorry -- and addressed appropriately.

17           **CHAIR GIOVANNI:** So a -- a request what?

18           **MS. GOLDMAN:** A request in writing to our  
19 --

20           **CHAIR GIOVANNI:** A request in writing. So  
21 -- so that would come from me, the Chair?

22           **MS. GOLDMAN:** Either you or you through  
23 staff or from staff.

24           **CHAIR GIOVANNI:** Okay.

25           **MS. GOLDMAN:** And if you are working

1 together with the Deputy Director of DBEDT, you  
2 might want to discuss with him whether he wants to  
3 be a -- he or she wants to be a part of the request  
4 as well.

5 **CHAIR GIOVANNI:** Oh, okay. That's good.  
6 Any idea what kind of time frame you would  
7 need an opinion for us?

8 **MS. GOLDMAN:** It really depends. If -- if  
9 the opinion will affect DBEDT Department-wide, then  
10 it would probably not go to the division of the AG's  
11 Office that I am in. So I'm unable to say. But  
12 ours -- I think usually about a couple months -- a  
13 month or two maybe, depending on -- on the nature of  
14 the request.

15 **CHAIR GIOVANNI:** Okay. So in my own mind,  
16 I'm prepared to make this request on behalf of the  
17 Commission just to get the clarity that I'd like.

18 Do any of the Commissioners want to offer  
19 guidance or comments back to me on this topic?

20 Commissioner Lee?

21 **COMMISSIONER LEE:** Yeah. Thank you.

22 I'm -- I'm not sure. What -- what is the  
23 question you're trying to ask? Is it about autonomy  
24 or --

25 **CHAIR GIOVANNI:** No. It's a question of



1 methodology. So for example, I've learned that  
2 we're one of a few commissions or boards that  
3 actually employs its executive officer by way of an  
4 employment agreement. I don't know if -- if that is  
5 appropriate or not appropriate or if there's a  
6 different vehicle.

7 But it's not under this language that  
8 we're -- we're entitled or authorized to engage and  
9 -- to do something like that. So that -- that's  
10 what's driving it for me.

11 **COMMISSIONER LEE:** Yeah. I mean, that --  
12 that question has come up in other -- other  
13 agencies, and I've heard different answers. And  
14 there's the -- what's on paper, and then there's  
15 what is in practice -- you know, theory versus  
16 practice.

17 And sometimes the saying is that the  
18 difference between theory and practice is that, in  
19 theory, there is no difference, but in practice,  
20 there is, right?

21 So the -- the -- the bottom line is, well,  
22 what has come to -- to -- is that, who controls the  
23 money, you know?

24 **CHAIR GIOVANNI:** Well, that's the  
25 difference of it.

1           **COMMISSIONER LEE:** No, no. It is  
2 different. But that's the practical, is that a lot  
3 of times, even though what --

4           **CHAIR GIOVANNI:** What do you mean by  
5 "control"?

6           **COMMISSIONER LEE:** Be -- that a lot of  
7 times, the Director -- and this has happened in  
8 other departments I'm aware of, Department of Labor,  
9 where the language says one thing. But in practice,  
10 if the Director is unhappy, they can decide not to  
11 provide the funding. So it's sort of an unspoken  
12 thing, and -- and it's not -- it's not the best way  
13 to do things. But although you may have the  
14 authority to do it, if the Director is not happy  
15 with what -- how you exercise your authority, you're  
16 not getting the funding.

17           And so, you know, that's what I'm saying,  
18 is that sometimes there's a difference.

19           **CHAIR GIOVANNI:** I -- I don't follow you.

20           **COMMISSIONER LEE:** But I guess -- I guess  
21 we'll find out.

22           **CHAIR GIOVANNI:** No. I mean, I don't -- I  
23 don't understand the way you describe it -- who  
24 controls what. So the -- the simple interpretation I  
25 have is that, by 201 -- by -- by 205-1-C, the

1 Commission itself has the -- has the responsibility  
2 and the authority to build a staff to do his job; is  
3 that correct?

4 **COMMISSIONER LEE:** I guess it's kind of  
5 like your parents say. It's up to you. But then if  
6 you don't do what they want, you -- you -- you're  
7 going to get kicked out of the house. So that's all  
8 I -- you know, that's the best way I can describe  
9 it.

10 **CHAIR GIOVANNI:** So who's the parents in  
11 this one? The Commission?

12 **COMMISSIONER LEE:** No. The parents is the  
13 directors and the -- and the Governor's Office.

14 **CHAIR GIOVANNI:** Oh, when you say  
15 Director, you mean --

16 **COMMISSIONER LEE:** The Department  
17 Director.

18 **CHAIR GIOVANNI:** The -- the -- the DBEDT  
19 Director.

20 **COMMISSIONER LEE:** Right.

21 **CHAIR GIOVANNI:** Okay. So Commissioner  
22 Kahele?

23 **COMMISSIONER KAHELE:** I had a question,  
24 Chair.

25 **CHAIR GIOVANNI:** Yeah.

1           **COMMISSIONER KAHELE:** So -- so what the  
2 Attorney General, the Deputy Attorney General is  
3 asking, that we submit something in writing on the -  
4 - regarding the definition of "engage"?

5           **CHAIR GIOVANNI:** That's my question.

6           **COMMISSIONER KAHELE:** Or -- or may engage  
7 -- the Commission may engage?

8           **CHAIR GIOVANNI:** So the -- the strict  
9 language is, "The commission may engage employees  
10 necessary to perform its duties." Is it -- is -- do  
11 I substitute may hire employees, may contract with  
12 employees, or is it all of the above? I don't know.

13           **MR. ORODENKER:** Mr. Chair?

14           **CHAIR GIOVANNI:** Go ahead, Commissioner --  
15 Mr. Orodenger.

16           **MR. ORODENKER:** I think that a lot of the  
17 questions that you're asking are handled by Section  
18 15-15- 07 of our rules, which provides that the  
19 executive officer shall be appointed by the  
20 commission to serve as the administrative head of  
21 the commission staff and have duties as prescribed  
22 by the Commission. The executive officer shall be  
23 directly responsible to the mission -- commission,  
24 and shall have control of and responsibility for the  
25 execution of the commission's policies, the

1 administrations of its affairs, and the appointment  
2 and supervision of its personnel, subject to the  
3 commission's oversight.

4 From time to time, or as requested, the  
5 executive officer shall furnish the commission  
6 members with such information and make such  
7 recommendations as shall be necessary to -- to  
8 effect the purpose of the commission and for the  
9 proper administration of its affairs. The executive  
10 officer shall develop annual budgets, authorize and  
11 certify payrolls, requisitions, invoices, and other  
12 documents essential to the proper administration of  
13 the commission.

14 **COMMISSIONER CARR SMITH:** 15-15 what?

15 **MR. ORODENKER:** 07. 07. And it's -- it's  
16 on the website if you want to look it up.

17 **COMMISSIONER LEE:** So -- so I guess that's  
18 why my question, Chair, was, what is the actual  
19 question because -

20 -

21 **CHAIR GIOVANNI:** So my actual question is  
22 not the one that he just answered. My --

23 **COMMISSIONER LEE:** Is it -- can you do an  
24 employment contract? Is it --

25 **CHAIR GIOVANNI:** No.

1           **COMMISSIONER LEE:** You know, is it can you  
2 determine that salary? Is that the question?

3           **CHAIR GIOVANNI:** Yeah. It's all of that.  
4 So what -- I mean, that, what was just read, were --  
5 was defining the duties. And the one word in there  
6 that kind of cross-connected with this paragraph was  
7 that we could appoint, okay?

8           So that's another way. We can engage. We  
9 can appoint. All of that could mean, in a broader  
10 sense, that we can execute an employment agreement  
11 to, in effect, do -- do -- retain an executive  
12 officer to do the duties that -- which was just  
13 described. I'm just looking for confirmation that  
14 we can do that at this point.

15           **COMMISSIONER LEE:** I -- I just think you  
16 have to be a little bit more specific with your  
17 question just because sometimes they'll just not  
18 understand what you're asking. And because the  
19 legislature makes a budget, the mayor may not limit  
20 what we can do. So that's part of --

21           **CHAIR GIOVANNI:** That's a different  
22 question. I think that's a legitimate question, but  
23 just a separate question in my mind.

24           So I take -- I'll take your advice that  
25 being very careful to be very clear about what I'm

1 asking. But I can assure you that, just based on  
2 the -- the -- the communications that's been going  
3 on, is there -- there is no common, clear  
4 understanding of what these things actually say  
5 among the people that are trying to implement them.

6 So it leads me to -- so I'm going to --  
7 I'll -- I will draft something and submit it to you.  
8 And it may come directly from me, or it may come  
9 through staff. But we'll get it -- we'll get that  
10 to you.

11 **MS. GOLDMAN:** Thank you.

12 **CHAIR GIOVANNI:** Yeah. Thank you.

13 So on the -- the -- the more specific  
14 questions having to do with compensation and  
15 performance evaluations, et cetera, budgets, it kind  
16 of divides into, in my mind, into two topics, one of  
17 which was the subject of the letter that was  
18 received on -- that was issued July 19th, and it was  
19 signed by both Director Tokioka and Director -- and  
20 Deputy Director Wicker.

21 And -- and Ariana, you did distribute  
22 copies of this letter to all Commissioners, correct?

23 **MS. KWAN:** It was emailed to all  
24 Commission on Friday. I believe that was August  
25 2nd.

1           **CHAIR GIOVANNI:** Okay.

2           **COMMISSIONER LEE:** Chair, you know, I have  
3 to speak out about that, you know. Although it was  
4 addressed to all Commissioners on the 19th, we  
5 didn't receive this until August 2nd. And that --  
6 you know, I don't think that's right that -- I don't  
7 think that's right that, when there's communication  
8 to all of us, that it's withheld and not given to us  
9 immediately. I feel like we're not able to make  
10 decisions, and it shows a lack of transparency when  
11 that happens.

12           **CHAIR GIOVANNI:** I don't think there was  
13 any attempt to hold it back from anyone. This is a  
14 letter that was sent not -- it -- it was -- I -- it  
15 was one copy of this letter addressed to me. But my  
16 understanding is it -- it -- the identical letter  
17 was sent to all the agencies, commissions, and  
18 boards that are part of DBEDT.

19           **COMMISSIONER LEE:** Chair, on the bottom,  
20 it says, "All board members." So to me, we should  
21 have got this immediately, and we did not.

22           **CHAIR GIOVANNI:** Okay. Point well taken.  
23 So I don't know what the delay was between when it  
24 was received and August 2nd.

25           Is there an explanation for that, Ariana?



1           **MS. KWAN:** I'm not quite sure exactly what  
2 was dated on the letter. But we didn't receive the  
3 email until the evening before the Commissioner  
4 training. And we were all at Foreign Trades on  
5 those two days, so I was unable to process the  
6 letter accordingly.

7           And then I think after the Commissioner  
8 training, I had a lot of notes of things that I  
9 needed to send the Commission. So it was an  
10 oversight on my part because I was a little -- I had  
11 a lot to do, in a sense. It wasn't that I was  
12 withholding anything in any way. My bad.

13           **COMMISSIONER LEE:** Oh, I don't -- I don't  
14 think I -- I -- I didn't mean that this was  
15 something that Ariana didn't respond to quickly  
16 enough. It was the assertion that was made that  
17 this was just to the Chair when, throughout the  
18 letter and at the bottom, it was clearly to all of  
19 us. I just want to make that clear.

20           **CHAIR GIOVANNI:** Well, it wasn't -- it was  
21 a letter that was addressed to the Chair with a copy  
22 to all Commissioners. That's different than  
23 addressing the letter to all Commissioners. So --

24           **COMMISSIONER LEE:** I don't want -- I don't  
25 want to belabor the point. But the very last

1 sentence says, "Looking forward to working with you  
2 all and having this process in place very soon" --

3 **CHAIR GIOVANNI:** Yeah. I --

4 **COMMISSIONER LEE:** Yeah, that -- that's  
5 mean this -- he's communicating to all of us. But --  
6 --

7 **CHAIR GIOVANNI:** It could be, or it could  
8 mean all the chairs because this same letter was  
9 sent to all the chairs of all the commissions and  
10 all the boards.

11 **COMMISSIONER CARR SMITH:** Chair --

12 **CHAIR GIOVANNI:** Yes.

13 **COMMISSIONER CARR SMITH:** -- please?

14 Yeah. When I heard about the letter and  
15 then asked you about the letter, and you said, no,  
16 it's to me, so where -- you weren't going to be  
17 sharing it --

18 **CHAIR GIOVANNI:** I didn't say that.

19 **COMMISSIONER CARR SMITH:** You said the  
20 letter was written to you.

21 **CHAIR GIOVANNI:** I didn't say I wouldn't  
22 share it.

23 **COMMISSIONER CARR SMITH:** Okay. That  
24 might have been inferred. But --

25 **CHAIR GIOVANNI:** It must have been

1 inferred because I didn't --

2 **COMMISSIONER CARR SMITH:** Yeah.

3 **CHAIR GIOVANNI:** -- say it.

4 **COMMISSIONER CARR SMITH:** But I mean, that  
5 -- that is what created the questions, you know, of  
6 wanting more information. Why is this being  
7 withheld; what else is being withheld -- things like  
8 that.

9 And Ariana is, like, the queen here. So I  
10 in no way think that you should take responsibility  
11 for that delay.

12 **CHAIR GIOVANNI:** I think it was a delay.  
13 There was no intent to withhold anything.

14 **COMMISSIONER LEE:** Yeah. You know, I -- I  
15 don't think this letter was just for everybody  
16 because it specifically talks about stuff that we  
17 did as a board in -- in -- in -- in passing salaries  
18 that were higher. So it -- this letter was very  
19 specific to us.

20 **CHAIR GIOVANNI:** So let me say that, based  
21 on my verbal communications with the author of the  
22 letter, the -- a driver for it was the  
23 inconsistencies that exist among the boards that are  
24 part of DBEDT. And the instances of issues raised  
25 with budgets and amounts authorized and how those

1 came to -- it's a common issue across boards. It's  
2 not only specific to this Commission.

3 So if you're interpreting this letter to  
4 be narrowly focused on LUC and the actions that were  
5 taken in our June meeting, I think you're -- in my  
6 opinion, you're interpreting it incorrectly.

7 In fact, I think there will be -- my  
8 understanding is that the Department, under Dean --  
9 under the Deputy Director, is in the process of  
10 developing a process and a protocol for budgeting on  
11 a going-forward basis and for performance  
12 evaluations on a going-forward basis that is  
13 consistent among all the -- all those different  
14 commissions and boards.

15 So I don't think it's a unique issue for  
16 the Land Use Commission. I think it's a common  
17 issue across that. Now, if you guys -- that's my  
18 opinion based on the interactions I've had over the  
19 last three weeks. You guys are entitled to do your  
20 own research and contact these people on your own if  
21 you want to do so, if you want -- if you feel  
22 differently.

23 **COMMISSIONER LEE:** Chair, I'm just going  
24 to have to say that I did talk to the -- the -- the  
25 Deputy Directors, and they did confirm my reading of

1 the situation.

2           And -- and it -- it also speaks to why,  
3 since I've been on the board, I've consistently  
4 asked for more information, such as budgets,  
5 evaluations, employment contracts, which were never  
6 given out before and which you -- I was -- which the  
7 -- the previous board fought me for. And now then I  
8 find out that we weren't given information that  
9 would have helped us that they even -- that the  
10 Department didn't even recommend that we do. That -  
11 - that's why I'm a little bit, you know, skeptical,  
12 because those are the kind of information that  
13 wasn't freely given out and which I asked for.

14           And now it turns out that I had good  
15 reason to. And I -- we still weren't given accurate  
16 information. For example, we were told that we can  
17 only give the bargaining unit amount. But when you  
18 look in employment contract, it says that we can  
19 recommend higher or lower.

20           **CHAIR GIOVANNI:** That's correct.

21           **COMMISSIONER LEE:** That's -- that's not  
22 what we were told by you, you know. And some of  
23 these numbers, we could -- we should have seen this  
24 -- these budget sheets when we did our evaluations  
25 and our salary consideration. But these were not

1 given to us even though they were available. So I  
2 think that whole process was tainted and should be  
3 re-evaluated.

4 **CHAIR GIOVANNI:** So I think the process is  
5 in -- is being re-evaluated. And it will be defined  
6 in pretty specific terms going forward.

7 So for example, the -- the line item in  
8 question, the -- the relevant line item in question  
9 in the budget that I now understand, is the look-  
10 ahead year payroll number for the executive officer  
11 from a budget perspective.

12 So that line item -- maybe, Mr. Orodenger,  
13 you -- you can -- you can explain to us how that  
14 number comes -- came to be on a year-to-year basis  
15 in the past.

16 **MR. ORODENKER:** Thank you, Mr. Chair.

17 And I -- I have to agree with Commissioner  
18 Lee that sometimes this is the tail wagging the dog  
19 when it comes to these budgets because the way --  
20 the way they work is that we send all our  
21 information to the Director's office, who then  
22 approves the budget and that -- the -- the DBEDT  
23 Director's office, who then approves the budget and  
24 then sends it on to B&F.

25 It is not uncommon for B&F to use --

1           **CHAIR GIOVANNI:** Let's not use acronyms,  
2 please.

3           **MR. ORODENKER:** Oh, Budget -- the  
4 Department of Budget and Finance. It is not  
5 uncommon for the Department of Budget and Finance  
6 to, and for lack of a better word, re-evaluate all  
7 of the personnel numbers to create a more, for lack  
8 of a better word, palatable budget.

9           I have -- it -- it's -- it -- it has been  
10 10 years of my complaining that a budget that comes  
11 through doesn't have the proper numbers on it for --  
12 not just for me, but for staff.

13           We got -- we got close two years ago, and  
14 the first year's budget on the biennium was correct.  
15 Second year biennium budget was not correct with  
16 regard to all of the personnel numbers.

17           But anyway, so we submit our budget to --  
18 to B&F. And in our case, our budget is very simple  
19 because it's just personnel and money to support  
20 travel and office supplies and things like that. So  
21 you know, we don't have programs where -- where  
22 we're allocating different budgets to and things  
23 like that.

24           The number is BED 144DA. That budget has  
25 two sections. One is the personnel costs, and the

1 other is what we call other expenditures or our  
2 operating cost.

3 And the -- our operating costs have not  
4 changed. I have not changed our operating costs  
5 request in nine years. It stayed static.

6 I do not -- I don't have any input into  
7 the request that is made for personnel cost. The  
8 Department of Budget and Finance does that. I send  
9 down what our actual numbers are, and then they do  
10 what they want.

11 So I mean, it -- it -- there was a period  
12 of time before the pandemic when our payroll numbers  
13 were so far off it wasn't even funny. But Director  
14 Tokioka seems to have corrected that two years ago,  
15 and now we're close.

16 But every organization is suffering from  
17 this problem. There's a lot of money that gets  
18 moved around to cover personnel cost.

19 And I apologize if in any way it seemed  
20 like we were hiding the budget from the  
21 Commissioners. We were just never asked -- I  
22 personally was never asked for it. But it's -- it's  
23 also public record. So --

24 **COMMISSIONER LEE:** Yeah. That -- to me,  
25 that's why, you know, I think anybody who runs a



1 business knows you need a budget, you need to see  
2 the employment contract, and you need to see  
3 evaluations in detail and -- and expectations. And  
4 that stuff was not done.

5 And I -- I resented the pushback that I  
6 got for asking for stuff that is standard procedure.  
7 And I -- I'm glad that this is going to be corrected  
8 going forward. And you know, it really gave me the  
9 impression that people were just trying to ramrod  
10 things through and doing things unfairly and -- and  
11 -- and being not transparent.

12 So that's where I came from. And it's --  
13 it's nothing personal to anybody. It's just how you  
14 do your due diligence and so that if anything  
15 happens, you can say that you did your best and --  
16 and that you -- you covered yourself. But not doing  
17 those things, to me, is not excusable.

18 **CHAIR GIOVANNI:** So I want to comment on  
19 one other remark you made, which was that I  
20 personally misinformed you about the term of the  
21 employment agreement, when I represented that my  
22 understanding of the employment agreement was that  
23 there was virtually a "guarantee" to get -- for the  
24 executive officer to receive the amount that was  
25 approved by the bargaining unit and that we could go

1 different than that. But -- but that was the  
2 minimum.

3           You are correct. That was my  
4 interpretation -- or not interpretation. That was  
5 my understanding, and I was wrong. And I did  
6 represent that to this Commission that our options  
7 were to -- were such.

8           So I -- I will agree that is exactly --  
9 you are exactly correct. But that was the  
10 understanding that we had at the time.

11           **COMMISSIONER LEE:** Thank you. I  
12 appreciate that, which leads me to a question. What  
13 is the advantage of an employment contract? Because  
14 it looks like you can be -- it's still at will, you  
15 know --

16           **CHAIR GIOVANNI:** So it -- it -- to me,  
17 well, I'll give you my opinion. It's about  
18 incentive. You want to -- you want to send a  
19 message to an employee. I mean, it -- the  
20 equivalent is, pretty much, in the sports world  
21 where you see it more common, right? You want to  
22 send -- you know, ask -- you -- you want to send a  
23 message that we want your services on a going-  
24 forward basis and you're -- and is that -- and we  
25 value you.

1 And as in -- you know, because there is --  
2 and the absence of an employment contract is  
3 uncertainty. But -- and so if you want to send us -  
4 - the -- the stronger message to a particular  
5 employee through an employee agreement, you give it  
6 -- you can do that with term, or you can do that  
7 with compensation or benefits.

8 But that's the reason, is to send -- is to  
9 send an incentive.

10 **COMMISSIONER LEE:** Yeah. I mean, I --  
11 I've seen some state contracts where they have a  
12 buyout clause if you are terminated early. And  
13 that's not present in this contract.

14 **CHAIR GIOVANNI:** No.

15 **COMMISSIONER LEE:** So I'm wondering what -  
16 - I -- I only see a disadvantage compared to if you  
17 were a civil servant. I don't see any advantage in  
18 this other than just the moral support --

19 **CHAIR GIOVANNI:** Well, it is at will. But  
20 I mean, you -- I think that that's -- that's a bit  
21 of a hurdle to take that step. And there's some --  
22 I mean, I'll let Mr. Orodenger speak to it if he'd  
23 like to. But what is the value to you to have an  
24 employment agreement?

25 **MR. ORODENKER:** I don't know. I think the

1 Chair has stated it quite appropriately. I mean, it  
2 -- it's -- there's some security knowing that the  
3 Commission would like me to be around for X number  
4 of years. And I understand that I'm an at-will.  
5 Even a baseball player is an at-will employee, you  
6 know. So --

7 **COMMISSIONER LEE:** But Tua gets like 150  
8 million guaranteed --

9 **MR. ORODENKER:** Yeah.

10 **COMMISSIONER LEE:** -- contract.

11 **MR. ORODENKER:** I -- I understand the  
12 slight monetary difference. But there -- there was  
13 an incentive.

14 I mean, when I first started, there was --  
15 I was given a contract. That contract expired, and  
16 then the Commission fell apart. We didn't even have  
17 a Commission for about two years after the law  
18 changed. And then when the Commission came back and  
19 I worked with them for a year or two, they decided  
20 to do this -- this contract.

21 Again, I started out with a contract. And  
22 then it disappeared, lapsed, whatever you want to  
23 call it. And then after the Commission reformed, I  
24 was given another one.

25 I understand that I'm at will. I -- I

1 know that. And I strive to do the best job I can for  
2 all Commissioners every day. I think that, to a  
3 certain extent, you are correct, Commissioner Lee.  
4 I think that if there had been an opportunity to  
5 discuss the budget itself a little bit more when the  
6 decisions were made about my contract, it might have  
7 alleviated some concern.

8 On the other hand, in 12 year -- 13 years  
9 on -- as Executive Officer, nobody's ever asked me  
10 for the budget. So you know, that -- that was new.  
11 And as I said, I was not directly asked for it as  
12 part of the proceedings.

13 **COMMISSIONER LEE:** I did ask for it last  
14 year when I first started, but I didn't participate  
15 because I was new. So when I first started before  
16 the Board, I said, hey, is there a budget? And I  
17 recall the Chair saying, oh, yeah, there is, and  
18 there -- there's enough money. And --

19 **MR. ORODENKER:** Okay.

20 **COMMISSIONER LEE:** -- since I didn't  
21 participate, I didn't --

22 **MR. ORODENKER:** Yeah.

23 **COMMISSIONER LEE:** -- go into it any  
24 further. But --

25 **MR. ORODENKER:** Okay. I mean --

1           **COMMISSIONER LEE:** -- this year when I  
2 voted, I explicitly did ask for the budget.

3           **MR. ORODENKER:** Okay. Well, I apologize  
4 for that if there was a misunderstanding. And I'm  
5 more than happy to share the budget going forward  
6 with the Commission at -- at all times. I mean, as  
7 soon as we get the final budget in June, I will  
8 transmit it to the Commissioners so they can see  
9 what it looks like.

10           All that being said, budgeting in the  
11 state is an interesting thing. And I have been  
12 responsible for budgets for major corporations in  
13 the state of Hawaii as well as major international  
14 corporations. And nobody budgets the way the State  
15 does. I mean, no -- nobody -- nobody handles their  
16 budget the way the State of Hawaii does.

17           And when I first started back with the  
18 State this time around, I started asking for our ASO  
19 for information and projections that they just don't  
20 -- don't do. And it - - and it doesn't make any  
21 sense to me.

22           I mean, that's one of the reasons that we  
23 really don't know. When we talk about buying iPads,  
24 we don't even know how -- it -- because they don't  
25 give us projection tables, we don't know how much

1 money we have until, like, two months before we've  
2 got to expend all the money.

3           And so there's this mad scramble to figure  
4 out what we have money for. That's how we got these  
5 machines. It's how we got the iPads. And hopefully,  
6 we'll get the iPads again.

7           The game that's played with a lot of -- in  
8 a lot of other organizations, including OPSD, in  
9 particular, is to move money around to hold on to  
10 positions and increase salaries that were not  
11 budgeted by the legislature. OPSD has maintained  
12 its Special Permits branch by moving money from one  
13 place to another.

14           And the only reason I'm talking about OPSD  
15 is because I'm part of OPSD. So maybe Alison tells  
16 me what she's doing. And they move money from one  
17 budget into -- to maintain the Special Permits  
18 branch, which is directly contrary to what the  
19 legislature was trying to accomplish. And maybe  
20 that's right or wrong. I don't know. But I mean,  
21 that -- it -- it -- there's a lot of fluidity with  
22 the budgets because a lot of agencies and  
23 organizations are directed to make their budgets  
24 work -- to make their programs work within the  
25 constraints of the budget.

1 That being said, I recognize that quite  
2 some time ago -- and we have -- an overage fund in  
3 our Personnel section of about \$6,000 that I  
4 maintain year-in, year-out, and the legislature  
5 continues to give me -- to handle situations.

6 Sometimes, for instance, when we hire a  
7 secretary or a planner, or whatever, they have  
8 experience already. So they don't come in at the  
9 base rate, which is what the legislature budgets  
10 for. So I use that money to give them their step  
11 ups and -- and things like that.

12 Also, it should be recognized -- and --  
13 and I've only shared this with the Chair, is that  
14 every time we don't hold a meeting in a month is an  
15 \$8,000 savings. There was a period of time back  
16 before the pandemic where that didn't occur. We  
17 spent every penny we had because we had meetings  
18 twice a month for two days.

19 And so that's the way our budget is set  
20 up, as if that is going to happen every year,  
21 because we have a legal obligation to do that. We  
22 have a legal obligation to do that.

23 So it -- there is a lot of, for lack of a  
24 better word, flex in our budget. And when we have  
25 vacant positions like we do right now where we don't



1 have a secretary and we don't have a Planner 5,  
2 every month that that goes on, there's a \$9,000  
3 savings in our personnel costs.

4 So -- and I -- I have to say, also, one  
5 last thing is that I am very cognizant of my  
6 fiduciary duty to this Commission. And if the  
7 Commission recommended an expenditure, including a  
8 raise in my salary, that I didn't believe we had it  
9 in the budget, I would say so.

10 **COMMISSIONER LEE:** Okay. Thank you.

11 You know, I just want to add, Chair, that  
12 there's probably four and maybe five of us here who  
13 have worked around the State budgets for probably  
14 decades. And some of us, I know, are the ERISA  
15 trust fund trustees. We -- we're -- we're very  
16 familiar with trust fund duties and fiduciaries.

17 And so none of this is personal. But we  
18 all have a job to do, and we all have to hold each  
19 other accountable. You know, the lesson in  
20 (indiscernible) of the State was that you can't just  
21 delegate fiduciaries to somebody. We're all  
22 responsible for each other. And if one person gets  
23 in trouble, we all get in trouble.

24 So with that in mind, you know, I do have  
25 to bring up that I was -- was recently made aware,

1 Mr. Orodenger, that you applied for a job in Maui.  
2 But -- and this was around the time of the  
3 evaluation and salary discussion in June. But you  
4 didn't reveal that to us. Did -- did you -- was  
5 that -- what was the reason for that?

6 **MR. ORODENKER:** I'm not sure I know how to  
7 answer that. I mean, everybody's always looking. I  
8 mean, my wife just got a new job, and she's still  
9 applying for jobs.

10 I mean, it -- it was an interesting  
11 proposition. I was urged to apply for it by a number  
12 of people. I did not believe I was going to get it  
13 because it was located on Maui, but I was urged to  
14 do so.

15 I am not one to bargain with the  
16 Commissioners and say, look, if you don't give me X,  
17 I'm going to leave. I don't do that. I mean, if my  
18 job performance doesn't warrant whatever's being  
19 done for me, then that's -- that's -- that's that.  
20 But I -- I -- I do not -- I do not do bargaining  
21 like that.

22 **COMMISSIONER LEE:** No, I appreciate that.  
23 And -- and the reason I bring this up is because the  
24 position was for a lower salary that you are  
25 currently getting. And it was in that same week

1 that we were in Maui, and Maui County had to come  
2 before us about the landfill as well as the housing  
3 development in Lanai.

4 And so to me, that should have been  
5 brought up as a possible even ethics question  
6 because, to get that position, you would have had to  
7 be -- you would have had to have been chosen by the  
8 East -- East Maui water authority, and then the  
9 mayor of Maui would have had to issue a resolution  
10 that would have been approved by the City Council in  
11 Maui.

12 So to me, that -- that raises some issues  
13 as to whether that -- that should have at least been  
14 disclosed. So you know, maybe it was an oversight,  
15 but I think that was something that should have been  
16 disclosed.

17 **MR. ORODENKER:** With all due respect,  
18 Commissioner, nobody does that, and I would not have  
19 done that. If you're looking for another job or if  
20 you applied for another job, you don't tell your  
21 current employer that you're looking for another job  
22 because they get rid of you. And that -- that --  
23 that -- I -- I wouldn't have done that. I never  
24 would have done that.

25 I -- I think it's a little disrespectful

1 of me to say that. I do not think that in any way  
2 there was any type of conflict there at all. The --  
3 the process was still ongoing. I don't believe I  
4 even undergone an interview at that point.

5 So I do not believe that there is any  
6 implication of my withholding information that  
7 should have come out or that there was any  
8 impropriety at all. I -- I take umbrage with that.

9 **COMMISSIONER LEE:** No, I appreciate that.  
10 It -- it's not that, you know, you would have  
11 necessarily had a conflict. I think it should have  
12 been disclosed because you were -- you -- you had a  
13 staff report. You had already applied. Your  
14 interview was in the following week.

15 And yet County Council people who would  
16 have had some effect on -- on your position were  
17 coming before the Land Use Commission and making a  
18 request. So I think that should have at least been  
19 disclosed. But I will take your good-faith  
20 response.

21 **MR. ORODENKER:** I -- I would also point  
22 out that, at the time, I did not know that the  
23 position would require County Council approval. I  
24 had no knowledge of that whatsoever.

25 **CHAIR GIOVANNI:** Okay.

1           **COMMISSIONER KAHELE:** Chair, I've got a  
2 question, Chair.

3           **CHAIR GIOVANNI:** Yeah, go ahead.

4           **COMMISSIONER KAHELE:** So -- so the issue  
5 that's currently on the agenda, confirmation of  
6 funds, so -- so, you know, I -- I -- I may have  
7 gotten a bit of confused with some of the stuff that  
8 was said about why you never did this or why you --  
9 why you haven't done that. But is - - is the  
10 problem right now that -- that are currently being  
11 discussed and some of the Commissioners here -- here  
12 feel that they were not being told about stuff that  
13 was going on, is -- is the issue about the pay  
14 increase that we gave the Director and -- and we  
15 exceeded Unit 13, I believe?

