

**THE THIRTIETH LEGISLATURE
APPLICATION FOR GRANTS
CHAPTER 42F, HAWAII REVISED STATUTES**

Type of Grant Request:

Operating Capital

Legal Name of Requesting Organization or Individual: Db:
Ma'alaea Village Association 501(c)(3)

Amount of State Funds Requested: \$ 1,250,000.00

Brief Description of Request (Please attach word document to back of page if extra space is needed):
Ma'alaea Village in the Pohakea watershed in Maui, Hawaii, is long overdue for a regional wastewater reclamation system upgrade. We are requesting funding to pay for a "Plan to Build" engineering study for a regional wastewater reclamation system that will enable the project to solicit requests for proposals to build the system, as well as conduct permitting.

Amount of Other Funds Available:

State: \$ 0
Federal: \$ 0
County: \$ 100,000.00
Private/Other: \$ 10,000.00

Total amount of State Grants Received in the Past 5 Fiscal Years:

\$ 0

Unrestricted Assets:

\$ _____

New Service (Presently Does Not Exist): Existing Service (Presently in Operation):

Type of Business Entity:

- 501(C)(3) Non Profit Corporation
 Other Non Profit
 Other

Mailing Address:

P.O. Box 2122

City:

Wailuku

State:

HI

Zip:

96793

Contact Person for Matters Involving this Application

Name:
Lyndon Ibele

Title:
President, Ma'alaea Village Association

Email:
maalaeavillageassociation@gmail.com

Phone:
907-787-9113

Federal Tax ID#:

██████████

State Tax ID#

██████████


Authorized Signature

Lyndon Ibele, President

Name and Title

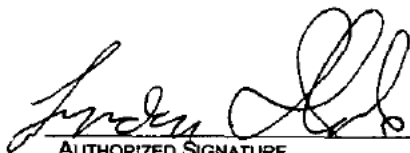
1/20/2022

Date Signed

Application Submittal Checklist

The following items are required for submittal of the grant application. Please verify and check off that the items have been included in the application packet.

- 1) Certificate of Good Standing (If the Applicant is an Organization)
- 2) Declaration Statement
- 3) Verify that grant shall be used for a public purpose
- 4) Background and Summary
- 5) Service Summary and Outcomes
- 6) Budget
 - a) Budget request by source of funds ([Link](#))
 - b) Personnel salaries and wages ([Link](#))
 - c) Equipment and motor vehicles ([Link](#))
 - d) Capital project details ([Link](#))
 - e) Government contracts, grants, and grants in aid ([Link](#))
- 7) Experience and Capability
- 8) Personnel: Project Organization and Staffing



LYNDON IBELE, PRESIDENT, MA'ALAEA
VILLAGE ASSOCIATION

1/20/2022

AUTHORIZED SIGNATURE

PRINT NAME AND TITLE

DATE

Appendix B: 42F-103 Standards for the award of grants, Declaration Statement

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS PURSUANT TO
CHAPTER 42F, HAWAII REVISSED STATUTES**



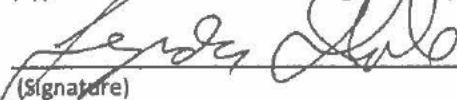
The undersigned authorized representative of the applicant certifies the following:

- 1) The applicant meets and will comply with all of the following standards for the award of grants pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant.
- 2) If the applicant is an organization, the applicant meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant is awarded shall be conducted or provided.
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.

Pursuant to Section 42F-103, Hawaii Revised Statutes, for grants used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant used for the acquisition of the land.

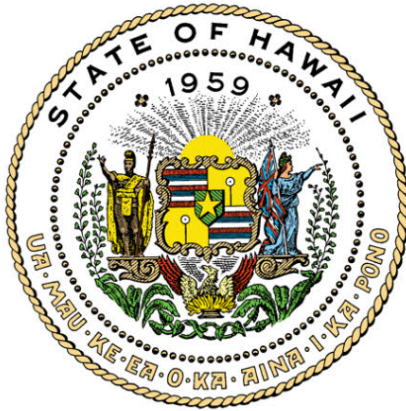
Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

Ma'Alaea Village Association 501(c)(3)
(Typed Name of Individual or Organization)


(Signature)

