

CESSPOOL CONVERSION WORKING GROUP (CCWG)

Main Working Group

Meeting Notes

Date: January 18, 2019

Time: 1:10-3:04pm

Place: Kinau Hale, 1250 Punchbowl Street, Room 205, Honolulu, HI

Members Present:

William Kucharski
Stuart Coleman
Sina Pruder
Kawika Winter
Erica Perez
Lori Kahikina
Eric Nakagawa
Ted Bohlen
Ken Hiraki

Members Not Present:

Bruce Anderson
Mike Montgomery
Jason Kagimoto
Darren Lerner
Senator Kalani English
Representative Nicole Lowen
Lani Fernandez

Facilitation Support:

Christin Reynolds
Kayla Saunders

Meeting Summary: During this meeting the group was tasked with reviewing and approving draft scopes for the finance, technology, and data and prioritization subgroups. Discussions held in previous subgroup meetings helped define the scope's goals which will be used to develop contractor request for proposals. After the discussions for each subgroup scope (provided below in meeting minutes), the goals of each scope were approved with agreed-upon edits. The group also discussed evaluation criteria and a process for vetting proposals, and it was agreed upon to have the same criteria for all three subgroup scopes and that DOH will do the initial vetting of proposals. Final candidates will be reviewed by cesspool working group members. A draft schedule was also discussed and is previewed in the meeting minutes. It was noted in this meeting that a quorum of nine must be met for main group meetings to be valid, so future meeting invitations will request a response.

Approval of November Meeting Minutes:

William Kucharski: Motions to accept minutes.

Ted Bohlen and Erica Perez: Second.

Ted Bohlen: Tables motion so that Kawika Winter can read through.

Question by Ted Bohlen: Who is the author of these scopes?

Christin Reynolds: The overviews were drafted by the subgroups. Pre-working will be necessary moving forward based on schedules and timeline.

Ted Bohlen: Suggests we discuss each scope and approve one at a time.

Ted Bohlen: Motions to accept November meeting minutes.

All say “aye”; no oppositions and no abstentions.

Minutes approved.

Finance Subgroup Scope Reviewal:

Overview:

- Review a matrix and write-up funding mechanism.
 - Include eligibility requirements, amount available, who the fund is appropriate for, challenges, and benefits. Consider rebates, grants, loans, and tax credits.
 - Review and identify a short-list of the most feasible funding options.
 - Research avenues for distributing funds to homeowners.
- Consider other factors inhibiting cesspool conversions.
 - Develop marketing techniques that can be used to influence conversions.

Summary by Eric Nakagawa: Develop a matrix, provide alternatives as well as pros and cons, and then figure out how to develop a priority list of whoever is eligible for some type of subsidy. Determine how we are going to accomplish the plan (i.e. funded through State or elsewhere? Managed through the County?) and then develop marketing techniques to help people understand property benefits.

Input by Ken Hiraki: Show property owners that conversion is a good investment and that you receive a better return when you do a conversion. Suggested that we should find statistics on the correlation between homes that are already converted and those that are not.

Question by Erica Perez: What about investigating things like public-private partnerships and strengthening the framework across the State to handle these loans and grant structures, as well as the hurdles that have already been discussed? How do we establish the framework of these infrastructural loans and capital?

Christin Reynolds response: Suggests emphasizing the HOW (who and how to implement).

Input by William Kucharski: There are no legislative impediments on this funding, the biggest issue may be on what you can use public money for on private property and if there are any kinds of impediments to alternative types of funding/rebates (i.e. tax code impediments, county legislative necessities).

Question by William Kucharski: What does legislation allow you to do?

Christin Reynolds response: There is a generic challenges bucket to cover impediments but the funding can be specifically called out as a challenge.

Question by Stuart Coleman: Is there a bill on taking tax credits that have not been used and pooling them together?

Sina Pruder response: There are probably about 80 that have taken advantage of (~\$5m/yr) and has extended to all large-capacity cesspool replacement. Term began in 2016 and ends in 2020.

