[redacted]

From: Taryn Dizon <dizontaryn@gmail.com>
Sent: Thursday, October 29, 2026 11:10 AM
To: Council Testimony
Subject: Oppose Bill 3007

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chair and Councilmembers,

My name is Taryn Dizon, and I am a proud resident of Kekaha. I am here today in strong opposition to Bill 3007. I apologize for the delay in getting my written testimony to you and would like to start off by sharing the data from the Blue Water Task Force (Surfrider Foundation) last reading of the water quality in Kekaha shows Kekaha as the cleanest beaches on Kauai...https://bwtf.surfrider.org/report/23

I want to begin by expressing my deep disappointment and growing concern over the role organizations like Earthjustice continue to play in decisions affecting our small island community.

Kaua'i is a very small county with unique geographical circumstances, limited land, limited resources, and challenges that cannot simply be compared to those of larger counties or communities.

Yet, instead of seeing outside organizations come to Kaua'i with genuine solutions, resources, and partnerships, we are faced with the threat of litigation against our own county.

How is this helping us? Who is truly benefiting from this approach? And at what point do we recognize that the pursuit of environmental justice can create unintended injustices for the very communities it claims to protect?

I find it deeply troubling when legal pressure and outside advocacy appear to take priority over understanding the daily realities of the people who actually live with the consequences.

We are not a community with endless financial resources. Every dollar spent responding to litigation or navigating unnecessary obstacles is a dollar that could otherwise be invested in infrastructure, public safety, environmental improvements, and long-term solutions.

My next concern is the timing of Bill 3007.

Why are we considering legislation of this magnitude when the procurement efforts initiated through the County's 2023 RFP process have not yet been fully resolved or presented to our community?

How can we responsibly make legislative decisions when we have not thoroughly evaluated the proposals, potential costs, operational feasibility, environmental impacts, and long-term consequences of the community.

We cannot continue passing this problem on to the next generation through legislation that may restrict our options before we fully understand what those options are.

I respectfully ask this Council to reconsider Bill 3007, allow the outstanding procurement efforts to be properly evaluated, and bring the actual proposals and facts before the community.

Instead of allowing the threat of litigation or outside pressure to dictate our direction, I ask that we focus on collaboration, transparency, responsible planning, and solutions that truly serve the people of Kauaʻi.

Kekaha deserves more than another bill.

We deserve a genuine solution, and we deserve to know our options before decisions are made that will impact our community for generations.

Thank you,

Taryn

[redacted]

From: Benny Broyles <barnonebenny@gmail.com>
Sent: Friday, November 13, 2026 3:59 PM
To: Council Testimony
Subject: No new landfills on west Kauai

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.



Aloha Chair Rapozo, Vice-Chair Kuali'i, and Council Members,

Aloha Chair Rapozo, Vice-Chair Kualiʻi, and Council Members,

My name is Benson Broyles, born and raised in Kekaha. I am writing to submit my strong testimony in support of Bill 3007 to ensure Kauaʻi County finally ends the systemic practice of citing the island's waste infrastructure strictly on the Westside.

For generations, our Kekaha community has carried the total burden of Kauaʻi's municipal solid waste. The reality on the ground in our neighborhood reflects years of environmental inequity and short-term planning:

- Environmental Degradation: Phase I, was constructed prior to modern containment standards leaving it completely unlined, contaminating underlying groundwater aquifers, and threatening adjacent marine ecosystems.
- Reactive Expansion: Phase II, exceeded projected capacity early following Hurricane Iniki, prompting fast-tracked expansions rather than a balanced, island-wide waste management plan.
- Ecological Vulnerability: The facility remains exposed along a coastline highly susceptible to tsunamis, severe hurricane surges, and sea-level rise.
- Community Burden: Day in and day out, our local roads handle heavy diesel truck traffic, dust, and noise pollution as waste from across the entire island is hauled straight through our rural backyards.

Bill 3007 establishes a firm, equitable framework: it honors the County's duty to protect the Westside while expediting the process to identify and construct a modern waste facility elsewhere. In the wake of Hurricane Lowell, as Kauaʻi confronts immediate disaster debris challenges, clear policy direction on sustainable waste citing is more critical than ever.