01/20/2022
(Date)

Lyndon Ibele, President
(Typed Name, Title)



Department of Commerce and Consumer Affairs

CERTIFICATE OF GOOD STANDING

I, the undersigned Director of Commerce and Consumer Affairs of the State of Hawaii, do hereby certify that

MA'ALAEA VILLAGE ASSOCIATION

was incorporated under the laws of Hawaii on 06/08/2017 ; that it is an existing nonprofit corporation; and that, as far as the records of this Department reveal, has complied with all of the provisions of the Hawaii Nonprofit Corporations Act, regulating domestic nonprofit corporations.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Department of Commerce and Consumer Affairs, at Honolulu, Hawaii.

Dated: January 14, 2022

Director of Commerce and Consumer Affairs



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1.0 Certification

1.1 Certificate of Good Standing

A Certificate of Good Standing for Ma'alaea Village Association 501(c)(3) is included with this application.

1.2 Declaration Statement

A declaration statement of Ma'alaea Village Association 501(c)(3) for grants pursuant to Chapter 42F, Hawaii Revised Statutes, is included with this application.

1.3 Public Purpose

A declaration certifying that the grant will be used for a public purpose pursuant to Section 42F-102, Hawaii Revised Statutes, is included with this application.

2.0 Background and Summary

2.1 Applicant Background: Ma'alaea Village Association 501(c)(3)

Ma'alaea Village Association (MVA) was formed by a small group of committed Ma'alaea property owners in 2016 after the dissolution of the Maalaea Community Association, which served the Ma'alaea community from 1988-2016. MVA received its federal 501(c)(3) nonprofit corporation status in August, 2017. As of this writing MVA has over 190 members, plus over 500 subscribers to our newsletter list.

The purpose of MVA is to protect the unique community of Ma'alaea Village; improve communication between stakeholders; and educate the Ma'alaea/Maui communities and elected officials on the need to preserve and protect our rural, ocean-oriented community.

The Association's objectives include:

- Educating the Ma'alaea community and others to protect, preserve and enhance the sustained use of Ma'alaea Bay and surrounding area to preserve the rural, ocean-oriented Ma'alaea Village;
- Protecting the scenic vistas and open space of Ma'alaea Village;
- Protecting Ma'alaea's land and marine resources: sand dunes, beach right of way, wildlife, wetlands and flood plains, endangered and rare marine and native flora/fauna, and cultural resources; and
- Improving community infrastructure including harbors, surface water drainage, and sewage disposal.

In 2018, MVA queried its members and wastewater was identified as a highest priority item for the community. As a result, MVA sponsored a Town Hall public meeting on the subject of wastewater with the following presenters: Sina Pruder Director of DOH Wastewater Branch, Assistant Attorney General Ted Bohlen and pre-eminent water quality expert Robin Knox. Sufficient interest was expressed by the panelists and membership that MVA members created an independent Steering Committee to pursue the issue. Two of the ten Ma'alaea condominium properties and the Ma'alaea Triangle Association, representing the Ma'alaea commercial interests, contributed \$10,000 each and contracted Brown & Caldwell, one of Maui's major engineering firms, to conduct an Engineering Feasibility Study for a regional wastewater treatment facility in

Ma'alaea. The topic was deemed of such high importance that the Maui County Council approved a \$6,000 grant initiated by South Maui Councilmember Kelly King, to add two possible alternatives to a Ma'alaea regional system – connecting to a future County-owned Central Maui site or inclusion in the future Waikapu Country Town development.

The extensive Brown & Caldwell Engineering Feasibility Study for the Ma'alaea regional wastewater treatment system in Ma'alaea found this to be technically feasible and that it would eliminate injection wells in the area; significantly reduce the nutrient load to ground water; reduce storm water runoff; improve storm water quality; get individual homeowner associations out of the wastewater business; and reduce the potential liability to all the stakeholders. It is generally understood that if no effective solutions are implemented to address the environmental degradation in our community in a timely manner; the damage will continue unabated.

MVA has remained continuously engaged via the wastewater steering committee for the past three years in an effort to realize a regional wastewater treatment system in Ma'alaea to replace the aging injection wells.

Below please find a description of community stakeholders who are key to the success of our effort.

