

BOARD OF WATER SUPPLY
COUNTY OF MAUI

REGULAR MEETING
THURSDAY, APRIL 22, 2010

Held at the Department of Liquor Control
Conference Room, David Trask Building, Room 105,
Wailuku, Maui, Hawaii, commencing at 09:06 a.m.

Transcribed from the audio recording by Gaye
Hayashida, Commission Support Clerk, Department
of Water Supply, County of Maui.

1 A P P E A R A N C E S

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3 **BOARD MEMBERS:**

4

5 Michael Howden, Chair

6 Phyllis Robinson, Vice Chair

7 Kevin Boteilho

8 Patricia Eason

9 John Hoxie, Jr.

10 Kelli Myers

11 Ted Yamamura

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14 **STAFF PRESENT:**

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16 Jeffrey K. Eng, Director of Water Supply

17 Edward Kushi, Jr., Deputy Corporation

18 Counsel

19 Ellen Kraftsow, Water Resources &

20 Planning Program Manager

21 Holly Perdido, Fiscal Officer

22 Brenda Lee, Assistant Fiscal Officer

23 Gaye Hayashida, Commission Support Clerk

24 **OTHERS:**

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2 **John V. Duey**

3 **Lucienne de Naie**

4 **Clare Apana**

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1 CHAIR HOWDEN: Ok, I'd like call our April
2 22nd Earth Day meeting to order.

3 VICE CHAIR ROBINSON: Earth Day.

4 CHAIR HOWDEN: And we'll be welcoming our
5 new member, Kevin Boteilho; Ted Yamamura is
6 here; Vice Chair Phyllis Robinson; Patricia
7 Eason, all the way from Hana; John Hoxie;
8 Chair of the Water Department, Jeff Eng; our
9 attorney, Ed Kushi, Deputy Corporation

10 Counsel; Ellen Kraftsow from Water
11 Resources; and Holly Perdido. Water
12 resources, what is it called?

13 MS. KRAFTSOW: It's KraftSOW.

14 CHAIR HOWDEN: Kraftsow, so.

15 MS. KRAFTSOW: Like, like a farmer.

16 VICE CHAIR ROBINSON: Like sewing a seam.

17 CHAIR HOWDEN: So, Kraftsow.

18 MS. KRAFTSOW: Eighteen years here, people
19 still can't pronounce it. Not just you..

20 CHAIR HOWDEN: You have to take the W off.

21 MS. KRAFTSOW: Every council member..

22 CHAIR HOWDEN: Ok.

23 DIRECTOR ENG: Well, well, Pontanilla has a
24 little bit of an issue with both of you. He

- 1 can't say Kraftsow.
- 2 MS. HAYASHIDA: He can't say Perdido.
- 3 DIRECTOR ENG: He says Perito.
- 4 MS. HAYASHIDA: Yeah.
- 5 MS. KRAFTSOW: Neither could Michelle
6 Anderson.
- 7 CHAIR HOWDEN: Ok...
- 8 DIRECTOR ENG: Mr. Chair, I'd like to
9 introduce a new employee...
- 10 CHAIR HOWDEN: Oh, please.
- 11 VICE CHAIR ROBINSON: Oh, great.
- 12 DIRECTOR ENG: From our department, who's
13 sitting next to Holly.
- 14 CHAIR HOWDEN: Ok.
- 15 DIRECTOR ENG: And is our new Assistant
16 Fiscal Officer, Brenda Lee.
- 17 VICE CHAIR ROBINSON: Hi, Brenda.
- 18 CHAIR HOWDEN: Hi, Brenda Lee.
- 19 VICE CHAIR ROBINSON: Welcome.
- 20 DIRECTOR ENG: She's had some, a lot of
21 experience in the hotel industry...
- 22 VICE CHAIR ROBINSON: Oh, wonderful.
- 23 DIRECTOR ENG: As controllers...
- 24 CHAIR HOWDEN: Must be a recent hire, she's

1 still smiling.