As a proud Kekaha resident, I am asking for long-overdue certainty, not just lip service that our community will no longer serve as the island's single dumping ground.

I, Benson Broyles, strongly support Bill 3007 and urge the Council to pass this measure, secure an alternative site, and move forward with closing the Kekaha Landfill.

Mahalo for your leadership and for the opportunity to testify.

Sincerely,

Benson Broyles

Kekaha Resident

[redacted]

From: Rich Gioscia <richardmgioscia@gmail.com>
Sent: Sunday, November 15, 2026 7:17 AM
To: Council Testimony
Subject: No More Landfills in West Kaua'i!! Support Bill No. 3007 at Wed. 11/18, 8:30am, Kaua'i County Council Meeting

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha

I strongly support Bill 3007 for a number of reasons:

- The landfill should be centrally located to reduce the transportation time, transportation distance, and vehicle emissions.

- The Ma'alo site meets FAA distance requirements from the airport. Yet, it is frequently stated that HDOT and FAA have concerns about the Ma'alo location because of proximity to the airport. I have requested a copy of official correspondence regarding this issue on several occasions but have never received a response. This leads me to believe this is a NIMBY issue, not an air safety issue.

- Trash trucks, pickup trucks (with and without trailers) and personal vehicles speed through Kekaha every day on their way to the landfill. HDOT has been aware of this issue for years. HDOT has has placed electronic speed monitoring signs along the highway and scheduled a public hearing (which was cancelled due to Lowell and to my knowledge not yet rescheduled) to discuss potential speed mitigation alternatives. My analysis of the data as recorded on the electronic speed signs - 80% of the traffic exceed the speed limit, more than 30% exceeds 40 mph, and approximately 10% exceeds 45 mph.

	West. MM 25.1 8/28 to 9/4	West MM 24.55 8/21 to 8/28	West MM 26.2 9/18 to 9/25	East MM 25.1 8/28 to 9/4	MM 9
Greater than 35 mph	79%	88%	76%	86%	
36 to 40 mph	35%	35%	43%	44%	
41 to 45 mph	34%	37%	26%	34%	
Over 45 mph	9%	16%	7%	9%	
Peak	78 mph	81 mph	99 mph	77 mph	85

And look at the peak speeds that has been recorded! There has been intermittent, infrequent monitoring by KPD that has done nothing to slow the traffic. This speeding poses a danger to pedestrians who walk along the side of the highway, bikers, joggers, etc. This situation is a tragedy waiting to happen.

- The heavy traffic to the landfill is deteriorating the Kaumuali'i Highway in Kekaha. The road is cracking and developing potholes. Not to mention the erosion in several spots from the ocean. When this road no longer becomes usable, Kekaha Road will be overwhelmed with traffic, posing even a greater danger.

- SIting of the new landfill (and expanding the existing landfill) is an environmental injustice to the west side of Kauai.

- There is a time to complete the permitting and construction of the Ma'alo Lanfill before 2030 if there was interest in doing so. I am an environmental engineer who supported the permitting and construction of many SUbtitle C and D landfills on the mainland. I know for a fact it can be done in 4 years.

I strongly urge you to pass bill 3007, stop the expansion, and work on permitting and building the Ma'alo Landfill.

Rich Gioscia
Kekaha

[redacted]

From: Bernard Makuaole <heleboy@live.com>
Sent: Sunday, November 15, 2026 4:56 PM
To: Council Testimony
Subject: Support Bill No. 3007 at Wed. 11/18

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Deer council members

My name is Bernard Kanahele Makuaole Jr,(Hele Boy) and I am a resident of Kekaha. I was born and raised in Kekaha and moved to the mainland as a young adult. I've recently returned home to take care of my mother, living in Kekaha for the past few years. I submit this testimony in strong support of Bill 3007.

The Kekaha landfill has been an eyesore since my youth. I always wondered why we, all the way on the west side, had to deal with most or all of the island's trash. What the County has always seen as an ideal spot for a dumping ground, even during its recent search for a new landfill site, I've only ever recognized as my home.