2.1.1 Ma'alaea Community Members

Ma'alaea community members are the customers in this project. They will cover the cost of connecting their individual properties to the new sewer treatment system and will pay for sewer treatment services for the future wastewater system operator.

2.1.2 Ma'alaea Wastewater Steering Committee / Peter Cannon & Tapani Vuori

MVA has been supportive of the Wastewater Steering Committee efforts for three years in order to realize a solution to the community's outdated wastewater treatment and injection well disposal methods. This steering committee holds a lot of value in the composition and expertise presented in its membership, under the leadership of Peter Cannon and Tapani Vuori. Peter, a Ma'alaea condo owner and community leader, grew up in Ma'alaea and has a very close personal connection to it. Tapani has been very active in environmental, conservation and clean water regulatory issues in his roles at Maui Ocean Center and Maui Ocean Center Marine Institute. The steering committee will act as an active driver and review body for the execution of a regional wastewater treatment system.

2.1.3 Ma'alaea Triangle Association

The Ma'alaea Triangle Association (MTA) represents Ma'alaea business interests and has members in the commercial units in the Ma'alaea Triangle; Harbor Shops, Maui Ocean Center, gas station and the Maui mini golf & sports park. All these will be core customers and ratepayers in a new wastewater treatment system. MTA will play a central role in the definition, execution and operation of a regional facility.

2.1.4 Mahi Pono

Mahi Pono is the largest single private landowner on Maui after having purchased much of the sugar cane plantation lands of Alexander and Baldwin. 600 acres of the 40,000 total acreage are located in Ma'alaea Village. Mahi Pono has offered to lease ten acres of land at \$1.00 a year for 99 years to a nonprofit

organization to accommodate this public service project. Two acres are located at the entry to Ma'alaea next to Ma'alaea Road, above the tsunami zone and outside the Maui County defined Special Management Area (SMA), and will be used for the wastewater system site. The remaining eight acres are located above Hauoli Road near the condominiums where the land can be used to irrigate native plants with excess R-1 water to create a green belt that will protect the community with both a wind break and a fire break, with the potential to use excess R-1 water, if any, for irrigation. Mahi Pono has also offered the required easements needed for the conveyance system that would bring sewage from the condominiums to the wastewater plant.

2.1.5 Maui Nui Marine Resource Council

Maui Nui Marine Resource Council (MNMRC) is an award-winning Maui-based non-profit organization that is acknowledged by County, State and Federal lawmakers and agencies for its proven ability to work with the community to plan, fund, enact and manage culturally appropriate, science-based solutions to serious problems undermining nearshore ocean water quality and threatening local coral reefs. MNMRC received nonprofit IRS 501(c)(3) designation in 2015. In recent years, MNMRC has worked extensively in Ma'alaea and the adjoining Pohakea Watershed to reduce sediment runoff and other pollutants in Ma'alaea Bay, plus monitor ocean water quality and coral reef health. MNMRC has also partnered with DLNR DOFAW on watershed improvements to address wildlife and soil erosion into the Ma'alaea Bay.

2.1.6 Ma'alaea Bay and Watershed

We need to recognize that our Ma'alaea Bay and Pohakea watershed environment has rights and respect them.

2.1.7 Ma'alaea Bay and Watershed Stakeholders

Native Hawaiian Community indigenous rights have to be recognized and respected as a part of any planning and use discussions for any geographic area in Hawaii Nei. A diverse set of other stakeholders also include beach users, fishermen, snorkelers, surfers, boaters, harbor businesses, etc. All depend on the health and future sustainability of Ma'alaea Bay.

2.2 Goals & Objectives

This application comprises a formal request by the Ma'alaea Village Association (MVA) to the Legislature of the State of Hawaii to provide Grant In Aid (GIA) funding for \$1.25 million for a comprehensive engineering "Plan to Build" study for a Regional Wastewater Treatment Plant and Conveyance System in Ma'alaea. State funding will be the first step for MVA to pursue county and federal funds for the proposed Regional Wastewater Treatment Plant and Conveyance System. The Plan will serve as the basis to obtain Requests for Proposals (RFP's) from wastewater treatment system vendors and experts. Regardless of the eventual path taken to provide operational solution to its conclusion, a detailed engineering "Plan to Build" study will have to be provided.