2 DIRECTOR ENG: Yeah.

3 (laughter)

4 DIRECTOR ENG: Well, I know she's
5 experienced the County twice before.

6 CHAIR HOWDEN: No, I, I just kidding,
7 Brenda.

8 DIRECTOR ENG: So, she knows what she's
9 getting into.

10 MEMBER EASON: Touché.

11 CHAIR HOWDEN: Ok.

12 DIRECTOR ENG: Great addition.

13 VICE CHAIR ROBINSON: Know that everything
14 you say is going into the minutes.

15 CHAIR HOWDEN: Right. Ok. So, oh, so
16 here's Kevin and I've asked Kevin to kinda
17 introduce himself, if that's alright with
18 you, Kevin.

19 MEMBER BOTEILHO: Sure, it's fine. My name
20 is Kevin Boteilho. I've been in the ag
21 industry for the last 15 years. I work for
22 Hawaii Grower Products. We distribute
23 fertilizers and chemicals to the industry,
24 both landscape and farm. And my interest,

1 I've been on the different boards within the
2 industry within, heavily in focus probably
3 in the last 5 years, one like the
4 Association for Landscapers, the Farm
5 Bureau, as well as recently, I've been on
6 the Kula Community Association. So, I'm
7 hoping to bring in the perspective of the
8 farming community to this board. And I'm
9 just willing to learn and experience what
10 this is all about.

11 CHAIR HOWDEN: Good. Well, we're happy to
12 have you, Kevin.

13 MEMBER BOTEILHO: Thank you.

14 CHAIR HOWDEN: Thank you. Ok, Approval of
15 Minutes. Any additions or deletions or
16 corrections to our minutes of, for our March
17 25th meeting?

18 MEMBER HOXIE: I move that we adopt the
19 minutes as circulated.

20 CHAIR HOWDEN: Second?

21 MEMBER EASON: Second.

22 CHAIR HOWDEN: Those in favor? Aye.

23 (several ayes)

24 CHAIR HOWDEN: Ok. So, we only have one

1 member from the public. John, you promised
2 to be, John Duey from Na Wai Eha. Ok.
3 MR. DUEY: Good morning Chair Howden,
4 members of the Board of Water Supply and
5 welcome Kevin to the new, to the new member.
6 My name is John V. Duey, resident of 'Iao
7 Valley. Water Use and Development Plan is
8 on your menu again this morning and I just
9 wanna make a couple comments. Carl Freedman
10 has done a tremendous, long job on it. It's
11 a job you can't win at I'm afraid. I'd like
12 to see you folks in your recommendation to
13 the council to put something in there about
14 storage, about reservoirs. I know you've
15 been talking about, we haven't but the
16 Upcountry reservoir's been on the menu for
17 20 years, something like that, it's not done
18 yet. 'Cause I'm interested in the Central
19 Maui system and Waiale Treatment or Waiale
20 Reservoir is my choice place for a million
21 gallon reservoir. I know everybody doesn't
22 agree with me about that but something's got
23 to be done about the water issue as we all
24 know. The other thing that I did wanna

1 mention, I think I mentioned last time, I
2 may have forgotten. Restoration of the
3 streams will create 12.3 million gallons of
4 recharge to the aquifer in Na Wai Eha; 5.4,
5 5.5 alone in 'Iao which would help out the
6 water situation, so just 2 comments, I know
7 you're, you been working, you've been
8 working on that Water Use and Development
9 Plan for the council, I think it has to be
10 approved today if I remember right. And
11 council will pick it up in June I think,
12 whenever budget's over. I'll be there at
13 council to talk about it some more, so.
14 Anyway that's just some comments and I'll
15 get out of here. Thank you much for
16 listening to me again and I'll probably be
17 back.

18 CHAIR HOWDEN: Thank you, John.

19 VICE CHAIR ROBINSON: Thanks for coming.

20 CHAIR HOWDEN: Any questions? Ok. Thank
21 you. Ok. It's been suggested that we ask
22 Holly to come forward on financials so that
23 she can get back to work. Ha, ha, ha, ha.
24 Enough lolling about at this board meeting.