West side residents have lived with the burden of Kaua'i's *only landfill* for decades. Phase I was built before modern environmental standards were in place, so it is completely unlined and poses a hazard to nearby beaches and recreational areas. Because of debris from Hurricane Iniki, Phase II reached capacity early and received fast-tracked approvals to expand. The landfill is located right along the coastline in an area prone to tsunamis, hurricanes, and coastal flooding, and the groundwater beneath it is polluted. Noisy, polluting trash trucks drive up and down our roads day and night to deliver rubbish to our remote, rural community.

Bill 3007 would solidify the County's commitment to keep new landfills out of the west side and would urge the County to quickly proceed with building a new landfill elsewhere. This Bill is even more pressing in the wake of Hurricane Lowell, as the County once again faces challenges with disposing of hurricane debris. As a resident who has been living with a landfill in my front yard for years, I deserve certainty, not just lip service, that the County will no longer use my community as the whole island's dumping ground.

This bill provides West Kauai residents, especially us Kekaha residents, some peace of mind—that the County will not site another landfill in our backyard, recognizing that we have carried that burden for longer than my lifetime.

I strongly support Bill 3007 and urge the Council to pass this measure.

Sincerely,

Bernard Kanahele Makuaole Jr

[redacted]

From: SANDRA MAKUAOLE <smakuaole4@yahoo.com>
Sent: Sunday, November 15, 2026 5:04 PM
To: Council Testimony
Subject: Support bill No. 3007 on Wednesday 11/18, 2026.

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

My name is Sandra Makuaole. I've been a resident of Kekaha for over 60+ years.

Over the years, I've watched multiple land fills on this island close as only one on the west side grows, it has become an eyesore, and if winds are blowing our direction, becomes an inconvenient scent. Why is it the westside (Kekaha) become the Island dumping ground.

Westside residence have lived with the burden of Kauai's only landfill for decades. Phase one was built before modern environmental standards were in place, so completely unlined and poses a hazards to nearby beaches and recreational areas. Because of debris from Iniki. phase 2, reach capacity early and receive fast-track approval to expand. The landfill is located right along the coastline in an area prone to tsunami's hurricanes and coastal flooding, and the groundwater beneath it is polluted, noisy polluting trash trucks drive up and down our roads day and delivering rubbish in our rural community.

Bill 3007 would solidify the Countys commitment to keep new landfills out of the west side and would urge County to quickly proceed to build a new landfill elsewhere. This bill is more pressing in the wake of hurricane Lowell, as a county once again faces challenges with disposing of hurricane debris. As a resident who has been living with a landfill in my front yard for years, I deserve certainty not just lip service at the county will no longer use my community as a whole Island dumping ground.

This bill provides West Kauai residence especially the Kekaha residence. It's a piece of mind that the county will not site another landfill in our backyard and recognize that we have carried the burden for a long time.

I strongly support Bill, 3007 an urge council to pass this measure.

Sincerely,
Sandra S Makuaole
Sent from my Sandra Makuaole's iPhone

[redacted]

From: S462-Aliyahlyn Llapitan <s462-aliyahlyn.llapitan@k12.hi.us>
Sent: Sunday, November 15, 2026 10:56 PM
To: Council Testimony

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha, County Kauai council I want to address a concern about the dump that is currently expanding in Kekaha and I am willing to support the "Bill 3007".

Hello my name is Aliyahlyn Llapitan, I am a 16 year old Filipino student from Waimea High School and have been living here in Kauai for almost 4 years now and in Kekaha. I have been worried about the health of the aina due to the dump in Kekaha. If the Kekaha dump continues to expand it can damage the surrounding area of the island of Kauai, this will also affect the residents inhabiting Kekaha and the waters as well. So please I want to reduce the risk of land and water pollution on the island due to the chemicals seeping down to the aina.

Thank you for your cooperation Kauai County Council.

Sincere, Aliyahlyn Llapitan.

11/15/26

This is a student email account managed by Hawaii Department Of Education School District. The contents of this email are governed by the laws of the state and the board policies of the school district.

[redacted]

From: Zariah <zariah.geronimo@gmail.com>
Sent: Monday, November 16, 2026 10:06 AM
To: Council Testimony
Subject: Supporting Bill 3007

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha, my name is Zariah Geronimo. I am 16 years old, born and raised on the West Side of Kaua'i, in Kaumakani, and I currently attend Waimea High School.