2.3 Public purpose and need to be served

Ma'alaea Village is located on the south shore of Maui at the crossroads between the three main population centers of Kahului, Kihei and Lahaina. The Ma'alaea area has a rich history with significant cultural, historic, economic and natural resources. Ma'alaea Harbor is an important economic engine for Maui's visitor industry,

generating substantial revenue from ocean-related activities. Ma'alaea Bay is the home of Maui's major environmental leaders: the Hawaiian Islands National Marine Humpback Whale Sanctuary, and Kealia Pond National Wildlife Refuge, as well as the Maui Ocean Center and Pacific Whale Foundation. Of grave concern is Ma'alaea Bay's classification as a "303d – impaired body of water" by EPA, with documented catastrophic decline in coral reef coverage from 75%+ about 25 years ago to less than 8% six years ago. Also evidenced anecdotally Limu has become an "extinct" species.

This grant will be the first step in the upgrade of the existing injection well-based primary wastewater treatment systems in Ma'alaea Village. The original individual wastewater treatment plants were installed when Ma'alaea's ten condominium properties were developed in the 1970s. Some were purchased second hand from Kihei when the County sewer system was built. These outdated systems, along with sedimentation from the Pohakea Watershed, have contributed to the severe degradation of reef cover in nearshore ecosystems, which has dramatically declined in recent decades. Replacing the ailing wastewater treatment systems with a technologically advanced wastewater treatment system combined with natural, regenerative disposal methods is a core requirement to stabilize & restore reef ecosystems and recreational areas that are severely degraded. The recent Supreme Court decision requiring NPDES permits for nearshore injection wells in Lahaina further emphasizes the public interest in replacing wastewater systems in Ma'alaea. There are 14 State issued Underground Injection Control Program permits for wastewater injection well systems on Maui. Three are issued to Maui County at Kahului, Kihei and Lahaina, where higher quality secondary treatment is provided. The other 11 are all in Ma'alaea. This project, if approved, will be a model of successful public – private collaboration and partnership as applied in wastewater infrastructure and could become a demonstration project not only statewide but throughout the U.S.

With the recent decision by the Supreme Court of the United States, the days of injection wells in Hawaii are numbered, and it is now a requirement to obtain an NPDES permit or eliminate nearshore injection well discharges. Bold action is needed from State, local and Federal funders in partnership with the Ma'alaea Community to quickly install the best treatment, reuse & disposal systems to eliminate injection well disposal. We are looking for the solution that not only meets, but exceeds today's standards, is scalable and new technology can be added cost effectively when it becomes available. We are looking to create a solution for the next 50 years+.

2.4 Target Population to be Served

The general target population to be served is the Ma'alaea Community and all the stakeholders and beneficiaries of a healthy, sustainable and thriving Aina and Kai.

2.5 Geographic Coverage

The geographic location of the Ma'alaea regional wastewater treatment system as shown in Figure 1. The actual plant is located above the SMA and tsunami zones on the land that Mahi Pono has generously offered to the community.

3.0 Service Summary and Outcomes

3.1 Scope of work, tasks and responsibilities

The grant request, if approved, will allow the Community to perform the engineering site-specific “Plan to Build” study which will be the basis of RFP’s for wastewater systems providers.

Overall system budgets were baselined in the 2019 Brown & Caldwell Ma'alaea feasibility report, but the estimates have a high degree of uncertainty with actual costs ranging from 50% to 200% of the projections in the report. In order to obtain more accurate cost estimates, an addendum to the Brown & Caldwell feasibility study will be contracted to conduct a site-specific “Plan to Build” engineering study of the conveyance system, wastewater treatment plant and reuse applications. Scope of a “Plan to Build” engineering study will include, but is not limited to:

- LIDAR-enabled topographic survey of the roadways, pipeline easements and pump station location
- Evaluation of each of the existing condo wastewater systems to determine how they will connect to the new reclamation system
- Develop detailed plan and profile of the new sewage conveyance lines
- Develop detailed design of the pump station, force main, treatment systems and irrigation disposal
- Develop detailed and accurate cost estimates.