16           **CHAIR GIOVANNI:** So let -- let me see if I  
17 can answer the question --

18           **COMMISSIONER KAHELE:** Yeah, yeah. To --  
19 to -- to bring it back to where --

20           **CHAIR GIOVANNI:** -- the best I can.

21           So there's two things going on. There's  
22 two things going on. The -- at the highest level  
23 within DBEDT, they want to redefine the process by  
24 which the executive office -- the -- the commissions  
25 are in "engaging" to hire -- to retain an executive

1 officer.

2           They want to -- they want to standardize  
3 and have consistent processes by which commissions  
4 do an annual performance evaluation. They want to  
5 implement a common performance evaluation form that  
6 is used by all the commissions.

7           They want to implement a budget being  
8 processed by which the estimated budget amount for  
9 the executive officer in the forthcoming year is  
10 more accurate and is more consistent among boards  
11 and commissions.

12           **COMMISSIONER KAHELE:** So --

13           **CHAIR GIOVANNI:** So that's one thing  
14 that's going on. And that's being driven --

15           **COMMISSIONER CARR SMITH:** That's not the  
16 agenda.

17           **CHAIR GIOVANNI:** That's not --

18           **COMMISSIONER KAHELE:** Right.

19           **CHAIR GIOVANNI:** -- the agenda --

20           **COMMISSIONER CARR SMITH:** That's not --

21           **COMMISSIONER KAHELE:** Right.

22           **COMMISSIONER CARR SMITH:** -- the agenda.

23           **COMMISSIONER KAHELE:** Right.

24           **CHAIR GIOVANNI:** That's not the agenda.

25           **COMMISSIONER KAHELE:** Okay.

1           **CHAIR GIOVANNI:** That's what's coming out.  
2 The agenda is the second part, right? So the -- the  
3 -- and -- and I'm -- you know, this Commission is  
4 not driving that process. DBEDT is driving that  
5 process.

6           So we're trying to -- and in the process  
7 of -- of their doing their research, they're finding  
8 confusing things, right? So one of the things that  
9 -- that, for example, I -- I believe they're  
10 thinking about, just based on the conversations I  
11 have been party to, is to have representation by  
12 Commissioners as part of the budget process that  
13 occurs in December for the forthcoming fiscal year.

14           **COMMISSIONER CARR SMITH:** Can you say that  
15 again?

16           **COMMISSIONER KAHELE:** So the issue is not  
17 about what we had done several months ago.

18           **CHAIR GIOVANNI:** We're coming up with  
19 that.

20           **COMMISSIONER KAHELE:** Oh, okay. Go ahead.

21           **CHAIR GIOVANNI:** Okay.

22           **COMMISSIONER KAHELE:** Sorry.

23           **CHAIR GIOVANNI:** So to answer Commissioner  
24 Carr Smith's question, if I understand correctly --  
25 and you can help me here, Mr. Orodener -- in

1 December of each year, a draft budget is put forth  
2 for the Commission that -- that - - for the  
3 forthcoming fiscal year that would start seven  
4 months later.

5 **COMMISSIONER CARR SMITH:** Right.

6 **MR. ORODENKER:** It's actually biannual, so  
7 it's two years.

8 **CHAIR GIOVANNI:** Is it two years? I don't  
9 even -

10 -

11 **MR. ORODENKER:** Yeah.

12 **CHAIR GIOVANNI:** -- know that, it seems --

13 **MR. ORODENKER:** Yeah.

14 **CHAIR GIOVANNI:** -- to me. So would it be  
15 done this coming December for the forthcoming two --

16 **MR. ORODENKER:** Yes. This is a biannual  
17 year. This is -- this is the year when it goes for  
18 two years. In the in-between years, they have what  
19 they call a supplemental budget, but we've never  
20 asked for supplemental monies.

21 **CHAIR GIOVANNI:** Okay. So -- and to my  
22 knowledge, there's never been any direct  
23 Commissioner participation on that -- in that  
24 process; is that right? It's done by staff?

25 **MR. ORODENKER:** That is correct. And in a



1 large part, I mean, there are a whole bunch of other  
2 considerations when the budget is put together. We  
3 get budget instructions.

4 The Governor gives us -- I mean, the --  
5 the Governor is -- the Governor and -- is looking at  
6 the economic data to see what two years is going to  
7 look like. So for instance, if a significant  
8 recession is coming, the Governor will give us  
9 instructions that we have to cut our budgets by 10  
10 percent, 5 percent, whatever it is.

11 And so that's what the -- the  
12 organizations do. The Commissioners in the past have  
13 not been involved with that because our -- like, as  
14 I said before, our budget is pretty straightforward.  
15 I mean, I -- I can't tell you the exercises that I  
16 had to do relative with the budget during the  
17 pandemic, you know. There was one -- at one point,  
18 they were talking about cutting our budget by --  
19 everybody's budget by 30 percent.

20 But so there -- from my standpoint,  
21 there's two sides to this process. It's my  
22 fiduciary duty to the Commission and the  
23 instructions that I'm being given by the Governor's  
24 Office. And I have to -- I have to navigate between  
25 those two things.

1 I don't enjoy it, and I would welcome  
2 Commissioner who wants to be involved in it to join  
3 me. I'm not trying to hide anything.

4 **CHAIR GIOVANNI:** Yeah --

5 **MR. ORODENKER:** It's not a fun process.  
6 But I'm -- I'm more than happy to have help.

7 **COMMISSIONER LEE:** You know, Chair --

8 **CHAIR GIOVANNI:** Yes --

9 **COMMISSIONER LEE:** -- I -- I would -- I  
10 would --

11 **CHAIR GIOVANNI:** Wait, wait, wait, wait,  
12 wait, wait.

13 **COMMISSIONER KAHELE:** I've still got some  
14 questions.

15 **CHAIR GIOVANNI:** Mr. Kahele, go ahead.

16 **COMMISSIONER KAHELE:** Again, I'm -- I'm  
17 just as confused as when it -- two minutes ago.

18 So -- and -- and thanks, Dan, for trying  
19 to explain to me on what the process and what the  
20 Governor and all of the other guys are -- are  
21 involved in this stuff, right?

22 But the issue that's currently on the  
23 agenda --

24 **CHAIR GIOVANNI:** Can you please hold on  
25 that?

1           **COMMISSIONER KAHELE:** It's -- wait, wait,  
2 wait, wait.

3           **CHAIR GIOVANNI:** Okay.

4           **COMMISSIONER KAHELE:** It's -- it's not  
5 about what we approved in the June -- I believe in  
6 the June meeting?

7           **CHAIR GIOVANNI:** Yeah.

8           **COMMISSIONER CARR SMITH:** Yes, it is.

9           **COMMISSIONER KAHELE:** Huh? Was it the  
10 June meeting, right? So it's -- it's not the issue  
11 about what we approved, in addition, extending the  
12 Director's contract and giving him an additional  
13 year. It's -- it's --

14           **CHAIR GIOVANNI:** No. We do have an issue  
15 with that. But we're -- and we're going to deal  
16 with it in a minute. We -- we have -- we have to  
17 deal with -- but just -- just --

18           **COMMISSIONER KAHELE:** Okay. All right.

19           **CHAIR GIOVANNI:** -- be patient, okay?  
20 Just be patient, Commissioner Kahele, and we'll get  
21 to that.

22           Commissioner Lee, you wanted to make --

23           **COMMISSIONER LEE:** Yeah.

24           **CHAIR GIOVANNI:** -- a point?

25           **COMMISSIONER LEE:** Thank you, Chair.

1           Yeah. I -- I don't think -- I -- I agree  
2 with Mr. Orodenger. We don't need to get into the  
3 weeds of the budget. That's -- that's not our  
4 kuleana. But if you feel, and if we feel that we  
5 would benefit by having more help, another planner,  
6 whatever the case would be, I think some of us who  
7 circulate at the legislature could be helpful in --  
8 in assisting you in talking to certain people to  
9 make that, you know, argument.

10           **MR. ORODENKER:** I welcome that. And thank  
11 you, Commissioner Lee, for offering that assistance.

12           Yeah. When we talk about adds to our  
13 budget, like another position, it is all about  
14 (indiscernible) at the legislature. So I appreciate  
15 that.

16           **COMMISSIONER CARR SMITH:** Chair?

17           **CHAIR GIOVANNI:** Give me just one second.

18 I --

19           **COMMISSIONER CARR SMITH:** Yeah. Okay.

20           **CHAIR GIOVANNI:** -- make one statement.

21 Then I'll go to you.

22           My clear understanding as of two days ago  
23 is if -- the process for how commissions develop,  
24 submit, and get budgets approved is being reviewed  
25 and will be -- and is being driven by the -- the

1 DBEDT staff in -- in cooperation with Human  
2 Resources and with the Administrative Service  
3 Office. They're working up a process.

4 And the -- the driver for that is to avoid  
5 issues like that have come up in this year and to  
6 get better consist -- because my understanding is  
7 that, yeah, our Commission has this one problem that  
8 we're going to talk about in a minute. But other  
9 commissions have had more significant issues in the  
10 current year. And -- and that's what -- so they're  
11 trying to get this whole thing fixed.

12 So I think we -- in that respect, we need  
13 to, like, let's see what they come up with. And  
14 then from that point of view, we can decide how  
15 active we want to be in that process beyond what  
16 they are proposing. Do we want to assign certain  
17 Commissioners to work on budgets with staff --  
18 whatever it might be. I don't know.

19 But let -- let's wait and see what they  
20 come up with. And I think it'll be clear long  
21 before we get to December, which is only three  
22 months away.

23 Commissioner Carr Smith?

24 **COMMISSIONER CARR SMITH:** Yeah. So I  
25 think I heard you ask the executive director how he

1 puts these numbers together. But I didn't -- I  
2 didn't really hear what the answer was.

3 And I have a specific question, Dan -- Dan  
4 O. as to how were the fiscal year '25 salary numbers  
5 determined?

6 **MR. ORODENKER:** As I mentioned before,  
7 that is one of those things that's out of my hands,  
8 okay?

9 **COMMISSIONER CARR SMITH:** Well, you must  
10 put something in that --

11 **MR. ORODENKER:** Well, what I -- what they  
12 ask me for is what our actuals are, and then they do  
13 the biannual. I -- I -- I mean, to be honest with  
14 you, I send them our actuals, and then I say, well,  
15 do you want me to put that in the spreadsheets? And  
16 they say, no, we'll take care of it.

17 **CHAIR GIOVANNI:** Who are you sending them  
18 to?

19 **MR. ORODENKER:** Our ASO.

20 **CHAIR GIOVANNI:** There you go with the  
21 acronyms again.

22 **MR. ORODENKER:** Or our -- yeah, our  
23 administrative service officer.

24 **COMMISSIONER CARR SMITH:** So you didn't  
25 come up with these numbers for you and all of your

1 staff.

2 **MR. ORODENKER:** No. I give them what the  
3 -- the true numbers are. And this was -- this was  
4 part of the past argument that I had with them prior  
5 to the pandemic because I mentioned before Jimmy,  
6 our -- our current Director at the Department of  
7 Business and Economic Development, was very good in  
8 truing up our budget two years ago.

9 What I -- what -- all they asked me for --  
10 the -- I actually don't even have the numbers on the  
11 actuals on this -- the rest of my staff, the civil  
12 service, because as you -- we -- we just revealed  
13 what comes up in 20- -- the second year of the  
14 biennium isn't always what the bargaining unit  
15 increase actually was, right?

16 So every two years, I -- I send down what  
17 I know our -- our civil service numbers to be, which  
18 is sometimes wrong, and they correct that. And I  
19 send down what our non-civil service numbers are,  
20 Arnold and myself. And then they project the  
21 increases going forward. I don't have any input  
22 into that.

23 And as I mentioned before, there have been  
24 governors who have used the personnel budget not  
25 just for us, but for the entire state to try and

1 reach the numbers that they feel are necessary for  
2 the entire State budget based on the numbers that  
3 they get from the economists as to what the surplus  
4 is going to be in the next couple of years.

5 So I -- I really -- in -- in honesty,  
6 being brutally honest, I don't have much input into  
7 that. I send it down, and then they do whatever  
8 they're going to do.

9 **COMMISSIONER CARR SMITH:** Okay. And then  
10 they send it back to you, and then that's what you  
11 work with.

12 **MR. ORODENKER:** Do you know they don't  
13 even send it back to me? They -- they send it down  
14 to the legislature, and then I have to do dig for  
15 it.

16 **COMMISSIONER CARR SMITH:** Okay. Well,  
17 there's a budget that was given to all of us. I  
18 assume that's what you're working off of?

19 **MR. ORODENKER:** Yeah. That was the budget  
20 that came out at the end of the legislative session.  
21 And we get -- we -- we don't get that -- those  
22 numbers because we don't get -- what do they call it  
23 -- the -- yeah, we don't get the worksheets until  
24 about a month after session ends.

25 **COMMISSIONER CARR SMITH:** Okay. Here's --



1 here's my issue -- and it's just -- whatever -- so  
2 the -- the -- I -- the amount that is budgeted for  
3 you for fiscal year '25 is exactly the bargaining  
4 unit 13 amount.

5 **MR. ORODENKER:** (Shakes head).

6 **COMMISSIONER CARR SMITH:** Yes, it is. And  
7 that's exactly what I circulated to you guys and  
8 asked you to share with the Commissioners because if  
9 you take your -- you know, and again, I'm not into  
10 the weeds, but I'm into -- I care about principle.

11 And so if you're making 154,178, and you  
12 multiple that times what we were told after our  
13 vote, 3.59, that comes to 159,713. And that's what  
14 the budget amount is.

15 **CHAIR GIOVANNI:** No. So the -- what he  
16 was making was 157,140, not what -- not the number  
17 you said. **COMMISSIONER KAHELE:** 157,140.

18 **CHAIR GIOVANNI:** 157,140 is the -- what he  
19 was making. And that's only --

20 **COMMISSIONER CARR SMITH:** Oh, well, that's  
21 then more than what is budgeted --

22 **CHAIR GIOVANNI:** Yes.

23 **COMMISSIONER CARR SMITH:** Oh.

24 **CHAIR GIOVANNI:** That's the problem.

25 **COMMISSIONER CARR SMITH:** Oh, okay. Okay.

1           **MR. ORODENKER:** And -- and that -- that's  
2 exactly what I was talking about. You know, they --

3           **COMMISSIONER CARR SMITH:** Well, I think  
4 that's what --

5           **MR. ORODENKER:** Yeah.

6           **COMMISSIONER CARR SMITH:** -- what the  
7 Deputy Director is talking about.

8           **COMMISSIONER KAHELE:** Oh.

9           **COMMISSIONER CARR SMITH:** That over the  
10 last two years, the raises have been above the  
11 budgeted amounts, and so the budget then doesn't  
12 jive for them.

13           **CHAIR GIOVANNI:** So this is a specific  
14 question, not the last two years, just the -- the  
15 current year.

16           **COMMISSIONER KAHELE:** All right.

17           **COMMISSIONER CARR SMITH:** When I talked to  
18 the Deputy, he said it was because of last year as  
19 well.

20           **CHAIR GIOVANNI:** Well, he never mentioned  
21 that to me.

22           **COMMISSIONER CARR SMITH:** Because that was  
23 above the bargaining unit as well.

24           **CHAIR GIOVANNI:** The prior year was above  
25 the bargaining unit. But the bargaining unit does

1 not increase, is not consistent with the actual  
2 numbers in the budget either.

3           So I questioned that. And I said, how is  
4 this whole thing, you know, reconciled? And the  
5 answer is it's -- it -- the convention for  
6 reconciliation is kind of what -- it is what Mr.  
7 Orodenker was sharing, that the first lever that  
8 they use to reconcile any differences is this other  
9 line item, which it's called Other Payroll. And for  
10 us, that was \$6,000.

11           But AOS, administrative -- ASO --  
12 administrative -- they don't like to -- you know,  
13 they'll give you policies, says we don't like to use  
14 that to solve a single problem. That's to solve  
15 multiple kinds of problems.

16           Then I said, well, how do you solve a  
17 problem that's bigger than \$6,000? And the answer  
18 is -- and this is true for counties and state  
19 governments as well; I -- you see it all -- all --  
20 all over the place -- budgets are based off the  
21 assumption that the positions are filled; there's no  
22 vacancies. They use vacancy numbers to fix all  
23 their problems.

24           So you can go to any police department in  
25 this State, and I would tell you that the average is

1 probably somewhere between 20 and 50 vacancies. But  
2 the budget is fully funding those. So these police  
3 departments are getting between 5 and \$10 million  
4 of, my word, slush fund to balance their budget or  
5 to buy new things that were not identified.

6 If you go to the Administrative Service  
7 Office or if you go to the Human Resources, they  
8 say, well, we're probably not supposed to do that.  
9 But that's the convention that everybody's been  
10 using forever, and they still are. So --

11 **COMMISSIONER CARR SMITH:** Well, not -- not  
12 to go over this too much more, but for me, it was an  
13 issue. I felt like it was a bit deceptive to bring  
14 that vote to us without any background information,  
15 put the kuleana on a Commissioner to have to go try  
16 to dig up what the bargaining unit is, and was given  
17 incorrect information. And nobody bothered to bring  
18 up the fact that that's incorrect information that  
19 we're voting on. And so it's -- it seems like an  
20 inaccurate vote that occurred.

21 **CHAIR GIOVANNI:** So the representation  
22 was, clearly, that the expectation of the bargaining  
23 unit increase was on the order of 4 and a half  
24 percent, and actually it was 3.59 percent. And to  
25 my knowledge, nobody in the room had the real

1 number, and nobody had dug it out ahead of time.

2 I don't know where we got the 4.5 percent  
3 number. I don't remember that. I don't know how it  
4 came forward.

5 I think -- does anybody know? Do -- do  
6 you know?

7 **COMMISSIONER LEE:** I -- I came up with  
8 that information. That was what I was told by an  
9 HGA negotiator. But that may have been their --

10 **CHAIR GIOVANNI:** (Indiscernible).

11 **COMMISSIONER LEE:** Right.

12 **CHAIR GIOVANNI:** Okay. So our frame of  
13 reference was this 4 and a half percent, and the  
14 actual motion was 4 and a half percent, or whatever  
15 that number actually is, whichever is greater.  
16 That's the -- that's the motion that passed.

17 So is there -- is there money in the  
18 budget to accommodate that increase? The answer is  
19 yes. And it's by the convention of using the other  
20 payroll line item and, if necessary, using this  
21 \$9,000 a month that materializes as a result of  
22 vacancies, which is what all of the state and county  
23 departments do with salaries, is my understanding.

24 **COMMISSIONER CARR SMITH:** It doesn't sit  
25 well with me, but --

1           **CHAIR GIOVANNI:** I don't think it sits --  
2 I think that this is -- I -- I would -- I would  
3 suggest that this whole experience is going to lead  
4 to a revised and very specific and, hopefully, very  
5 transparent process going forward. I'm not here to  
6 defend what --

7           **MR. ORODENKER:** If I may, Commissioner  
8 Carr and - - and all the rest of the Commissioners,  
9 for a moment, I'm not going to speak as the  
10 Executive Officer, but I'm going to speak as a  
11 private citizen.

12           I did budgets at Molokai Ranch. I -- I  
13 did budgets at Swarovski International. It -- I  
14 have never seen a situation where, for political --  
15 I mean, obviously, they're -- everything in the  
16 state is political -- where for purposes other than  
17 making the budget move forward -- and it's not just  
18 at LUC, but everywhere where they shave off a little  
19 bit here and there so that they can balance the  
20 budget where they want to get it, and then make it  
21 up with funds that come from someplace else.

22           I mean, if I did that when I was at  
23 Swarovski, I probably would have been hauled in  
24 front of the international court.

25           The difficulty that -- and -- and I think

1 it's wrong from -- from the public standpoint -- is  
2 that there's never a true budget that comes out.  
3 There is always less than -- most of the time, less  
4 than what the -- what is necessary for any agency  
5 anywhere to operate. And then the agencies are left  
6 trying to figure out how to pick up the pieces.

7 **CHAIR GIOVANNI:** They use the vacancies to  
8 do it.

9 **MR. ORODENKER:** Yeah. And they use the  
10 vacancies to do it.

11 That being said, that was -- I don't like  
12 that either. I agree 100 percent. And that is why,  
13 years ago, I got this -- I don't want to call it a  
14 slush fund, but this overage account to handle those  
15 types of situations.

16 **CHAIR GIOVANNI:** Out of payrolls.

17 **MR. ORODENKER:** Out of payroll, yeah.

18 I am frustrated. I've had knock-down,  
19 drag-out arguments with our -- the two different  
20 ASRs now on truing up the numbers. And the response  
21 I get back from them is, well, this is what B&F sent  
22 back to us. And I'm like but that's not our -- our  
23 personnel cost. And they said, well, that's what  
24 B&F sent back.

25 And I -- I agree with the Commissioners

1 from an intellectual standpoint that it's a horrible  
2 way to do a budget. I think the State should be  
3 ashamed of itself. But this is the system that we're  
4 working with. And I -- I have no apologies for  
5 that. I just have an explanation.

6 **CHAIR GIOVANNI:** Commissioner Kahele, I'm  
7 not sure if we got your question answered or --

8 **COMMISSIONER KAHELE:** Yes -- yes, you did,  
9 most of it. But you know, I'll just leave it at  
10 that. You know, I just -- I was just confused  
11 because there was so many -- so many issues that was  
12 discussed, you know, about why I didn't get this,  
13 why -- why you got it and I didn't.

14 So no, we're back on track. Thank you,  
15 Chair.

16 **CHAIR GIOVANNI:** Thank you.

17 Mr. Miyasato?

18 **COMMISSIONER MIYASATO:** Thank you, Chair.

19 Yeah, I think this was a good discussion  
20 topic. I think a lot of people got to express  
21 concerns. I guess what -- just -- just a heads-up,  
22 but I heard blowing in the wind, hearing what funds  
23 we look forward to using for raises -- what's  
24 blowing in the wind is Governor's Office is going to  
25 look at vacant positions (inaudible). Just a heads-



1 up.

2 But we need to try to fill those positions  
3 before they get taken away. That might be coming  
4 sooner than later.

5 **CHAIR GIOVANNI:** I think that's great  
6 advice.

7 **COMMISSIONER MIYASATO:** So other than  
8 that, Chair, are you looking for a motion to defer?

9 **CHAIR GIOVANNI:** No. I -- the purpose of  
10 -- I'm not looking for a motion. But I -- I -- I  
11 wanted a very robust discussion. I wanted all these  
12 issues to come out, and I wanted feelings to be  
13 expressed.

14 And so the reality is, where we stand  
15 right now, is that we're looking at a process that  
16 is flawed and is -- has been flawed and will  
17 probably continue to be flawed one way or another.

18 But they're going to attempt to redefine  
19 the process all the way from performance evaluations  
20 through Commissioner actions through budgeting, et  
21 cetera. I think we need to stand by and let that  
22 unfold for the next few months.

23 The second issue is do we have a financial  
24 problem with the motion that we adopted to give 4.5  
25 percent raise to Mr. Orodener. And the answer is

1 no because we don't have a problem because this  
2 category called Other Payroll is sitting there for  
3 the -- and its -- its purpose is to -- is to address  
4 problems like this.

5 Furthermore, it's my understanding that at  
6 the -- at the Department level, they have other  
7 leverage that they can use to solve these kind of  
8 problems when they happen. I don't think we're going  
9 to have to go there.

10 But under any circumstance, I think that  
11 on an going-forward basis, we'll be much better  
12 informed and get -- and much more -- no surprises  
13 about how the process works.

14 **MR. ORODENKER:** If I may, Mr. Chair, I --  
15 I have some history why I think this is arising.

16 **CHAIR GIOVANNI:** One -- one -- one second  
17 --

18 **MR. ORODENKER:** Okay.

19 **CHAIR GIOVANNI:** -- so I can give Mr.  
20 Miyasato a response.

21 **COMMISSIONER MIYASATO:** Okay. So are we  
22 looking to accept and file?

23 **CHAIR GIOVANNI:** To do what?

24 **COMMISSIONER MIYASATO:** To just accept  
25 this communication and file?

1           **CHAIR GIOVANNI:** You mean the letter?

2           **COMMISSIONER MIYASATO:** Agenda item --  
3 agenda item 4 as listed.

4           **CHAIR GIOVANNI:** Yeah. I think -- I think  
5 I -- if -- if -- I want to get to the point where  
6 nobody -- no Commissioner has further questions on  
7 this topic, and then I think we've satisfied it.

8           **COMMISSIONER MIYASATO:** Okay. Thank you.

9           **CHAIR GIOVANNI:** Okay. Mr. Orodenger?

10          **MR. ORODENKER:** Thank you, Mr. Chair.

11                   Okay. It --

12          **CHAIR GIOVANNI:** What are you talking  
13 about?

14          **MR. ORODENKER:** It's sort of a general  
15 observation on my part with regard to boards and  
16 commissions. There's a couple -- historically,  
17 there's been a couple of issues with boards and  
18 commissions. None of them is that all the boards  
19 and commissions at DBEDT are administratively  
20 attached.

21                   And up until two years ago, the position  
22 of the administration was of hands off. The  
23 Commissioners get to decide whatever they want to  
24 decide from a budgetary standpoint. And that wasn't  
25 just with regard to salaries. That was with regard

1 to programmatic monies and all the rest like at  
2 HHFDC. They get to decide how much money they're  
3 going to distribute out and everything else.

4           The -- well, what began to happen, and  
5 what we saw at the legislature -- and I think this  
6 is what Commissioner -- I mean Director Tokioka is  
7 concerned about -- is that at the hearings on the  
8 budget last year, DBEDT's budget last year, the  
9 Senate Ways and Means Committee expressed a lot of  
10 concern over what was happening with the various  
11 commissions, not with so much at the Land Use  
12 Commission, but with HTA, with HHFDC, with the  
13 agricultural -- what do they call it -- ADC, where  
14 everything was all different. And nobody had  
15 answers as to why, and there was no performance  
16 evaluations to justify what they were doing or  
17 anything like that.

18           And so Commissioner -- I mean Director  
19 Tokioka was reprimanded for that, for lack of a  
20 better word. And I think this is his response to  
21 try and, as the Chair has said, come up with a  
22 standardized process for all boards and commissions  
23 so that, when he goes back to the legislature --  
24 because it's not the boards and the commissions that  
25 actually defend the DBEDT budget. It's the

1 director.

2 And so he wants to solidify the process so  
3 that, when he goes back to the legislature year in,  
4 year out, he knows what the answers are because he,  
5 having been a part of the legislature, didn't --  
6 doesn't want to be embarrassed by that again.

7 And that's respectable. I respect Jimmy a  
8 lot for doing that because no director has taken the  
9 bull by the horns in the past. And all of us who  
10 serve as executive officers, or I work with  
11 commissions, know that it's the wild, wild west of  
12 the budget. It -- the commissions as a whole is the  
13 wild, wild west of the budget.

14 So what's happening here is that we're  
15 being asked to conform to their new process,  
16 whatever that --

17 **CHAIR GIOVANNI:** Which they haven't  
18 defined.

19 **MR. ORODENKER:** Which they haven't defined  
20 yet. They just sort of sent out that letter. From  
21 what I understand from talking -- and I have talked  
22 with other executive directors and so forth and so  
23 on, which they're called different things at  
24 different places -- is this was a heads-up. Hey,  
25 guys, we're going to make you all toe the line, and

1 we want you to know that we're working on this. And  
2 you should be aware that this is coming.

3 **CHAIR GIOVANNI:** Yeah. I think that  
4 within the next 60 days, we'll see a draft or a  
5 final process description. But like -- like I've  
6 said, it starts with a standardized form for  
7 performance evaluations that are to be implemented  
8 on the following timeline and a methodology by which  
9 line item budgets for non-civil service employees  
10 are specified in the budget and get a approval up  
11 through higher levels of DBEDT. And there may or  
12 may not be opportunities for board members and  
13 commissioners to directly participate in that  
14 process.

15 I, for one, had -- would have no interest  
16 in participating in, you know, myself. But others  
17 might want to. I may be asked to by virtue of the  
18 title I hold. But I -- I don't know what this --  
19 what form this thing is going to take. We'll have  
20 to see.

21 **MR. ORODENKER:** And I can assure the  
22 Commission that, when I put together the preliminary  
23 budget to send to the Director, that if they want to  
24 see it, I will distribute it.

25 **CHAIR GIOVANNI:** Oh, yes. We --

1           **MR. ORODENKER:** Yeah --

2           **CHAIR GIOVANNI:** That was clear, right?

3           **MR. ORODENKER:** Okay. You want to see it?  
4 I will say that it's not going to be very exciting  
5 because, other than personnel costs, which are just  
6 an annually -- nothing is going to change. I mean,  
7 we -- we haven't had to -- even though the cost of  
8 doing the hearing has gone up by 30 percent, we  
9 haven't gone -- gone back and made a request to the  
10 legislature to address that because we're not -- our  
11 -- our -- our calendar going forward is -- is not  
12 full. So I don't feel I have justification for  
13 that.

14           **CHAIR GIOVANNI:** Well, also, I think you  
15 mentioned previously that we're still -- we're still  
16 capable of having more Zoom meetings if --

17           **MR. ORODENKER:** Yes. And that's the other  
18 thing that I was going to say. If we do -- you  
19 know, if I submit the -- if we submit the budget --  
20 I'm going to stop saying I because I appreciate the  
21 Commission's involvement -- if we submit a budget  
22 where our other expenses, operating expenses, are  
23 static, and, say, next fiscal year, we have, you  
24 know, 25 petitions hit us up, then the way we'll  
25 handle it is to have virtual meetings so that we

1 stay within budget. And then the following year,  
2 we'll ask for a supplement.

3 **CHAIR GIOVANNI:** Commissioners, any other  
4 further comment or question on this issue? We're  
5 good?

6 I think we all feel a certain degree of  
7 displeasure with what we've been going through on  
8 this for three months. I know I do.

9 But I thank you for hanging in there, and  
10 we'll try to get this right, certainly as such as we  
11 go forward into the next year (indiscernible).

12 So what's the general timing on this  
13 budget process historically?

14 **MR. ORODENKER:** Okay. Sorry. I have to  
15 laugh because, you know, when -- when the directors'  
16 offices, they'll be giving us further (inaudible) in  
17 60 days. They're already asking me to start to  
18 prepare the budget.

19 **CHAIR GIOVANNI:** Oh, okay.

20 Commissioners, anything further?

21 Okay. Thank you.

22 And I will follow up with that request for  
23 you because I still think that's important.

24 **MS. GORDON:** Okay.

25 **CHAIR GIOVANNI:** Okay. We're at the end



1 of this. Yeah. I think this concludes our meeting.

2 Does anybody have any further business to discuss?

3 **COMMISSIONER KAHELE:** I just want to make  
4 a statement, Chair. You know, I -- I kind of got  
5 lost in the beginning. But you know, thank you for  
6 bringing me back to the fold, which I'd actually  
7 covered up. So thank you again for your patience.

8 **CHAIR GIOVANNI:** Well, Commissioner  
9 Kahele, if you understand it, let's take a minute  
10 aside, and you can explain it to me.

11 **COMMISSIONER KAHELE:** I'm back to the  
12 fold. I didn't say I understood it.

13 **CHAIR GIOVANNI:** Very well. I declare  
14 this meeting adjourned.

15 **(Meeting adjourned at 1:44 p.m.)**

16

17

18

19

20

21

22

23

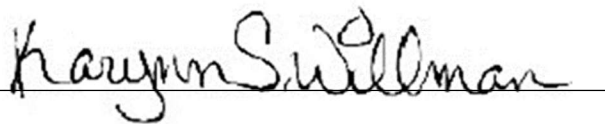
24

25

CERTIFICATE

I, Karynn Willman do hereby certify that the proceeding named herein was professionally transcribed on the date set forth in the certificate herein; that I transcribed all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true, and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 14th day of August, 2024.

A handwritten signature in black ink that reads "Karynn Willman". The signature is written in a cursive style and is positioned above a solid horizontal line.