I am writing in support of Bill 3007 because I believe our community and environment deserve to be protected. Growing up on the West Side, I have learned how important our land is to the people who live here. I believe the West Side deserves to be treated with care and respect, and building another landfill in the Mana Plain would only bring more concerns to our community.

The Mana area has already been through a lot, especially after the damage caused by hurricanes. It is also a low-lying area that is at risk of tsunamis and flooding, with a lot of groundwater. Mana was once a wetland, which makes me concerned about how another landfill could affect the land, water, and people living nearby.

I understand that everyone produces trash, and we all need to do our part to manage it better. We should focus more on recycling, reducing waste, and making the most out of our existing landfill instead of building another one so close to it.

As someone who was born and raised on the West Side, I want to see our community taken care of, not overlooked. The decisions being made today will affect not only us but also the next generations. We deserve to have a clean and safe place to live, and our land deserves to be protected.

For these reasons, I respectfully ask you to support Bill 3007 and help protect the Mana Plain, our West Side community, and the future of Kaua'i.

Mahalo for your time and for listening to my testimony.

Zariah Geronimo Age: 16 Kaumakani, West Side of Kaua'i Waimea High School

[redacted]

From: Rory Ballard <roryballard77@gmail.com>
Sent: Monday, November 16, 2026 11:19 AM
To: Council Testimony
Subject: Testimony in Support of Bill No. 3007 (Landfill Prohibited Sites)

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chair and Councilmembers,

My name is Rory Ballard, and I live in Kapaʻa. I support Bill No. 3007.

Kekaha has hosted the island's only landfill since 1953. Everyone on Kauaʻi benefits from it, and West Kauaʻi has carried the cost. Bill 3007 sets a simple, fair rule: no community should have to host a new landfill right next to one it has already carried for decades.

The bill still lets Public Works maintain and modify the existing landfill as needed, so it doesn't put near-term disposal capacity at risk. With Kekaha expected to reach capacity around 2030, setting this rule now gives the siting process clarity instead of leaving West Kauaʻi on the table.

I also urge the Council to pair this with stronger waste reduction, composting and reuse programs, so the next site has to take in less.

Please pass Bill No. 3007.

Thank you,
Rory Ballard
Kapaʻa, Kauaʻi

[redacted]

From: Harley Broyles <hbroyles@earthjustice.org>
Sent: Monday, November 16, 2026 12:05 PM
To: Council Testimony
Cc: Kylie Wager Cruz; Julie Parks
Subject: Testimony in SUPPORT of Bill 3007, 11/18 Committee Hearing
Attachments: 2026-11-18 Earthjustice Testimony RE Bill 3007.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

Please find attached Earthjustice's testimony in support of Bill 3007 for the Kaua'i County Council's 11/18 committee hearing. Mahalo!

Harley M. Broyles (*she/her*)
Associate Attorney
Earthjustice
850 Richards St., 4th Flr.
Honolulu, HI 96813
T: 808.599.2438
earthjustice.org

facebook.com/earthjustice
twitter.com/earthjustice

EARTHJUSTICE

Because the earth needs a good lawyer

The information contained in this email message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

EARTHJUSTICE

Via Electronic Mail

Attn: Kaua'i County Council
counciltestimony@kauai.gov

COUNCIL MEMBER BERNARD CARVALHO, COMMITTEE CHAIR
COUNCIL MEMBER FELICIA COWDEN, COMMITTEE VICE CHAIR
PUBLIC WORKS AND VETERANS SERVICES COMMITTEE
KAUA'I COUNTY COUNCIL

Agenda Item A.1
TESTIMONY IN **STRONG SUPPORT** OF PROPOSED DRAFT BILL (No. 3007)
A BILL FOR AN ORDINANCE AMENDING CHAPTER 21, ARTICLE 7, KAUA'I COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW SECTION RELATING TO LANDFILL PROHIBITED SITES

November 18, 2026, 8:30 a.m.
Council Chambers, Historic County Building
4396 Rice Street, Suite 201
Līhu'e, Kaua'i, Hawai'i 96766

Committee Chair Carvalho, Committee Vice Chair Cowden, and Committee Members,

On behalf of community groups Nā Kia'i Kai and Nā Kupa o Kaua'i, Earthjustice submits this testimony in **strong support** of Proposed Draft Bill (No. 3007), a bill for an ordinance amending Chapter 21, Article 7, Kaua'i County Code 1987, as amended, by adding a new section relating to landfill prohibited sites. Nā Kia'i Kai is a community group established by West Kaua'i residents, including Native Hawaiian fishers and cultural practitioners, to protect West Kaua'i's coastal waters, community residents, and aquatic life from pollution. Nā Kupa o Kaua'i is a hui of Kaua'i residents, including Native Hawaiian Kekaha residents, seeking to end the environmental and cultural injustices from landfill operations in West Kaua'i.