Question by Erica Perez: When we are looking at different financing mechanisms, are we just identifying what is available or are we finding ways that we can tweak and modify or improve a system? How do we make it sustainable? Some of these technologies have 30-40 year lifespans, are we considering

sustainable financing? The sustainability of upkeep and maintenance of the equipment? Individual-level or larger scale? If we group homes together, how do you make sure there is a sustainable way of operation and maintenance?

Christin Reynolds response: Suggests including that into the Technology scope in terms of O&M.

Eric Nakagawa response: Are you talking about providing a funding source to provide O&M?

Sina Pruder response: The purpose of this is to identify all existing cesspools first and foremost, and then to look at the needs and request funds from legislature to establish financing and grants.

Ted Bohlen response: Suggests that group makes recommendations to legislature at the end of this on how the group thinks it should be structured.

Ted Bohlen: Moves to approve draft of the Finance subgroup scope January 2019 with inclusion of Christin Reynold's changes.

Eric Nakagawa: Second.

Suggestion by Eric Nakagawa: The wording should remain "develop" on draft scope.

Ted Bohlen: Amends motion with Eric Nakagawa input.

No other comments.

Amended and moves to approve.

All say "aye"; no oppositions and no abstentions.

Technology Subgroup Scope Reviewal:

Ted Bohlen: Motion to open discussion.

William Kucharski: Second.

Overview:

- Identify existing technology for onsite systems to replace cesspools at individual residences.
 - Create an evaluation matrix with operations and maintenance, life of system, cost, and treatment level.
 - Include septic tanks, aerobic treatment units, graywater systems, and blackwater.
 - Technology should be NSF compliant (NSF 40; NSF 41; NSF 245).
 - Update the DOH study of 2007/08 that outlines wastewater systems.
- Encourage research and development of emerging technology.
 - Review technologies that are sustainable, innovative, and advanced.
 - Explore programs in other states.
 - Establish a screening process.
- Outline decentralized options and reference existing regulatory framework.

Request by Kawika Winter: Request to refrain from motioning to approve this subgroup before first discussing the data/ prioritization subgroup, and thus, motion to approve both at one time.

Ted Bohlen: Agrees that there is a loop back that should be discussed before motion is passed.

Question by Eric Nakagawa: What does this have to do with water quality? And why are they linked together? We have a tight deadline and you need everyone on board. Please explain more about why one doesn't go without the other? At the end of the day, everything is similar to the Finance subgroup in terms of technology (i.e. priority list, how we clean it, levels).

Erica Perez response: I thought that part of the goal in this transition is ecosystem services? If we are to make prioritizations and recommendations, would we not look at water quality to guide that?

Eric Nakagawa response: A list of all options and technologies must be provided to defend decisions in case of criticism.

Kawika Winter response: There is value in laying everything out, but part of the job is to come up with recommendations and that are not a one-solution/ silver-bullet method. There are many variables to consider for each situation.

William Kucharski response: The last thing we want is to recommend technology and then nothing changes. What the data and prioritization subgroup will tell us is what is going to be the environmental impact, which is indifferent from technology. The least favorable outcome is to recommend technology without creating impact.

Kawika Winter response: That is the feedback loop. Once we implement technology, we need to know how to monitor and create adaptive management.

Christin Reynolds response: Each of these scopes will happen simultaneously because of timeframe. They are limited by the subgroups not making decisions or recommendations. Ultimately the plan is to converge data outcomes. Scopes should be taken separately so as not to confuse contractors. The matrix of technology was mainly for this group's usage.

Question by Kawika Winter: Is this going to be three separate send outs? Or two out of three? Or all together as a package?

Christin Reynolds response: Three separate send outs.

William Kucharski response: Technology is going to be a moving target and will continue to improve, prioritization may not. These need to be separate since technology will change.

Question by Erica Perez: Could it be added in "future" that ongoing research is needed?

Christin Reynolds response: That will be in the plan. The second bullet in technology is about new technology.

Suggestion by Christin Reynolds: Based on what Kawika Winter has said, add "consider monitoring component in the process with new technologies" – explicitly include "monitoring" to 2c in technology.

Question by Eric Nakagawa: Who will be the ones to draft the overall content and sum everything together in a final report?