The process of refining cost estimates is a work in progress that will be advanced by a contract for a "Plan to Build", to obtain hard project costs. Budgetary elements will include:

- wastewater pump station
- conveyance piping & service laterals
- civil site work
- reuse irrigation & plantings
- turf scrubber & recirculation tank
- biochar filter
- solar & electrical equipment
- engineering, construction management & project administration
- redundant & backup disposal methods like condo R1, Triangle injection, or mudflat wetland recharge
- MBR package plant installed by the selected provider

3.2 Projected Timeline

Project planning is divided into three consecutive fiscal quarters:

Phase # / initiation / kickoff: activities & deliverables

Phase 1 / FY2022 Q4 /07-1-22: Contract Grant Administrator. Identify potential geo engineering companies to bid on doing the “Plan to Build” site specifically. Select the vendor.

Phase 2 / FY2023 Q1 /10-1-22: Develop detailed construction build plans along with permitting requirements

Phase 3 / FY2023 Q2 /01-1-23: Deliver the finished site specific “Plan to Build” engineering report

3.3 Quality Assurance and Evaluation Plans

Project quality assurance and quality control will be performed by the oversight of the Ma'alaea Village Association, Wastewater Steering Committee, in consultation with subject matter experts as needed.

3.4 Measures of Effectiveness

Strict adherence to the "Plan to Build" engineering study report delivery schedule will be enforced.

4.0 Financial

4.1 Budget Forms

Detailed engineering "Plan to Build" for a regional wastewater reclamation system in Ma'alaea	1,200,000.00
Grant Administrator	50,000.00
Grant request total	\$1,250,000.00

4.1.a Budget request by source of funds

BUDGET REQUEST BY SOURCE OF FUNDS

Period: July 1, 2022 to June 30, 2023

Applicant: _____ Ma'alaea Village Association 501(c)(3)

BUDGET CATEGORIES	Total State Funds Requested (a)	Total Federal Funds Requested (b)	Total County Funds Requested (c)	Total Private/Other Funds Requested (d)
A. PERSONNEL COST				
1. Salaries	0	0	0	0
2. Payroll Taxes & Assessments	0	0	0	0
3. Fringe Benefits	0	0	0	0
TOTAL PERSONNEL COST	0	0	0	0
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	0	0	0	0
2. Insurance	0	0	0	0
3. Lease/Rental of Equipment	0	0	0	0
4. Lease/Rental of Space	0	0	0	0
5. Staff Training	0	0	0	0
6. Supplies	0	0	0	0
7. Telecommunication	0	0	0	0
8. Utilities	0	0	0	0
9. Detailed Engineering Design to Build	1,200,000			
10. Grant Administration Contract	50,000			
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL OTHER CURRENT EXPENSES	1,250,000	0	0	0
C. EQUIPMENT PURCHASES	0	0	0	0
D. MOTOR VEHICLE PURCHASES	0	0	0	0
E. CAPITAL	0	0	100,000	10,000
TOTAL (A+B+C+D+E)	1,250,000	0	100,000	10,000
SOURCES OF FUNDING		Budget Prepared By:		
(a) Total State Funds Requested	1,250,000	Tapani Vuori 808-561-2022		
(b) Total Federal Funds Requested	0	Name (Please type or print) Phone		
(c) Total County Funds Requested	100,000	Signature of Authorized Official Date		
(d) Total Private/Other Funds Requested	10,000	Vice President, Ma'alaea Village Association 501(c)(3)		
TOTAL BUDGET	1,360,000	Name and Title (Please type or print)		

4.1.b Personnel salaries and wages

N/A

4.1.c Equipment and motor vehicles

N/A

4.1.d Capital project details

BUDGET JUSTIFICATION - CAPITAL PROJECT DETAILS						
Period: July 1, 2022 to June 30, 2023						
Applicant: <u>Ma'alea Village Association 5</u>						
FUNDING AMOUNT REQUESTED						
TOTAL PROJECT COST	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS		STATE FUNDS REQUESTED	OTHER SOURCES OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS	
	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2022-2023	FY 2023-2024	FY 2024-2025
PLANS	0	0	0	110000	0	0
LAND ACQUISITION	0	0	0	0	0	0
DESIGN	0	0	1250000	0	0	0
CONSTRUCTION	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
TOTAL	0	0	1,250,000	110,000	0	0
JUSTIFICATION/COMMENTS						

4.1.e Government contracts, grants and grants in aid

No government contracts, grants or grants in aid have been awarded to the applicant.