Bill 3007 prohibits new landfills from being constructed within 6 miles of an existing landfill or a landfill that's been operational in the past 30 years. This means the west side, from Waimea to Polihale, would be off limits as the County continues its work to construct a new landfill on the island. The bill, thus, firmly commits the County to siting a new landfill elsewhere, reaffirming the County's current plans.

MID-PACIFIC 850 RICHARDS STREET, SUITE 400 HONOLULU, HI 96813
T: 808.599.2436 MPOFFICE@EARTHJUSTICE.ORG WWW.EARTHJUSTICE.ORG

I. BILL 3007 IS NECESSARY TO PROTECT THE ʻĀINA AND KEKAHA COMMUNITY AFTER YEARS OF EXPANDED OPERATIONS

The Kekaha community has been burdened with hosting the island's *only* landfill for decades. Since opening in 1953, the Kekaha Landfill has been expanded several times, with the proposed Phase II expansion representing the landfill's greatest height increase to date, *i.e.* another 50+ feet above its current 120 feet of permitted capacity. The County is also proposing to expand the Kekaha Landfill laterally by piling rubbish on top of the makai Phase I portion, which was constructed with no liner, prior to modern environmental protection laws. These expansions are especially concerning because the landfill is located close to the shoreline in a low-elevation, former wetland area prone to heavy rains and other coastal hazards. Groundwater monitoring wells downgradient from both the unlined and lined portions are contaminated with elevated levels of arsenic.[1] Over the years, the landfill has been a dumping site for toxic substances, including pesticides, asbestos, disaster debris, and hazardous waste.

For years, the County has been working on siting a new landfill on Kauaʻi, which is a **priority solution for taking pressure off the Kekaha Landfill to withstand further expansions**. The County has considered several different locations for a new landfill, including one site on the Mānā Plain in the tsunami inundation zone.

Fig. 1. Existing Landfill and Previously Proposed Mānā Plain Landfill Site
(Source: Department of Public Works, County of Kauaʻi)



Fig. 2. West Kauaʻi Tsunami Inundation Zone
(Source: Hawai'i Emergency Management Agency)



[1] *See, e.g.*, Letter from State of Hawai'i Department of Health, Solid and Hazardous Waste Branch to County of Kauaʻi Department of Public Works, re: Kekaha Sanitary Landfill, Oct. 3, 2022.

After facing community opposition regarding the Mānā Plain site, the County has begun working on planning and permitting for the previously considered Ma'alo Road landfill site in Hanamā'ulu, which underwent an extensive community engagement and environmental review process through 2018.[2] While we are grateful that the current administration is working to construct a landfill outside of West Kaua'i, Bill 3007 is necessary to provide assurances to west side residents and prevent backtracking in the future, particularly as administrations change. **Bill 3007 would firmly commit the County to not constructing the island's next landfill on the west side from Waimea to Polihale, and would be a critical first step toward allowing the 'āina to recuperate from decades of piled-on waste.**

We note that nothing in this bill would prevent further dialogue, policies, and decision-making regarding the existing Kekaha Landfill. For example, we support exploring long-term solutions including: (1) continuing community benefits funding after the Kekaha Landfill closes, (2) relocating waste from the Phase I unlined portion to a new landfill, and (3) implementing alternative methods of waste disposal to reduce the amount of waste going to the landfill. Bill 3007, however, addresses the immediate question of where a new landfill could be sited. It is critical to set these ground rules now given that planning, permitting, and constructing a landfill can take ten years, and the County does not have time to waste on false starts.