1 MS. PERDIDO: Ok, good morning everybody.
2 Holly Perdido, Fiscal Officer, for those I
3 do not know. First of all, it's a new, I
4 was just gonna go over the 2010 Write-Offs
5 in your packet. I don't think there's a
6 page number. It's in the Division Reports.
7 And the letter's dated April 7th. Every year
8 we bring to the board our write-offs, for
9 the fiscal year. Basically they're like 2
10 years back. We send them to collections.
11 We still have them with collections.
12 Hopefully, we will get some back. But what
13 we do annually is write-off a portion of
14 'em. If we get, recover some then we take
15 it back in, you know, we'll realize that
16 income. Our write-offs are pretty small
17 usually. We have about, about 4 million in
18 receivables but as you can see it's like a
19 point zero six percent write-off. We have
20 noticed this past year that collections are
21 getting tougher. We have some good news
22 that we're reallocating 2 of our meter
23 reader positions to be field collectors. So
24 we'll have 2 field collectors full-time

1 which we hope will help us in collecting.
2 And if there's any questions?
3 (silence)
4 CHAIR HOWDEN: Ah, Gaye?
5 MS. HAYASHIDA: Do we need a motion to
6 accept the write-offs or?
7 CHAIR HOWDEN: Yeah, we do.
8 MS. PERDIDO: Yeah.
9 CHAIR HOWDEN: We do. Might we have a
10 motion?
11 MEMBER HOXIE: I so move.
12 CHAIR HOWDEN: Thank you, John. Ah,
13 second?
14 MEMBER MYERS: Second.
15 CHAIR HOWDEN: Thank you. Those in favor?
16 Aye.
17 (several ayes)
18 MS. PERDIDO: Ok, the next, in the same
19 packet there, I have the December financials
20 for the Board of Water Supply. Next month I
21 will have the March. Usually year-end we,
22 we're a little bit, the audit actually just
23 finally got finished. It took them, it
24 wasn't our department's fault 'cause they do

1 the county and us. So the 2 of us together
2 and it was, there was a lot of turnover with
3 the county's side. So, the audit should be
4 coming out. We give that to you in the
5 annual report but here is December's
6 financials. I will be giving you March
7 financials next month, so. Any questions on
8 these? There's a summary there. I think
9 there was question on..

10 CHAIR HOWDEN: Electricity.

11 MS. PERDIDO: Electricity.

12 CHAIR HOWDEN: Yeah.

13 MS. PERDIDO: Did you wanna know what we..

14 CHAIR HOWDEN: What, what, what the
15 percentage of the expenses of the department
16 are electrical.

17 MS. PERDIDO: I just gave that to Jeff. Um..

18 VICE CHAIR ROBINSON: Three, 3.8 million?

19 DIRECTOR ENG: Ok, let's say for, let's say
20 this coming fiscal year proposed budget we
21 have a total revenue projection of 50.5
22 million. We budgeted about 17.7 million for
23 electricity...?

24 MS. PERDIDO: Correct.

- 1 DIRECTOR ENG: So, it's 17.7 divided by
2 50.5. It is our biggest, that and
3 employment costs.
- 4 MS. PERDIDO: Payroll, debt service and
5 electricity are...
- 6 DIRECTOR ENG: Debt service.
- 7 MS. PERDIDO: Our 3 largest costs for the
8 department.
- 9 DIRECTOR ENG: Yeah.
- 10 MS. PERDIDO: I did kinda, to date we are
11 below our, our projections. Last year, I
12 think you were asking about pumping.
13 Purification which is where we have the
14 majority of our electricity, they came in
15 about 10.2 million for the pumping costs.
16 That's Joe Mendonca's division. Treatment
17 plant was about 1.7 for last year and to
18 date we're much lower so we're, you know but
19 we've had a little bit different weather too
20 as we know every year.
- 21 DIRECTOR ENG: And they are predicting an
22 El Niño effect coming up this spring and
23 summer so unfortunately we might need to
24 anticipate additional pumping Upcountry,

1 those costs so.