Karynn Willman

\$	<b>12:30</b>	152:4	44:6 44:21
<b>\$10</b> 188:3	138:18	<b>1st</b> 12:9	48:8 48:10
<b>\$6,000</b>	138:19		49:3 57:7
168:3 187:10	138:21	<u>2</u>	57:15 60:1
187:17	<b>120,000</b> 78:10	<b>2</b> 52:17 105:2	60:13
<b>\$8,000</b> 168:15	<b>13</b> 23:13	130:9 137:14	69:23 82:22
<b>\$9,000</b>	97:17	<b>20</b> 85:14	<b>2023</b> 49:22
169:2 189:21	165:8 173:15	91:18 183:13	67:23 82:10
<u>0</u>	185:4	188:1	<b>2024</b> 5:2
<b>07</b> 148:18	<b>13th</b> 9:17	<b>200</b> 106:20	5:6 7:4
149:15	<b>14</b> 99:6	<b>2000</b> 31:6	44:13
149:15	<b>144DA</b> 159:24	<b>2000s</b> 103:19	49:22 57:6
<u>1</u>	<b>15</b> 42:3 81:8	<b>2003</b> 83:10	57:18
<b>1</b> 12:2	<b>150</b> 164:7	83:12	58:12
<b>1.5</b> 115:7	<b>15-15</b>	83:13	58:18
115:9	148:18	83:14	58:25 59:9
<b>1:44</b> 201:15	149:14	91:16 92:3	59:16
<b>10</b> 17:21	<b>15-15-45.1</b>	<b>2004</b> 8:17	59:24 60:2
32:12 42:3	14:17	<b>201</b> 146:25	69:9 71:15
115:6 115:10	<b>154,178</b>	<b>2011</b> 82:10	79:16
159:10 177:9	185:11	<b>2012</b> 58:16	86:15 130:18
<b>10:22</b> 81:17	<b>157,140</b>	58:21	131:17
<b>10:27</b> 81:15	185:16	83:17 85:25	<b>2028</b> 24:7
<b>10:29</b> 81:17	185:17	<b>2019</b> 12:4	26:13
<b>100</b> 191:12	185:18	12:9 44:17	29:14 31:5
<b>100-foot-tall</b>	<b>159,713</b>	45:3 45:16	72:19
49:20	185:13	82:8 82:20	82:23 95:4
<b>10th</b> 9:22	<b>16</b> 48:10	83:8 84:22	100:3 100:15
9:24 10:19	60:13	89:3 89:3	128:5 128:18
12:4	<b>179</b> 105:16	92:11 100:2	<b>2031</b> 97:7
<b>11:40</b>	<b>1920</b> 21:14	<b>2020</b> 37:3	<b>2032</b> 101:10
138:16	<b>1928</b> 23:2	45:7 45:15	<b>205-1</b> 141:5
138:19	<b>1950s</b> 119:22	58:21 58:22	141:7
<b>11th</b> 9:17	<b>1985</b> 109:25	<b>2021</b> 45:13	<b>205-1-C</b>
<b>12</b> 165:8	<b>1987</b> 82:6	47:1 47:11	146:25
	<b>19th</b> 151:18	83:21 89:5	<b>205-6</b> 82:4
		<b>2022</b> 44:3	<b>20th</b> 10:9
			<b>21</b> 91:18

<p><b>21st</b> 9:9 10:9  <b>22</b> 51:18  <b>22nd</b> 9:11  <b>23</b> 7:4 44:6  <b>23-24</b> 7:7              8:17  <b>23rd</b> 10:2  <b>24</b> 7:4 57:3  <b>24th</b> 10:3  <b>25</b> 140:19              182:4              185:3 199:24  <b>25,000</b> 51:11  <b>25th</b> 9:20              67:23  <b>26th</b> 9:20  <b>28</b> 26:14  <b>291</b> 79:22  <b>2nd</b> 82:23              151:25 152:5              152:24  <hr/>             3  <hr/> <b>3</b> 5:11 134:12  <b>3.59</b> 185:13              188:24  <b>30</b> 177:19              199:8  <b>31</b> 44:2 44:21              49:3 57:6              82:22 86:15  <b>31st</b> 44:13              58:12 59:9              59:16 69:9              71:15              79:16 131:17</p>	<p><b>39</b> 115:8  <b>3rd</b> 72:19  <hr/>             4  <hr/> <b>4</b> 11:11              134:12              188:23              189:13              189:14 195:3  <b>4.5</b> 189:2              193:24  <b>40</b> 81:11  <b>400</b> 5:10  <b>4th</b> 9:14  <hr/>             5  <hr/> <b>5</b> 11:21              12:4 17:21              97:16              97:17              169:1 177:10              188:3  <b>50</b> 188:1  <b>500</b> 22:4  <b>50s</b> 22:10  <hr/>             6  <hr/> <b>6</b> 60:23  <b>60</b> 198:4              200:17  <b>600</b> 22:22              27:15 122:21  <b>60-plus</b> 21:15  <b>60s</b> 22:10  <b>6th</b> 10:5              19:13</p>	<p><hr/>             7  <hr/> <b>70s</b> 123:17  <b>73</b> 34:4              34:6 34:6              34:7 34:18              36:24 45:7              45:14              45:17 46:4              48:2 48:25              50:13 51:2              54:11              54:14 55:2              55:2 55:6              58:20              58:22              58:23              65:21 70:5              70:6 99:2              103:22              103:25              104:10              105:14              105:19              105:24 106:2              106:17              113:23              114:23              116:13 117:9              117:13              117:14              118:25  <b>73-</b>  <b>compliant</b>              40:12  <b>7th</b> 5:10 10:7  <hr/>             8  <hr/> <b>8</b> 5:2 28:23  <b>8:37</b> 5:2 5:3</p>	<p><b>800</b> 27:17  <b>84</b> 79:21  <b>84-14</b> 15:8  <b>85</b> 21:21  <b>86-044</b> 38:2  <b>87</b> 21:22              109:25  <b>89-470</b> 21:4  <b>8th</b> 5:6  <hr/>             9  <hr/> <b>9:18</b> 41:23  <b>9:34</b> 53:2              53:4  <b>9:40</b> 53:3  <b>9:44</b> 53:4              53:5  <b>900</b> 27:17              28:23  <b>91-941</b> 28:9  <b>92</b> 80:5  <b>94</b> 80:5  <b>96706</b> 28:9  <b>96792</b> 122:2  <b>9th</b> 9:22 9:22  <hr/>             A  <hr/> <b>A&amp;B</b> 10:6  <b>a.m</b> 5:2              53:4 81:17              138:19  <b>Abigail</b> 114:4  <b>ability</b> 102:6  <b>able</b> 38:19              38:25 49:2</p>
--	--	--	--

50:14	<b>according</b>	58:20	138:25 145:3
59:16	46:20	58:22	151:4
69:14	48:13 62:18	58:23	176:6 183:10
96:22	<b>accordingly</b>	65:21 70:5	183:15
98:22	153:6	70:6 99:2	188:24
98:25	<b>account</b>	103:22	189:15
99:19 111:18	191:14	103:25	196:25 201:6
122:23 152:9	<b>accountable</b>	104:10	<b>actuals</b>
<b>absence</b> 163:2	169:19	105:14	182:12
<b>absolutely</b>	<b>accurate</b>	105:19	182:14
65:20	56:15	105:24 106:2	183:11
118:2 118:6	109:5 157:15	106:17	<b>ADC</b> 196:13
<b>abstained</b>	174:10	113:23	<b>add</b> 130:8
138:5	<b>achieve</b> 126:6	114:23 115:2	130:18 131:6
<b>accept</b>	126:7 126:8	116:13 117:9	137:13
11:15	<b>acknowledged</b>	117:13	169:11
78:18	92:1 92:2	117:14	<b>added</b> 65:21
78:21	<b>acquire</b> 71:2	118:25	127:11
98:18 194:22	<b>acres</b> 105:16	<b>acting</b> 29:1	<b>addition</b>
194:24	<b>acronyms</b>	86:16	179:11
<b>acceptable</b>	159:1 182:21	<b>action</b> 15:9	<b>additional</b>
74:23	<b>across</b>	38:13 48:1	46:4 48:7
<b>accepted</b>	156:1 156:17	<b>actions</b> 156:4	79:12
91:15 93:8	<b>act</b> 34:3 34:6	193:20	85:20
<b>access</b>	34:6 34:7	<b>active</b> 98:9	85:21 88:8
24:10 139:9	34:18 36:5	98:14 181:15	95:22
<b>accessed</b> 19:1	36:6 36:13	<b>actively</b>	135:4 179:12
<b>accommodate</b>	36:14	69:21	<b>Additionally</b>
10:24	36:20	<b>activities</b>	71:5
69:18 189:18	36:23	142:2	<b>address</b>
<b>accommodation</b>	36:23	<b>actual</b> 19:9	15:6 21:3
<b>s</b> 131:25	40:12 45:7	74:19 149:18	28:6 37:19
<b>accomplish</b>	45:14	149:21 160:9	38:2
167:19	45:16 46:4	187:1 189:14	108:17 194:3
<b>accomplishmen</b>	48:2 48:25	<b>actually</b>	199:10
<b>ts</b> 142:2	50:13 51:2	31:21 40:8	<b>addressed</b>
<b>accordance</b>	54:11	71:2 93:9	19:1
15:8 15:15	54:14 55:2	95:5 103:9	143:16 152:4
	55:2 55:5	122:22 131:4	152:15

153:21	92:11 193:24	<b>affirmative</b>	88:23
<b>addresses</b>	<b>adoption</b>	134:3	88:23 132:11
80:6	7:4 9:12	<b>afford</b> 23:10	<b>agreement</b>
<b>addressing</b>	<b>advantage</b>	<b>against</b> 51:12	71:14
153:23	162:13	52:5 104:7	101:4
<b>adds</b> 180:12	163:17	<b>agencies</b>	101:8 101:20
<b>adjourned</b>	<b>adverse</b>	130:1 141:25	101:22 145:4
201:14	85:1 85:2	142:14	150:10
201:15	89:14	145:13	161:21
<b>adjustment</b>	<b>advice</b>	152:17	161:22 163:5
140:19	17:24 150:24	167:22 191:5	163:24
<b>adjustments</b>	193:6	<b>agency</b> 191:4	<b>agricultural</b>
88:17	<b>advise</b> 104:6	<b>agenda</b> 9:5	82:1 82:2
<b>administratio</b>	<b>advised</b> 104:7	11:11	196:13
<b>n</b> 34:1 51:23	<b>advisory</b>	11:17	<b>AG's</b> 144:10
66:18	45:11 47:2	11:17	<b>ahead</b> 39:20
149:9 149:12	47:16 49:8	11:21	42:4 42:7
195:22	49:11	20:13	54:18 132:21
<b>administratio</b>	49:19	173:5 174:16	148:14
<b>ns</b> 149:1	79:22	174:19	158:10 173:3
<b>administrativ</b>	79:24 80:3	174:22	175:20
<b>e</b> 112:1	80:13 102:24	174:24 175:2	178:15 189:1
141:17	103:12 104:1	178:23 195:2	<b>Ahkoi</b> 31:3
142:23	104:13	195:3	<b>aho</b> 38:21
148:20 181:2	<b>advocacy</b> 38:1	<b>agendas</b>	<b>aina</b> 41:18
182:23	<b>affairs</b> 149:1	133:19	114:18 120:6
187:11	149:9	<b>ago</b> 97:12	120:7 120:7
187:12 188:6	<b>affect</b> 144:9	159:13	<b>Airlines</b> 5:9
<b>administrativ</b>	<b>affected</b>	160:14 168:2	<b>airport</b> 5:9
<b>ely</b> 195:19	140:13	175:17	46:3
<b>admitted</b>	<b>affecting</b>	178:17	<b>Akua</b> 110:10
76:17	15:9	180:22 183:8	<b>al</b> 108:15
<b>adopt</b> 8:15	<b>affiliation</b>	191:13	<b>Alison</b> 13:1
8:16 9:15	5:19 20:22	195:21	18:12 20:3
87:24	94:4	<b>Agreeable</b>	25:22 35:3
89:18 142:1	<b>affiliations</b>	134:25	41:6 53:18
<b>adopted</b> 9:3	12:12	<b>agreed</b>	68:18 69:6
83:14		14:24 52:15	74:7 80:23

90:8 113:1	<b>amend</b> 16:16	<b>annual</b> 97:2	121:1
118:14 125:2	36:5 36:6	149:10 174:4	<b>anymore</b> 54:25
129:8 167:15	36:13	<b>annually</b>	<b>anyone</b> 9:2
<b>allegation</b>	36:14	95:11 199:6	19:14
15:20	36:20	<b>answer</b>	51:13
<b>alleviated</b>	50:13	54:18	51:21
165:7	54:14 86:13	55:25 89:6	105:1
<b>allocating</b>	<b>amended</b> 135:3	89:9 89:11	132:1 152:13
159:22	<b>amending</b> 48:2	102:9 102:16	<b>anyplace</b>
<b>allow</b> 49:7	50:18	112:18 143:5	34:11 115:20
50:6 51:3	<b>amendment</b>	170:7 173:17	<b>anything</b>
71:11	70:5 117:14	175:23 182:2	34:25
<b>allowed</b> 15:9	<b>amendments</b>	187:5 187:17	37:12 39:2
<b>aloha</b> 12:22	118:2	189:18	64:18
39:24	<b>Ameron</b> 29:9	193:25	67:12
41:17	34:9 36:9	<b>answered</b>	75:22
41:18	<b>among</b> 79:7	90:25 149:22	93:15 102:18
121:8 126:21	143:2	192:7	104:20
126:22	151:5 155:23	<b>answering</b>	108:24
<b>alone</b> 64:9	156:13	124:14	112:19
<b>already</b>	174:10	<b>answers</b>	113:13
46:2 46:10	<b>amount</b>	102:14	125:14
83:9 83:13	96:20	104:16 126:2	126:25 127:7
131:7	96:21 100:23	145:13	128:23 129:3
132:5	157:17	196:15 197:4	129:6 129:12
168:8 172:13	161:24 174:8	<b>anybody</b>	131:6 133:13
200:17	185:2	8:13 23:3	135:1 135:12
<b>alternative</b>	185:4 185:14	36:16	153:12
54:15 69:9	<b>amounts</b>	37:15 38:3	155:13
69:11	155:25	41:19 104:24	161:14 178:3
69:14	186:11	113:15	196:17
69:15 78:4	<b>analysis</b> 50:4	114:22	200:20
79:10 99:13	<b>analyzed</b> 73:2	115:10	<b>anyway</b>
<b>am</b> 58:19 74:7	<b>and/or</b> 95:25	117:22	29:13
93:12 121:15	<b>anniversary</b>	131:21	33:14 59:2
121:15 135:7	140:11	132:17	124:18
144:11 169:5	<b>announced</b>	160:25	159:17
170:15	10:4	161:13 189:5	<b>anywhere</b>
191:18		201:2	191:5
		<b>anybody's</b>	<b>AOS</b> 187:11

<b>apart</b> 164:16	65:22	<b>aquifer</b> 46:15	17:10 127:16
<b>apologies</b>	88:24 110:21	46:22	191:19
25:14	111:7 127:14	47:15	<b>Ariana</b> 6:24
93:17 192:4	131:23 137:1	48:15	14:20
<b>apologize</b>	137:4 138:24	56:10	18:23
56:9	162:12	56:12	94:25 151:21
160:19 166:3	170:22 172:9	56:19	152:25
<b>appeal</b> 106:2	180:14	60:24	153:15 155:9
<b>appealed</b> 55:6	199:20	61:17	<b>arising</b>
<b>appear</b>	<b>approaching</b>	64:20 64:24	194:15
103:1	82:10	<b>aquifers</b>	<b>Arnold</b> 183:20
103:2 132:6	<b>appropriate</b>	55:13 56:8	<b>arrange</b> 10:22
<b>appliances</b>	71:15	<b>area</b> 70:6	139:12
78:11	92:17 112:10	95:19	<b>articulate</b>
<b>application</b>	145:5 145:5	95:20 98:2	123:25
12:1 43:22	<b>appropriately</b>	112:13 115:6	<b>articulated</b>
44:5 44:24	143:16 164:1	115:11	135:22
49:9 51:20	<b>approval</b> 69:7	117:16 120:2	<b>ash</b> 96:11
59:22 69:8	101:24	121:18	96:13
76:17 78:3	172:23	123:10 139:9	96:14 96:21
79:15	198:10	<b>areas</b> 45:7	<b>ashamed</b> 192:3
<b>applied</b> 170:1	<b>approve</b>	46:5 46:10	<b>aside</b> 201:10
171:20	12:8 31:4	46:14	<b>ASO</b> 166:18
172:13	68:9 89:17	46:17	182:19
<b>apply</b> 170:11	<b>approved</b>	46:17	187:11
<b>applying</b>	161:25	46:18	<b>ASR</b> 78:15
170:9	171:10 179:5	48:23	78:18
<b>appoint</b> 150:7	179:11	55:17 56:5	78:20
150:9	180:24	61:5 61:8	78:21 78:25
<b>appointed</b>	<b>approves</b>	61:10 65:4	<b>ASRs</b> 191:20
141:18	158:22	91:22 103:15	<b>ass</b> 39:6
148:19	158:23	109:15 112:2	<b>assertion</b>
<b>appointment</b>	<b>Approving</b>	112:6	153:16
149:1	12:6	112:7 114:15	<b>assign</b> 181:16
<b>appreciate</b>	<b>approximately</b>	115:22 121:1	<b>assistance</b>
41:14 50:8	17:21	<b>argued</b> 52:4	75:4 180:11
65:16 65:21	57:20 70:16	<b>argument</b>	<b>assisting</b>
<b>April</b> 63:10	<b>April</b> 63:10	127:24 128:1	
97:4 97:5	97:4 97:5	180:9 183:4	
		<b>arguments</b>	



180:8	<b>attorneys</b>	<b>average</b>	99:10
<b>association</b>	11:12	187:25	99:15
14:10 19:7	13:22 14:8	<b>avoid</b> 181:4	99:15 100:25
51:17 52:9	23:25 116:4	<b>aware</b> 5:21	100:25 101:6
<b>assume</b>	<b>at-will</b> 164:4	15:1 84:1	101:9
96:25 113:12	164:5	92:2 92:5	101:9 101:15
184:18	<b>audience</b>	93:5 93:10	101:18
<b>assumed</b>	12:19	146:8 169:25	101:18 102:1
133:18	<b>audio</b> 72:15	198:2	102:8 102:15
<b>assuming</b>	<b>August</b> 5:2	<b>away</b> 23:10	103:7
62:11	5:6 9:9 9:11	57:5	103:8 103:11
<b>assumption</b>	19:13 151:24	181:22 193:3	136:20
187:21	152:5 152:24	<b>aye</b> 8:25	<b>Babcock's</b>
<b>assure</b>	<b>author</b> 155:21	9:1 137:17	44:25
151:1 198:21	<b>authority</b>	137:20	<b>backend</b> 30:12
<b>attached</b>	143:5 146:14	137:22	31:19
195:20	146:15 147:2	137:24 138:1	<b>background</b>
<b>attempt</b> 50:14	171:8	138:3 138:8	47:4 188:14
152:13	<b>authorization</b>		<b>backs</b> 120:8
193:18	140:18	<hr/> B <hr/>	120:9 120:16
<b>attempted</b>	<b>authorize</b>	<b>B&amp;F</b> 158:24	<b>backyard</b>
48:18	143:3 149:10	158:25	21:24
<b>attend</b> 76:21	<b>authorized</b>	159:18	28:18
<b>attendance</b>	145:8 155:25	191:21	28:19
6:8 6:21	<b>automobile</b>	191:24	31:16
73:14	78:14	<b>Babcock</b> 12:20	50:25 105:19
<b>attended</b>	<b>autonomy</b>	73:6 73:13	110:3 114:20
47:12 76:23	144:23	87:6 88:23	121:2
<b>attention</b>	<b>availability</b>	89:6 89:8	<b>bad</b> 40:20
11:18 19:3	75:12 91:20	89:10	153:12
<b>attorney</b> 6:25	<b>available</b>	90:20 92:1	<b>balance</b> 188:4
13:2 23:25	10:19	93:19	190:19
42:12	69:15	93:25 94:1	<b>Balassiano</b>
42:24	71:16	94:1 94:2	13:4
124:5	95:16	94:6 94:6	<b>bargain</b>
142:9 142:15	95:19 97:1	94:10	170:15
148:2 148:2	128:15	94:14 95:2	<b>bargaining</b>
	141:21 158:1	95:8 95:9	157:17
		98:17 98:21	161:25

170:20	156:12	63:13	31:17
183:14 185:3	158:14	63:15 67:8	35:18
186:23	162:24	71:3 73:5	40:23
186:25	194:11	75:14	40:24 109:20
186:25	<b>Beach</b> 28:8	76:20 86:3	159:6
188:16	<b>became</b> 37:2	86:18	159:8 168:24
188:22	<b>become</b> 58:20	86:19 87:7	181:6 194:11
<b>barrier</b> 46:21	<b>bed</b> 122:17	87:11 95:2	196:20
<b>bars</b> 114:7	159:24	98:3 98:22	<b>beyond</b>
<b>base</b> 168:9	<b>beef</b> 124:6	101:9	44:19
<b>baseball</b>	<b>beg</b> 128:9	110:9 127:25	67:25
164:5	<b>beginning</b>	132:20	128:5 181:15
<b>based</b> 64:9	49:13 103:19	132:23	<b>biannual</b>
64:25	201:5	151:24 169:8	176:6 176:16
71:11	<b>begun</b> 83:10	170:12 172:3	182:13
75:19	<b>behalf</b>	172:5 173:15	<b>bias</b> 15:21
79:19	12:16 13:7	175:9 179:5	<b>bidding</b> 102:4
79:25	13:13	<b>believed</b>	<b>biennium</b>
80:11	21:12 43:2	91:23	159:14
82:24	47:6 144:16	<b>believes</b>	159:15
95:17	<b>behind</b> 38:3	71:14 87:5	183:14
95:24	38:15	90:21	<b>bigger</b>
97:18	38:16 51:9	<b>believing</b>	39:10 187:17
100:4 101:12	<b>belabor</b>	85:23	<b>biggest</b> 54:12
101:23	153:25	<b>beneficial</b>	<b>bigly</b> 54:23
103:17 128:3	<b>believe</b>	10:23	<b>bilateral</b>
128:6	37:3 48:16	<b>benefit</b> 15:13	101:23
151:1 155:20	52:17	180:5	<b>bill</b> 36:24
156:18	54:13	<b>benefits</b>	51:3 51:6
175:10 184:2	54:19	163:7	115:8
187:20	54:21	<b>besides</b> 98:10	<b>bit</b> 21:13
<b>bases</b> 111:18	54:22	<b>best</b> 11:13	39:18
<b>basically</b>	56:18	95:23 126:13	39:19 44:7
64:12 106:14	61:22 62:2	135:9 138:14	76:2 81:23
<b>basis</b> 6:18	62:14	146:12 147:8	91:7 94:12
62:20	62:15	161:15 165:1	97:10 119:20
88:22	62:16	173:20	120:11
89:21 97:2	62:19 63:9	<b>better</b> 14:1	126:16
156:11		31:14	150:16

157:11	198:12	153:18	169:25
163:20 165:5	<b>boards</b> 142:14	<b>bought</b> 114:15	170:23
173:7 188:13	145:2 152:18	<b>Boulevard</b>	173:19
190:19	154:10	5:10	188:13
<b>bitterness</b>	155:23 156:1	<b>bowl</b> 136:9	188:17
122:14	156:14	<b>Brad</b> 12:23	<b>bringing</b> 32:4
<b>blame</b> 67:1	174:10	18:10	201:6
<b>blaming</b> 51:13	195:15	19:24	<b>brings</b> 97:6
51:21	195:17	25:16	<b>broader</b> 150:9
<b>Blangiardi</b>	195:18	42:19	<b>brother</b>
29:14 47:1	196:22	53:15	22:7 41:17
<b>blind</b> 23:8	196:24	67:15	121:13
<b>blowing</b>	<b>body</b> 82:8	71:24	123:24
192:22	84:20 88:5	80:20 90:5	<b>brought</b>
192:24	89:16	<b>brah</b> 123:22	19:3 84:19
<b>blue</b> 29:9	92:11 102:13	<b>branch</b> 167:12	100:20 101:2
46:18	130:9	167:18	171:5
58:15 64:6	<b>body's</b> 82:18	<b>break</b> 17:20	<b>Bruce</b> 6:10
<b>board</b> 28:16	<b>boiler</b> 30:4	17:22	14:9
30:1 31:6	<b>boils</b> 142:16	17:23 42:6	<b>brunt</b> 110:16
45:9 46:13	<b>borderline</b>	81:10	<b>brutally</b>
48:5 48:25	115:23	81:14 87:2	184:6
55:12	<b>bore</b> 62:13	138:17	<b>budget</b> 150:19
55:18	64:10 75:23	<b>breaking</b>	157:24 158:9
66:18 70:7	<b>boring</b>	123:15	158:11
70:11	61:24	<b>breaks</b>	158:22
74:10	61:24	17:20 39:17	158:23 159:3
74:13	61:25 62:3	<b>Brian</b> 6:9	159:4
74:15	<b>born</b> 21:15	<b>brief</b> 53:2	159:5
75:14 76:8	22:18	<b>briefly</b>	159:8 159:10
76:11	<b>borne</b> 85:5	16:8 26:5	159:14
76:15	<b>bothered</b>	<b>bring</b> 23:16	159:15
76:19	188:17	24:19 28:4	159:17
76:22	<b>bottled</b> 109:9	31:9 31:10	159:18
77:11 80:1	<b>bottom</b>	32:17	159:24 160:8
80:8	23:21 115:19	76:11	160:20 161:1
152:20	145:21	93:19	165:5 165:10
155:17 157:3	152:19	93:23 109:17	165:16 166:2
157:7 165:16			166:5

166:7 166:16	156:10	<b>bunch</b> 177:1	62:4
167:17	166:10	<b>burden</b>	
167:25	193:20	118:4 120:15	C
168:19	<b>budgets</b>	<b>burdened</b>	<b>Cal</b> 14:8
168:24 169:9	149:10	117:11	18:18 20:9
174:7	151:15	<b>burn</b> 30:6	26:4 35:9
174:8 175:12	155:25 157:4	<b>business</b>	41:11
176:1 176:19	158:19	7:3 7:17	53:25
177:2	159:22	15:10	68:25 72:5
177:3 177:14	166:12	15:17 139:17	81:1 81:6
177:16	166:14	140:16	81:20
177:18	167:22	140:17 161:1	90:18
177:19 180:3	167:23 168:9	140:17 161:1	91:11
180:13 183:8	169:13 177:9	183:7 201:2	92:25
183:24 184:2	180:24	<b>button</b>	113:8 125:9
184:17	181:17	13:23 37:23	<b>calamity</b>
184:19	187:20	<b>buy</b> 109:13	65:23
185:14	190:12	188:5	<b>calculation</b>
186:11 187:2	190:13 198:9	<b>buying</b> 59:5	95:16
188:2	<b>buffer</b>	166:23	<b>Caldwell</b>
188:4 189:18	36:24	<b>buyout</b> 163:12	29:10
190:17	36:24	<b>BWS</b> 46:14	<b>calendar</b>
190:20 191:2	45:22 46:3	46:20	199:11
192:2	118:25	47:12 48:8	<b>calm</b> 26:16
196:8	<b>build</b> 39:10	48:11	<b>candidate</b>
196:8 196:25	122:21 142:6	48:13	79:13
197:12	147:2	54:21	<b>capable</b>
197:13	<b>building</b> 5:10	55:22	199:16
198:10	30:11 39:4	56:11	<b>capacity</b> 86:2
198:23	46:9	56:14	<b>caprock</b> 46:16
199:19	114:22	56:18	46:20
199:21 200:1	114:25	60:13 61:5	60:19
200:13	116:20	61:20	60:25 61:6
200:18	<b>buildings</b>	63:24	61:7 61:11
<b>budgetary</b>	46:9	88:16	61:15
195:24	<b>built</b> 114:13	91:10	61:23 65:4
<b>budgeted</b>	<b>bull</b> 197:9	91:16	<b>caprocks</b>
167:11 185:2	<b>bumps</b> 24:23	92:24 107:20	56:17
185:21	24:24	111:23 112:1	
186:11		<b>BWS's</b> 60:22	
<b>budgeting</b>			

<b>car</b> 23:14	175:14	12:8	21:11
<b>care</b> 94:15	175:24 176:5	<b>certify</b>	23:15
114:18	179:8 180:16	149:11	24:25 25:4
182:16	180:19	<b>cetera</b>	25:11
185:10	181:23	74:20 151:15	25:14
<b>career</b> 82:12	181:24 182:9	193:21	25:19
<b>careful</b>	182:24 184:9	<b>chair</b> 5:3 6:5	25:24 26:2
110:10	184:16	7:8 7:9 7:12	26:5 26:20
150:25	184:25 185:6	7:13 7:16	26:22
<b>cares</b> 39:14	185:20	8:18 8:19	26:25 27:1
<b>caretaker</b>	185:23	8:23 9:2 9:8	27:23 28:1
22:8	185:25 186:3	10:11	28:5 28:10
<b>Carlisle</b> 29:8	186:6	10:14	28:13 29:3
34:1	186:9 186:17	10:15	29:3 30:1
<b>Carr</b> 6:11	186:22	10:24 11:3	30:5 31:8
8:18 8:20	188:11	11:15	31:13
10:14	189:24 190:8	12:25	31:21 32:5
10:15	<b>case</b> 45:1	13:10	32:6 32:7
10:17 76:6	46:23 79:5	13:15	32:17
77:6 90:14	107:11	13:19	32:20
90:15	125:11	13:21	32:24
90:24 91:3	159:18 180:6	13:23 14:2	32:25 33:2
102:19	<b>category</b>	14:6 14:7	33:4 33:6
102:20	194:2	14:12	33:8 33:10
104:17	<b>cause</b> 73:4	14:22 15:1	33:15
118:23	<b>causing</b> 114:9	15:5 16:19	33:19
118:24	<b>cease</b> 78:23	18:8 18:9	34:24 35:2
133:10	<b>center</b> 5:9	18:14	35:5 35:8
133:14	21:21 136:9	18:17	35:11
134:18	<b>Centers</b> 52:10	18:19	35:14
137:23	<b>certain</b>	18:20	35:15 36:4
137:24	48:1 52:5	19:16	36:20
149:14	92:16 125:10	19:22	37:10
154:11	165:3	19:23 20:2	37:12
154:13	180:8 181:16	20:5 20:8	37:18
154:19	200:6	20:11	37:22 38:5
154:23 155:2	<b>certainly</b>	20:15	38:8 39:7
155:4 174:15	75:2 200:10	20:16	39:25 40:3
174:20	<b>certified</b>	20:21 21:2	40:5 40:25
174:22		21:5 21:8	41:4 41:8
		21:11	41:13 41:19

41:21	73:24 75:1	107:15	129:15
41:22 42:2	75:8 75:16	108:20	129:17
42:4 42:9	76:2 76:6	108:23	129:22
42:15	76:9 77:4	110:19 111:1	130:11
42:17	77:18	111:4	130:21
42:21	77:20	111:8 111:12	130:24 131:2
42:23 43:7	80:15	112:17	131:9 131:10
43:12	80:19	112:22	131:15
43:17 53:1	80:22	112:24 113:3	131:20 132:8
53:5 53:9	80:25 81:3	113:7 113:10	132:17
53:11	81:7 81:11	113:20 116:6	132:19
53:17	81:14	116:10	132:19
53:20	81:18	116:14	132:21 133:2
53:24 54:2	81:21	116:18	133:8 133:12
54:8 60:7	86:18	116:22	133:20 134:6
61:3 62:24	89:25 90:4	116:24 117:2	134:10
63:17	90:7 90:10	117:5	134:23 135:1
63:21 64:3	90:13 91:5	117:7	135:2 135:18
64:23	91:12	118:7 118:10	136:13
65:10	92:20 93:1	118:12	136:15
65:16	93:10	118:16	136:16 137:7
65:20	93:14	118:19	137:8 137:10
66:14	93:21	118:20	138:8 138:10
66:15	93:23 94:3	118:21	138:11
67:10	94:8 94:11	119:10	138:21 139:4
67:11	94:20	119:14	139:8 139:15
68:11	94:22	120:19	139:18
68:16	97:21	120:20	139:19
68:20	99:12	120:21 121:3	139:21
68:24 69:2	99:22	121:4 121:10	139:24 140:2
71:18	99:24	124:1 124:19	140:5
71:20	99:25	124:24 125:1	140:8 140:10
71:22 72:1	101:2	125:4	143:17
72:4 72:6	101:7 101:12	125:7 125:12	143:20
72:7 72:9	101:16	126:23 127:6	143:21
72:12	101:21 102:2	127:22	143:24 144:5
72:20 73:9	102:11	127:23	144:15
73:10	102:17	127:25 128:8	144:25
73:13	102:21 103:9	128:9 128:21	145:24 146:4
73:17	104:19 105:4	129:2	146:19
73:20 73:23	105:12	129:6 129:10	146:22
	107:10	129:13	147:10