II. BILL 3007 WOULD HELP TO ADDRESS A LONG HISTORY OF ENVIRONMENTAL INJUSTICES ON THE WEST SIDE

For more than a century, Kekaha and the surrounding areas in West Kaua'i have borne the brunt of the island's environmental and cultural injustices. Beginning in the late 1800s, sugar plantations filled and channelized the Mānā Plain—once home to a thriving network of wetlands and freshwater springs—to artificially lower the groundwater table and create dry land suitable for sugar cultivation. These dewatering efforts resulted in 40 miles of unlined drainage ditches, 2 pumping stations, and at least 6 ocean outfalls that span the Mānā Plain and the West Kaua'i coastline from Kekaha to Polihale. The sugar plantations also dammed and drained the Waimea River and its tributaries to irrigate their crops. This water pumping and water diversion infrastructure is still in operation today and has all but destroyed the complex stream, wetland, and reef ecosystems along West Kaua'i from mauka to makai.

After Kekaha Sugar Company—the last sugar plantation on Kaua'i—closed in 2000, it did little to clean up and remediate the land it had once occupied, leaving the soil and water contaminated with long-lasting pesticides like atrazine, and the Sugar Mill and related facilities and infrastructure left abandoned and deteriorating. Sediment samples from these sites have

---

[2] County of Kaua'i Department of Public Works, Environmental Impact Statement Preparation Notice, Kekaha Municipal Solid Waste Landfill Cell 3 Vertical Expansion, at 7, 10-11 (June 2026).

shown elevated levels of arsenic, dioxins/furans, and mercury.[3] There are minimal barriers between this dilapidated infrastructure and nearby homes (including state elderly housing and a Department of Hawaiian Homelands affordable housing subdivision), a church, a Native Hawaiian charter school, drainage ditches leading to the ocean, and beaches.[4] The Sugar Mill site also contains eleven underground storage tanks, transformers, and capacitors that are suspected of releasing polychlorinated biphenyls and pulverized asbestos in buildings.[5]

With the end of the plantation era, the biotech industry quickly transformed West Kaua'i into ground zero for agrochemical operations. Restricted-use pesticide applications on the island and across the state remain substantially concentrated in West Kaua'i.

Meanwhile, a host of industrial uses have cropped up in and around Kekaha, including a gravel and asphalt plant (located on county lands), a county wastewater treatment plant, a sand and rock mining operation, and a U.S. Navy base that occupies a vast stretch of coastline.

Furthermore, the Kekaha-Waimea census tract is home to higher proportions of Native Hawaiians and Pacific Islanders and lower proportions of white people than the County as a whole.[6] The percentages of families and individuals living below the poverty line in Kekaha-Waimea are higher than the county averages.[7]

Siting a new landfill in West Kaua'i would perpetuate and deepen the environmental injustices that these largely Native Hawaiian, lower income communities have been enduring for many decades. Bill 3007, on the contrary, would help to prevent further harm.

In summary, Bill 3007 is an important and necessary step in addressing landfill and other environmental injustices concentrated on the west side. We appreciate the current administration's work to site a new landfill outside of West Kaua'i, mahalo Council Member Holland for introducing this bill, and urge the Council to firmly commit to protecting West Kaua'i from future landfills.

---

[3] *See, e.g.*, County of Kaua'i Office of Economic Development, FY2021 US EPA Brownfield Community-Wide Assessment Grant Application for Kekaha, Kaua'i; U.S. Environmental Protection Agency Region 9, Site Reassessment Report, Kekaha Sugar Co., Ltd., EPA ID No.: HID000875203 (Sept. 2013).

[4] County of Kaua'i Office of Economic Development, FY2021 US EPA Brownfield Community-Wide Assessment Grant Application for Kekaha, Kaua'i.

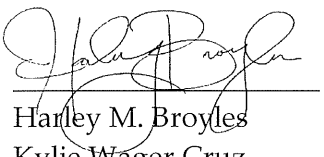
[5] *Id.*

[6] Department of Public Works, County of Kaua'i, Final Environmental Assessment for the Kekaha Municipal Landfill Phase II Vertical Expansion, at 3-50 & tbl. 3-2 (Feb. 23, 2024).

[7] *Id.*

Mahalo nui for the opportunity to submit testimony. Please don't hesitate to contact us should you have any questions, and we will be present and available at the November 18 hearing.