2 CHAIR HOWDEN: Yeah, the rain, the rains
3 Upcountry have been interesting but at least
4 to me in Olinda they seem like spring rains
5 rather than a heavy wetter..

6 DIRECTOR ENG: Probably come and go and
7 yeah, no more consistence..

8 CHAIR HOWDEN: Not, not real heavy beating
9 rains. John, how about where you are?

10 MEMBER HOXIE: We've been getting pretty
11 steady rain. I, I look at Maliko Gulch and
12 it's been running so that means there's a
13 lot of rain up above.

14 VICE CHAIR ROBINSON: We've had no rain in
15 Kihei..

16 MEMBER HOXIE: Yeah.

17 VICE CHAIR ROBINSON: For a long time. We
18 had some maybe a month ago or something,
19 actually we (inaudible, speaking too
20 softly).

21 MS. PERDIDO: So if there's any questions
22 or do you want, you can always get to the
23 director and I can answer any questions if
24 you need to at another time.

1 CHAIR HOWDEN: Um, is there any hope, I
2 mean maybe this is preposterous question but
3 is there any hope that the Water Department
4 at some point could be basically self-
5 sufficient? You know, we have, we have all
6 this, we have debt, we have considerable
7 debt and at the same time we have an
8 imperative to create, as John said, more
9 water storage, system repairs, etcetera.
10 How do we meet the expenses of the
11 department in a sustainable way? I mean, is
12 that been a consideration or do we simply
13 just keep going deeper into debt?

14 MS. PERDIDO: Well, we are, we do sustain
15 ourselves. I mean, we don't, we operate on
16 our own revenues.

17 CHAIR HOWDEN: Yeah.

18 MS. PERDIDO: We do not get any supplement
19 from the county. We do go for grants. I
20 know we're trying to get some more grants so
21 we get some more, I think there's one for
22 about a million dollars?

23 DIRECTOR ENG: Yeah, there's a pending
24 grant from the EPA, State Tribal Assistance

1 Grant. And that kinda came up a little
2 recently so we preparing the application.
3 That'll be about \$970,000. And that'll be
4 great. It will help us with our replacement
5 of the high-lift pumps at Kamole.

6 CHAIR HOWDEN: Oh, the, the one..

7 DIRECTOR ENG: Those are the old, 1976
8 high-lift pumps.

9 CHAIR HOWDEN: Yeah, yeah.

10 DIRECTOR ENG: So it'll be premium
11 efficiency motors and we'll just have a lot
12 more operational control and options. So
13 that in the end should have some cost
14 savings in electricity, just be more
15 efficient overall. And that is our one
16 highest MECO account, the meter for the
17 high-lift pumps and we're looking forward to
18 that. Fact is still being designed, the
19 project, it, it's nearly designed. We had
20 to slow down a little bit because when this
21 money came in we couldn't have it fully
22 design in case EPA had some things that they
23 wanted to add to it, but that'll be a real
24 good project to see.

1 CHAIR HOWDEN: So, if, if they got the
2 high-lift pumps, what would our capacity be
3 at Kamole Weir?

4 DIRECTOR ENG: That doesn't change the
5 capacity production at all.

6 CHAIR HOWDEN: Really?

7 DIRECTOR ENG: Right. What we produce is
8 what we produce here. You know like even,
9 if you don't mind, if I can kinda...