Christin Reynolds response: That is a separate scope that will be determined after group discussions.

Question by Stuart Coleman: Are we looking at adding more categories?

Erica Perez: The matrix guides that. The first step would still be to create a matrix of main goals and outcomes that we weigh technology against. Even new technology will be guided by the matrix and then DOH can decide which are to be further investigated.

Sina Pruder: There are not too many technologies that exist and if you look at the technology, it's more of the number of brands with similar technology.

Data Collection and Cesspool Prioritization Subgroup Scope Reviewal:

Overview:

- Identify and consolidate data for drinking water, public health, and environment impacts.
- Identify critical data needs.
 - Identify data gaps along with methods for filling identified gaps.
 - Identify specific indicators (such as coral) that can be used as a benchmark for water quality.
 - If possible, collect sampling data that demonstrates impact.
- Understand the impacts of different treatments.
 - Research and model the impacts of changes based on different treatment options.
- Review data reporting for guidance on next steps.

Suggestion by Kawika Winter: Change 4b to "2018".

Suggestion by Kawika Winter: Part of the premise of discussion is recognizing that prioritization recommendations are not fully adequate and should consider monitoring efforts. Existing data sets and monitoring are two different things.

Christin Reynolds response: Suggestion to make a 1b.

Suggestion by Kawika Winter: Since USGS is government, it should instead read, "state and federal government".

Suggestion by Kawika Winter: Use socioeconomic factors to prioritize.

Question by Christin Reynolds: That is a separate skill set to acquire that data. Do we need additional contractor to discuss that?

Kawika Winter response: Some folks are welcome to ideas of testing/implementing new technology and others are not. This will give us a sense of who is open to recommendations so that this is welcomed by various communities.

Stuart Coleman: Supports.

Kawika Winter: We need data, not assumptions, to make decisions from.

William Kucharski response: We cannot get this data in the timeline.

Erica Perez response: It would be difficult to include in this scope of work but what can DOH do? What is this working group's position on bringing community along with process and engaging them as we are moving forward and integrating? We shouldn't wait until we have a final report and then gather community info.

Christin Reynolds response: We will have time to work through some topics in the interim.

Erica Perez response: Socioeconomic information can be gathered through surveys via cesspool TMKs and other means

Input by Eric Nakagawa: Goal #1 is to gather data.

Sina Pruder response: Through USGS and multiple agencies (DAR, etc.) data has been collected.

Kawika Winter response: If we had something in here about identifying the data sets that would help to assess the efficacy of these technologies, because there are all kinds of water quality data out there but would be great if we had a top 5-10 of what needs to be monitored if the technology is working.

Question by Eric Nakagawa: Is DOH going to use this report to develop regulations for environmental health? To me that is not the scope. It is to determine how we are to resolve this problem.

Stuart Coleman: Part of the matrix is environmental consequence assessment – some things could come out of this with solutions.

Question by William Kucharski: What is going to be monitored? And how do you justify a potential higher cost to an individual? How do you evaluate the impact of upgrading? What kind of data will you need?

Eric Nakagawa response: As far as data, you want to show that 1) technology will work and 2) how to go about doing so.

Erica Perez response: I see your point but, in those areas, it's not a one slice solution for every community. Within investigation, we should identify parameters for efficacy.

Eric Nakagawa response: I am just looking at it from what the deliverable standpoint is; making sure that when it is written, that you have something that can be bid on and says, "this costs X amount of dollars" versus a study that continues indefinitely.

Input by Ted Bohlen: This draft scope is very heavy in the discussion of data and not so much prioritization. There is a limit for how much data to get in a quarter.

Suggestion by Kawika Winter: Recommends including another bullet of creating list/matrix of variables important for considering prioritization.

Question by Eric Nakagawa: How does the data tie to technology that it is going to work?

Christin Reynolds response: In #3 – understand impacts of different treatment. This group’s discussion assumes that we need to look at everything and start from the very beginning. There may be more gaps, but we won’t know until we look.

Suggestion by William Kucharski: It is a good idea to have contractors think of what the prioritization matrix will look like and provide a starting draft for group to consider.