147:14	174:24 175:1	196:21	26:9 26:18
147:18	175:18	197:17 198:3	35:9 35:9
147:21	175:21	198:25 199:2	41:11
147:24	175:23 176:8	199:14 200:3	41:11
147:25 148:5	176:12	200:19	53:25
148:8 148:13	176:14	200:25 201:4	53:25
148:14	176:21 178:4	201:8 201:13	68:24
149:18	178:7	<b>chairs</b>	68:25
149:21	178:8 178:11	154:8 154:9	68:25 72:4
149:25 150:3	178:15	<b>challenging</b>	72:5 72:5
150:21	178:24 179:3	50:12	81:1 81:1
151:12 152:1	179:7 179:14	<b>Chan</b> 12:16	81:6 81:7
152:2 152:12	179:19	<b>chance</b>	81:16
152:19	179:24	22:13 106:9	81:18
152:22	179:25	<b>change</b> 130:14	81:20
153:17	180:16	199:6	81:20
153:20	180:17	<b>changed</b> 92:21	89:25
153:21 154:3	180:20	93:7 160:4	90:15
154:7 154:11	182:17	160:4 164:18	90:18
154:12	182:20	<b>changes</b>	90:18 91:2
154:18	185:15	79:8 96:6	91:6 91:11
154:21	185:18	100:10	91:11
154:25 155:3	185:22	<b>Chapter</b> 82:3	92:25
155:12	185:24	<b>cheap</b> 36:17	92:25
155:20	186:13	<b>check</b>	93:12
156:23	186:20	100:18	98:23
157:20 158:4	186:24	101:10	113:7
158:16 159:1	188:21	<b>Chief</b> 6:22	113:8
161:18	189:10	6:24 18:22	113:8 118:19
162:16	189:12 190:1	<b>Chip</b> 123:24	118:20 124:2
163:14	191:7 191:16	<b>Chipchase</b>	124:4
163:19 164:1	192:6 192:15	13:21	125:7
165:17	192:16	13:25 14:4	125:9
168:13	192:18 193:5	14:7 14:9	125:9 127:23
169:11	193:8	18:18	127:25
172:25 173:1	193:9 194:14	18:18 20:9	128:19
173:2	194:16	20:9 26:3	133:20
173:3 173:16	194:19	26:4 26:4	133:22
173:20	194:23 195:1	<b>choose</b> 29:9	
174:13	195:4	30:6 30:7	
174:17	195:9 195:10	<b>choosing</b>	
174:19	195:12		

74:12	83:8 83:11	87:25 88:2	26:12
<b>chosen</b> 171:7	83:13	88:10	27:14
<b>Chris</b> 14:9	83:14	89:17 98:6	31:11 32:7
82:16	83:17	108:14	32:13
82:19	83:19	111:17	32:18
87:24 88:6	83:20	<b>civil</b>	34:10
<b>circulate</b>	83:22 84:1	141:20	34:11
180:7	84:1 85:16	163:17	36:12
<b>circulated</b>	85:17	183:11	38:12
185:7	85:25 86:7	183:17	38:24
<b>circumstance</b>	86:8 86:23	<b>clarification</b>	51:14
194:10	87:5 87:8	60:6 120:22	82:22 83:4
<b>circumstances</b>	87:13 88:7	<b>clarify</b> 79:19	83:11 84:9
44:19	88:21	80:3 80:8	84:11
<b>citizen</b>	88:23 89:3	100:1	85:17
190:11	91:9 91:15	<b>clarity</b> 72:13	85:19
<b>city</b> 6:18	91:19 92:2	126:5 133:21	85:22
12:7 12:16	92:5 92:21	133:22	85:24 106:10
16:23 19:5	93:5 93:7	144:17	110:13 128:7
24:16	94:16	<b>clause</b> 163:12	128:18
26:11	95:14	<b>clean</b> 24:17	159:13
27:21 29:6	98:14	<b>clear</b> 129:2	160:15
30:3 30:3	98:21 99:4	150:25 151:3	<b>closed</b> 27:7
30:17	99:5	153:19	30:2
30:20	100:14	180:22	<b>closely</b> 70:25
31:13 32:1	100:21	181:20 199:2	<b>closer</b>
44:3 44:5	106:11	<b>clearly</b>	13:17 51:4
47:7 47:20	109:24	5:16 13:18	55:15 61:8
47:20	111:20	153:18	74:19 74:21
49:11	114:21 115:8	188:22	<b>closes</b>
49:21 50:2	128:12	<b>Clerk</b> 6:24	29:21
51:23	132:12	18:22	35:21
58:14 63:8	134:14	<b>client's</b>	78:19
65:17 68:4	136:23	14:23	98:13 123:1
69:21	171:10	<b>clinic</b>	<b>closing</b> 17:10
70:15	<b>City's</b> 43:3	114:5 117:25	29:24 127:16
70:22 79:6	43:22	<b>Clnic</b> 114:5	127:24
79:8 79:12	50:19 69:7	<b>close</b> 22:21	<b>closure</b> 72:18
82:21 83:7	71:13 78:2		84:4 85:5
	79:15		85:14
	85:23 86:12		



86:20 87:2	25:20 40:6	86:17 87:7	175:3
87:12	119:17	87:22	176:2 177:22
87:17	125:17 127:3	87:23 88:3	181:7 196:12
90:22 100:3	131:21	88:7 88:9	198:22
<b>Co</b> 37:25	132:18	88:22	<b>Commissioner</b>
<b>coast</b> 28:21	136:17	89:20	6:7 6:8
38:2 38:11	161:18 200:4	90:20	6:9 6:9 6:10
<b>cognizant</b>	<b>commented</b>	91:14 99:8	6:12 8:18
121:15 169:5	7:23	101:25	8:19 8:22
<b>colleague</b>	<b>comments</b> 7:15	103:13	8:24 10:14
114:24	16:22 68:7	120:12	10:15
<b>collect</b> 99:19	74:17 126:24	128:12	10:17 11:9
<b>collection</b>	127:17	129:18 132:6	11:10
94:17	144:19	132:13	11:16 16:1
<b>Com</b> 9:9	<b>commercial</b>	133:16	26:24 27:2
<b>combine</b> 48:20	78:6	133:18 134:2	35:13
<b>comes</b> 30:7	<b>commission</b>	134:14	35:14
135:25	5:7 6:19	136:23	35:15
158:14	7:19 8:5 8:7	136:24	35:25
158:19	12:7 17:11	139:10	36:11
159:10	19:4 19:6	139:13 141:6	36:22 37:2
183:13	27:5 29:4	141:15	37:6 37:8
185:13 191:2	43:23	141:19	54:7 55:9
<b>coming</b> 26:6	43:24 44:9	141:22	55:16 56:2
27:24	44:16	141:24 142:6	56:20
41:14 106:14	44:20	142:21	56:23 57:3
126:5 127:14	44:21 45:2	144:17 147:1	57:9 57:16
137:4 138:12	45:16 49:6	147:11 148:7	57:19
172:17 175:1	49:6 49:10	148:9 148:20	57:22
175:18	52:4 58:14	148:21	57:24 58:1
176:15 177:8	58:14	148:22	58:3 58:6
193:3 198:2	63:25	148:23 149:5	58:9 59:8
<b>commence</b> 5:4	64:11 66:6	149:8 149:13	59:11
<b>commend</b>	67:18 68:9	151:24 153:9	59:14
7:19 121:13	71:5 75:3	156:2 156:16	59:25 60:4
<b>comment</b>	79:14	162:6	60:9 60:10
7:16 8:14	79:20	164:3 164:16	60:12
11:24	82:24	164:17	60:17
	83:22	164:18	60:23
	84:17 85:8	164:23 166:6	61:21
	86:4 86:12	169:6	62:10 62:22
		169:7 172:17	

63:22	133:15	155:4 155:14	180:16
66:16	134:18	156:23	180:19
66:20	134:21	157:21	181:23
66:21	134:25 135:9	158:17	181:24 182:9
66:24	135:14	160:24	182:24 184:9
67:10 72:9	135:19	162:11	184:16
72:14	136:16	163:10	184:25 185:6
72:21 73:6	137:16	163:15 164:7	185:17
73:8 73:11	137:17	164:10 165:3	185:20
73:15	137:18	165:13	185:23
73:18	137:20	165:20	185:25 186:3
73:22 76:6	137:21	165:23 166:1	186:6
77:6 80:6	137:22	169:10	186:8
90:15	137:23	170:22	186:9 186:16
90:19	137:24	171:18 172:9	186:17
90:24 91:3	137:25 138:1	173:1	186:22
93:25	138:2	173:4 173:18	188:11
94:21	138:3	174:12	188:15 189:7
94:22	138:4	174:15	189:11
97:21	138:7	174:18	189:24 190:7
98:20 99:8	139:3	174:20	192:6
99:23 102:19	139:6 144:20	174:21	192:8 192:18
102:20	144:21	174:22	193:7 193:20
104:17	145:11 146:1	174:23	194:21
118:24	146:6 146:20	174:25	194:24 195:2
119:12	147:4 147:12	175:14	195:6
119:15	147:16	175:16	195:8
125:15	147:20	175:20	196:6 196:18
125:16	147:21	175:22	201:3
125:20 127:2	147:23 148:1	175:23 176:5	201:8 201:11
129:17	148:6 148:14	176:23 178:2	<b>commissioners</b>
129:21	149:14	178:7	6:6 6:7 6:11
129:22	149:17	178:9 178:13	6:14 7:14
130:21 131:1	149:23 150:1	178:16 179:1	7:22 7:25
131:2	150:15 152:2	179:4	8:13 10:12
131:8 131:11	152:19 153:3	179:8	11:6 11:19
131:14	153:7 153:13	179:9 179:18	13:22 14:8
131:22	153:24 154:4	179:20	15:8 15:16
131:23	154:11	179:22	15:22 16:4
132:15	154:13	179:23	17:1 17:5
133:10	154:19	179:25	26:22
133:14	154:23 155:2	180:11	35:12 36:6

37:13	196:24	155:21	<b>company</b> 101:4
41:13 54:4	197:11	<b>communities</b>	101:24
54:11 60:7	197:12	115:23	<b>compared</b>
67:12 69:3	<b>commission's</b>	117:10	122:22
71:9 72:8	12:2 44:17	131:16	163:16
81:4 90:13	52:6 52:20	<b>community</b>	<b>compensation</b>
91:5 93:16	79:21	14:10 19:7	151:14 163:7
102:18	82:15	24:2 24:2	<b>compete</b> 102:3
104:20	89:19 92:4	24:11	<b>competitive</b>
113:12	130:3 132:24	24:19	102:4 102:4
116:16	148:25 149:3	29:16	<b>complaining</b>
118:22	199:21	32:13 34:8	159:10
125:14	<b>commitment</b>	34:16	<b>complete</b> 53:7
126:25	98:24	34:16	84:5 84:6
129:19	<b>committee</b>	51:12	84:7
138:24 141:5	21:11	51:17 52:9	<b>completely</b>
143:8 144:18	45:11 47:2	84:15	55:2
151:22 152:4	49:19	84:19	<b>completion</b>
153:22	58:15	84:23 85:1	16:18 16:21
153:23	79:23	85:3 85:5	<b>complex</b> 51:10
160:21 165:2	79:24 93:3	85:10	<b>compliant</b>
166:8 170:16	102:24	85:11	49:4
173:11	103:12	85:13	<b>complicated</b>
175:12	103:13 104:1	85:16	79:4
177:12	104:5 104:14	85:22 86:2	<b>complications</b>
181:17 185:8	113:24 196:9	89:13	65:21
190:8 191:25	<b>Committee's</b>	89:13	<b>comply</b> 134:4
195:23	49:8 49:12	89:14 98:3	<b>concern</b> 35:21
198:13 200:3	80:4 80:13	106:6	56:4 97:23
200:20	<b>common</b> 51:1	107:2 114:17	97:24 99:7
<b>commissions</b>	151:3	118:5	130:3
142:14 145:2	156:1 156:16	120:8 120:10	165:7 196:10
152:17 154:9	162:21 174:5	120:23	<b>concerned</b>
156:14	<b>communicating</b>	120:24	86:25 89:1
173:24 174:3	154:5	122:10	119:1
174:6 174:11	<b>communication</b>	122:12	134:1
180:23 181:9	152:7 194:25	122:13	135:7 196:7
195:16	<b>communication</b>	122:19 123:9	
195:18	<b>communication</b>	125:19 126:4	
195:19	<b>s</b> 151:2	127:4 127:10	
196:11		131:24	
196:22			

<b>concerns</b> 47:14 50:6 70:5 70:9 70:17 74:10 107:17 192:21	135:4 137:14	45:18 66:6 119:2	50:24
<b>conclude</b> 79:18	<b>conditions</b> 16:16 82:17 85:5 85:9 85:12 86:6 92:10 132:24 134:4	<b>conservative</b> 74:18 92:13	<b>constraints</b> 167:25
<b>concluded</b> 50:5	<b>conduct</b> 17:11 92:18 142:1	<b>conserve</b> 11:13	<b>constructed</b> 45:24 50:7 51:4
<b>concludes</b> 201:1	<b>conducted</b> 5:1 63:7	<b>consider</b> 11:16 40:19 49:15 111:21 136:2 136:10	<b>constructing</b> 51:7
<b>conclusion</b> 17:2 17:4 23:17 52:1	<b>confer</b> 66:8	<b>consideration</b> 47:18 157:25	<b>construction</b> 59:5 97:24 98:1 98:4 98:8 98:15
<b>conclusions</b> 12:3 12:5 52:6	<b>conference</b> 5:9 9:19 14:25 142:11	<b>consideration</b> s 84:12 177:2	<b>consulted</b> 75:5
<b>concurrence</b> 52:22	<b>conferred</b> 63:24 66:5	<b>considered</b> 55:12 56:6 70:13 83:13	<b>contact</b> 8:3 156:20
<b>condition</b> 12:1 12:4 43:25 44:2 44:6 44:11 44:15 49:7 52:17 57:13 70:18 71:6 75:10 86:8 86:9 86:11 86:13 86:20 87:3 87:12 88:12 88:24 89:19 90:17 90:22 130:8 130:19	<b>confirm</b> 156:25	<b>considering</b> 55:17 111:17 111:20 136:3	<b>contain</b> 46:9
	<b>confirmation</b> 150:13 173:5	<b>considers</b> 96:15	<b>contains</b> 82:17
	<b>conflict</b> 16:2 172:2 172:11	<b>consisted</b> 47:3	<b>contaminate</b> 112:4
	<b>conflicts</b> 15:7 15:23 16:5	<b>consistent</b> 156:13 174:3 174:10 187:1	<b>contaminated</b> 109:16 109:16 109:18 109:20
	<b>conform</b> 197:15	<b>consistently</b> 157:3	<b>contamination</b> 46:22 92:15 107:18
	<b>confused</b> 58:19 58:25 173:7 178:17 192:10	<b>consists</b> 45:17	<b>contested</b> 45:1 52:3 52:12
	<b>confusing</b> 175:8	<b>Constant</b> 117:24	<b>context</b> 119:20 120:4 120:12 120:15 135:17
	<b>consent</b> 5:25	<b>constituents</b>	<b>contingency</b>
	<b>conservation</b>		

99:13	<b>control</b> 44:20	28:25	12:15
<b>continue</b>	50:19	29:18	12:23 43:2
28:19	146:5 148:24	59:18 60:3	<b>counties</b>
41:23	<b>controls</b>	60:16	187:18
69:14	145:22	64:15	<b>countries</b>
90:22 104:15	146:24	72:20 93:1	30:15
105:17 123:8	<b>controversial</b>	100:24 101:1	<b>county</b> 6:18
123:12	79:5	101:5	6:20 12:7
193:17	<b>convened</b> 93:2	101:6 101:13	12:17 15:2
<b>continued</b>	<b>convention</b>	102:1 130:21	16:23 18:2
5:25 28:16	187:5	147:3 151:22	19:5 29:6
71:12	188:9 189:19	157:20	47:7 65:17
<b>continues</b>	<b>conversations</b>	159:14	66:17 91:9
52:23	80:10	159:15 162:3	92:21 100:14
89:14 168:5	80:12 120:18	162:9	100:21
<b>continuing</b>	175:10	165:3 176:25	128:12 129:3
50:10 51:23	<b>convoluted</b>	183:18	132:12
<b>contract</b>	77:9	<b>corrected</b>	132:13
95:12	<b>cooperation</b>	160:14 161:7	134:14 136:3
95:13	181:1	<b>correction</b>	171:1 172:15
97:14 148:11	<b>copies</b>	128:3	172:23
149:24	133:3 151:22	<b>corrections</b>	189:22
157:18 161:2	<b>copy</b> 132:13	7:14	<b>couple</b> 54:7
162:13 163:2	152:15	<b>correctly</b>	62:25
163:13	153:21	26:10	79:19
164:10	<b>core</b> 121:20	37:17	95:17
164:15	<b>Corp</b> 13:8	92:22 175:24	100:1 102:23
164:15	13:13 78:1	<b>cost</b> 160:2	144:12 184:4
164:20	<b>corporation</b>	160:7 160:18	195:16
164:21 165:6	12:13	191:23 199:7	195:17
179:12	12:14	<b>costs</b>	<b>course</b>
<b>contracts</b>	12:15	159:25 160:3	30:20
157:5 163:11	12:23 38:1	160:4	81:24 92:17
<b>contrary</b>	43:2	169:3 199:5	<b>courses</b> 48:1
167:18	<b>corporations</b>	<b>Council</b>	<b>court</b> 5:12
<b>contributing</b>	166:12	171:10	5:24 7:1
77:12	166:14	172:15	190:24
<b>contributions</b>	<b>correct</b> 28:23	172:23	<b>cousins</b> 22:24
32:2		<b>Counsel</b> 12:14	<b>cousin's</b>

22:23	51:2 71:13	178:18 182:3	173:23 175:4
<b>cover</b> 160:18	73:3 73:4	182:3	181:1 195:19
<b>covered</b>	82:7 95:25	<b>Daniel</b> 6:22	196:25
161:16 201:7	97:8 97:9	<b>dark</b> 46:18	198:11
<b>crater</b>	98:6 120:5	133:9	<b>DBEDT's</b> 196:8
29:20 36:7	171:21	<b>data</b> 141:22	<b>De</b> 37:16
36:15	181:10 183:6	177:6	37:24 121:9
36:19	186:15	<b>date</b> 10:23	<b>dead</b> 21:20
45:20	<b>currently</b> 6:5	11:4 57:18	63:3 63:16
116:3	9:20 10:9	83:3 83:6	63:18 63:20
116:4	34:21	84:4 84:4	<b>deadline</b> 44:3
118:3	35:22	84:8 84:8	44:22 59:4
118:4 119:19	52:10	100:3 100:17	69:8 69:10
<b>crazy</b> 122:18	57:13	134:13 140:7	69:23
<b>create</b> 159:7	72:15	<b>dated</b> 12:4	70:23 71:1
<b>created</b>	72:15	48:9 67:22	72:18 78:4
34:9 155:5	78:17 95:7	153:2	79:9 79:16
<b>creeping</b>	98:2 98:5	<b>dates</b> 82:23	86:25 87:9
131:17	98:7	134:5	87:16
<b>criteria</b>	138:16	<b>day</b> 11:7	87:17
83:15	170:25 173:5	21:24	87:19
83:19 84:2	173:10	72:18	98:25 99:1
91:9 91:21	178:22	107:6	<b>deaf</b> 23:7
91:22 92:23	<b>cut</b> 111:1	110:2	116:17
<b>critical</b> 96:5	111:6 116:10	110:3 119:18	<b>deal</b> 128:17
<b>cross-</b>	177:9	165:2	179:15
<b>connected</b>	<b>cutting</b>	<b>days</b> 28:24	179:17
150:6	177:18	78:24 86:9	<b>dealing</b> 24:13
<b>cross-plotted</b>	<b>CWRM</b> 75:11	109:11 153:5	50:19
64:6	<hr/>	168:18	63:23 91:17
<b>cubic</b> 95:23	<hr/> D <hr/>	180:22 198:4	<b>Dean</b> 156:8
<b>cultural</b>	<b>D&amp;O</b> 130:3	200:17	<b>debris</b> 106:12
135:20 136:3	<b>dad</b> 21:22	<b>DBEDT</b>	<b>decades</b> 83:10
136:11	22:4 23:11	142:12	169:14
<b>curious</b>	23:12	142:14 144:1	<b>December</b> 44:2
102:23	<b>daily</b> 28:24	144:9 147:18	44:6 44:13
<b>current</b> 46:24	<b>damage</b> 123:9	152:18	44:21
	<b>Dan</b> 6:4 29:3	155:24	47:11 49:3
		158:22	57:3 57:6

57:7 58:12	201:13	42:19 43:3	<b>describe</b> 74:5
59:9 59:15	<b>defend</b>	67:16 78:3	146:23 147:8
69:9 69:23	190:6 196:25	94:7 94:15	<b>described</b>
71:15	<b>defer</b> 11:11	146:8 147:16	69:19 103:12
79:16	193:8	156:8 157:10	103:18 104:8
82:22	<b>defined</b>	159:4	150:13
86:14 130:18	85:8	159:5	<b>describes</b>
131:17	143:15 158:5	160:8	46:14
175:13 176:1	197:18	183:6 187:24	<b>description</b>
176:15	197:19	194:6	198:5
181:21	<b>defining</b>	<b>departments</b>	<b>deserve</b>
<b>deceptive</b>	150:5	141:20 146:8	117:21
188:13	<b>definition</b>	188:3 189:23	<b>deserving</b>
<b>decide</b> 146:10	111:25 112:6	<b>Department's</b>	11:18
181:14	112:8 112:10	108:15	<b>designate</b>
195:23	136:4 148:4	<b>Department-</b>	67:19
195:24 196:2	<b>degree</b> 91:7	<b>wide</b> 144:9	67:24 137:12
<b>decided</b> 104:4	92:18 200:6	<b>dependent</b>	137:13
164:19	<b>delay</b>	96:25	<b>designated</b>
<b>decides</b> 98:14	152:23	<b>depending</b>	112:13
<b>decision</b> 12:3	155:11	17:21 96:7	<b>despite</b>
12:6 45:4	155:12	96:17 100:11	84:2 87:14
45:16	<b>delegate</b>	144:13	87:14
47:21 52:7	169:21	<b>depends</b> 144:8	<b>detail</b>
52:18	<b>deliberate</b>	<b>depicting</b>	69:19 100:19
52:20	73:24	56:16	161:3
55:17	<b>deliberations</b>	<b>depth</b> 95:20	<b>details</b> 52:5
67:17 80:4	17:11 129:16	<b>Deputy</b>	<b>determination</b>
82:18	<b>demolition</b>	12:13	95:10
100:2	97:25 98:1	12:14	<b>determine</b>
100:4 108:13	98:4 98:9	12:15	27:21 150:2
108:14	98:15	12:23 13:2	<b>determined</b>
108:15 128:3	<b>department</b>	43:1	104:2 182:5
<b>decisions</b>	11:22	142:12 144:1	<b>develop</b>
44:17 136:11	12:17	148:2 151:20	83:4 88:11
152:10 165:6	12:24	156:9 156:25	126:16
<b>declaratory</b>	16:23	186:7 186:18	149:10
9:24	19:25 29:5	<b>Derrickson</b>	
<b>declare</b>		6:23	

180:23	156:22	147:17	106:12
<b>developed</b>	<b>difficult</b>	147:19	<b>disclose</b>
46:7 46:8	50:11 64:17	151:19	15:16 16:6
87:22	<b>difficulties</b>	151:19	<b>disclosed</b>
91:21 119:23	65:17 77:13	151:20 156:9	171:14
119:23	<b>difficulty</b>	160:13	171:16
<b>developing</b>	69:22 190:25	173:14	172:12
156:10	<b>dig</b> 184:14	181:25 183:6	172:19
<b>development</b>	188:16	186:7	<b>disclosure</b>
8:9 13:3	<b>digital</b> 5:22	196:6 196:18	20:1
16:25	<b>dilemma</b> 75:21	197:1	<b>disclosures</b>
17:15	<b>diligence</b>	197:8 198:23	15:7 15:23
46:11	92:19	<b>directors</b>	<b>discretion</b>
92:10 119:25	126:9 161:14	147:13	143:3
171:3 183:7	<b>diligent</b> 79:6	197:22	<b>discuss</b> 144:2
<b>Diamond</b> 116:3	<b>dimension</b>	200:15	165:5 201:2
118:4	127:11	<b>director's</b>	<b>discussed</b>
<b>differ</b> 128:9	<b>direct</b>	67:22	69:25
<b>difference</b>	88:18 176:22	<b>Directors</b>	90:19
145:18	<b>directed</b>	156:25	91:25
145:19	14:16	<b>Director's</b>	119:4 134:11
145:25	82:20	158:21	173:11
146:18	83:22 167:23	158:23	192:12
164:12	<b>directly</b> 5:17	179:12	<b>discusses</b>
<b>differences</b>	102:7 142:10	<b>directs</b> 142:6	79:22
187:8	148:23 151:8	<b>disadvantage</b>	<b>discussing</b>
<b>different</b>	165:11	163:16	67:3
105:9 111:18	167:18	<b>disagree</b>	<b>discussion</b>
142:18 145:6	198:13	22:20	130:23
145:13 146:2	<b>director</b>	24:20 128:20	135:15
150:21	12:20	128:22	139:19 141:1
153:22	44:25 63:9	<b>disappeared</b>	170:3 192:19
156:13	87:6 94:7	164:22	193:11
159:22 162:1	94:14 142:12	<b>disapproval</b>	<b>discussions</b>
191:19	144:1	45:9 62:21	49:13
196:14	146:7 146:10	<b>disapproved</b>	49:21 50:1
197:23	146:14	48:12 70:7	63:6 64:11
197:24	147:15	<b>disasters</b>	88:16
<b>differently</b>		106:12	



136:6 143:2	<b>documented</b>	94:10	<b>Dropbox</b> 19:11
<b>displeasure</b>	28:24	94:14 95:8	<b>due</b> 44:6
200:7	<b>documents</b>	98:17	44:19 50:5
<b>disposal</b>	18:25 149:12	99:10	79:7 92:19
94:17 112:3	<b>dog</b> 158:18	99:15 100:25	126:9
<b>dispose</b> 78:24	<b>domain</b> 48:3	101:6	140:7 161:14
<b>disposed</b>	104:9	101:9 101:15	171:17
78:16	<b>domestic</b>	101:18 102:1	<b>dug</b> 189:1
<b>disproved</b>	112:5 112:7	102:8 102:15	<b>dumped</b>
74:13	<b>done</b> 5:13 7:2	103:7 103:11	35:22
<b>disputes</b>	30:14	<b>draft</b> 151:7	78:12 98:8
69:12	31:22	176:1 198:4	<b>dumping</b>
<b>disrespect</b>	31:25	<b>drag-out</b>	105:23
120:22	93:11	191:19	115:15
<b>disrespectful</b>	95:11	<b>driest</b>	123:12
171:25	95:16 97:2	108:3 108:8	<b>dumps</b> 109:17
<b>disrupt</b> 10:18	97:2 97:3	<b>drink</b> 109:2	<b>during</b>
<b>disruption</b>	115:3	109:8 109:11	47:11
72:15	116:8 135:10	109:12	50:15 74:8
<b>distribute</b>	161:4 170:19	112:15	135:20
151:21 196:3	171:19	114:25	177:16
198:24	171:23	<b>drinkable</b>	<b>duties</b> 141:16
<b>district</b>	171:24 173:9	56:8 83:16	141:23
51:14	175:17	112:12	142:23
51:18	176:15	<b>drinking</b>	148:10
51:19 119:2	176:24	107:22	148:21 150:5
<b>districts</b>	<b>door</b> 117:15	107:24 109:9	150:12
45:19	<b>double</b>	109:10	169:16
<b>diversions</b>	36:18 105:18	112:14	<b>duty</b> 119:7
97:15	<b>downsize</b> 30:4	<b>drive</b> 22:13	123:22
<b>diverted</b>	<b>downtime</b>	<b>driven</b> 174:14	124:12
96:21	97:10	180:25	125:19
<b>divides</b>	<b>Dr</b> 12:20	<b>driver</b> 155:22	125:23
151:16	88:23 89:5	181:4	135:10 169:6
<b>division</b>	89:8 89:10	<b>driving</b>	177:22
144:10	90:20 92:1	145:10 175:4	<b>Dwight</b> 92:7
	93:19	175:4	<b>dying</b> 32:11
	93:25 94:1	<b>drones</b> 95:18	32:12
	94:2 94:6		<b>dynamic</b>

140:23	172:16	<b>eloquent</b>	150:10 157:5
<hr/>	<b>effectively</b>	126:20	157:18 161:2
<u>E</u>	47:5	<b>else</b> 8:13	161:21
<b>earlier</b> 35:20	<b>effects</b> 89:15	32:14	161:22
46:12	<b>effort</b>	37:15	162:13 163:2
59:20 125:18	70:13 74:3	38:24	163:24
<b>early</b> 49:22	74:4 74:5	41:19 113:15	<b>employs</b> 145:3
103:19	74:5	114:22 115:4	<b>enable</b> 47:5
163:12	<b>efforts</b>	115:20 119:9	<b>encompasses</b>
<b>ears</b> 116:17	7:20 69:21	123:13	54:22
<b>ease</b> 26:17	71:13 80:7	131:21	<b>encourage</b>
<b>easier</b> 50:25	83:2 83:10	132:17 155:7	8:10 66:1
<b>east</b> 40:18	83:14	190:21 196:3	66:8 68:8
40:22	83:18	<b>else's</b> 31:16	77:14
40:23 120:10	83:21	<b>email</b> 153:3	<b>end-of-life</b>
171:8 171:8	88:10	<b>emailed</b>	78:10
<b>eastbound</b>	88:13 89:4	151:23	<b>energy</b>
39:3	91:16 138:15	<b>Emmanuel</b> 10:8	30:17
<b>easy</b> 123:18	<b>eight</b> 27:20	<b>embarrassed</b>	94:18 96:8
127:14	47:8 82:9	197:6	102:5
131:25	89:7 97:5	<b>emergency</b>	<b>engage</b> 88:7
<b>economic</b>	97:20	24:10	141:15
177:6 183:7	<b>either</b> 87:3	48:14	142:21
<b>economists</b>	94:2	123:4 123:4	142:22
184:3	102:12 133:2	<b>eminent</b>	142:25
<b>eczema</b> 117:22	142:15	48:2 104:9	143:10 145:8
117:22	143:22 187:2	<b>employee</b>	148:4
117:24	191:12	162:19 163:5	148:6
<b>Ed</b> 20:20	<b>elaborate</b>	163:5 164:5	148:7
20:24	94:12 131:12	<b>employees</b>	148:9 150:8
28:22	<b>elect</b> 11:19	141:15	<b>engaged</b> 88:14
105:3 105:13	<b>electric</b>	142:22 148:9	88:19 91:15
112:11	101:4 101:23	148:11	<b>engaging</b>
<b>effect</b>	<b>eliminated</b>	148:12 198:9	173:25
82:14	103:2	<b>employer</b>	<b>engineered</b>
84:22 85:1	103:3 103:21	171:21	75:19
100:22 149:8	103:22	<b>employment</b>	<b>engineers</b>
150:11	103:23	145:4 149:24	66:25
	103:25		

<b>enjoy</b> 178:1	44:24 48:7	<b>evaluated</b>	103:24 110:1
<b>enter</b> 20:17	48:19 49:9	48:11	111:21 114:8
42:6	<b>equal</b> 39:5	<b>evaluating</b>	115:3
<b>entered</b> 76:12	<b>equivalent</b>	47:17	119:8 125:17
88:6	162:20	<b>evaluation</b>	127:20
<b>entertain</b>	<b>Eraolani</b> 22:9	170:3	190:15 196:3
129:17	<b>ERISA</b> 169:14	174:4 174:5	196:14
<b>entire</b>	<b>Ernie</b> 67:1	<b>evaluations</b>	<b>everywhere</b>
21:18	<b>essential</b>	103:14	190:18
22:24	85:12 149:12	103:20	<b>evidence</b>
64:23	<b>essentially</b>	151:15	75:22
64:24 183:25	61:6 96:7	156:12 157:5	76:13
184:2	<b>established</b>	157:24 161:3	82:24
<b>entitled</b>	47:2 58:16	193:19	84:19 128:16
145:8 156:19	<b>establishment</b>	196:16 198:7	128:17 133:4
<b>entity</b> 50:20	141:6	<b>evening</b> 153:3	<b>Ewa</b> 28:8
<b>ENV</b> 12:18	<b>estimate</b>	<b>event</b> 6:1	<b>exactly</b>
12:19 43:4	92:13	98:21 140:11	125:18
44:21	95:17	<b>events</b> 45:3	126:15 153:1
44:25 45:4	95:23	70:1	162:8
47:8 49:2	95:24	<b>everybody</b>	162:9
49:5 49:7	96:15	24:4 25:5	185:3
49:15	96:24 97:3	31:13	185:7 186:2
50:13	97:4 100:9	31:21	<b>examined</b> 52:4
51:22 52:2	<b>estimated</b>	43:15	<b>example</b>
52:11	128:4 174:8	61:18 73:4	89:2 145:1
52:14	<b>estimating</b>	138:22	157:16 158:7
52:15	96:3	140:25	175:9
52:22 55:3	<b>et</b> 74:19	155:15	<b>exceeded</b>
71:6 72:25	151:15	<b>everybody's</b>	173:15
134:3 134:13	193:20	99:19	<b>except</b> 31:18
<b>environmental</b>	<b>ethical</b> 15:15	170:7 177:19	<b>excited</b>
11:22	<b>ethics</b> 171:5	188:9	136:21
12:17 29:6	<b>evacuate</b>	<b>everyone</b>	136:25 137:6
43:3 84:6	24:11	5:5 17:18	<b>exciting</b>
94:7 94:15	<b>evaluate</b> 47:6	43:1 141:4	199:4
117:25		<b>everything</b>	<b>exclusive</b>
<b>ENV's</b> 43:22		24:14	128:13
43:25		30:14 103:24	