10 CHAIR HOWDEN: Oh, please.

11 DIRECTOR ENG: Diverge.

12 CHAIR HOWDEN: Yeah.

13 DIRECTOR ENG: And if you looking, like
14 this production, I just looking at this a
15 minute ago. Ok, this is kinda typically
16 what, what, this is the situation we're in
17 now. We have a lot of water at higher
18 elevations. And even though like the, the
19 Kamole Treatment facility has undergone a
20 retrofit of their membranes, and therefore
21 probably the maximum capacity might be in
22 the order of 8 to 9 million gallons per day.
23 If you full on operate it and Wailoa Ditch
24 is full so there's no hydraulic issues and

1 you just concentrate it, producing
2 everything there you might be able to get 8
3 to 9. As you can see like the other day
4 where we've been doing about 2.1 and, and,
5 and I've talked to my operators recently,
6 you know on average it is about, on, on
7 annual average, daily average about 2.5.
8 And the reason why is when you have, again,
9 water up at Kahakapao Reservoirs and Piiholo
10 Reservoir, that's where you wanna produce
11 and take advantage of. Now, you don't wanna
12 keep those reservoirs full and just
13 concentrate, and then pump all that water
14 Upcountry. So it's really managing the
15 whole system Upcountry and the least cost
16 way of producing water. So you can see like
17 even the productions at Olinda, 1.7 the
18 other day and Piiholo, 2.7. That's kinda
19 typically what you see on annual basis. I'd
20 say Piiholo is from 3 to 3.5 million gallons
21 per day on average. Olinda is probably more
22 around 1.2, 1.4 on average. And that's
23 basically because we still look at the cost
24 to produce water and if we can take

1 advantage of the high elevation water where
2 we don't have to pump it, that, that's our
3 priority.

4 MEMBER HOXIE: So, the maximum capacity at
5 Kamole is about 8?

6 DIRECTOR ENG: Probably about 8 or 9 with
7 the new membranes and that is with good
8 quality water...

9 MEMBER HOXIE: Right, right, right.

10 DIRECTOR ENG: And sufficient quantity
11 water and just focusing every thing on that.

12 MEMBER HOXIE: So in this project to
13 replace the pumps, the lift pumps there, is
14 there, is there capacity, excess capacity
15 that can be added so that in the future more
16 water could be pumped from Kamole? Or is it
17 just replacing the existing...?

18 DIRECTOR ENG: It's basically replacing the
19 existing old pumps, motors, with high
20 premium efficiency motors and some other
21 electronics to make it overall more
22 efficient.

23 MEMBER HOXIE: Yeah.

24 MS. PERDIDO: Another thing I wanted to

1 comment, we did get 3, our, our projects, so
2 we did get 3 grant projects that comes to 3
3 point, almost, just under 4 million...

4 DIRECTOR ENG: Three five? Yeah, yeah.

5 MS. PERDIDO: That will be, you know, we
6 won't have to pay back. So those are
7 grants.

8 VICE CHAIR ROBINSON: What are they for?

9 MS. PERDIDO: Um..

10 DIRECTOR ENG: Ok, one was the Vineyard
11 Street main line replacement. That is
12 completed. So even if you drive on Vineyard
13 Street now it's all been re-paved and you
14 know, won't even recognize where you are
15 now. The other one is on South Kihei Road,
16 a waterline replacement, more on the, kinda
17 like, near the Suda, the old Suda Store area
18 going and that is, I think that's probably a
19 month or two away from completion. And
20 there's a couple of sewer line crossings
21 that they have to dive under to cross. The
22 3rd is up in, up Olinda Road, the West
23 Olinda Tank. You go up a little ways you'll
24 see it and that has the, the contractor has

1 a bit of delay, waiting for some materials.

2 But that's all...

3 CHAIR HOWDEN: Oh, I see. I wondered why
4 they, yeah.

5 DIRECTOR ENG: Yeah, I was questioning
6 myself 'cause it was moving pretty quickly a
7 few months ago..

8 CHAIR HOWDEN: Yeah.

9 DIRECTOR ENG: And all of a sudden, as I
10 inquired, the contractor has some material
11 issues. But yeah, that, that's a big
12 savings. Again, those were kinda like SRF
13 loans but without any principal or interest
14 payment so ends up being kinda like a grant.
15 So, we're real fortunate to get those.