4.2 FY2023 Funding Requests

Total site specific "Design to Build" engineering study + grant administrator estimated quarterly FY2023 costs:

- 1. Q1: \$1,250,000 Q2: \$0 Q3: \$0 Q4: \$0

4.3 Other Funding Sources

Maui County Council Member Kelly King has made a \$100,000.00 commitment towards the engineering site survey & plan.

4.4 Tax Credits

The applicant has not been granted any tax credits in the prior three years.

4.5 Prior Government Contracts & Grants

MVA received a \$6,000 grant from the Maui County Council to add an addendum to the Brown & Caldwell Feasibility Study for a regional Ma'alaea wastewater treatment plant, to add the alternative of connecting to a future County Central Maui wastewater treatment plant or Waikapu Country Town development.

4.6 Balance of Assets

The balance of Net Assets for Ma'alaea Village Association on December 31, 2021, was \$52,523.09.

5.0 Experience and Capability

5.1 Necessary Skills and Experience

MVA supporting the Wastewater Steering Committee has done much of the discovery work leading up to this point with the help of various technical, regulatory and policy experts along with the regulatory agencies. This grant request covers the contracting of the grant manager and the engineering company to perform the site specific "Plan to Build" engineering study.

5.2 Facilities

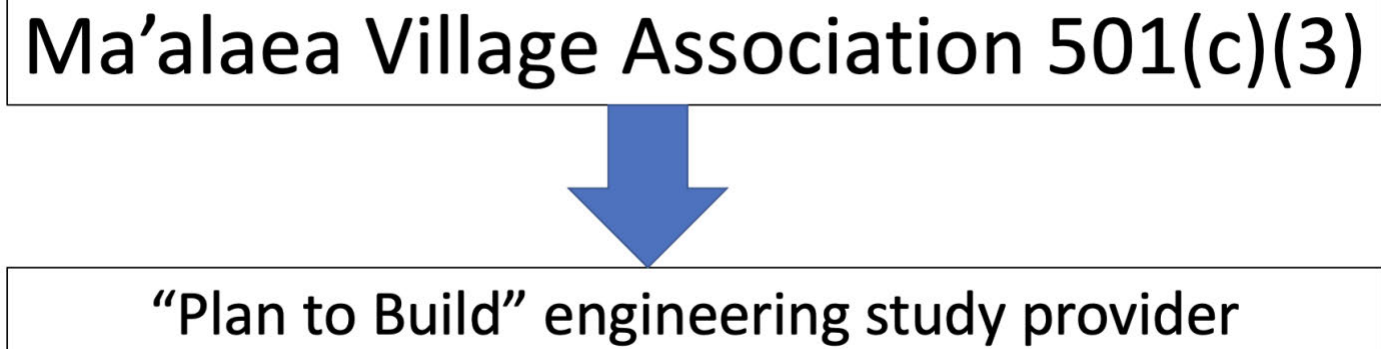
Mahi Pono has offered to lease ten acres of land at \$1.00 a year for 99 years to a nonprofit organization to accommodate this public service project.

6.0 Personnel: Project Organization and Staffing

6.1 Proposed Staffing, Staff Qualifications, Supervision and Training

There is no proposed paid staffing.

6.2 Organization Chart



6.3 Compensation

MVA is a community based non-profit organization with no paid staff. A grant manager will be contracted to manage the grant.

7.0 Other

7.1 Litigation

The applicant is not party to any litigation.

7.2 Licensure or Accreditation

N/A

7.3 Private Educational Institutions

The grant will not be used to support or benefit a sectarian or non-sectarian private educational institution.

7.4 Future Sustainability Plan

Our hope is that we will be successful in securing GIA funding for the site specific "Plan to Build" engineering study. With the "Plan to Build" engineering study, we will have the basis to seek applicants for a transparent bidding via RFP process. With firm cost estimates, we will pursue County, State and Federal funding for the purchase and construction of the Ma'alaea wastewater treatment plant and conveyance system. We are agnostic as to whether the future wastewater treatment system is operated by private or public entity, or whether the ultimate system is a regional one located in Ma'alaea or connected to Waikapu Country Town or to Maui County Central Maui facility. Ultimately Ma'alaea community members will be rate payers and cover the full cost of operations and maintenance of the future solution.