<b>excusable</b> 161:17	19:15 91:14	190:3	122:23
<b>excuse</b> 142:21	<b>exhibits</b> 19:8 19:10	<b>expert</b> 56:10 74:7	123:20
<b>excused</b> 6:14 6:15 138:6	19:12 61:24 62:3 133:4	92:8	137:12
<b>execute</b> 150:10	<b>exist</b> 155:23	<b>expertise</b> 66:2	<b>extended</b> 69:11 90:17 101:22
<b>execution</b> 148:25	<b>exit</b> 6:3	<b>expire</b> 72:16	<b>extending</b> 87:18 179:11
<b>executive</b> 6:21 17:24 140:18 141:17 141:18 141:19 142:8 142:24 145:3 148:19 148:22 149:5 149:9 150:11 158:10 161:24 165:9 173:24 173:25 174:9 181:25 190:10 197:10 197:22	<b>expand</b> 38:25 91:6 114:10	<b>expired</b> 86:9 164:15	<b>extension</b> 16:17 27:8 27:12 29:14 44:12 52:14 56:24 57:11 57:11 58:18 59:3 67:19 70:16 71:14 75:10 79:12 79:15 85:18 86:10 87:6 87:8 89:17 122:16 124:11 126:15 126:15 129:1 130:16
<b>exempt</b> 141:20	<b>expanded</b> 45:25	<b>explains</b> 72:18	
<b>exercise</b> 146:15	<b>expansion</b> 122:16	<b>explain</b> 16:8 94:11 140:24 158:13 178:19 201:10	
<b>exercises</b> 177:15	<b>expectation</b> 77:7 77:8 133:8 133:23 134:11 188:22	<b>explained</b> 61:5 92:12	
<b>exhausted</b> 50:9 100:8 100:15	<b>expectations</b> 161:3	<b>explanation</b> 152:25 192:5	
<b>exhibit</b> 19:8 19:10 19:15	<b>expected</b> 112:4 112:7	<b>explicitly</b> 143:6 166:2	
	<b>expend</b> 167:2	<b>exploring</b> 48:2	
	<b>expenditure</b> 169:7	<b>express</b> 107:17 192:20	
	<b>expenditures</b> 160:1	<b>expressed</b> 50:2 131:4 193:13 196:9	
	<b>expenses</b> 14:18 14:25 15:2 199:22 199:22	<b>extend</b> 31:4 38:23 56:25 57:17 69:8 78:3 86:20 87:3 101:19 101:19	
	<b>experience</b> 47:4 140:22 168:8		<b>extensive</b> 82:24 84:16
			<b>extensively</b> 128:14
			<b>extent</b> 165:3
			<b>eyesore</b> 38:14

<p><u>                    </u> F <u>                    </u></p> <p><b>face</b> 64:13 64:18 66:2 67:4 92:23</p> <p><b>facilitate</b> 139:13</p> <p><b>facilities</b> 112:3 141:22</p> <p><b>facility</b> 78:5 94:18 96:8</p> <p><b>fact</b> 12:3 12:5 21:17 22:24 24:13 30:12 52:6 66:5 74:1 77:11 79:21 80:5 131:17 141:13 156:7 188:18</p> <p><b>factor</b> 77:12</p> <p><b>fair</b> 63:15 77:4 77:17</p> <p><b>fairly</b> 47:5 97:9 97:12</p> <p><b>falling</b> 116:17</p> <p><b>familiar</b> 169:16</p> <p><b>familiarize</b> 141:10</p> <p><b>family</b> 15:10 15:14 21:14 21:18 23:13</p>	<p>28:21 32:10 113:25 117:21 142:14</p> <p><b>family's</b> 31:3</p> <p><b>farms</b> 30:14</p> <p><b>Farrington</b> 21:4 21:16 21:17 27:16</p> <p><b>fault</b> 89:12</p> <p><b>favor</b> 8:25 126:1</p> <p><b>feasibility</b> 70:18</p> <p><b>federal</b> 24:8 48:3 49:16 50:10 50:12 50:17 63:2 63:4 63:12 63:14 70:20 88:14 115:5 141:25</p> <p><b>federal-owned</b> 48:24</p> <p><b>feel</b> 102:6 107:23 152:9 156:21 173:12 180:4 180:4 184:1 199:12 200:6</p> <p><b>feeling</b> 75:2 138:13</p> <p><b>feelings</b> 193:12</p>	<p><b>feels</b> 70:23</p> <p><b>fell</b> 164:16</p> <p><b>fellow</b> 7:22</p> <p><b>felt</b> 16:2 22:16 188:13</p> <p><b>Fevella</b> 28:4 28:5 28:8 28:8 28:12 28:15 31:8 31:10 32:6 32:8 32:19 32:22 33:1 33:3 33:5 33:7 33:9 33:12 33:23 34:5 34:20 34:22 35:17 35:24 37:1 37:4 37:7 37:10 113:18 113:20 113:22 116:8 116:12 116:15 116:19 116:23 117:1 117:18 119:3 120:21 137:5</p> <p><b>fiduciaries</b> 169:16 169:21</p> <p><b>fiduciary</b> 169:6 177:22</p> <p><b>fight</b> 106:5 107:3 107:5 108:10 108:11</p>	<p>108:12 114:24</p> <p><b>fighting</b> 24:10 107:8</p> <p><b>figure</b> 39:19 95:18 167:3 191:6</p> <p><b>figuring</b> 95:15</p> <p><b>Fil</b> 9:9</p> <p><b>file</b> 194:22 194:25</p> <p><b>filed</b> 19:12 44:5</p> <p><b>filing</b> 49:9</p> <p><b>fill</b> 95:25 96:4 96:25 97:8 97:9 97:18 97:18 193:2</p> <p><b>filled</b> 100:7 187:21</p> <p><b>filter</b> 46:23 61:7 61:15</p> <p><b>final</b> 47:21 47:25 99:11 104:14 136:21 140:16 166:7 198:5</p> <p><b>finalized</b> 52:19</p> <p><b>finally</b> 84:9 85:24</p> <p><b>Finance</b> 159:4</p>
---	--	--	---

159:5 160:8	81:9 81:14	17:16	<b>freshwater</b>
<b>financial</b>	<b>fix</b> 187:22	67:21	48:14
15:11 193:23	<b>fixed</b> 181:11	176:1 197:22	56:12
<b>finding</b>	<b>flawed</b> 193:16	<b>forthcoming</b>	56:19
12:5 49:3	193:16	174:9 175:13	60:24
85:12 92:5	193:17	176:3 176:15	61:17
103:5 175:7	<b>flex</b> 168:24	<b>forward</b> 11:21	64:19 64:24
<b>findings</b> 12:2	<b>floor</b> 5:11	11:25	<b>Friday</b> 151:24
52:6 79:21	113:19	41:15	<b>front</b> 21:24
80:5 82:15	<b>fluctuates</b>	54:20	44:8 45:1
<b>fine</b> 11:8	72:24	77:15	59:23
26:15 94:2	<b>fluidity</b>	88:25	77:10 190:24
127:9 134:22	167:21	93:20	<b>fruits</b> 49:20
<b>first</b> 7:3	<b>fluids</b> 61:8	93:24 114:11	<b>frustrated</b>
16:9 20:17	<b>flying</b> 95:18	115:4	191:18
20:19 22:2	<b>flyover</b> 73:2	115:8 127:14	<b>fuel</b> 45:12
28:15 45:6	<b>focused</b>	133:19	61:14
45:17	142:19 156:4	135:11	<b>full</b> 11:18
49:16 51:9	<b>fold</b> 201:6	138:12 154:1	45:15
82:6 105:8	201:12	158:6	73:21 128:18
110:2	<b>follow-up</b>	161:8 162:24	199:12
110:3 142:17	60:11	166:5 183:21	<b>fully</b> 188:2
142:20	62:25 111:10	189:4	<b>fun</b> 106:17
159:14	<b>Foreign</b> 153:4	190:5 190:17	178:5
164:14	<b>forever</b>	192:23	<b>fund</b> 168:2
165:14	188:10	199:11	169:15
165:15	<b>forget</b> 89:23	200:11	169:16 188:4
166:17 187:7	<b>forgot</b> 94:24	<b>forwarding</b>	191:14
<b>fiscal</b> 140:19	<b>form</b> 130:12	132:4	<b>funding</b>
175:13 176:3	174:5	<b>fought</b> 157:7	146:11
182:4	198:6 198:19	<b>fourth</b>	146:16 188:2
185:3 199:23	<b>formal</b> 74:11	11:17 139:17	<b>funds</b>
<b>five</b> 30:11	<b>Formby</b> 30:18	140:15	140:17
70:16	<b>formed</b> 79:23	<b>four-year</b>	141:25 173:6
85:20	<b>forth</b> 17:7	125:21	190:21
103:5		<b>frame</b> 129:1	192:22
135:8 169:12		144:6 189:12	<b>funny</b> 40:7
<b>five/six</b> 58:4		<b>freely</b> 157:13	160:13
<b>five-minute</b>		<b>fresh</b> 46:15	

<b>furnish</b> 149:5	12:25	37:18	77:4 77:20
<b>Furthermore</b>	13:10	37:22 38:5	80:15
194:5	13:15	38:8 39:7	80:19
<b>future</b>	13:19	39:25 40:3	80:22
60:15 63:4	13:23 14:2	40:25 41:4	80:25 81:3
111:24	14:6 14:12	41:8 41:13	81:11
138:14	14:22 15:1	41:19	81:14
	15:5 18:9	41:22 42:4	81:18
	18:14	42:9 42:17	89:25 90:4
<hr/> G <hr/>	18:17	42:21	90:7 90:10
<b>game</b> 167:7	18:20	42:23 43:7	90:13 91:5
<b>general</b>	19:16	43:12	92:20
6:25 13:2	19:23 20:2	43:17 53:1	93:10
47:4 47:10	20:5 20:8	53:5 53:11	93:14
148:2	20:11	53:17	93:23 94:3
148:2 195:14	20:16	53:20	94:8 94:11
200:12	20:21 21:2	53:24 54:2	94:20
<b>generalized</b>	21:5 21:8	60:7 61:3	99:12
64:5 64:8	23:15	62:24	99:22
<b>General's</b>	24:25 25:4	63:17	99:25
124:5	25:11	63:21 64:3	101:2
<b>gets</b> 25:5	25:14	64:23	101:7 101:12
73:2	25:19	65:16	101:16
160:17 164:7	25:24 26:2	65:20	101:21 102:2
169:22	26:20	66:15	102:11
<b>getting</b> 53:12	26:22 27:1	67:11	102:17 103:9
110:24	27:23 28:1	68:11	104:19 105:4
120:25	28:5 28:10	68:16	105:12
146:16	28:13 31:8	68:20	107:10
170:25 188:3	32:5 32:7	68:24 69:2	107:15
<b>gift</b> 122:14	32:17	71:18	108:20
<b>gifts</b> 141:24	32:20	71:22 72:1	108:23
<b>Giovanni</b>	32:25 33:2	72:4 72:7	110:19 111:1
5:3 6:4	33:4 33:6	72:12	111:4
7:9 7:13	33:8 33:10	72:20	111:8 111:12
8:19 8:23	33:15	73:10	112:17
9:2 10:11	33:19	73:13	112:22
10:15	34:24 35:2	73:17	112:24 113:3
10:24 11:3	35:5 35:8	73:20	113:7 113:10
11:15	35:11	73:24 75:1	113:20 116:6
	35:14 37:12	75:8 75:16	116:10
		76:2 76:9	116:14

116:18	143:17	176:12	87:10 103:13
116:22	143:20	176:14	103:17
116:24 117:2	143:24 144:5	176:21 178:4	103:17
117:5	144:15	178:8 178:11	117:24
117:7	144:25	178:15	119:24
118:7 118:10	145:24 146:4	178:24 179:3	122:13
118:12	146:19	179:7 179:14	131:16 152:8
118:16	146:22	179:19	157:6
118:19	147:10	179:24	157:8 157:13
118:21	147:14	180:17	157:15 158:1
119:10	147:18	180:20	164:15
119:14	147:21	182:17	164:24
120:20 121:4	147:25 148:5	182:20	177:23
121:10 124:1	148:8 148:14	185:15	184:17
124:19	149:21	185:18	188:16
124:24 125:1	149:25 150:3	185:22	<b>gives</b> 24:1
125:4	150:21	185:24	95:22
125:7 125:12	151:12 152:1	186:13	109:7 177:4
126:23 127:6	152:12	186:20	<b>giving</b>
127:23 128:9	152:22	186:24	26:11
128:21 129:2	153:20 154:3	188:21	27:11
129:6 129:10	154:7 154:12	189:10	27:18
129:15	154:18	189:12 190:1	86:23
130:11	154:21	191:7 191:16	126:5 179:12
130:24 131:2	154:25 155:3	192:6 192:16	200:16
131:10	155:12	193:5	<b>glad</b> 121:8
131:20 132:8	155:20	193:9 194:16	161:7
132:17	157:20 158:4	194:19	<b>goal</b> 59:19
132:21 133:2	159:1 161:18	194:23 195:1	<b>goals</b> 126:6
133:8 133:12	162:16	195:4	126:7 126:8
133:20 134:6	163:14	195:9 195:12	<b>goats</b> 22:4
134:10	163:19	197:17 198:3	<b>going-forward</b>
134:23 135:1	172:25 173:3	198:25 199:2	156:11
135:18	173:16	199:14 200:3	156:12
136:15 137:8	173:20	200:19	194:11
138:7	174:13	200:25 201:8	<b>Goldman</b>
138:8 138:11	174:17	201:13	6:25
138:21 139:4	174:19	<b>given</b> 17:9	139:20
139:8 139:15	174:24 175:1	20:1 27:5	139:22 140:1
139:21	175:18	53:12	
139:24 140:2	175:21	70:24 78:22	
140:8 140:10	175:23 176:8		



143:6	177:23	47:15	122:25
143:7 143:11	192:24	91:24	123:23
143:18	<b>governs</b> 142:5	92:14 107:17	<b>guys</b> 22:11
143:22	<b>Grace</b> 36:7	112:4	22:13
143:25 144:8	<b>gracious</b> 68:6	<b>guarantee</b>	24:17
151:11	<b>grandkids</b>	38:13	24:19 29:2
<b>gone</b> 52:2	107:4 108:11	38:25	29:4 29:11
58:17 60:1	<b>grandma</b>	123:2 161:23	29:19
103:21 128:5	121:22	<b>guaranteed</b>	29:23
199:8	<b>grandma's</b>	164:8	30:10 31:1
199:9 199:9	21:16 22:23	<b>guess</b> 29:22	32:3 33:13
<b>good-faith</b>	<b>grandpa</b>	56:3 60:18	37:11
172:19	121:21	61:7 66:24	38:12
<b>Goodin</b> 14:9	<b>grandparents</b>	74:16 99:6	38:23 39:9
<b>goodwill</b> 50:3	23:8	103:7 146:20	39:15
<b>GORDON</b> 200:24	<b>grant</b> 79:15	146:20 147:4	39:17
<b>gotten</b> 173:7	130:16	149:17	39:18
<b>govern</b> 75:11	137:11	192:21	39:19
<b>government</b>	<b>granted</b> 17:6	<b>guidance</b>	98:25 99:9
40:19 122:19	<b>granting</b>	144:19	103:4
122:19 123:3	79:11	<b>guiding</b> 142:1	106:9 108:13
123:4 141:21	<b>great</b> 29:19	<b>Gulch</b> 11:23	108:17
141:25	29:23	16:15 27:6	109:19 110:7
<b>governmental</b>	30:22 131:10	29:7 35:21	110:9
130:1	135:5 193:5	35:23	114:3 114:12
<b>governments</b>	<b>greater</b>	36:13	115:13
187:19	51:1 122:9	38:12	115:14
<b>governor</b>	122:11	39:18 44:1	115:16
142:3	122:12	65:5 72:16	122:17
142:4	189:15	72:22	123:17
177:4	<b>grew</b> 121:19	76:24 78:7	123:21
177:5	<b>ground</b> 105:23	78:17	125:19
177:5	109:17	78:19	125:22
177:8 178:20	123:12	84:10	125:23
<b>governors</b>	<b>grounds</b> 108:6	94:18 95:7	125:23
183:24	109:15	98:7 98:11	125:24
<b>Governor's</b>	<b>groundwater</b>	98:13	125:25
147:13		100:7	126:10
		110:8 114:13	126:14
		<b>guy</b> 24:1	126:18
			136:11 137:4

142:13	<b>happened</b> 64:7	118:3 119:18	<b>heads-up</b>
156:17	89:5 89:7	119:21	192:21
156:19	93:2 146:7	119:21	197:24
178:20 185:7	<b>happens</b> 98:21	119:23	<b>health</b>
197:25	99:1 99:9	119:24	69:12 108:14
	134:16	121:14	114:8
	152:11	135:23 136:1	<b>hear</b> 13:18
<u>H</u>	161:15	136:7 166:13	17:14
<b>half</b> 73:5	<b>happy</b> 91:11	166:16	94:25 123:20
82:12 188:23	146:14 166:5	<b>Hawaiian</b>	127:13
189:13	178:6	5:9 38:1	127:15
189:14	<b>Hapuna</b> 9:18	101:4	131:19 182:2
<b>halfway</b> 40:15	<b>hard</b> 140:2	120:7	<b>heard</b> 19:19
40:16	<b>harmony</b> 68:2	120:8 120:10	29:19 67:2
<b>hand</b> 7:17	<b>harping</b> 30:12	122:18 123:9	67:5 79:3
75:20 113:17	<b>hat</b> 88:4	126:20	105:7 107:17
117:23 165:8	<b>hailed</b> 190:23	126:22	127:5 145:13
<b>handcuffs</b>	<b>haven't</b>	<b>Hawaiians</b>	154:14
65:12	66:5 87:18	38:17	181:25
<b>handle</b>	99:4 99:5	39:14 120:16	192:22
168:5 191:14	141:11 173:9	122:8 122:9	<b>hearing</b>
199:25	197:17	<b>Hawaii's</b> 78:5	10:2 10:3
<b>handled</b>	197:19 199:7	<b>Hayashida</b>	14:18
148:17	199:9	6:17 16:1	14:25 18:2
<b>handles</b>	<b>having</b> 9:14	138:5 138:5	25:3 45:1
166:15	77:13	<b>HCPO</b> 9:19	51:20 52:3
<b>handling</b>	78:25 91:9	<b>head</b> 39:21	76:8 86:17
95:14	135:15	39:22 40:7	100:18
<b>hands</b> 182:7	136:24	40:10	113:22
195:22	151:14 154:2	40:11	119:18
<b>hanging</b> 200:9	180:5	45:20	120:13
<b>happen</b>	197:5 199:16	106:3	120:24
36:12 109:21	<b>Hawaii</b> 6:12	116:3	135:20
123:3 123:13	13:8 13:13	116:3	192:22 199:8
123:14	30:13	118:3	<b>hearings</b>
123:18	55:24	118:4 119:19	52:12
123:19	55:24 78:1	135:21	76:23
168:20 194:8	106:1 115:12	135:24 140:3	84:20 127:12
196:4	116:3 117:19	148:20 185:5	196:7
		<b>heads</b> 192:25	<b>heart</b> 22:16

<b>he'd</b> 163:22	198:11	<b>Hoaha</b> 38:2	134:15
<b>held</b> 5:8 47:8 139:9	<b>highest</b> 173:22	<b>hold</b> 29:1 110:16 116:25 152:13 167:9 168:14 169:18 178:24 198:18	<b>Honolulu's</b> 12:17 <b>honored</b> 86:5
<b>Heleakala</b> 38:17 39:5 39:9 39:11	<b>high-level</b> 49:21	<b>holding</b> 9:11	<b>Ho'omana</b> 37:25
<b>help</b> 47:8 102:23 126:8 175:25 178:6 180:5	<b>high-priced</b> 11:12	<b>hole</b> 29:23	<b>hope</b> 102:14 104:16 125:25 126:7 126:14 126:14 138:22
<b>helped</b> 92:10 157:9	<b>highway</b> 21:4 21:16 21:17 22:24 27:16	<b>holes</b> 110:8	<b>hopefully</b> 29:2 52:21 52:23 59:15 70:25 167:5 190:4
<b>helpful</b> 180:7	<b>hill</b> 39:4 39:6 39:10 45:12 48:14 50:4 61:14 65:23 75:21	<b>home</b> 22:23 22:23 27:16 99:19	<b>hopes</b> 49:3
<b>helping</b> 50:2	<b>hint</b> 51:16	<b>homeless</b> 40:19	<b>hoping</b> 125:21
<b>Henry</b> 119:22	<b>hire</b> 148:11 168:6 173:25	<b>homes</b> 34:10 51:4 51:15	<b>horns</b> 197:9
<b>hereditary</b> 118:1	<b>historical</b> 119:20 120:4 120:12 120:15 135:17 135:23	<b>homestead</b> 21:19 38:15 122:21	<b>horrible</b> 192:1
<b>here's</b> 184:25 185:1	<b>historically</b> 117:11 117:16 120:17 135:21 195:16 200:13	<b>homesteads</b> 121:24	<b>hose</b> 109:12 109:13
<b>he's</b> 6:15 16:3 73:7 99:12 124:2 124:7 139:23 142:15 154:5	<b>history</b> 88:4 89:23 194:15	<b>hometown</b> 105:18 106:14	<b>hospitals</b> 45:24 51:5
<b>hey</b> 24:15 165:16 197:24	<b>hit</b> 37:23 199:24	<b>homework</b> 124:17	<b>hot</b> 72:11
<b>HGA</b> 189:9		<b>honest</b> 34:17 182:13 184:6	<b>hour</b> 17:20
<b>HHFDC</b> 196:2 196:12		<b>honesty</b> 184:5	<b>house</b> 21:16 22:2 22:8 30:24 38:16 38:16 147:7
<b>hide</b> 178:3		<b>Honolulu</b> 5:11 6:19 12:7 19:5 29:7 45:9 47:7 100:15 132:5	<b>housing</b> 121:19 121:20 171:2
<b>hiding</b> 160:20			
<b>high</b> 23:12 97:9 115:25			
<b>higher</b> 155:18 157:19			

<b>H-Power</b>	55:20 56:9	71:19	134:8
30:2 30:8	56:21	71:20	134:8 136:19
94:17 95:5	56:22 57:2	71:20	<b>huge</b> 54:23
96:8 96:23	57:4 57:4	72:10	54:23 65:8
97:14	57:12	72:14	65:8 65:9
99:18 100:11	57:12	72:17	130:4
100:20	57:17	72:17	<b>Huh</b> 179:9
101:17	57:21	72:23	<b>human</b> 119:8
<b>HR</b> 14:17	57:23	72:23 73:7	181:1 188:7
<b>HRS</b> 15:8	57:25 58:2	73:7 76:10	<b>hung</b> 74:2
141:7	58:2 58:4	76:14	<b>hurdle</b> 163:21
<b>HTA</b> 196:12	58:7 58:7	76:14	<b>hurricane</b>
<b>https://luc.</b>	59:3 59:3	77:18	106:13
<b>hawaii.gov/</b>	59:10	77:18	<hr/>
<b>sp09403</b> 19:2	59:13	80:16	I
<b>Hu</b> 12:13	59:18	80:17	<hr/>
12:15	59:18 60:3	80:17 90:1	<b>Ian</b> 13:8
14:15	60:3 60:5	90:2 90:2	13:14
14:19	60:5 60:16	93:18	<b>I'd</b> 5:15
14:24 15:4	60:16	93:21	12:10
18:8 18:8	60:20	93:21 95:3	14:14 15:6
19:20	60:20 61:1	107:12	18:21 40:5
19:21	61:1 61:4	107:13	41:16
19:21 25:9	61:4 62:1	107:13	42:12
25:9 33:16	62:1 62:14	107:13 117:2	42:13
33:17	62:14	117:3	60:11
33:17 40:4	62:23	117:3 124:13	63:22
40:5 41:24	62:23 63:6	124:21	67:25
42:2 42:2	63:6 63:19	124:22	93:18
42:8 42:15	63:19 64:2	124:22	99:25
42:25	64:2 64:16	127:19	102:9 121:12
42:25 43:2	64:16	127:19	126:4 130:12
43:9 43:14	64:23 65:2	129:13	143:6 144:17
43:19	65:3 65:19	129:13	201:6
43:21	66:14	132:19	<b>idea</b> 29:25
43:21 53:1	66:14	132:20	30:22
53:7 53:9	66:17	132:22	41:25 144:6
53:9 54:9	66:20	132:23 133:6	<b>identical</b>
54:19 55:20	66:20 67:8	133:6 133:13	152:16
	67:8 68:12	133:14	<b>identified</b>
	68:14 68:15	133:17	
		133:17 134:7	

34:2 60:14	12:13	66:24 67:6	136:21
62:12 64:7	13:10	71:16 74:1	136:25 137:6
74:13	21:20	74:23	138:16
77:11 103:15	23:25 24:1	76:14	138:25 139:1
135:22 188:5	24:1 24:6	76:18 77:2	140:2 141:13
<b>identify</b> 5:19	24:9 24:9	77:2 77:3	142:8 142:20
12:11 44:3	24:10	92:22	143:16
44:13 49:2	24:10	97:25	144:11
51:15	24:23	99:10	144:16
52:14	26:14	99:10 101:10	144:22
57:14 59:4	26:15	102:8	144:22 146:8
59:14	26:15 32:3	102:8 102:11	146:17
59:16	32:23	103:4	150:13
59:24 68:5	36:22	103:9 105:16	150:25 151:6
69:8 69:23	36:22	106:5	153:1 156:23
71:1 71:4	40:16	106:5	157:11 161:7
79:9 79:13	42:15 43:1	106:7 106:16	163:15 164:4
<b>identifying</b>	43:5 45:21	107:2	164:25 166:4
16:11	51:13	107:7 108:10	167:14
51:24 52:23	51:21 52:9	108:16	167:15 170:6
<b>II</b> 9:23	54:9 54:9	109:10 110:8	170:17 175:3
<b>Ikaika</b> 34:12	54:9 54:9	110:13	177:23 178:3
<b>Ikulani</b> 28:9	54:17	110:18	178:6
<b>I'll</b> 17:18	54:24	110:24	178:6 178:16
20:23 28:6	55:25 56:9	111:10	178:16 185:9
31:10	56:9 56:10	111:13	185:10 190:5
37:19 66:9	56:10	111:20	190:9 190:10
67:20	57:10	111:22	191:22 192:6
73:20	57:24 58:9	111:25 114:2	193:10
81:23	58:10	115:14	199:20
93:24 94:5	58:12	115:14	201:11
114:24 130:2	58:13	115:25 116:8	<b>immediate</b>
150:24 151:7	58:19	116:10	123:10
162:17	58:19	116:20	<b>immediately</b>
163:22	58:24	122:15 123:7	152:9 152:21
180:21 192:9	58:24	125:10	<b>impact</b>
<b>illegally</b>	58:24 59:1	125:18	69:12
78:12	60:20	125:21	84:14
<b>I'm</b> 10:18	62:15	132:25 134:1	84:18
	63:17	134:22	84:21 85:3
	65:13 65:14	136:17	85:10 85:13
		136:21	

<b>impacts</b>	35:13	167:10	<b>information</b>
85:6 88:4	35:19	173:14	88:21
136:11	37:21	183:15 187:1	100:4
<b>impetus</b> 117:9	52:10 68:4	188:23	100:5
<b>implement</b>	76:4 77:25	189:18	149:6
151:5	82:15 105:16	<b>increased</b>	155:6
174:5 174:7	110:5 116:21	65:23	157:4
<b>implemented</b>	192:25	<b>increases</b>	157:8 157:12
105:14	200:16	183:21	157:16
105:24 198:7	<b>in-between</b>	<b>increment</b>	158:21
<b>implication</b>	176:18	38:16	166:19 172:6
172:6	<b>incentive</b>	<b>indefinitely</b>	188:14
<b>implied</b> 5:25	162:18 163:9	87:4	188:17
<b>implore</b>	164:13	<b>independent</b>	188:18 189:8
136:10	<b>incident</b>	143:5	<b>informational</b>
<b>importance</b>	45:13	<b>indicate</b> 19:9	140:21
5:16	<b>inclined</b>	<b>indicated</b>	<b>informed</b>
<b>important</b>	130:2	42:10 74:10	18:24
7:23 11:17	<b>included</b> 71:6	<b>indication</b>	56:11
75:17	140:23	42:16	56:18 71:9
75:18 100:21	<b>including</b>	<b>indiscernible</b>	194:12
141:13	7:22 11:8	29:11 105:20	<b>in-person</b> 5:1
200:23	14:25	115:11 116:5	5:7 5:20
<b>imposed</b> 44:22	54:21 65:5	119:11	10:19
45:22 46:4	74:11	119:14	52:15 88:8
69:17 86:5	89:19 141:16	121:19 124:4	132:24
91:20	142:23 167:8	126:21	<b>input</b>
<b>imposes</b> 45:21	169:7	169:20	111:19 160:6
<b>impression</b>	<b>income</b> 115:23	180:14	183:21 184:6
161:9	115:23	189:10	<b>inside</b> 61:9
<b>impropriety</b>	<b>inconsistenci</b>	200:11	62:17 114:22
15:21 172:8	<b>es</b> 19:6	<b>indisputably</b>	<b>installation</b>
<b>improve</b> 97:14	155:23	85:2	112:3
<b>inaccurate</b>	<b>incorrect</b>	<b>inferred</b>	<b>instance</b>
188:20	188:17	154:24 155:1	102:12
<b>inaudible</b>	188:18	<b>influences</b>	106:13 136:4
34:12	<b>incorrectly</b>	96:20	168:6 177:7
	65:13 156:6	<b>inform</b> 92:10	<b>instances</b>
	<b>increase</b>		155:24

<b>instead</b> 27:15 51:16 92:21	142:18	167:6	54:19 64:1
<b>instructions</b> 177:3 177:9 177:23	<b>interpreting</b> 156:3 156:6	<b>ironic</b> 122:15	74:8 114:9 124:15 155:24
<b>integral</b> 79:1	<b>intervening</b> 52:11	<b>island</b> 6:13 6:16 9:18 28:20 36:1 36:8 56:12	171:12 181:5 181:9 192:11 193:12 195:17
<b>intellectual</b> 192:1	<b>Intervenor</b> 13:7 128:23	61:9 61:19 63:5 64:23 64:24 65:1	<b>item</b> 9:5 11:11 11:17 11:17 11:21 20:14 158:7
<b>intends</b> 139:10	<b>intervenor</b> 17:16 18:1 130:1 131:24	65:7 65:9 65:24 78:13 98:10 98:14	158:8 158:12 187:9 189:20 195:2 195:3 198:9
<b>intent</b> 54:13 155:13	<b>interview</b> 172:4 172:14	<b>island's</b> 48:14	<b>items</b> 104:13
<b>intention</b> 70:22	<b>introduce</b> 18:22	<b>isn't</b> 66:17 76:8 183:14	<b>it'll</b> 140:16 181:20
<b>interactions</b> 156:18	<b>inundation</b> 46:3	<b>issue</b> 28:17 43:24 48:6 51:8 64:17 66:7 75:8 75:13 75:17 82:9 85:7 91:8 111:24 137:5 156:1 156:15 156:17 171:9 173:4 173:13 175:16 178:22 179:10 179:14 185:1 188:13 193:23 200:4	<b>I've</b> 21:14 27:3 30:10 35:15 38:22 55:9 72:9 74:16 76:4 88:4 88:5 97:21 97:22 109:9 119:12 119:18 127:20 128:1 138:13 142:11 145:1 145:13 156:18 157:3 157:3 163:11 168:13 173:1 178:13
<b>interest</b> 15:7 15:11 15:23 16:2 16:5 50:2 198:15	<b>inviolable</b> 93:8		
<b>interesting</b> 166:11 170:10	<b>invite</b> 77:14		
<b>interference</b> 25:15	<b>invited</b> 76:15		
<b>international</b> 95:13 166:13 190:13 190:24	<b>invoices</b> 149:11		
<b>interpret</b> 132:8 142:10 142:16 143:9 143:10	<b>involve</b> 66:11 95:18		
<b>interpretatio</b> <b>n</b> 146:24 162:4 162:4	<b>involved</b> 34:6 34:7 105:20 177:13 178:2 178:21		
<b>interpreted</b>	<b>involvement</b> 199:21		
	<b>involves</b> 94:17		
	<b>involving</b> 19:6 82:25		
	<b>iPads</b> 166:23 167:5		
		<b>issued</b> 45:3 45:16 82:7 82:13 84:25 89:3 151:18	
		<b>issues</b>	