Respectfully submitted,



Harley M. Broyles
Kylie Wager Cruz
EARTHJUSTICE

[redacted]

From: Ashley Buyat <ashley.buyat@gmail.com>
Sent: Monday, November 16, 2026 1:41 PM
To: Council Testimony
Subject: Testimony in support of Bill 3007

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Kaua'i County Council Committee Members,

My name is Ashley Buyat and I grew up in Kaumakani. Kaua'i will always be home to me, and now, as a new mother, I find myself thinking even more about the kind of island I want my daughter to grow up knowing and loving.

I am writing in strong support of Bill 3007 because I do not support placing another landfill in West Kaua'i.

Growing up on Kaua'i, I was fortunate to experience the beauty of this island firsthand. The land, the ocean, the mountains, and our communities are a part of who we are. These are the same things I hope my daughter will be able to experience as she grows up.

For decades, the people of Kekaha have carried the burden of Kaua'i's landfill. I don't believe it is fair to continue asking one community to carry that burden, especially when we are talking about something that has affected and will continued to affect the island for generations.

As a mother, this issue feels especially personal to me. I want my daughter to inherit a Kaua'i where we have made thoughtful decisions about protecting our land and our communities—not one where we continue placing environmental burdens in the same areas simply because they have carried them for so long.

Kaua'i is our home. We have a responsibility to take care of it for the children growing up here today and for the generations who will come after them.

Please support Bill 3007 and protect West Kaua'i from another landfill.

I am asking you to think not only about the needs of today, but about the children of Kaua'i who will live with these decisions tomorrow. I want my daughter to grow up proud of this island and able to experience the same beauty that I was lucky enough to grow up with.

Mahalo for listening to the community and for doing what you can to protect Kaua'i for future generations.

Mahalo,
Ashley Buyat

[redacted]

From: Zynayah Puata <zynayahpuataaa@gmail.com>
Sent: Monday, November 16, 2026 3:22 PM
To: Council Testimony
Subject: Testimony for Bill
Attachments: Testimony for Bill 3007 - Zynayah Puata-Agena.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha!

Please see my testimony for item number A(1)

Hearing date 11/18/26

With aloha,
Zynayah Puata-Agena

Aloha Chair and Members of the Council,

My name is Zynayah Puata-Agena and I am writing in strong support of Bill 3007 because this issue is deeply personal to me. I grew up in this area, but my connection to this land goes back much further than my own childhood. My grandparents are from this area, as were their parents before them. This is the land that my family has known, lived around, and created memories on for generations.

Some of the most meaningful childhood memories were made on the beaches along the coast of Kekaha. From Davidsons to Kekaha Beach to Second Ditch and then to Major's Bay this stretch of beach has been given these names by the local residents who cherish what it has to offer. From spending holiday weekends camping, fishing missions, surf sets or just to enjoy the sunset, me and my family have always appreciated the beauty of the west side and what lands remained untouched. The debris of this landfill would put these beaches at risk. Considering there is already a military base and a landfill that already exists to take away from the land for the local residents to nourish and protect. I learned to respect the 'aina that is left and the importance of leaving it as untouched and uninterrupted as possible.

To me, this is not simply a piece of land. It is part of my family's history and future. I currently reside on the island of Oahu but visit my grandparents and parents who still live there regularly with my two boys so that they are able to see the beauty of where I came from. I want to continue bringing them back to this place to share the memories I hold dear and build new ones with them. The existing landfill has been a stain on beloved memories. It is part of the place that shaped who I am.

I urge this council to pass this bill because after hosting the island's landfill for so long, the lands I call home can't take this anymore. The thought of another landfill, something that would only add the threat of pollution to our beaches, our waters and harm any animals, on top of the environmental harms we are already dealing with, is devastating. It is difficult to accept the idea that a place where many families have roots would be treated so poorly and soil the ground they've walked on so freely before. This is also not something to take lightly as this is a permanent change to the land and the west side environment.

I understand that our communities face difficult decisions when it comes to waste management. But I believe we also have a responsibility to think about what we are leaving behind for the generations that come after us. 'Āina is not simply something we should value for what we can build on it or what we can use it for. It is something we have a kuleana to care for and protect. The representation of the 'West Side' is at stake. To be known as 'the trash side' of the island is what is at risk for the locals who own small businesses, for the schools and nonprofit organizations, and for the families who are looking for a safe, beautiful place to call their home too.