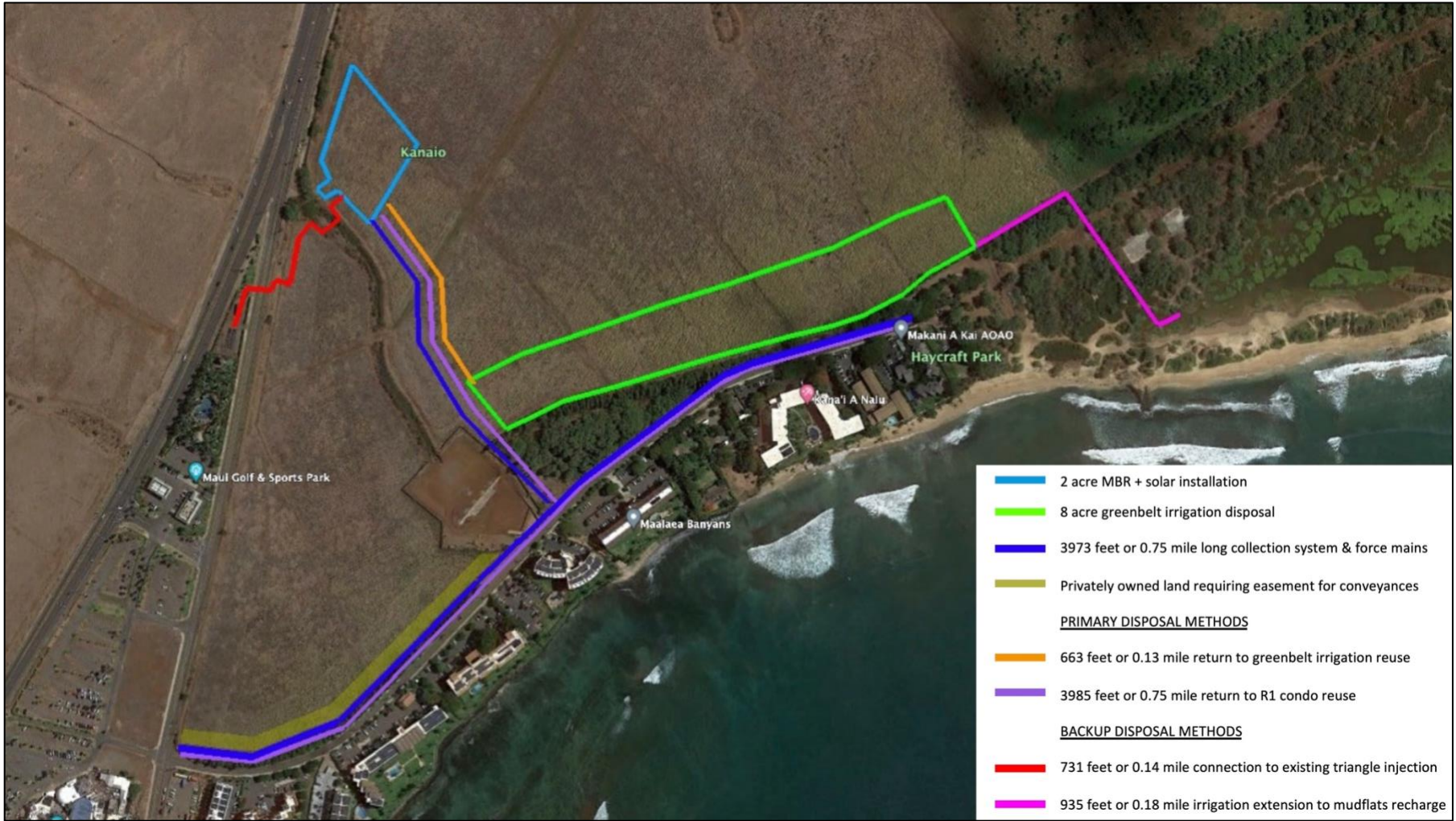


Figure 1 Ma'alaea regional wastewater reclamation system Village overview.