Christin Reynolds response: We do have that under #4 but will add: matrix of variables that are important.

Suggestion by Eric Nakagawa: Include a #5 - to develop matrix based on whatever information you gather (i.e. its affecting water) to make prioritization.

All agree.

Kawika Winter: Motions to accept these two changes.

Ted Bohlen response: I feel like prioritization needs more work before approving.

Overview by Christin Reynolds: On data scope, add framing question “matrix of variable for prioritization”. Keep the remaining items in here 1-4. Make amendment of review of prioritization to 2018 in 4b. Acknowledging that item 3 on modeling may need more vetting before going out for bid (have conversation with Bob on the status of those models for refining).

Kawika Winter response: Also, to add a 1b – delete USGS and write “State and Federal”.

Kawika Winter: Motions to approve.

Ted Bohlen response: Suggests need for another draft first.

Stuart Coleman response: We are a very thorough group, but we have a deadline and it is hard approaching. We cannot get into too many things unless they are pressing. We need to move because we are behind-the-gun on hiring, and I suggest we move forward.

Question by Eric Nakagawa: Who is the decision maker of these scopes?

Sina Pruder response: We are

Question by Eric Nakagawa: Does each group deal with contractors?

Input by William Kucharski: I don’t think anything in here is a scope. These are just elements that will be in the scope, identified as goals. This should be the framework by which scope is created so this is not the final scope.

Question by Cristin Reynolds: How much do you want to be on every single detail versus guiding the intent? Can you guide intent based on these documents and then enable DOH to develop final scope language to be brought back to group?

Ted Bohlen response: Agree to just give direction to the people drafting these scopes. This is more guidance for what the draft scope ought to look like.

Kawika Winter: Amends motion to approve guidelines for scope for these two.

Erica Perez: Second.

Ted Bohlen: Asks if there is any further discussion before a vote.

All say "aye"; no oppositions and no abstentions.

Ted Bohlen: Declares that the motion carries.

Reviewing Potential Contractors:

Evaluation Criteria:

- Proposals are completed as specified in the RFP
- Timelines are within cesspool conversion group overall scope
- Experience, capability, and proficiency in implementing requirements
- A clear understanding of the problem being addressed
- Work plan and strategy
- Budget

Question by Lori Kahikina: Who can select? This is funded by DOH?

Sina Pruder response: We can pick anyone we want.

Lori Kahikina response: Our VFS states that only city employees can sit on panel.

Suggestion by William Kucharski: One element is to include local presence and demonstrated local knowledge.

Suggestion by Lori Kahikina: Include capacity to do the work (different from capability).

Question by Kawika Winter: Would someone put in a bid if they don't have capacity?

Response by all: Yes!

Input by Stuart Coleman: Something to consider is that some big firms may not be able to make this a priority, and we need them to be aware of the priority and timeline.

Suggestion by Lori Kahikina: Should we include a past performance aspect so we know who has met deadlines?

Suggestion by William Kucharski: We should include something that a local organization could probably respond to effectively.

Suggestion by Lori Kahikina: They should include key staff members.

Input by Lori Kahikina: I cannot sit on selection panels because I'm an appointee, it is against the law. Can I be exempted from that?

Christin Reynolds response: We need to make sure that we have enough attendance at meetings then in order to make quorum. The ranking process is separate from the voting criteria. DOH can rank based on criteria and then bring back to the table for the group to discuss?

Suggestion by William Kucharski: The evaluation criteria to contractors does not have to be the same for all three of the subgroup scopes.

Group wants to keep criteria consistent.

Kawika Winter: Motions that evaluation criteria as discussed be carried forward.