191:18 198:5	115:3	60:21 199:12	97:21
<hr/>	126:1 135:10	<b>justifies</b>	98:20
<u>J</u>	138:15 147:2	79:11	99:23
<b>Jeffrey</b> 12:14	165:1 169:18	<b>justify</b>	127:1
18:8 19:21	170:1	196:16	127:2 136:16
25:9 33:17	170:8 170:18	<hr/>	137:21
42:2 42:25	171:19	<u>K</u>	137:22 139:3
43:2 43:21	171:20	<b>K-1</b> 19:15	147:22
53:9 55:20	171:21	<b>K-475</b> 19:15	147:23 148:1
57:4 57:12	<b>jobs</b> 170:9	<b>Kahele</b> 6:9	148:6
58:2 58:7	<b>join</b> 178:2	26:24	173:1
59:3 59:18	<b>joke</b> 40:14	26:25 27:2	173:4 173:18
60:3 60:5	<b>joking</b> 40:16	35:13	174:12
60:16	<b>Joyce</b> 13:6	35:14	174:18
60:20 61:1	13:12	35:15	174:21
61:4 62:1	18:15 20:6	35:25	174:23
62:14	25:25 35:6	36:22 37:2	174:25
62:23 63:6	41:9 53:22	37:6 37:7	175:16
63:19 64:2	68:22 72:2	37:8 54:6	175:20
64:16 65:3	77:25	54:7 54:8	175:22
66:14	90:11	55:9 55:16	178:13
66:20 67:8	113:5 118:17	56:2 56:20	178:15
68:14	125:5 128:24	56:23 57:3	178:16 179:1
71:20	<b>July</b> 7:4	57:9 57:16	179:4
72:17	7:7 8:17	57:19	179:9 179:18
72:23 73:7	151:18	57:22	179:20
76:14	<b>jumbo</b> 30:24	57:24 58:1	185:17 186:8
77:18	<b>jumping</b> 110:8	58:3 58:6	186:16 192:6
80:17 90:2	<b>June</b> 12:4	58:9 59:8	192:8
93:21 107:13	156:5	59:11	201:3
107:13 117:3	166:7	59:14	201:9 201:11
124:22	170:3	59:25 60:4	<b>Kahele's</b>
127:19	179:5	72:9 72:14	60:12
129:13	179:6 179:10	72:21 73:6	<b>Kai</b> 37:7
132:20	<b>jurisdiction</b>	73:8 73:11	106:1 115:12
132:23 133:6	70:11 75:14	73:15	116:3 117:19
133:17 134:8	<b>justification</b>	73:18	118:3 119:19
<b>Jimmy</b> 183:5	60:18	73:20	119:21
197:7		73:22	119:21
<b>jive</b> 186:12		94:21 94:22	119:23
<b>job</b> 94:13			119:24



121:14	25:22	<b>kinds</b> 187:15	188:15
<b>Kailua</b>	25:22 35:2	<b>Kirk</b> 29:10	<b>kupuna</b> 108:11
29:10 34:2	35:3 35:3	<b>knew</b> 49:12	<b>Kurt</b> 28:4
34:11	36:3 41:5	114:15	28:8 113:18
34:14 36:9	41:6 41:6	<b>knock-down</b>	<b>Kwan</b> 6:24 7:6
115:12	53:17	191:18	7:8 7:12
117:19 118:3	53:18	<b>knowledge</b>	13:16
<b>Kaiser</b> 119:22	53:18 66:9	63:19 172:24	18:24
<b>Kaka'ako</b>	68:17	176:22	19:16
121:22	68:18	188:25	19:19
<b>kakou</b> 12:23	68:18 69:5	<b>known</b> 43:3	20:12
121:8	69:6 69:6	83:12	20:15
<b>Kalai</b> 37:24	71:18	83:19 83:25	20:19 28:1
121:9	73:25 74:7	<b>Ko</b> 14:9	28:3 37:15
<b>Kalihi</b> 121:19	74:7 75:7	19:7 22:7	37:16
121:24	75:9 76:1	52:9	41:20
<b>Kamakea</b>	77:22	114:13	55:15 81:9
137:18	80:22	114:14	81:13 104:24
<b>Kamakea-Ohelo</b>	80:23	114:15	105:1 113:15
6:8 131:1	80:23 90:7	<b>KOCA</b> 52:2	113:16
131:3 131:11	90:8 90:8	52:8 52:8	139:14
131:14	112:25 113:1	52:10	151:23 153:1
134:25	113:1 118:13	52:12	
135:14	118:14	52:16 86:21	L
135:19	118:14 125:1	<b>Kohelepelepe</b>	<b>Labor</b> 146:8
137:20 139:6	125:2	135:24	<b>LAC</b> 47:3 47:3
<b>Kamilla</b> 12:15	125:2	<b>Koko</b> 39:21	47:8 47:11
<b>Kanaka</b> 120:7	129:8 129:8	39:22 40:7	47:16
<b>kanakas</b> 137:1	<b>keiki</b> 108:11	40:10	47:22 48:11
137:2	<b>keikis</b> 107:4	45:20	<b>lack</b> 152:10
<b>Kaneohe</b> 108:5	<b>Ken</b> 6:16	106:3	159:6
<b>Kathy</b> 14:9	<b>key</b> 102:13	116:3	159:7 168:23
<b>Katia</b> 13:3	142:17	118:3 119:19	196:19
<b>Kato</b> 13:1	<b>kicked</b>	135:21	<b>LAC's</b> 47:25
13:1 18:12	28:17 147:7	135:23	<b>Lahaina</b> 140:7
18:12 20:3	<b>kicking</b> 31:5	<b>Kolekole</b>	<b>laid</b> 54:20
20:3 25:21	<b>kids</b> 109:13	24:11	127:20
	<b>kindness</b>	<b>kuleana</b> 180:4	<b>Lanai</b> 171:3
	124:11		<b>land</b> 5:6 19:4

24:9 30:7	44:13	83:15	114:6 114:16
31:13	45:11	83:18	114:19 115:6
43:23 44:9	45:18	83:21	115:9 115:15
44:16	45:24 46:2	83:23 84:2	115:17
44:20	46:24 47:2	84:9 84:14	117:11
45:15	47:6 47:15	84:18 85:2	117:16 120:5
48:24 49:6	47:18 48:8	85:17	123:1
49:19	48:22	86:24 87:3	128:5
50:13	48:23 49:2	87:11	128:7 128:15
50:17	49:4 49:8	88:11	130:17
54:23	49:11	89:15	137:13 171:2
55:23 59:6	49:18 50:6	89:18	<b>landfills</b>
63:2 79:14	51:11	91:21	21:21
79:22 82:1	51:14	91:22	22:20
82:24 85:7	51:24	94:19	23:23
86:3 86:11	57:15	95:11	27:10 30:4
86:12	64:19 65:6	95:13 96:1	32:11 51:4
87:23	65:11 68:3	96:10	51:7 51:21
91:21 99:7	69:13	96:12	92:18
119:4 136:24	69:17	97:15	96:10
156:16	69:18	97:25 98:1	108:9 109:24
172:17	69:24	98:5 98:9	110:17 115:6
196:11	71:12 73:2	98:10	115:24
<b>landfill</b>	77:13 78:7	98:13	<b>lands</b> 46:8
11:23	78:12	98:14	46:8 46:8
21:22	78:16	98:15	46:10 48:3
21:23 22:1	78:18	98:18 99:2	49:16
22:3 22:22	78:21 79:1	99:14	50:10 63:5
23:22	79:4 79:7	99:18	63:12
24:14	79:17	99:20	63:14 70:20
26:11	79:22	99:21	<b>landsite</b> 69:9
26:12 29:7	79:24 80:3	100:7 100:24	<b>language</b>
29:10	80:12	102:24	145:7
29:17	81:25	103:12 104:1	146:9 148:9
29:22	82:20	105:15 106:8	<b>lapsed</b> 164:22
29:22	82:21	106:11	<b>large</b> 177:1
31:16 32:9	82:22	107:19 108:4	<b>largest</b>
32:14	82:25 83:2	109:5 109:17	78:5 78:6
32:16 34:1	83:3 83:4	109:25	136:9
34:15 36:1	83:5 83:6	110:12	
36:3 38:24	83:8 83:9	110:14	
44:2 44:4	83:11	110:14 114:1	

<b>lassoed</b> 38:20	<b>leads</b> 151:6	147:20	<b>legislators</b>
<b>last</b> 91:2	162:12	149:17	54:13
91:3 97:16	<b>leak</b> 61:13	149:23 150:1	<b>legislature</b>
97:18 99:6	61:14 106:18	150:15 152:2	50:21
111:10	106:21	152:19	50:23 55:5
129:11	<b>leakage</b> 61:16	153:13	142:4 150:19
133:11	<b>leaking</b>	153:24 154:4	167:11
142:12	106:24	155:14	167:19 168:4
153:25	<b>learned</b> 145:1	156:23	168:9
156:19	<b>learning</b>	157:21	180:7 180:14
165:13 169:5	140:22	158:18	184:14 196:5
186:10	<b>least</b> 80:6	160:24	196:23 197:3
186:14	92:3 92:6	162:11	197:5 199:10
186:18 196:8	103:15	163:10	<b>legitimate</b>
196:8	171:13	163:15 164:7	27:7 150:22
<b>later</b> 76:5	172:18	164:10 165:3	<b>lend</b> 75:4
91:18	<b>leave</b> 86:1	165:13	<b>length</b> 84:13
91:18	141:2 170:17	165:20	<b>less</b> 32:12
176:4 193:4	192:9	165:23 166:1	57:5 97:5
<b>latest</b> 128:17	<b>leaves</b> 22:21	169:10	115:10
<b>Lau</b> 67:1	<b>led</b> 45:4 70:2	170:22 172:9	115:10 191:3
<b>laugh</b> 200:15	<b>Lee</b> 6:9	178:7	191:3
<b>law</b> 12:3 12:5	8:22 8:24	178:9 179:22	<b>lesson</b> 169:19
37:2 45:14	11:9 11:10	179:23	<b>let's</b> 73:10
47:9 50:18	11:16	179:25	81:12 116:24
51:2 52:6	66:15	180:11 189:7	135:10
55:11	66:16	189:11	140:11 159:1
55:19	66:21	<b>Lee's</b> 80:6	181:13
58:21 164:17	66:24	<b>legal</b> 15:15	181:19 201:9
<b>lawyers</b> 116:1	67:10 131:22	44:7 46:1	<b>letter</b> 48:9
116:1	131:23	143:1	48:17 62:7
<b>lay</b> 143:8	132:15	143:8 168:21	63:10
<b>lays</b> 67:23	137:25 138:1	168:22	74:11
<b>leachate</b>	144:20	<b>legally</b> 49:4	75:24
92:14	144:21	<b>legends</b> 22:15	76:12 92:1
<b>lead</b> 190:3	145:11 146:1	<b>legislative</b>	151:17
<b>leaders</b> 47:12	146:6 146:20	50:15	151:22
51:12	147:4 147:12	50:15 184:20	152:14
	147:16	<b>legislator</b>	152:15
		114:24	

152:16 153:2	45:7 46:5	21:19	27:11
153:6 153:18	52:13 139:9	21:20 22:7	49:14
153:21	<b>limits</b> 78:22	22:24	82:25 83:1
153:23 154:8	<b>line</b> 23:21	23:23	83:3 85:8
154:14	145:21 158:7	24:22	106:20
154:15	158:8 158:12	27:16	109:10
154:20	187:9 189:20	28:21	110:18
155:15	197:25 198:9	38:15	110:18
155:18	<b>liner</b> 106:20	89:14	116:20 122:8
155:22 156:3	<b>liner's</b>	108:2 108:21	181:20
195:1 197:20	106:24	109:23	<b>longer</b>
<b>letters</b> 63:14	<b>link</b> 19:11	115:12	17:22
<b>letting</b> 29:4	<b>list</b> 19:8	<b>lived</b> 22:1	27:20
<b>level</b> 6:20	19:11 28:4	22:5 22:5	50:19 85:6
88:14 173:22	<b>listed</b>	23:4 23:4	92:22
194:6	47:25 195:3	<b>lives</b> 118:6	97:17 115:12
<b>levels</b> 198:11	<b>listen</b> 127:13	<b>living</b> 115:11	<b>lost</b> 201:5
<b>lever</b> 187:7	<b>literal</b> 143:1	136:8	<b>lot</b> 30:10
<b>leverage</b>	<b>little</b>	<b>LLC</b> 37:25	55:7 59:6
194:7	13:11	<b>loathe</b> 122:19	103:21
<b>life</b> 21:15	21:13	<b>locate</b>	121:13
24:22	39:18	69:11	124:14
32:12 95:4	39:19	69:17	124:15
95:6	60:11	69:22 70:25	136:18
108:22 115:9	60:19 76:2	<b>located</b> 19:10	136:18 146:2
115:12 119:8	81:23	46:24	146:6 148:16
128:4	85:19 91:6	47:24 82:1	153:8 153:11
<b>light</b> 45:12	97:5	170:13	160:17 167:7
46:17	119:19	<b>locating</b>	167:8 167:21
48:13 50:3	120:11 122:5	69:18	167:22
72:22 129:25	126:15 134:1	<b>location</b> 10:3	168:23
<b>lightly</b> 70:8	136:25	51:16	192:20 196:9
<b>lights</b> 43:13	150:16	54:16 57:1	197:8
<b>likely</b> 98:6	153:10	98:22	<b>loud</b> 77:2
<b>limit</b> 150:19	157:11 165:5	109:5 117:15	<b>love</b> 22:18
<b>limitations</b>	171:25	136:25	24:2
91:19	190:18	<b>locations</b>	<b>low</b> 49:14
<b>limited</b>	<b>live</b> 21:17	56:7 74:13	115:22
	21:18	<b>long</b> 26:15	115:22
			<b>lower</b> 97:12

157:19	120:20 121:4	37:18	69:19
170:24	126:23 127:3	37:21	70:10 74:9
<b>low-hanging</b>	127:4	37:24	75:5 77:8
49:20	127:5	37:25 38:7	86:11
<b>LUC</b> 6:5	127:5	38:10 39:8	90:19 100:16
6:21 6:22	127:5 131:14	40:2 40:15	<b>matters</b>
6:23 6:23	136:13	41:16	66:3 70:8
6:24 7:19	<b>Mahi</b> 10:3	121:8	<b>mau</b> 41:18
19:2 40:9	<b>mai</b> 12:22	121:9 121:12	41:18
44:9 45:3	121:8	124:3 126:22	<b>Maui</b> 6:11
59:21 71:7	<b>Maile</b> 14:10	<b>manner</b> 17:7	10:5 10:7
71:9 82:8	19:7	129:19	38:18
85:3	<b>main</b> 24:5	<b>Maoli</b> 120:7	38:20
130:10	48:6	<b>map</b> 46:6	170:1 170:13
130:20	<b>maintain</b>	46:16	171:1
134:17	142:1 167:17	48:19	171:1
137:14	168:4	48:19	171:8
140:19	<b>maintained</b>	54:24 56:7	171:9 171:11
142:13 156:4	167:11	56:13	<b>may</b> 15:18
190:18	<b>major</b> 46:9	56:14	15:20
<b>luck</b> 126:18	77:12 128:10	56:16	67:23 71:7
<b>LUC's</b> 12:5	166:12	62:17	81:12
84:22 87:20	166:13	62:19 64:5	88:16 93:9
<b>lunch</b> 17:23	<b>majority</b>	65:7	96:9 96:9
138:17	50:21	<b>March</b> 72:19	105:4
138:22	<b>Makakilo</b> 9:10	82:23	109:4 110:23
138:23 139:2	9:16 115:19	<b>margin</b> 67:1	112:3 123:14
139:11	<b>maker</b> 134:19	<b>mark</b> 36:11	132:19 141:2
139:12	<b>Management</b>	92:24	141:15
<b>Lutheran</b> 10:8	8:6 63:25	<b>Martina</b> 6:23	141:24
<hr/>	64:12 66:7	<b>mass</b> 54:23	142:21
M	75:4 95:12	<b>matching</b> 39:9	146:13 148:6
<b>machines</b>	<b>manager</b> 37:25	<b>materializes</b>	148:7
110:7 167:5	66:19	148:9 148:11	148:11
<b>mad</b> 167:3	<b>managing</b> 63:9	148:11	150:19 151:8
<b>mahalo</b>	<b>manaho</b> 124:18	151:8	151:8
27:25 33:9	<b>Manaole</b> 37:17	173:6	173:6
119:15		189:9	189:9
120:19		190:7 194:14	190:7 194:14
		198:11	198:11
		66:11	

198:12	143:4 145:11	5:4 5:7	16:14
198:17	146:4 146:22	5:8 5:14	20:12 29:3
<b>maybe</b> 39:21	147:15 150:4	5:15 5:21	47:3 47:16
39:21	150:9 153:14	5:23 6:3	49:22 131:16
39:21	154:5	6:17 7:2 8:5	149:6 152:20
55:10 68:1	154:8	9:6 9:12	198:12
73:8 74:17	155:4 160:11	9:15 9:15	<b>memory</b> 101:12
74:22	162:19	10:22	140:12
106:1	163:10	70:18 88:8	<b>mention</b> 33:25
122:5 144:13	163:20	88:9	40:7
158:12	163:22 164:1	123:23	<b>mentioned</b>
167:15	164:14	125:20	45:19
167:19	165:25 166:6	133:15	182:6
169:12	166:15	134:20 139:2	183:5 183:23
171:14	166:22	139:8 139:13	186:20
<b>mayor</b> 29:8	167:20 170:7	156:5 168:14	199:15
29:14	170:8 170:10	179:6 179:10	<b>merely</b> 132:4
30:18 47:1	170:17 177:1	201:1 201:14	<b>message</b>
63:8 67:3	177:4 177:15	201:15	162:19
79:23	182:13	<b>meetings</b>	162:23 163:4
104:6 150:19	190:15	29:15 47:9	<b>met</b> 86:25
171:9	190:22 195:1	47:12	99:1
<b>mean</b> 6:16	196:6 196:18	58:14	<b>metal</b> 78:5
23:15	199:6	130:6 132:11	78:11 78:13
24:12	<b>means</b> 112:2	168:17	<b>methodology</b>
27:18	132:3 196:9	199:16	145:1 198:8
39:12	<b>meantime</b>	199:25	<b>methods</b> 92:14
39:15	51:22	<b>meeting's</b>	<b>mic</b> 68:14
58:10 65:1	<b>medicine</b>	5:12	<b>Michael</b> 6:15
65:7 74:8	122:6	<b>Mel</b> 6:9 26:25	<b>microphone</b>
107:21	<b>Medium-priced</b>	54:8	5:17 13:17
107:23	13:22 14:8	<b>Melissa</b> 6:25	20:18
108:14	<b>meet</b> 70:23	<b>member</b>	<b>mid</b> 119:22
117:20	79:9 80:8	15:10	<b>mid-1860s</b>
124:16	86:8 87:8	20:19	120:2
124:17	87:12	40:10	<b>middle</b>
133:11 135:3	87:16	50:23 99:7	23:23 109:23
136:4 142:25	87:17	<b>members</b> 7:9	
143:1	90:22 98:25	15:14 16:13	
143:3 143:3	<b>meeting</b> 5:1		

<b>Mike</b> 30:18	178:17	17:13 43:25	<b>Mont</b> 37:17
<b>mile</b> 45:22	<b>misgivings</b>	<b>Modifications</b>	37:24 121:9
<b>miles</b> 115:7	87:14	12:6	<b>month</b> 96:6
115:9	87:15 88:13	<b>modify</b> 12:1	144:13
<b>military</b>	<b>misinformed</b>	44:5 44:11	168:14
24:12	161:20	44:15 49:5	168:18 169:2
49:13	<b>mission</b>	78:3 87:24	184:24
49:19	148:23	<b>modifying</b>	189:21
49:22 50:1	<b>misunderstand</b>	104:10	<b>months</b> 57:1
50:20 63:7	<b>ing</b> 166:4	<b>Mohihi</b> 21:23	57:5 57:20
63:9 104:9	<b>Miyasato</b> 6:12	<b>moku</b> 38:21	58:5 59:2
<b>Miller</b> 92:8	60:9 60:10	121:15	70:16
<b>million</b>	60:10	<b>Molokai</b>	70:21
122:21 164:8	60:17	190:12	103:6 131:19
188:3	60:23	<b>mom</b> 121:21	135:8 144:12
<b>mind</b> 40:3	61:21	<b>moment</b>	167:1 175:17
92:21	62:10	140:6 140:11	176:4 181:22
112:8 144:15	62:22 119:12	190:9	193:22 200:8
150:23	119:15	<b>mom's</b> 22:7	<b>moral</b> 163:18
151:16	129:21	<b>monetary</b>	<b>morning</b> 5:3
169:24	129:22	15:13 164:12	5:5 12:21
<b>mine</b> 36:19	129:23	<b>money</b> 14:3	12:22 13:1
75:3	130:21 131:8	29:24	13:6 13:21
<b>minimum</b> 162:2	131:8 134:21	32:24 33:7	14:7 14:15
<b>minor</b> 128:2	134:22	36:21 145:23	26:6 26:8
<b>minus</b> 101:14	137:16	159:19	43:1
<b>minute</b> 81:8	137:17	160:17	<b>mostly</b> 118:25
141:14	192:17	165:18 167:1	<b>motion</b> 8:16
179:16 181:8	192:18 193:7	167:2	10:6 16:16
201:9	194:20	167:4	76:3
<b>minutes</b> 7:4	194:21	167:9 167:12	129:16
7:5 7:7 7:11	194:24 195:2	167:16	129:18
7:12 7:15	195:8	168:10	130:12
8:15 8:17	<b>Miyasato's</b>	189:17 196:2	130:16
9:3 17:21	63:23	<b>monies</b> 176:20	130:23
21:9 28:14	<b>Mm-hmm</b> 76:1	196:1	130:25 131:5
38:9 42:3	<b>Moanalua</b>	<b>monofil</b> 96:11	131:13
81:12 105:12	119:23 120:2	96:14	132:18
	<b>modification</b>		134:19 135:3
			135:3

135:5 136:17	60:10 129:23	<b>navigate</b>	86:8 89:10
137:11	131:8 134:21	177:24	160:5
138:10 139:3	<b>myself</b> 11:8	<b>nearly</b> 83:9	<b>nobody</b>
139:5	140:22	<b>necessarily</b>	39:14 106:23
139:7 189:14	183:20	172:11	166:14
189:16 193:8	198:16	<b>necessary</b>	166:15
193:10		9:13 99:18	166:15
193:24	N	128:6 141:16	171:18
<b>movant</b> 131:4	<b>Nanakuli</b>	141:23	188:17
<b>move</b> 8:14	21:14	142:22	188:25 189:1
11:25 114:11	21:18	148:10 149:7	195:6 196:14
115:18	21:25	184:1 189:20	<b>nobody's</b>
115:19	22:11	191:4	165:9
130:15	22:12	<b>necessity</b>	<b>non</b> 42:23
131:15	22:14	71:11	<b>non-</b>
135:11 167:9	22:18 23:2	<b>negotiation</b>	<b>attorney</b>
167:16	23:4 23:5	101:23 102:7	42:20
190:17	23:8 24:3	<b>negotiations</b>	<b>non-civil</b>
<b>moved</b> 8:18	24:23	63:2	183:19 198:9
8:19 8:23	24:24	<b>negotiator</b>	<b>none</b> 8:16
114:5 160:18	38:15 98:5	189:9	16:7 18:18
<b>movement</b> 67:3	105:15	<b>neighborhood</b>	93:12 114:14
<b>moving</b>	108:21	28:16 30:1	123:1 169:17
40:19	109:23	31:6 38:14	195:18
120:5 167:12	110:17	114:7	<b>nonexistent</b>
<b>MSW</b> 96:11	121:25 137:2	<b>nephews</b>	60:25 61:23
96:14 98:19	<b>Nancy</b> 6:11	117:21	<b>non-legal</b>
<b>multi-day</b>	<b>narrowly</b>	<b>net</b> 100:23	143:2
52:3	156:4	<b>nevertheless</b>	<b>note</b> 15:25
<b>multiple</b>	<b>national</b> 50:5	122:7	17:18
185:12	<b>native</b>	<b>news</b> 27:4	<b>notes</b> 153:8
187:15	37:25	<b>newspapers</b>	<b>nothing</b>
<b>mumbo</b> 30:24	38:17	27:4 51:9	35:1 64:10
<b>municipal</b>	39:13	<b>nicest</b> 126:13	67:4
79:1 96:13	120:6	<b>niece</b> 23:9	112:20
96:22 100:22	120:8	<b>nieces</b> 117:21	127:21
<b>mural</b> 22:12	120:9 120:16	<b>nine</b> 6:6 47:3	128:25 129:5
<b>Myles</b> 6:12	122:8 122:18		129:8 129:14
	123:9		
	<b>nature</b> 144:13		



161:13 199:6	86:24 190:15	141:18 142:8	198:25
<b>notice</b> 124:13	<b>occur</b> 69:13	142:24 145:3	200:19
<b>November</b> 10:5	133:21	148:19	<b>Ohana</b> 21:12
10:9 12:9	168:16	148:22 149:5	<b>Ohelo</b>
45:13 48:8	<b>occurred</b> 45:3	149:10	135:13
48:10 60:13	45:13 70:2	150:12	137:19
<b>nowhere</b> 78:24	188:20	158:10	<b>Oholihanapi</b>
<b>numerous</b>	<b>occurs</b> 175:13	161:24 165:9	20:25
49:21	<b>ocean</b>	174:1	<b>okapuna</b> 107:3
114:6	106:21	174:9 182:23	<b>okay</b> 9:3 11:9
114:7 135:22	109:16	190:10	11:25
<b>Nupepa</b> 135:23	<b>October</b>	<b>officers</b>	13:20 14:3
<hr/>	9:22 9:22	197:10	14:6 14:13
o	9:24 10:2	<b>officer's</b>	14:21 18:3
<hr/>	10:19 91:2	141:19	28:25 32:5
<b>Oahu</b> 6:10	<b>odds</b> 125:12	<b>offices</b>	32:19
78:8 78:18	<b>offer</b> 8:7 8:8	200:16	32:22
120:9 120:10	8:12 11:6	<b>official</b> 15:9	32:22
<b>oath</b> 105:5	144:18	48:9 60:14	33:14
113:21	<b>offered</b> 36:18	<b>officially</b>	34:18 37:8
121:10	<b>offering</b>	100:14	39:7 42:21
<b>objection</b>	180:11	<b>officials</b>	43:11
88:24	<b>office</b> 8:8	63:8	43:14
<b>objections</b>	13:2 16:24	<b>oh</b> 10:17 21:7	43:14
19:25 20:4	17:14	37:6 42:15	43:18 53:5
20:7 20:10	19:13	43:11	57:9 58:3
<b>obligation</b>	124:5 143:15	43:11	61:4 61:21
125:24 134:4	144:11	43:14	62:10
168:21	147:13	54:17 57:9	62:22
168:22	158:21	68:14	67:13
<b>observation</b>	158:23	94:25 132:22	73:11
195:15	159:20	143:13	73:16
<b>obstacles</b>	173:24	143:16 144:5	73:18
54:20	177:24 181:3	147:14	77:21
<b>obtaining</b>	188:7 192:24	153:13 159:3	77:22
48:3 49:19	<b>officer</b>	165:17	81:18 94:3
50:12 50:17	6:22 17:24	175:20	95:2 103:8
<b>obviously</b>	140:18	185:20	103:11
	141:17	185:23	103:11
		185:25 186:8	105:11 109:3

111:8 111:12	109:11	<b>operational</b>	29:11
112:22	115:14	78:21	51:12
116:14	<b>oldest</b> 23:12	78:25 84:9	87:18 117:12
116:22 124:4	<b>Olina</b> 14:10	<b>operations</b>	<b>opposes</b> 52:11
127:7 129:15	19:7 22:7	78:14	<b>opposition</b>
131:10	52:9	78:24 79:2	31:23
134:19	114:14	95:14	32:15 80:9
134:23 135:1	114:14	<b>operator</b>	<b>OPSD</b> 10:20
135:12	114:15	95:12 97:14	11:4 13:4
138:21	<b>one-half</b>	<b>opinion</b>	18:2 69:7
139:16	45:22	58:8 75:2	70:23 71:3
140:15	<b>one-year</b>	75:21	71:14 75:6
143:24 144:5	140:10	90:16	129:6
144:15	<b>ongoing</b> 172:3	143:8	167:8 167:11
147:21 150:7	<b>ooh</b> 23:4	144:7	167:14
152:1 152:22	<b>open</b> 5:12	144:9	167:15
154:23	9:21 10:9	156:6 156:18	<b>OPSD's</b> 9:25
165:19	29:17 32:9	162:17	<b>optimistic</b>
165:25 166:3	36:7 47:10	<b>opportunities</b>	103:5
169:10	86:1	198:12	<b>option</b>
172:25	117:15	<b>opportunity</b>	50:10
174:25	130:23	17:6 17:9	54:15
175:20	135:15 141:1	21:11	63:16
175:21	<b>opened</b> 121:24	23:20 24:8	64:22
176:21 179:3	<b>opening</b>	24:15	70:20 74:12
179:18	127:20	24:16 25:5	<b>options</b>
179:19	<b>operate</b> 191:5	27:22	48:3 49:18
180:19 182:8	<b>operates</b> 78:5	53:13	50:11 70:5
184:9 184:16	101:3	73:21	70:24
184:25	<b>operating</b>	88:20	103:2 162:6
185:25	24:17 38:1	93:19	<b>oral</b> 44:25
185:25	69:14	102:3	<b>order</b> 7:3
189:12	160:2	105:8 165:4	9:12 9:15
194:18	160:3	<b>oppose</b>	11:20 12:3
194:21 195:8	160:4 199:22	51:19	12:6 45:4
195:9 195:11	<b>operation</b>	52:13 80:2	45:16 52:7
199:3 200:14	71:12 82:7	86:23	52:18
200:19	83:1 84:13	106:7	52:20 79:21
200:21		123:7 123:8	
200:24		<b>opposed</b> 9:2	
200:25			
<b>old</b> 78:10			