I ask you to consider the families who call this area home. Who have weathered storms and natural disasters but thrived as a strong community dedicated to clean up and recover the land

back to its natural state. This fact alone is a testimony of the community's love for this land. Their efforts demonstrate that this is a land worth preserving, worth fighting for.

Once this land is significantly altered, we cannot simply bring back what was there before.

I respectfully urge you to support this bill and protect this area from another landfill. For me, this is about more than opposing another landfill. It is about honoring my family's history, honoring the ʻāina that raised me and helped me grow to appreciate natural beauty; recognizing the people who continue to claim it as their own and to restore it; and protecting a place that holds generations of memories.

Mahalo nui loa for taking the time to read my testimony and for considering the voices of those who have deep and lasting connections to this land.

With aloha,
Zynayah Puata-Agena

[redacted]

From: Ryan Naka <ryan@ryannaka.com>
Sent: Wednesday, October 28, 2026 7:40 AM
To: Council Testimony
Subject: Testimony in Support of Proposed Draft Bill No. 3008

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Relating to Real Property Dedicated as ʻĀina Kūpuna
October 28, 2026

Aloha Chair Rapozo and Members of the Kauaʻi County Council:

My name is Ryan Naka, and I serve on the Board of Ka'aloa, an organization dedicated to preserving and stewarding ancestral ʻāina in Waiʻoli Valley. I am submitting testimony in continued support of Proposed Draft Bill No. 3008.

For families like ours, ʻāina is more than property. It represents generations of family history, cultural identity, and a responsibility to care for the land so that future generations can maintain their connection to it.

Unfortunately, keeping ancestral lands in the family has become increasingly difficult. Our own ʻohana experienced this reality when a small parcel in Hanalei, in which family members held interests, was lost through tax foreclosure in 2007. Once these lands leave the family, the opportunity to reclaim that connection may be lost forever.

The proposed ʻĀina Kūpuna dedication offers an opportunity to address these challenges by providing eligible families with greater financial stability and a pathway to preserve their ancestral lands.

As the Council continues its deliberations, I respectfully encourage consideration of how this program can remain accessible to multigenerational families, including those navigating complicated ownership histories and financial hardships.

Preserving ʻāina kūpuna is not simply about property taxes. It is about ensuring that the families who have cared for these lands for generations have a meaningful opportunity to continue doing so.

Mahalo for your consideration and for recognizing the importance of protecting Kauaʻi's ancestral lands for generations to come.

Me ka mahalo,

Ryan Naka

Board Member, Kaaloa

[redacted]

From: Kelly Kitashima <kellykitashima@gmail.com>
Sent: Wednesday, October 28, 2026 7:45 AM
To: Council Testimony
Cc: Ryan Naka; Kaiwiola Coakley; Kaina Costa
Subject: Testimony in STRONG Support of Proposed Draft Bill No. 3008

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Testimony in Support of Proposed Draft Bill No. 3008
Relating to Real Property Dedicated as ʻĀina Kūpuna
October 28, 2026

Aloha Chair Rapozo and Members of the Kauaʻi County Council:

My name is [Name], and I am writing in support of Proposed Draft Bill No. 3008, relating to real property dedicated as ʻĀina Kūpuna.

For generations, families across Kauaʻi have cared for ancestral lands that hold deep cultural, historical, and familial significance. These lands are more than real estate. They represent our heritage, our connection to place, and the legacy we hope to pass on to future generations.

Unfortunately, rising property values, increasing financial burdens, and complicated family ownership arrangements have made it increasingly difficult for families to retain their ancestral ʻāina. Without meaningful protections, we risk losing more of these lands and the generations of history connected to them.

Bill No. 3008 represents an important opportunity to help eligible families preserve their ancestral properties by providing greater stability and relief from certain property tax burdens.

Protecting ʻāina kūpuna is about more than preserving land ownership. It is about honoring the families who came before us and ensuring future generations have the opportunity to remain connected to their roots.

I respectfully ask the Council to support this measure and continue working toward solutions that help keep ancestral lands in the hands of Kauaʻi families.

Mahalo for your time, consideration, and commitment to preserving Kauaʻi's unique heritage.

Me ka mahalo,

Kelly Kitashima