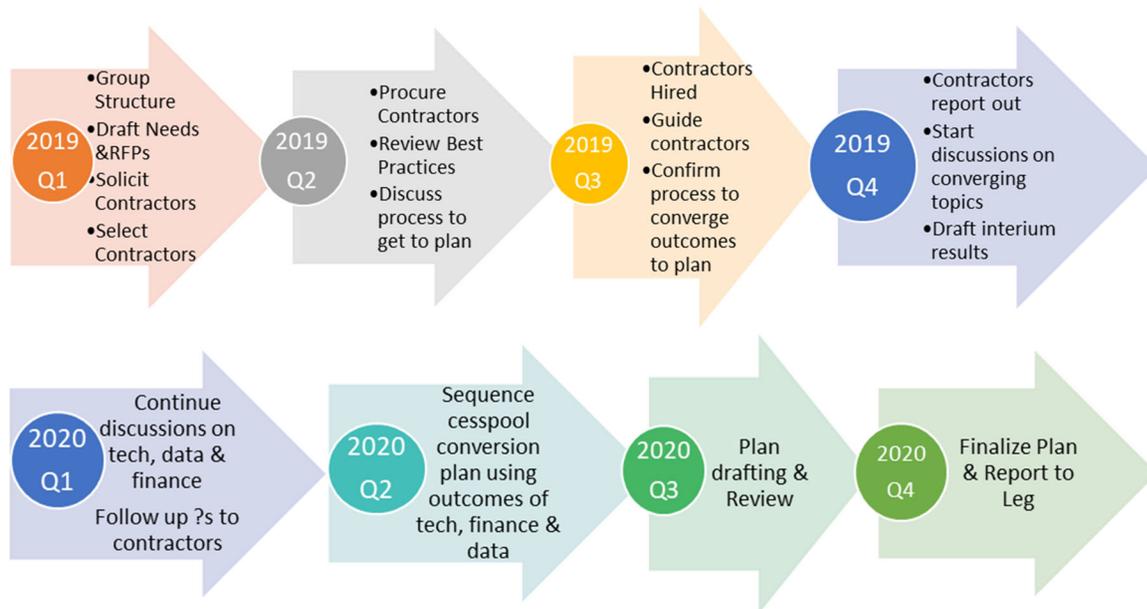
Ted Bohlen response: Criteria listed on board and discussed as amended to include some local experience, capacity, and priority - and seconds motion.

Erica Perez: Second.

No other discussion.

All say "aye"; no oppositions and no abstentions.

Draft Schedule:



2019 Quarter 1:

- Group structure
- Draft needs and RFPs
- Solicit contractors
- Select contractors

2019 Quarter 2:

- Procure contractors
- Review best practices
- Discuss process to get to plan

2019 Quarter 3:

- Contractors hired
- Guide contractors
- Confirm process to converge outcomes to plan

2019 Quarter 4:

- Contractors report out
- Start discussions on converging topics
- Drafter interim results

2020 Quarter 1:

- Continue discussions on technology, data, and finance
- Follow up questions to contractors

2020 Quarter 2:

- Sequence cesspool conversion plan using outcomes of technology, finance, and data

2020 Quarter 3:

- Plan drafting and review

2020 Quarter 4:

- Finalize plan and report to legislature

Schedule Discussion:

Question by Eric Nakagawa: Are there any public outreach and meetings in the quarters?

Suggestion by Christin Reynolds: The subgroups should meet as needed. It would be useful in guiding contractors once that gets started. We can keep the main group meetings monthly.

Question by Christin Reynolds: Do we need February subgroup meetings?

William Kucharski response: When is the final scope going to be completed? We will need a meeting for a final scope review.

Christin Reynolds response: We approved to use goals as listed to develop scope and for DOH to move forward on those.

Question by Eric Nakagawa: Who works and coordinates with the contractors? Main group or sub group?

Christin Reynolds response: DOH. However, where it is different from the scope it needs to be discussed by main group.

Suggestion by Lori Kahikina: Email the 2 year schedule out to group.

Final Questions and Comments:

Suggestion by William Kucharski: Get a detailed schedule out with actual dates within quarters.

Question by Kawika Winter: There are folks on the list who have not attended. Is there a way to implore them to come or send proxy or cut them to meet quorum?

Ted Bohlen response: We can implore them.

Question by Kawika Winter: Who will implore?

Ted Bohlen: Motions to adjourn.

Kawika Winter: Second.

All say "aye"; no opposition and no abstention.

Meeting Adjourned: 3:04pm

Next Meeting: February, TBD