82:13	137:25 138:2	<b>others</b> 7:25	84:22
82:17	138:4	84:18 198:16	<b>pandemic</b>
82:20 84:8	138:9 148:13	<b>otherwise</b>	160:12
84:11	148:15	15:13	168:16
84:22 85:7	148:16	15:17 78:12	177:17 183:5
85:14 88:2	149:15	<b>ought</b> 75:18	<b>panel</b> 29:9
88:3 89:2	158:12	<b>ours</b> 36:10	<b>panic</b> 73:4
89:3 89:19	158:16 159:3	144:12	<b>paper</b> 145:14
92:12	163:22	<b>outcome</b>	<b>papers</b> 88:15
92:16	163:25 164:9	126:11	<b>paragraph</b>
100:2	164:11	<b>outcry</b> 130:5	141:12 143:9
139:1 139:17	165:19	<b>outside</b> 46:18	150:6
140:16	165:22	46:24 48:3	<b>paragraphs</b>
140:16	165:25 166:3	49:4 49:25	142:5
188:23	170:1	55:8 65:4	<b>paramount</b>
<b>orderly</b> 88:8	170:6 171:17	117:16	48:15
<b>orders</b>	172:21	<b>overage</b> 168:2	<b>pardon</b>
44:17 88:5	175:25 176:6	191:14	16:13
92:4	176:11	<b>overlay</b> 48:18	141:8 143:13
<b>ordinance</b>	176:13	<b>oversight</b>	<b>parents</b> 147:5
55:19	176:16	130:5	147:10
<b>organization</b>	176:25 178:5	149:3 153:10	147:12
16:11 160:16	180:2 180:10	171:14	<b>park</b> 115:16
<b>organizations</b>	182:6 182:11	<hr/>	115:17
167:8 167:23	182:19	P	<b>participants</b>
177:12	182:22 183:2	<b>p.m</b> 138:20	5:15 5:21
<b>original</b>	184:12	201:15	<b>participate</b>
44:21 79:9	184:19 185:5	<b>Paakea</b> 39:1	11:7
103:23	186:1	39:3	165:14
<b>originally</b>	186:5	<b>Pacific</b> 29:20	165:21
139:16	187:7	29:23 36:7	198:13
140:15	190:7	<b>package</b>	<b>participated</b>
<b>Orodenker</b>	191:9 191:17	103:23	86:22
6:22 9:7 9:8	193:25	<b>paid</b> 30:3	<b>participating</b>
10:21 11:1	194:14	<b>palatable</b>	198:16
137:9 137:10	194:18 195:9	159:8	<b>participation</b>
137:18	195:10	<b>palpable</b>	5:25 176:23
137:21	195:14		
137:23	197:19		
	198:21 199:1		
	199:3 199:17		
	200:14		

<b>particular</b> 70:9 74:22 134:5 141:12 142:7 143:9 163:4 167:9	62:19 63:3 65:3 65:5 65:11 74:17 76:25 80:2 83:12 83:19 83:25 84:3 88:17 91:17 91:20 92:3 92:6 92:12 93:4 93:6 93:8 99:3 107:20 111:23 112:1 112:2 112:6 112:10 112:12	<b>pay</b> 14:24 63:3 173:13 <b>payroll</b> 158:10 160:12 187:9 189:20 191:17 194:2 <b>payrolls</b> 149:11 191:16 <b>Pele's</b> 135:25 <b>penetrate</b> 66:2 <b>Peninsula</b> 49:24 63:11 <b>pennies</b> 122:22 <b>penny</b> 168:17 <b>people</b> 7:22 22:12 23:10 32:15 34:8 34:11 39:22 40:22 51:8 51:11 69:13 106:6 106:16 115:4 120:25 121:14 123:15 125:25 140:7 140:12 143:2 151:5 156:20 161:9 170:12 172:15 180:8 192:20 <b>per</b> 104:13 <b>percent</b>	177:10 177:10 177:19 188:24 188:24 189:2 189:13 189:14 191:12 193:25 199:8 <b>percentage</b> 96:18 <b>Perfect</b> 43:18 73:12 <b>perform</b> 141:16 141:23 142:23 148:10 <b>performance</b> 96:17 100:11 151:15 156:11 170:18 174:4 174:5 193:19 196:15 198:7 <b>performed</b> 65:11 <b>perhaps</b> 48:24 74:21 76:24 140:1 <b>period</b> 160:11 168:15 <b>periodically</b> 100:10 100:10 <b>permanent</b> 57:13 <b>permit</b> 12:8 44:11
<b>particularly</b> 70:19			
<b>parties</b> 12:10 15:19 17:2 17:4 17:9 18:4 19:17 51:18 52:1 52:11 53:12 69:10 71:14			
<b>Partners</b> 9:23			
<b>party</b> 52:11 175:11	<b>passage</b> 45:6 103:22		
<b>pass</b> 22:22 24:11 45:12 46:12 46:13 46:14 46:17 46:19 46:25 47:24 48:4 48:6 48:19 48:21 49:1 49:5 49:25 54:21 54:22 55:8 55:10 55:12 55:18 56:6 58:24 61:10 62:18	<b>passed</b> 30:22 69:16 189:16 <b>passes</b> 138:10 <b>passing</b> 27:15 155:17 <b>passionate</b> 116:7 <b>past</b> 59:8 76:24 97:11 158:15 177:12 183:4 197:9 <b>patience</b> 201:7 <b>patient</b> 179:19 179:20		

81:25 82:3	142:24 149:2	31:3 38:21	49:6 49:10
82:5 82:6	159:7 159:16	107:3	49:10 52:3
82:7 82:8	159:19	<b>physical</b> 84:7	52:5 52:20
82:12	159:25 160:7	<b>physically</b>	58:13
84:24 85:7	160:18 168:3	5:8 62:12	58:14
95:3 95:19	169:3 183:24	<b>pick</b> 24:18	66:18
95:21	191:23 199:5	30:6 30:7	67:16
<b>permits</b>	<b>perspective</b>	191:6	67:18 71:5
44:1 57:14	67:7	<b>piece</b> 42:7	79:21
78:23 167:12	140:25	<b>pieces</b> 191:6	82:14
167:17	158:11	<b>pigs</b> 22:4	84:17 87:7
<b>permitted</b>	<b>perspectives</b>	<b>pipe</b> 109:11	87:22 88:3
71:12	47:14	<b>places</b>	88:6 88:9
78:18 82:6	<b>pertaining</b>	106:4 197:24	88:22
98:18	18:25	<b>plan</b> 30:9	89:18
<b>permitting</b>	<b>Peter</b> 29:8	30:16	89:20
12:24	<b>petition</b>	30:17	90:20
16:24 84:6	51:11	31:23	91:14 92:4
<b>Permitting's</b>	86:13 87:25	31:24	128:11 130:3
67:17	<b>petitioner</b>	42:12	132:6 132:12
<b>perpetuity</b>	12:12	99:13	132:23
86:1	12:16	99:17 101:18	133:16
<b>person</b>	14:17	109:2	133:18 134:2
16:11	15:18	<b>planet</b> 136:9	134:14
36:17	16:20 18:6	<b>planned</b> 46:11	136:22
36:18 40:9	25:7 54:5	<b>planner</b>	<b>plans</b> 71:7
89:21	68:12 127:16	6:22 6:23	101:16 109:4
132:7	129:11	168:7	<b>plastic</b>
132:9 169:22	131:19	169:1 180:5	106:21
<b>personal</b> 58:8	137:14	<b>planning</b> 6:19	<b>played</b> 167:7
87:15 161:13	<b>petitioner's</b>	8:8 12:2	<b>player</b> 164:5
169:17	16:21	12:7 12:24	<b>plea</b> 123:20
<b>personally</b>	<b>petitions</b>	13:2 16:23	<b>please</b> 5:18
99:5	199:24	16:24	5:21 12:12
160:22	<b>phase</b> 92:9	17:15 19:6	13:11
161:20	<b>phone</b> 29:1	27:5 43:23	13:16 18:6
<b>personnel</b>	40:8	44:16	18:23
141:17	<b>phonetic</b>	44:20 45:2	18:24
141:22	20:25 22:9		20:16
			20:22 21:8

21:9 23:16	150:14	80:9 93:7	51:10
25:4 28:5	152:22	107:19 112:9	60:15 63:4
28:13 32:7	153:25 172:4	128:1 141:19	70:3 91:22
32:17	172:21	170:24 171:6	<b>poverty</b>
32:25	177:17	172:16	115:23
33:10	179:24	172:23	<b>power</b> 96:18
37:18 38:8	181:14 195:5	180:13	97:11
39:25 41:8	<b>pointed</b> 56:7	195:21	101:3
42:24	<b>poised</b> 11:20	<b>positions</b>	101:3
43:19 60:9	<b>police</b> 187:24	77:15	101:8 101:19
72:12	188:2	77:17	101:22
73:14	<b>policies</b>	130:1 167:10	<b>powers</b> 31:1
73:14	148:25	168:25	31:20
81:19	187:13	187:21	31:22 121:23
85:19 105:10	<b>policy</b>	192:25 193:2	122:4
107:10	14:15 14:23	<b>positive</b> 50:1	<b>practical</b>
113:21 117:7	<b>political</b>	<b>possibility</b>	146:2
121:11	30:24 32:2	34:19	<b>practicality</b>
123:20	190:14	49:23 50:8	132:3
124:19 126:9	190:16	66:22	<b>practically</b>
135:18	<b>pollute</b> 28:19	98:12 98:16	57:4 133:11
136:10	<b>polluted</b>	<b>possible</b> 8:11	<b>practice</b>
154:13 159:2	109:15	10:1 11:14	145:15
178:24	<b>Pono</b> 37:25	43:12 65:1	145:16
<b>pleasure</b>	<b>poor</b> 34:15	71:3 105:7	145:18
6:5 129:20	<b>popping</b> 95:6	143:7 143:12	145:19 146:9
130:9	<b>popular</b>	143:14 171:5	<b>precious</b>
<b>plus</b> 101:14	51:8 51:22	<b>Possibly</b>	136:8
<b>point</b> 9:16	<b>portion</b> 16:19	74:18	<b>precursor</b>
24:5 62:11	96:11 96:12	<b>posted</b> 5:23	87:1
83:7 83:8	<b>posing</b> 85:4	19:14	<b>predict</b> 106:9
87:21	<b>position</b>	<b>potential</b>	<b>prefer</b> 143:14
92:20	14:23 48:9	11:4 15:7	<b>preliminary</b>
100:5	49:1 60:14	33:25 45:8	198:22
100:6 104:22	60:19	45:10 46:5	<b>prepare</b> 42:20
104:25	66:19 67:2	47:6 47:17	200:18
111:15	75:19 80:1	47:22	<b>prepared</b> 18:1
123:15 128:6		48:10	
128:10		48:23 49:25	
128:10			
128:20			

144:16	<b>previously</b>	187:14	96:22 111:17
<b>prescribed</b>	17:8 29:8	187:17	111:22 153:5
148:21	74:12	193:24 194:1	154:2
<b>present</b> 88:21	83:11 89:8	<b>problematic</b>	156:9 156:10
163:13	120:3 199:15	75:25	158:2
<b>presentation</b>	<b>priced</b> 115:25	<b>problems</b>	158:4
9:25 16:20	<b>primarily</b>	187:15	172:3 173:23
16:22	14:16 96:7	187:23 194:4	175:4
41:25 42:7	140:21	194:8	175:5
47:13 53:8	<b>principle</b>	<b>procedure</b>	175:6 175:12
54:25 62:7	185:10	16:8 18:5	176:24
81:8 81:22	<b>prior</b> 8:4	161:6	177:21 178:5
133:3	18:2 60:13	<b>proceed</b>	178:19
<b>presentations</b>	60:18 89:7	16:7 18:23	180:23 181:3
17:3 17:25	89:10 92:9	21:9 27:1	181:15 190:5
132:14	103:18 128:3	28:13 38:8	193:15
<b>presented</b>	183:4 186:24	42:5 42:24	193:19
30:22	<b>private</b>	43:20	194:13
87:23	190:11	81:19 104:23	196:22 197:2
91:14 92:7	<b>probability</b>	105:10	197:15 198:5
93:13 103:25	49:14	113:21	198:14
132:10	<b>probably</b>	121:11	200:13
134:15	11:13	129:18	<b>processed</b>
<b>presume</b>	27:16	<b>proceeded</b>	174:8
132:10	27:19 42:3	104:11	<b>processes</b>
<b>pretty</b> 23:3	42:6 62:20	<b>proceeding</b>	78:9 174:3
63:10	96:9 107:7	15:20 20:1	<b>proclamation</b>
63:18	108:16	86:19 87:1	123:4 123:5
65:12 126:20	111:14	87:2 87:20	<b>produce</b> 78:14
140:23 158:6	144:10	87:21 90:21	<b>production</b>
162:20	169:12	<b>proceedings</b>	105:18
177:14	169:13 188:1	16:19	<b>programmatic</b>
<b>prevent</b>	188:8 190:23	82:10	196:1
109:19	193:17	84:16 87:7	<b>programs</b>
<b>prevents</b>	<b>problem</b> 54:12	91:25 92:9	159:21
45:17 46:21	124:13	165:12	167:24
<b>previous</b>	160:17	<b>process</b>	<b>progress</b> 71:7
36:18 103:14	173:10 181:7	44:7 49:14	71:10 130:19
130:5 157:7	185:24	73:1 79:5	132:9

<b>project</b> 183:20	136:7	16:18	<b>putting</b> 108:5
<b>projection</b> 166:25	<b>protecting</b> 48:14 83:16 115:4	16:22 17:5 17:7 20:13 20:19 47:4 47:10	<b>Pu'u</b> 38:17 39:5 39:9
<b>projections</b> 166:19	<b>protection</b> 136:7	47:10 68:1 88:8 88:9	<b>PV</b> 35:20
<b>promise</b> 32:23 33:13	<b>protections</b> 65:24	88:19 101:24 104:23 105:1 127:7 129:25	<b>PVT</b> 21:23 23:22 28:24 29:20 32:12 35:23 38:12 38:13 38:14 38:25 39:2
<b>promised</b> 32:20 83:11	<b>protective</b> 91:23	130:4 130:5 160:23 191:1	105:15 114:1 114:17 115:1 122:25 123:2 123:6 123:7 123:8
<b>promises</b> 85:15 86:3 86:4 124:8	<b>protocol</b> 156:10	<b>pump</b> 39:17	<b>PVT's</b> 21:24
<b>promising</b> 49:25 63:12	<b>provide</b> 17:6 17:16 18:1 20:13 42:11 44:22 50:22 71:6 71:8 105:9 120:11 146:11	<b>purchase</b> 101:3 101:8 101:19 101:22	<hr/> <b>Q</b> <hr/>
<b>proper</b> 149:9 149:12 159:11	<b>provided</b> 19:9 47:13 48:9 49:18 56:15 62:8 139:12	<b>purpose</b> 149:8 193:9 194:3	<b>Q&amp;A</b> 42:5
<b>properties</b> 10:6 45:23	<b>provides</b> 78:7 148:18	<b>purposes</b> 5:24 117:17 190:16	<b>Q3</b> 133:24 <b>Q4</b> 133:24
<b>property</b> 21:22	<b>providing</b> 138:23	<b>pursuant</b> 47:9	<b>quality</b> 70:10 75:12 75:13
<b>proposed</b> 52:16 79:25 82:15 88:3 92:4 93:4 93:5	<b>provisions</b> 44:18	<b>pursue</b> 50:14	<b>Quarry</b> 9:10 9:16
<b>proposing</b> 181:16	<b>proximity</b> 51:15	<b>pursued</b> 70:8	<b>quarter</b> 133:11 134:12 134:12
<b>proposition</b> 170:11	<b>public</b> 5:12 6:1 6:2 7:10 8:1 16:9 16:14	<b>pursuing</b> 104:13	<b>quarterly</b> 71:6 88:22 89:21 130:10 130:19 132:2 132:11
<b>protect</b> 92:14 113:24 117:10 119:5 119:6 119:6 119:7		<b>push</b> 30:19 111:13	
<b>protected</b>		<b>pushback</b> 161:5	
		<b>pushed</b> 13:24 120:15 121:20 121:23 121:25	
		<b>puts</b> 182:1	



137:15	150:22	53:18	124:14
<b>quarters</b>	150:22	53:23 54:1	124:20
133:25	150:23 158:8	54:4 54:8	124:22
<b>queen</b> 155:9	158:8 162:12	60:6 60:8	124:25 125:2
<b>question</b>	171:5	62:25	125:6 125:10
26:24	173:2 173:17	63:23	126:3
33:22	175:24 182:3	66:10	127:2 136:18
35:16 36:4	186:14 192:7	68:12	136:19
42:9 55:10	200:4	68:15	148:17
55:21	<b>questioned</b>	68:17	151:14 155:5
55:25 56:5	187:3	68:18	178:14 195:6
56:21 62:2	<b>questioning</b>	68:21	<b>quick</b> 76:7
72:10	60:12 74:8	68:23 69:1	118:24
72:10	<b>questions</b> 8:3	69:3 71:16	<b>quickly</b>
72:24 73:9	10:12 17:1	71:19	70:8 153:15
74:1 74:2	17:5 18:4	71:20	<b>quiet</b> 125:8
76:7 91:8	18:10	71:24 72:3	<b>quite</b> 74:20
92:24	18:12	72:6 72:8	97:10
93:20	18:16	73:17	153:1
93:25	19:18	73:25	164:1 168:1
94:21 95:3	19:21	77:23	<b>quote</b> 48:16
95:9 98:20	19:24 20:3	79:20 80:7	48:16
99:7 99:11	20:7 20:10	80:16	
99:16	25:3 25:6	80:17	
102:9 102:13	25:7 25:9	80:20	
104:16	25:12	80:23	
107:16 117:6	25:17	80:24 81:2	
119:13	25:22 26:1	81:4 90:1	
119:16	26:23	90:2 90:5	
122:25	33:11	90:8 90:12	
124:21 132:2	33:16	90:25	
136:19	33:17 35:3	97:22 107:11	<b>raise</b>
142:25	35:7 35:10	107:12	117:23
144:23	35:12 40:1	107:14 113:1	121:17 169:8
144:25	40:5 41:1	113:6	193:25
145:12	41:2 41:6	113:9	<b>raised</b>
147:23 148:5	41:10	117:2	21:16 22:3
149:18	41:12	117:3	22:19 113:17
149:19	53:13	118:9 118:14	124:14
149:21 150:2	53:14 53:15	118:18	155:24
150:17		118:20	<b>raises</b> 171:12
		118:22	186:10

---

R

---

192:23	161:8 166:23	169:25	53:3
<b>ramrod</b> 161:9	182:2 184:5	<b>recess</b> 53:2	<b>record</b> 5:19
<b>Ranch</b> 190:12	<b>reason</b> 27:7	53:4 81:15	5:22 6:1 6:2
<b>ranked</b>	31:12 32:2	81:17 138:19	15:25
45:11 47:22	49:15	<b>recession</b>	18:22 19:4
<b>ranking</b> 47:17	58:22 76:7	177:8	28:6 37:19
<b>rate</b> 96:4	76:10	<b>recognize</b>	53:6 67:22
96:25 168:9	77:12 105:14	16:9 168:1	69:20
<b>rates</b> 95:25	105:19	<b>recognized</b>	69:20 70:1
97:8 97:9	105:24 108:7	85:4 91:16	74:16 79:5
97:18 97:19	113:24	168:12	79:11
<b>rather</b> 77:15	114:23 115:7	<b>recognizing</b>	79:19
<b>rationale</b>	121:17	88:2 88:3	80:11
66:4 67:21	157:15 163:8	91:19 100:9	87:21
131:5	167:14 170:5	<b>recommend</b>	91:13
<b>reach</b> 9:16	170:23	47:23	93:13 94:4
184:1	<b>reasonable</b>	104:4 157:10	100:1
<b>reaches</b> 86:1	69:24 131:24	157:19	100:5
<b>reaching</b>	<b>reasoning</b>	<b>recommendatio</b>	100:6 100:13
46:22	50:22	<b>n</b> 12:8 47:20	100:13
<b>reading</b>	<b>reasons</b> 67:23	<b>recommendatio</b>	100:18
156:25	70:4 77:10	<b>ns</b> 49:8	111:22 124:2
<b>ready</b> 71:3	87:18 89:2	49:12	124:4 128:11
78:21	166:22	49:18	128:13
<b>real</b> 84:22	<b>recall</b>	142:3 149:7	128:18 133:5
188:25	76:14 165:17	<b>recommended</b>	134:16
<b>realistic</b>	<b>receive</b> 16:22	48:1 104:7	135:16
69:15	40:8	169:7	141:14 142:2
<b>reality</b>	141:24 152:5	<b>recommends</b>	160:23
193:14	153:2 161:24	69:7	<b>recorded</b> 5:22
<b>really</b>	<b>received</b> 7:21	<b>reconcile</b>	<b>recording</b>
34:10	8:4 8:6	187:8	5:14 8:1
85:15	151:18	<b>reconciled</b>	<b>records</b> 18:25
96:10 117:20	152:24	187:4	58:13
127:11	<b>recent</b> 93:3	<b>reconciliatio</b>	<b>recuse</b> 15:12
127:14	97:3 97:4	<b>n</b> 187:6	<b>recused</b>
142:19 144:8	97:19	<b>reconvene</b>	6:17 16:1
	<b>recently</b> 19:3		<b>recycled</b>
	97:11 122:20		78:15

<b>recycling</b> 78:5 78:13 95:5	<b>refuse</b> 99:19	177:16	123:17 189:3
<b>Red</b> 45:12 48:13 50:4 61:14 65:22 75:21	<b>regard</b> 159:16 195:15 195:25 195:25	<b>relevant</b> 18:25 82:18 141:12 158:8	<b>remind</b> 105:4 139:23 139:24
<b>redefine</b> 173:23 193:18	<b>regarding</b> 14:18 19:18 47:14 49:1 49:23 63:2 63:14 70:9 70:17 70:19 74:11 88:17 129:18 148:4	<b>relied</b> 92:23	<b>reminder</b> 140:6
<b>reduce</b> 31:15 97:15 100:23	<b>regardless</b> 93:9	<b>relies</b> 61:19	<b>reorder</b> 17:25
<b>re-evaluate</b> 159:6	<b>regulate</b> 108:15	<b>Relocate</b> 110:15	<b>repeal</b> 50:13 55:2 70:6 114:23 115:2 116:20 117:13
<b>re-</b> <b>evaluated</b> 158:3 158:5	<b>regulation</b> 55:23	<b>relocating</b> 110:14	<b>repealing</b> 48:2 50:18 51:2 104:10
<b>refer</b> 12:18	<b>regulatory</b> 79:8	<b>relying</b> 62:4 62:6 134:2	<b>repeat</b> 16:4 60:21
<b>reference</b> 120:23 189:13	<b>reimbursement</b> 14:15 14:18 15:3	<b>remain</b> 89:1	<b>repeating</b> 33:2
<b>referenced</b> 46:12	<b>reject</b> 79:25 87:25	<b>remained</b> 83:17	<b>replied</b> 9:1
<b>referred</b> 125:11 135:21	<b>rejection</b> 63:13	<b>remaining</b> 49:17 50:11 70:15 95:23 96:24 97:6 133:24	<b>report</b> 10:8 67:22 80:13 88:10 104:14 130:10 134:12 137:14 172:13
<b>referring</b> 36:23 43:7 52:9 124:2 141:4	<b>related</b> 140:17	<b>remains</b> 52:22 82:13	<b>reported</b> 51:10 54:10 136:22 136:24
<b>reflected</b> 82:14 84:5 84:12 84:21 85:5 85:14 92:3	<b>relationship</b> 15:17	<b>remark</b> 161:19	<b>reporting</b> 5:13 5:24 7:1 52:16 89:20 130:19 130:20 132:3 132:4 132:24
<b>reformed</b> 164:23	<b>relative</b>	<b>remarkable</b> 68:5	
		<b>remarks</b> 74:3	
		<b>remember</b> 76:16 106:19 110:2 110:3 114:12 115:13 115:15 115:16 121:6	

135:4	160:7 172:18	<b>residents</b>	<b>y</b> 147:1
<b>reports</b> 47:25	199:9 200:22	27:6 47:7	148:24
71:7 71:8	<b>requested</b>	50:3 84:17	155:10
132:9	79:12	<b>residue</b> 78:15	<b>responsible</b>
<b>represent</b>	86:10	<b>resolution</b>	15:2 24:24
77:15 162:6	88:12 134:13	171:9	148:23
<b>representatio</b>	149:4	<b>Resort</b> 9:18	166:12
<b>n</b> 76:12	<b>requesting</b>	<b>resource</b>	169:22
175:11	44:12	8:5 63:25	<b>rest</b> 29:16
188:21	<b>requests</b> 49:5	64:12 66:6	32:10 183:11
<b>representatio</b>	79:14	75:3	190:8 196:1
<b>ns</b> 92:24	<b>require</b>	100:21 136:8	<b>restart</b> 89:4
128:13	71:8 172:23	<b>resources</b>	<b>restate</b>
<b>representativ</b>	<b>required</b>	11:14	5:18 25:15
<b>es</b> 15:19	29:13 88:7	65:24	121:7
<b>represented</b>	132:5	102:5	<b>restaurants</b>
100:14	<b>requirement</b>	112:4	139:10
161:21	52:16	181:2 188:7	<b>restriction</b>
<b>reprimanded</b>	69:17 88:20	<b>respect</b> 14:23	115:8
196:19	<b>requirements</b>	67:18	<b>restrictions</b>
<b>request</b>	84:25 102:4	128:2 171:17	45:17 46:1
48:7 50:22	<b>requires</b>	181:12 197:7	46:4 46:7
57:6 57:8	81:25 82:3	<b>respectable</b>	48:20
68:9 70:16	<b>requiring</b>	197:7	48:21 70:2
75:10 81:9	89:20	<b>respected</b>	70:4
85:23	<b>requisitions</b>	86:4	<b>result</b>
86:16	149:11	<b>respectfully</b>	48:22 189:21
86:20	<b>research</b>	44:12 128:19	<b>resume</b> 81:15
86:22	156:20 175:7	128:21	<b>resumed</b> 83:18
89:17	<b>researched</b>	<b>respond</b>	83:21
129:1	128:11	77:5 153:15	<b>retain</b> 150:11
134:5 137:11	<b>resented</b>	<b>response</b>	173:25
139:2 139:11	161:5	109:1	<b>reveal</b> 170:4
143:14	<b>resident</b>	109:6 172:20	<b>revealed</b>
143:17	38:11	191:20	183:12
143:18	<b>residential</b>	194:20	<b>reverse</b> 11:20
143:20 144:3	45:23	196:20	<b>review</b> 19:1
144:14		<b>responsibilit</b>	
144:16 160:5			

19:14	100:25 101:9	18:10	118:8
19:15	101:18 103:8	18:10	118:9 118:11
44:19	<b>role</b> 47:16	19:24	124:24
49:17	87:20 94:12	19:24	124:25 129:5
52:21	<b>roll</b> 120:1	25:11	<b>salaries</b>
87:21 92:16	137:9	25:12	155:17
<b>reviewed</b>	<b>room</b> 5:11	25:16	167:10
14:17	14:25 188:25	25:16	189:23
45:10 180:24	<b>roughly</b> 78:9	33:20	195:25
<b>reviewing</b>	<b>round</b>	33:21	<b>salary</b> 140:18
61:22	104:23 105:2	34:18	150:2 157:25
<b>revised</b> 55:24	105:8	34:21	169:8
190:4	<b>rubbish</b> 29:24	34:23	170:3 170:24
<b>revisit</b>	31:19	34:25 35:1	182:4
63:4 93:18	36:15	41:1 41:2	<b>salt</b> 136:9
<b>ribbon</b> 29:9	36:21	42:18	<b>samples</b> 61:25
58:15	40:20 115:15	42:19	62:3 64:10
<b>rich</b> 34:16	122:4	42:19	75:23
<b>Richard</b> 22:9	<b>rule</b> 55:23	42:22	<b>Sandison</b> 13:8
<b>rid</b> 171:22	<b>rules</b> 112:1	53:14	13:14
<b>Rihui</b> 13:8	142:1 148:18	53:15	<b>Sanitary</b>
13:14	<b>ruling</b> 9:24	67:14	11:23 29:7
<b>rise</b> 15:20	<b>run</b> 99:18	67:15	44:1 65:6
<b>river</b> 115:1	<b>running</b> 52:22	67:15	<b>satisfied</b>
<b>RK</b> 9:23	<b>runs</b> 95:13	71:23	195:7
<b>road</b> 23:14	160:25	71:24	<b>save</b> 14:3
24:18 28:17	<b>rush</b> 23:16	71:24	<b>savings</b>
<b>robust</b> 193:11	_____	80:19	168:15 169:3
<b>rocks</b> 24:18	S	80:20	<b>saw</b> 196:5
36:21	<b>sacred</b> 38:18	80:20 90:4	<b>schedule</b> 8:11
<b>rode</b> 23:11	<b>safe</b> 70:14	90:5 90:5	9:6 10:13
23:11	74:4 75:17	107:15	10:18 134:2
<b>Rodgers</b> 5:10	<b>safely</b> 84:2	107:16	<b>scheduled</b>
<b>Roger</b> 12:20	<b>safety</b> 67:1	108:24	9:23 26:12
44:25 94:6	69:12	108:25 111:9	133:13
95:9 99:15	<b>Saito</b> 12:22	111:10	<b>scheduling</b>
	12:23	111:13	17:22 133:23
		112:20	<b>Schnitzer</b>
		112:23 117:5	
		117:6 117:8	

13:7 13:13	<b>second</b> 8:21	<b>seemed</b> 160:19	35:24
52:2 78:1	8:22 14:5	<b>seems</b> 54:11	36:23 37:1
78:2 78:4	17:6 17:12	54:12	37:4 37:7
78:7 78:9	21:2 38:16	54:15 64:3	37:7 37:9
78:23	45:8 45:21	75:13	37:10
79:14 128:23	45:21	75:16 111:23	37:14
128:25	45:22 48:6	117:9 160:14	51:17
<b>Schnitzer's</b>	84:4	176:12	51:19
78:13	104:23	188:19	86:21 113:20
78:23 79:1	125:20	<b>seen</b> 74:16	113:22 116:6
<b>school</b>	130:24 131:1	157:23	116:8 116:12
23:12 110:1	141:14	163:11	116:15
<b>schools</b> 45:23	159:15 175:2	190:14	116:19
51:5	180:17	<b>Segura</b> 6:23	116:23 117:1
<b>science</b>	183:13	<b>select</b> 78:4	117:18 119:3
124:16	193:23	<b>selected</b> 34:7	119:15
<b>scientific</b>	194:16	82:23	120:21 137:5
75:19	<b>seconded</b> 8:23	83:24	<b>send</b> 40:21
<b>scolding</b> 95:1	131:2 131:12	83:25 102:25	153:9 158:20
<b>scored</b> 47:22	<b>Secondly</b>	<b>selection</b>	160:8 162:18
<b>scoring</b> 47:17	100:20	47:21 89:4	162:22
<b>Scott</b> 6:22	<b>secretary</b>	93:3	162:22 163:3
<b>scramble</b>	168:7 169:1	111:16	163:8
167:3	<b>section</b>	122:17	163:9 182:14
<b>scraps</b> 78:11	8:10 82:3	<b>Senate</b>	183:16
<b>screen</b> 43:8	141:5 148:17	30:23 196:9	183:19 184:7
43:13	168:3	<b>senator</b> 14:10	184:10
44:18 81:22	<b>sections</b>	28:8 28:12	184:13
<b>script</b> 93:17	159:25	28:15	184:13
<b>scrolling</b>	<b>security</b> 50:5	31:10 32:6	198:23
43:10	164:2	32:8 32:19	<b>sending</b> 40:21
<b>scrutiny</b>	<b>seeing</b> 8:16	32:22 33:1	96:5 182:17
65:23	16:7 23:25	33:3 33:5	<b>sends</b> 158:24
<b>seat</b> 25:5	120:24	33:7 33:9	<b>sense</b>
41:17 72:11	<b>seek</b> 76:11	33:12	127:13 134:7
<b>seated</b> 6:6	126:2	33:24 34:5	135:6
	<b>seeking</b> 44:10	34:20	143:1 150:10
	44:15	34:22 35:17	153:11
	<b>seeks</b> 86:13		166:21
			<b>sent</b> 14:20

63:10 96:1 152:14 152:17 154:9 191:21 191:24 197:20 <b>sentence</b> 142:17 142:20 154:1 <b>separate</b> 96:12 150:23 <b>September</b> 9:14 9:17 9:20 45:14 47:1 <b>serious</b> 40:16 70:7 74:9 <b>seriously</b> 70:13 <b>servant</b> 163:17 <b>serve</b> 6:5 148:20 197:10 <b>served</b> 47:16 <b>serves</b> 46:21 <b>service</b> 78:8 96:19 96:20 141:20 181:2 182:23 183:12 183:17 183:19 188:6 198:9 <b>services</b> 11:22 12:18 29:6 43:3 94:7	94:15 162:23 <b>session</b> 7:18 7:18 8:10 11:4 50:16 138:22 184:20 184:24 <b>sessions</b> 8:2 <b>sets</b> 44:2 <b>seven</b> 27:20 73:5 176:3 <b>several</b> 70:21 104:8 135:19 175:17 <b>severe</b> 69:12 <b>Shakes</b> 185:5 <b>shameful</b> 126:12 126:12 <b>share</b> 114:2 135:16 154:22 166:5 185:8 <b>shared</b> 134:17 168:13 <b>sharing</b> 154:17 187:7 <b>shave</b> 190:18 <b>sheets</b> 157:24 <b>she's</b> 167:16 170:8 <b>Shimabukuro</b> 14:11 51:17 86:22 <b>Shimabukuro's</b> 19:8	<b>short</b> 17:19 <b>shot</b> 129:11 <b>shove</b> 39:16 <b>shoved</b> 114:19 123:5 <b>showed</b> 56:13 <b>shown</b> 69:20 <b>shows</b> 64:5 69:21 79:6 152:10 <b>shredder</b> 78:15 <b>shut</b> 24:6 64:13 <b>siblings</b> 121:21 <b>sic</b> 8:17 <b>sides</b> 177:21 <b>sign</b> 51:11 <b>signed</b> 7:10 28:2 45:14 104:24 151:19 <b>significance</b> 136:4 <b>significant</b> 70:2 177:7 181:9 <b>significantly</b> 97:13 100:23 <b>signify</b> 8:25 <b>sign-up</b> 28:3 <b>silence</b> 140:7 140:12 <b>similar</b> 8:9	50:17 <b>similarly</b> 66:10 <b>simple</b> 69:19 146:24 159:18 <b>simply</b> 51:8 51:22 <b>Singapore</b> 31:18 <b>single</b> 43:25 44:11 49:6 114:24 187:14 <b>sir</b> 28:12 33:12 41:14 43:9 67:13 69:4 124:19 139:14 <b>sit</b> 76:25 87:25 107:10 124:20 189:24 <b>site</b> 26:11 27:12 27:21 27:22 29:9 29:13 33:25 34:3 34:19 44:4 44:14 47:20 47:21 48:8 48:23 49:2 49:4 49:25 50:7 51:11 51:25
---	--	---	---

52:24	135:20	84:8 85:4	52:18
57:15 59:4	137:13	86:8 86:9	54:25 60:23
59:15	138:15	86:10 87:9	<b>slides</b> 43:8
59:17 65:1	<b>sited</b> 83:5	87:16	56:13
67:19	<b>sites</b> 45:8	87:19	<b>slight</b> 164:12
67:24 68:5	45:10 46:5	91:16	<b>slope</b> 21:23
69:11	47:6 47:18	92:18 107:19	<b>slower</b> 13:11
69:15	47:22	112:9	<b>slowly</b> 5:16
69:15	48:10	<b>sits</b> 52:20	<b>slush</b> 188:4
69:18	52:14 55:7	56:12 190:1	191:14
69:22	59:24	<b>sitting</b> 107:7	<b>smaller</b> 60:24
69:24	60:14	194:2	<b>Smith</b> 6:11
70:25 71:2	60:15	<b>situation</b>	8:18 8:20
71:4 74:19	62:11	131:25	10:14
74:22 78:4	62:13	140:23 157:1	10:16
79:6 79:10	62:17	190:14	10:17 76:6
79:13	62:17 64:7	<b>situations</b>	77:6 90:14
79:16	70:3 70:12	168:5 191:15	90:15
82:21 83:1	79:25 80:2	<b>six</b> 45:10	90:24 91:3
83:2 83:6	83:24	47:22	102:19
83:7 83:9	88:19 93:4	48:10 57:1	102:20
83:18	93:6	57:5 57:20	104:17
83:21	102:25	59:1 59:2	118:23
83:23	103:13	60:14	118:24
84:11	103:16	62:11	133:10
86:24	103:17	62:13 64:6	133:14
87:11	103:21	74:13	134:18
87:16	103:22	79:25	137:23
88:10 89:4	103:23 104:2	83:24 93:4	137:24
89:18	104:5	102:25	149:14
91:22	104:7	103:13 104:2	154:11
92:10	104:9 136:3	131:18	154:13
92:15	<b>siting</b>	<b>six-month</b>	154:19
92:17 93:3	45:18 46:2	56:23	154:23 155:2
99:14	47:14	57:11 58:18	155:4 174:15
99:21	48:20	<b>skeptical</b>	174:20
103:5	48:22 51:7	157:11	174:22
106:1	59:5 64:19	<b>slide</b> 43:6	175:14 176:5
106:2 111:16	65:11 70:6	48:17	179:8 180:16
122:17	79:3 83:14		
123:21	83:15 84:2		
126:17 128:6			



180:19	<b>someplace</b>	<b>space</b> 95:10	<b>specified</b>
181:23	32:14	95:15	198:10
181:24 182:9	38:24	95:22	<b>speculate</b>
182:24 184:9	108:5 190:21	95:24	77:16 100:12
184:16	<b>somewhat</b>	96:15 97:1	<b>speculating</b>
184:25 185:6	28:23	97:6	62:16
185:20	<b>somewhere</b>	<b>span</b> 115:9	74:24 76:19
185:23	188:1	<b>speak</b> 5:18	<b>speed</b> 24:23
185:25 186:3	<b>sooner</b> 76:5	13:16	24:24
186:6	193:4	107:2 110:23	<b>spent</b>
186:9 186:17	<b>sorry</b> 12:13	152:3 163:22	126:11
186:22	13:10	190:9 190:10	168:17
188:11	32:22	<b>speaker</b>	<b>sponsor</b> 51:5
189:24	33:13	110:23	<b>sports</b> 162:20
<b>Smith's</b>	34:14	139:18 140:4	<b>spreadsheets</b>
175:24	36:22 39:6	140:9	182:15
<b>soccer</b> 51:10	42:15 43:5	<b>speaking</b> 5:16	<b>square</b>
<b>social</b> 15:17	43:14	57:5 126:22	30:11 114:22
<b>society</b> 40:20	45:21 52:8	<b>speaks</b> 157:2	116:20
<b>solar</b> 10:3	54:17	<b>special</b>	<b>staff</b> 6:23
30:13	54:24	12:8 44:1	7:19 8:3
<b>sold</b> 36:17	55:25	57:13	8:10 19:4
36:17 96:13	57:10	81:25 82:2	40:10 81:9
<b>solely</b> 44:10	57:24	82:3 82:5	138:23
<b>solid</b> 94:16	60:20 61:1	82:5 82:7	139:12 141:5
96:22 100:22	62:9 65:2	82:8 82:12	142:7 143:23
<b>solidify</b>	65:13 77:2	84:24 135:20	143:23 147:2
197:2	99:10 103:10	167:12	148:21 151:9
<b>solution</b> 30:4	111:11 117:1	167:17	159:12
66:12	121:6 143:16	<b>specific</b>	172:13
<b>solve</b>	175:22	92:16	176:24 181:1
187:14	200:14	139:1 150:16	181:17 183:1
187:14	<b>sort</b> 46:23	151:13	183:11
187:16 194:7	61:13 104:17	155:19 156:2	<b>stalled</b> 30:23
<b>somebody</b>	146:11	158:6	<b>stance</b> 48:5
31:16	195:14	182:3 186:13	<b>stand</b> 107:4
42:10	197:20	190:4	107:6 108:18
42:18 169:21	<b>SP09-403</b>	<b>specifically</b>	122:8 122:11
	11:21	155:16	
	16:15 29:5		

193:14	45:18	<b>status</b> 10:8	<b>stress</b> 5:16
193:21	50:18	71:13	<b>stressing</b>
<b>standard</b>	50:21	<b>statutes</b>	61:20
161:6	50:23 55:5	55:24 55:24	<b>strict</b> 148:8
<b>standardize</b>	63:24	<b>statutory</b>	<b>strive</b> 165:1
174:2	64:11 66:5	79:8	<b>stronger</b>
<b>standardized</b>	66:9 94:3	<b>stay</b> 24:3	163:4
196:22 198:6	102:5	25:5 33:10	<b>strongly</b>
<b>standards</b>	119:5 141:21	39:25 40:1	77:14
15:16	163:11	71:9 73:14	106:7 108:18
<b>standpoint</b>	166:11	108:23 116:4	108:18
177:20 191:1	166:13	200:1	<b>studied</b> 110:4
192:1 195:24	166:14	<b>stayed</b> 160:5	<b>studies</b>
<b>stands</b> 114:21	166:16	<b>Steel</b> 13:7	103:18
114:22	166:18	13:13 78:1	<b>stuff</b> 27:3
<b>start</b> 81:24	169:13	128:25	35:22 95:6
140:20 141:4	169:20	<b>step</b> 31:22	123:2 155:16
176:3 200:17	183:25 184:2	163:21	161:4
<b>started</b>	187:18	168:10	161:6
89:8	187:25	<b>steps</b> 74:24	173:7 173:12
164:14	189:22	<b>stick</b> 23:11	178:21
164:21	190:16 192:2	<b>stonewalling</b>	<b>stupid</b> 29:20
165:14	<b>stated</b>	32:3	<b>subject</b>
165:15	35:20	<b>stop</b> 31:2	76:3
166:17	44:24	40:21 63:3	101:24 114:2
166:18	52:13	199:20	149:2 151:17
<b>starting</b>	70:22 164:1	<b>storage</b> 78:22	<b>submit</b>
12:12 110:7	<b>statement</b>	<b>stories</b>	148:3
<b>starts</b> 198:6	61:22	135:25	151:7 159:17
<b>state</b> 6:16	80:10 98:3	<b>story</b> 135:25	180:24
12:11	98:23	<b>straightforwa</b>	199:19
12:11	98:24 180:20	<b>rd</b> 177:14	199:19
14:22	201:4	<b>strange</b> 110:5	199:21
16:24 18:6	<b>statements</b>	<b>Street</b>	<b>submitted</b> 7:7
20:22 28:5	117:12	21:23 28:9	16:10 16:12
30:21 32:1	<b>states</b> 57:14	38:2	<b>subsequent</b>
37:18	<b>static</b>	<b>statistics</b>	103:20
40:18 43:23	160:5 199:23	115:21	<b>substitute</b>

148:11	112:5 159:20	59:25 188:8	<b>sweet</b> 136:5
<b>success</b> 49:15	<b>supply</b>	<b>supposedly</b>	<b>swore</b> 29:16
<b>succinct</b>	46:14	40:9	<b>system</b> 192:3
112:18	55:12	<b>sure</b> 10:15	_____
<b>suffer</b> 31:4	55:18	11:10 26:9	<u>T</u>
122:12	66:19 70:7	43:11 59:1	<b>table</b> 102:22
<b>suffering</b>	70:10	65:19	<b>tables</b> 120:18
34:8 160:16	70:12	66:22 74:3	166:25
<b>suggest</b> 11:10	74:10	94:14	<b>tail</b> 158:18
190:3	74:14	99:10	<b>tainted</b> 158:2
<b>suggested</b>	74:15	102:8 102:11	<b>taking</b>
40:10	75:15 76:8	102:15 110:8	86:14
<b>suggestion</b>	76:11	111:20	87:13 114:18
11:16	76:15	132:25	<b>talk</b> 27:11
<b>Sugiyama</b> 26:2	76:20	134:19 140:3	37:23 80:7
41:8 53:21	76:23	144:22 153:1	110:25
68:21 72:1	77:11 80:8	170:6 192:7	116:12
77:24 78:1	<b>Supply's</b> 45:9	<b>surface</b> 46:21	123:23
80:15	48:5 49:1	<b>surplus</b> 184:3	156:24
90:10	80:1	<b>surprises</b>	166:23
113:4 118:16	<b>support</b> 26:10	194:12	180:12 181:8
125:4	29:5 31:12	<b>surprising</b>	<b>talked</b> 86:7
<b>suite</b> 103:17	67:17 78:2	66:7	88:4 88:5
<b>suits</b> 124:4	117:14 124:8	<b>surrounding</b>	186:17
<b>summary</b> 23:16	124:10	85:1 85:3	197:21
134:10	130:15 135:2	85:13	<b>talking</b> 29:19
<b>sun</b> 38:20	136:17	<b>Sustainable</b>	45:2 45:6
<b>Sunshine</b> 47:9	159:19	8:9 13:3	45:8 59:5
<b>supervision</b>	163:18	16:25 17:15	66:18 77:2
149:2	<b>supported</b>	<b>Swarovski</b>	120:5 120:13
<b>supplement</b>	85:22	190:13	124:7
200:2	<b>supporting</b>	190:23	126:5 167:14
<b>supplemental</b>	31:24 51:3	<b>swear</b> 20:23	177:18 180:8
176:19	67:24 122:16	21:5 28:7	186:2
176:20	130:2	28:11	186:7 195:12
<b>supplies</b>	<b>supports</b>	37:20 38:5	197:21
	128:25	42:13	<b>talks</b> 155:16
	<b>suppose</b> 10:20	93:24 94:5	<b>Tam</b> 78:1
	<b>supposed</b>	94:8	

<b>Tam-</b>	9:23	17:7 17:17	18:17
<b>Sugiyama</b>	<b>term</b> 114:4	18:2 20:13	18:20
13:6 13:7	125:21	20:18 21:6	19:16
13:12	125:22	25:13	19:22
13:12	161:20 163:6	25:18	19:23 20:1
18:15	<b>Terminal</b> 5:10	26:10 27:5	20:2 20:4
18:15 20:6	<b>terminated</b>	28:11	20:5 20:8
20:6 25:25	163:12	33:24	20:11
25:25 35:6	<b>terminates</b>	35:17	20:25
35:6 41:9	101:8 101:17	37:16 38:6	21:10
41:9 53:22	<b>terms</b> 24:12	41:3 42:11	24:25
53:22	67:16	45:1 47:10	24:25 25:2
68:22	95:20	58:15 62:5	25:9 25:12
68:22 72:2	128:1 128:16	64:4 64:25	25:17
72:2 77:25	143:8 158:6	92:7 92:9	25:19
90:11	<b>testified</b>	94:9	25:23
90:11	63:1 84:18	104:23 105:2	25:24 26:1
113:5	<b>testifier</b>	105:7	26:2 26:6
113:5 118:17	25:17	105:9 111:19	26:18
118:17 125:5	127:3 127:4	114:7	26:21
125:5 128:24	<b>testifiers</b>	117:8 119:16	27:23
128:24	97:24 98:4	129:24	27:23
<b>Tamura's</b> 38:4	127:8	129:25	28:10 29:4
<b>tanks</b>	<b>testify</b>	<b>testing</b>	33:1 33:5
106:18	7:10 16:15	64:9 74:19	33:6 33:8
106:19	18:1 21:12	88:18 93:9	33:12
<b>taste</b> 122:5	29:5 42:12	93:11	33:17
<b>technical</b>	62:5	<b>tests</b> 62:13	33:19
75:4	104:24 105:6	<b>thank</b> 7:13	33:21
<b>technically</b>	<b>testifying</b>	7:20 7:24	33:23
75:19	126:1 126:19	8:11 9:3 9:8	34:23
<b>technologies</b>	<b>testimonies</b>	10:11	34:24 35:1
35:19	120:14 130:6	10:21	35:4 35:5
<b>technology</b>	131:15	12:21	35:7 35:8
30:13	<b>testimony</b> 7:7	12:25 13:5	35:11 37:9
31:15 31:17	16:10	13:15	37:10
<b>tentative</b> 9:5	16:12	14:12	37:10
10:13	16:18 17:5	14:13 15:5	37:14
<b>tentatively</b>		14:9 18:11	39:24
		18:13 18:14	39:25
			40:25 41:2
			41:4 41:7

41:10	80:15	119:10 121:3	<b>themselves</b>
41:14	80:17	121:4 124:19	12:11
41:22 42:8	80:21	124:23 125:3	15:12 15:13
42:22	80:24	125:6	<b>theory</b> 145:15
42:25	80:25 81:3	126:4 126:18	145:18
52:25 53:1	81:5 81:13	127:6 127:10	145:19
53:10	81:20	127:22 128:8	<b>therefore</b>
53:11	89:24	128:22 129:5	15:11
53:16	89:25 90:2	129:9 129:13	78:25
53:19	90:6 90:9	129:14	79:13 83:4
53:20	90:12 91:4	129:22	134:5
53:24 54:2	93:14	129:24	<b>there's</b> 29:21
56:20 60:4	94:20	130:22 131:9	61:15 65:1
60:5 60:5	94:22	132:15	65:2 65:3
62:22	99:23 102:17	132:16	67:3 96:10
62:23	102:20	132:22 133:7	96:11 99:3
63:21	104:17	134:9 134:22	106:19
66:14	104:19	136:15 137:7	107:11 109:8
66:16	104:21	137:8 137:10	112:15 114:4
67:10	105:13	138:9 138:11	115:22
67:11	105:20	138:11	115:25 117:8
67:13	107:10	139:15 140:9	123:14 130:4
67:15 68:7	107:14	140:14	137:5
68:10	108:20	144:21	145:5 145:14
68:11	108:22	151:11	145:14
68:15	108:23 111:7	151:12	146:18 152:7
68:16	112:18	158:16	160:17
68:19	112:20	162:11	163:21 164:2
68:20 69:2	112:24 113:2	169:10	165:18 167:3
69:4 69:6	113:3	179:25	167:21 169:2
71:16	113:6 113:10	180:10	169:12
71:18	113:11	192:14	173:21
71:21	113:14	192:16	173:21
71:22	116:18	192:18 195:8	176:22
71:25 72:7	116:23 117:3	195:10 200:9	177:21
72:21	118:7	200:21 201:5	184:17
73:19	118:9 118:10	201:7	187:21 191:2
73:22	118:11	<b>thanks</b> 11:2	195:16
77:18	118:12	23:24 95:8	195:17
77:20	118:15	99:16 138:23	<b>The</b> 85:3
77:22 80:14	118:18	178:18	
	118:21		

<b>they'll</b> 150:17 187:13 200:16	<b>throughout</b> 130:6 136:1 153:17	30:9	13:17
<b>they're</b> 36:5 36:6 36:7 36:9 36:10 36:13 36:14 36:20 39:4 40:22 40:23 87:10 98:7 107:6 107:6 116:16 175:7 175:9 181:3 181:10 184:8 190:15 193:18 196:2 197:23 200:17	<b>THURSDAY</b> 5:1 <b>timeline</b> 93:2 198:8 <b>tire</b> 28:17 <b>title</b> 198:18 <b>today</b> 6:7 6:14 7:3 11:19 16:3 16:9 20:1 21:6 26:7 27:24 28:11 36:11 38:6 42:20 44:8 57:21 58:1 58:2 68:1 70:1 70:17 76:3 79:3 80:11 82:14 82:18 87:13 88:1 91:18 111:20 120:12 120:18 126:12 127:10 131:15 135:20 135:24 136:6 138:12 140:7 140:10 140:17	<b>Tokioka</b> 151:19 160:14 196:6 196:19 <b>tons</b> 78:10 <b>too-distant</b> 138:14 <b>top</b> 48:19 63:7 <b>topic</b> 105:10 144:19 192:20 195:7 <b>topics</b> 151:16 <b>Totally</b> 131:20 <b>towards</b> 51:24 52:23 <b>townhall</b> 29:15 <b>toxic</b> 61:8 <b>track</b> 192:14 <b>Trades</b> 153:4 <b>traditionally</b> 121:18 <b>train</b> 23:11 23:12 <b>training</b> 7:18 7:18 7:21 8:2 8:4 8:9 8:14 11:4 38:19 153:4 153:8 <b>transcript</b> 65:14 <b>transcription</b>	<b>transcription</b> s 5:13 7:1 <b>transcripts</b> 133:3 134:16 <b>transfer</b> 94:17 <b>transmit</b> 166:8 <b>transmitted</b> 19:5 <b>transparency</b> 152:10 <b>transparent</b> 88:25 161:11 190:5 <b>travel</b> 135:25 159:20 <b>treatment</b> 120:25 <b>tree</b> 49:20 <b>trends</b> 95:25 <b>trouble</b> 169:23 169:23 <b>trucks</b> 22:22 27:15 27:17 27:17 28:23 <b>true</b> 30:8 30:16 66:17 67:7 67:9 83:17 83:20 183:3 187:18 191:2
<b>they've</b> 28:22 62:8 68:2 124:9 132:11	<b>thick</b> 46:15 56:17 61:6 61:7 61:10 61:15 65:4		
<b>thin</b> 61:23	<b>third</b> 13:19		
<b>thousands</b> 28:24	<b>thrivng</b> 114:18		
<b>throat</b> 114:19 123:6	<b>today's</b> 6:17		
<b>throats</b> 39:16	<b>toe</b> 197:25 <b>to-energy</b>		

<b>truing</b> 183:8 191:20	<b>turn</b> 43:12	<b>understand</b> 36:4 64:4	50:4
<b>truly</b> 112:13	<b>turns</b> 157:14	65:25	<b>unhappy</b> 146:10
<b>trust</b> 56:15 169:15 169:16	<b>tutu</b> 23:2	70:17	<b>UNIDENTIFIED</b> 139:18 140:4 140:9
<b>trustees</b> 169:15	<b>twice</b> 32:20 168:18	99:11 102:22 103:4	<b>unions</b> 31:24
<b>truth</b> 21:6 28:11 29:12 30:5 38:6 94:9	<b>two-day</b> 7:18	114:3 130:11 146:23	<b>unique</b> 156:15
<b>try</b> 13:25 14:4 31:2 31:15 31:17 43:5 54:14 111:21 124:4 126:6 140:24 183:25 188:15 193:2 196:21 200:10	<b>two-year</b> 52:13 57:11	150:18 158:9 164:4 164:11 164:25 175:24 197:21 201:9	<b>unit</b> 157:17 161:25 173:15 183:14 185:4 186:23 186:25 186:25 188:16 188:23
<b>trying</b> 14:2 57:17 65:15 76:14 79:6 103:4 110:19 111:13 142:16 144:23 151:5 161:9 167:19 175:6 178:3 178:18 181:11 191:6	<b>Typically</b> 17:20	<b>understanding</b> 34:3 40:11 47:19 55:23 68:8 72:17 75:11 92:22 98:17 101:21 109:1 109:6 151:4 152:16 156:8 161:22 162:5 162:10 180:22 181:6 189:23 194:5	<b>unless</b> 31:22 78:20
<b>tsunami</b> 46:3	<hr/> <b>U</b> <hr/>	<b>understood</b> 26:10 133:6 133:7 201:12	<b>unpopular</b> 64:21
<b>Tua</b> 164:7	<b>ultimately</b> 47:23 85:8 85:10 88:11 92:11	<b>undevelopable</b> 46:8 46:10	<b>unspoken</b> 146:11
<b>Tuesday</b> 19:13	<b>umbrage</b> 172:8	<b>unfairly</b> 161:10	<b>update</b> 70:19
<b>turf</b> 122:5	<b>unable</b> 79:9 144:11 153:5	<b>unfold</b> 193:22	<b>updated</b> 100:10
	<b>unanimously</b> 30:23 138:10	<b>unfortunate</b> 50:7 65:22	<b>upon</b> 96:7 96:17 96:25 116:17
	<b>unanticipated</b> 70:1	<b>unfortunately</b>	<b>ups</b> 168:11
	<b>uncertainty</b> 163:3		<b>urban</b> 115:11 121:20
	<b>uncle</b> 22:1 22:5 28:22 110:4		<b>urged</b> 170:11 170:13
	<b>uncommon</b> 158:25 159:5		<b>user</b> 78:6
	<b>undergone</b> 172:4		
	<b>underrepresen</b> <b>ted</b> 120:17		

<b>usually</b> 144:12	<b>vehicles</b> 78:10	<b>vote</b> 50:21 79:24 185:13	100:7 106:8 106:10
<b>Utah</b> 31:18	<b>verbal</b> 155:21	188:14	110:4
<b>Utility</b> 101:24	<b>verify</b> 101:11	188:20	110:7 114:13
<b>utilize</b> 141:24	<b>verifying</b> 61:23	<b>voted</b> 79:25 166:2	120:3 120:6
<b>utilizing</b> 114:18	<b>version</b> 52:19	<b>voting</b> 188:19	120:6 121:15 121:25 122:1 128:7 136:5
<b>U'u</b> 6:10 125:15 125:16 135:9 138:2 138:3	<b>versus</b> 145:15	<hr/> W <hr/>	
<hr/> V <hr/>	<b>via</b> 48:9	<b>wagging</b> 158:18	<b>Waioli</b> 123:17
<b>vacancies</b> 187:22 188:1 189:22 191:7 191:10	<b>viable</b> 34:3	<b>Waianae</b> 38:2 38:4 38:11 39:23 121:25 122:2 123:12	<b>Waipahu</b> 23:12
<b>vacancy</b> 187:22	<b>Vice</b> 21:11		<b>Waipio</b> 49:24 51:10 63:11 63:11
<b>vacant</b> 168:25 192:25	<b>victimize</b> 32:10		<b>wait</b> 131:18 178:11 178:11 178:11 178:11 178:12 178:12 179:1 179:1 179:2 179:2 181:19
<b>Valley</b> 121:19	<b>victimized</b> 28:22	<b>Waikane</b> 123:17	
<b>valuable</b> 126:10	<b>video</b> 8:1	<b>Waimanalo</b> 11:22 16:15 22:1 22:2 22:21 23:19 24:6 24:17 27:6 27:14 29:7 29:21 35:21 35:23 36:12 38:12 39:18 44:1 65:5 72:16 72:22 76:24 78:6 78:17 78:19 84:10 94:18 95:7 98:7 98:10 98:13	<b>wake</b> 75:21
<b>value</b> 64:13 64:18 66:2 67:4 92:24 162:25 163:23	<b>view</b> 8:1 181:14		<b>walk</b> 81:23
<b>various</b> 19:12 46:1 52:4 77:10 196:10	<b>vigilant</b> 89:22		<b>wall</b> 22:13 22:15
<b>vehemently</b> 123:7 123:8	<b>virtual</b> 9:12 9:15 10:22 10:25 11:5 11:8 199:25		<b>warrant</b> 170:18
<b>vehicle</b> 145:6	<b>virtually</b> 161:23		<b>wasn't</b> 43:11 89:11 119:21 125:10 128:3 153:11 153:20 157:13 160:13
	<b>virtue</b> 198:17		
	<b>vital</b> 78:8		
	<b>voicemail</b> 40:8		
	<b>volume</b> 95:22 96:3		
	<b>volunteers</b> 125:24		



195:24	75:12	<b>welcome</b> 8:7	59:19
<b>waste</b> 30:8	75:14	17:16	59:19 62:6
78:14	75:18 76:8	20:21	62:6 62:11
94:16	76:11	105:6	67:17 89:2
94:18	76:15	178:1 180:10	91:17 96:3
95:12	76:20		96:5 96:22
95:25 96:8	76:23	<b>we'll</b> 10:2	97:13 104:22
96:13	77:11 80:1	10:3 11:25	107:22 108:8
96:22 100:22	80:8 83:16	14:4 16:7	109:1
112:3	107:22 109:2	16:22	109:8 110:19
<b>waste-to</b>	109:4 109:10	17:20	111:14
30:16	109:12	17:22 42:6	111:21
<b>waste-to-</b>	109:12	51:18 53:2	112:14
<b>energy</b> 30:16	109:13 112:5	58:25 69:5	113:14 120:4
31:23	112:7	76:4 81:15	120:13
<b>wastewater</b>	115:1 115:16	87:15 102:15	120:18
94:16	115:17 119:4	104:15	120:23
<b>watch</b> 10:20	119:8	116:19	120:24 126:5
<b>watched</b> 27:3	136:5	124:10 133:2	132:9 133:11
<b>water</b> 8:5	136:7 171:8	135:7 138:13	134:2 135:15
23:10 45:9	<b>Water-Land</b>	138:17	135:15 145:2
46:13	113:23	138:21	145:8
46:15 48:5	<b>waving</b> 75:20	139:16	145:8
49:1 55:12	<b>ways</b> 142:18	146:21 151:9	152:9 159:22
55:18 56:8	196:9	151:9	160:15
56:10	<b>weakness</b>	167:6 179:20	169:15
61:18	124:12	182:16	169:15
63:23	<b>website</b>	194:11 198:4	169:21 175:6
63:25	19:2 19:14	198:19	175:18
64:12	149:16	199:24 200:2	179:15
65:24 66:6	<b>weeds</b> 180:3	200:10	179:15 181:8
66:19 70:7	185:10	<b>we're</b> 11:20	188:8 188:19
70:10	<b>week</b> 170:25	12:16	192:3 192:14
70:10	172:14	27:16	193:15 194:8
70:12 74:2	<b>weeks</b>	31:19	197:14
74:4 74:8	142:12	31:20	197:25 198:1
74:10	156:19	39:15	199:10
74:14	<b>Weinberg</b>	51:23 53:5	199:15
74:15 75:3	114:5	56:24	199:15 200:4
75:12		57:14	200:25
		57:17	<b>Werner</b> 20:20
		58:25 59:4	

20:21	54:20 60:1	80:10	152:8
20:24	66:10	88:18	155:7 155:7
20:25 21:4	72:24 79:3	92:16	<b>withhold</b>
21:7 21:10	81:11	112:9	155:13
23:15	82:11 86:7	144:2 171:13	<b>withholding</b>
23:18 25:2	88:15	<b>whichever</b>	153:12 172:6
26:8 26:14	97:10 104:11	141:2 189:15	<b>witness</b>
26:21 27:2	104:11	<b>whole</b> 21:15	25:8 25:13
27:9 27:25	105:22	28:17 65:7	26:23
105:4 105:11	109:24	105:24 108:1	33:16
105:13	122:11 126:3	108:7	42:20 92:8
105:13	142:15	158:2	112:23
107:21	142:19	177:1 181:11	118:11
108:21 109:7	143:13 167:1	187:4	<b>witnesses</b>
110:21 111:3	176:19 195:7	190:3 197:12	42:24 52:4
111:6 112:11	200:7	<b>who's</b> 30:19	127:10
112:11	<b>whatever</b> 22:5	30:19	<b>won</b> 124:6
113:11	24:9 24:18	121:5 147:10	124:6
<b>west</b> 26:17	32:1 32:2	<b>who've</b> 7:10	<b>wondering</b>
27:10	36:5	<b>Wicker</b> 151:20	46:24 163:15
28:21	109:15	<b>wife</b> 170:8	<b>work</b> 11:5
29:15	109:16	<b>wife's</b> 22:25	30:21 40:9
29:18	134:15	<b>wild</b> 197:11	43:5 51:24
32:11	164:22 168:7	197:11	52:23
40:17	177:10 180:6	197:13	64:14 71:4
40:21 68:3	181:18 184:7	197:13	84:6 84:7
103:1	185:1 189:14	<b>willingness</b>	84:7
106:6	195:23	88:25	139:10 142:7
108:2 110:17	197:16	<b>wind</b> 192:22	158:20
115:21 120:9	<b>whatever's</b>	192:24	167:24
123:18 137:3	132:10	<b>windmills</b>	167:24
197:11	170:18	30:13	181:17
197:13	<b>whatsoever</b>	<b>wish</b> 6:2 16:5	184:11
<b>Westin</b> 9:18	172:24	16:15	197:10
<b>wet</b> 108:6	<b>whereas</b> 61:8	20:13	<b>worked</b>
<b>we've</b> 8:7	<b>Where's</b> 93:17	65:14 126:13	74:14 164:19
14:24 23:1	<b>whether</b> 55:13	135:8 138:14	169:13
23:19	55:13	<b>withheld</b>	<b>working</b>
23:21	66:10 70:14		83:9 97:13
23:22 31:5			
40:7 50:9			

<p>143:25 154:1 181:3 184:18 192:4 198:1 <b>works</b> 194:13 <b>worksheets</b> 184:23 <b>world</b> 30:13 162:20 <b>worries</b> 33:15 <b>writing</b> 143:15 143:18 143:20 148:3 <b>written</b> 7:6 16:9 133:1 154:20 <b>wrong</b> 162:5 167:20 183:18 191:1</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p><b>Yamane</b> 6:15 138:4 138:5 <b>yard</b> 21:24 <b>yards</b> 95:24 <b>year-in</b> 168:4 <b>year-out</b> 168:4 <b>year's</b> 159:14 <b>year-to-</b> <b>year</b> 158:14 <b>Yep</b> 61:3 <b>yet</b> 50:14 172:15 197:20 <b>yield</b> 120:19</p>	<p>136:13 <b>you'll</b> 43:7 <b>yourself</b> 5:19 33:4 141:10 161:16 <b>YouTube</b> 5:23 8:2 <b>you've</b> 57:19 124:15 124:16 126:16 131:7 <b>Yuan</b> 13:9 13:14</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p><b>zone</b> 36:24 45:12 45:22 46:12 46:13 46:14 46:18 46:19 46:25 47:24 48:4 48:6 48:19 48:21 49:1 49:5 49:25 54:21 54:22 55:8 55:10 55:13 61:10 62:18 62:19 65:3 65:5 65:12 74:18 77:1 80:2 83:12 83:19</p>	<p>83:25 84:3 88:17 91:17 91:17 91:20 92:3 92:6 92:12 93:5 93:6 93:8 106:17 107:20 111:23 112:1 112:2 112:6 112:10 112:12 119:1 <b>zones</b> 46:3 46:3 64:6 64:8 64:8 64:14 99:3 <b>Zoom</b> 5:14 5:22 7:2 9:15 11:2 199:16</p>
--	---	---