16 VICE CHAIR ROBINSON: Has there ever been
17 any investigation into the Department of
18 Energy alternative energy grants because we
19 are the biggest customer of MECO and so, and
20 you know the, I know that you've been
21 investigating different ways to use
22 renewables too, but I also am aware that the
23 Department of Energy funding to, to help
24 with switching to renewables, using

1 renewable sources, has that ever been looked
2 at?

3 DIRECTOR ENG: We looked at a bit in the
4 department, you know like, you know we think
5 we're gonna do something at Kamole...

6 VICE CHAIR ROBINSON: Right.

7 DIRECTOR ENG: Being the largest MECO
8 customer. But that's a big demand for
9 power. Those are a couple big wind turbines
10 alone and again we would have to have
11 reliable consistent, firm power. We're
12 pumping water at all times so. A water
13 utility is quite unique. Our demands for
14 power and water for customers might not
15 always be consistent with what's happening
16 as far as wind goes. And that's such a huge
17 investment those large turbines. We have to
18 do further investigation. Again, the mayor
19 does have a couple of energy commissioners,
20 coordinators and I kinda have to rely on
21 their expertise, I mean that's their job and
22 I'm hoping they are looking at our area.

23 VICE CHAIR ROBINSON: And looking, looking
24 for possible grants...

- 1 DIRECTOR ENG: Right.
- 2 VICE CHAIR ROBINSON: Grant sources. Good.
- 3 MS. PERDIDO: And we do actively go after
4 the SRF loans which are lower than the
5 bonds.
- 6 CHAIR HOWDEN: Yeah, I think those as
7 suggestion is a good suggestion but we need
8 to really look at sustainable means to
9 producing energy. Evidently, there are
10 storage systems now through wind, wind where
11 you can, you know, create firm power with
12 adequate storage. Umm, any other questions?
13 Holly, more stuff?
- 14 MS. PERDIDO: That should, that's about it.
- 15 MR. KUSHI: Mr. Chair, if I may?
- 16 CHAIR HOWDEN: Yeah.
- 17 MR. KUSHI: Holly..
- 18 MS. PERDIDO: Yeah.
- 19 MR. KUSHI: I'm looking at the write-offs..
- 20 MS. PERDIDO: Uh huh.
- 21 MR. KUSHI: You get 3 columns, one is
22 Water, Sewer and then this other one
23 "Other". So you asking, you have got, the
24 board approved the write-offs on Water and

1 Other.

2 MS. PERDIDO: Correct.

3 MR. KUSHI: So what happens to Sewer?

4 MS. PERDIDO: We send that, Kalbert signs
5 off on that.

6 MR. KUSHI: And then they take it.

7 MS. PERDIDO: They take it. Well, we, we
8 prepare it and send it down to them and then
9 he signs off on it and sends up to us, yeah.
10 And the other column is usually like in this
11 case it was a rent-a-car that was stolen and
12 hit a fire hydrant and we could never
13 collect on it. That's the Other column.

14 CHAIR HOWDEN: Ok, any other questions for
15 Holly?

16 (silence)

17 CHAIR HOWDEN: Thank you.

18 MS. PERDIDO: Thank you.

19 CHAIR HOWDEN: Ok, no appeals. Unfinished
20 Business, Water Use and Development Plan.

21 (silence)

22 CHAIR HOWDEN: So, have folks had a chance
23 to look at this? Oh, except for Kevin, you
24 know, it's ok. You'll get it.

- 1 VICE CHAIR ROBINSON: It's just a small...
- 2 MEMBER BOTEILHO: Just a small, yeah.
- 3 VICE CHAIR ROBINSON: Document to take in
4 and digest. And these comments are just a
5 couple of pages.
- 6 CHAIR HOWDEN: Ed, Ed, do you have any
7 comments of how we send this to the council?
- 8 MR. KUSHI: Umm, yeah but, Mr. Chair,
9 procedurally since Lucienne is here, I know
10 you haven't closed Public Testimony, if you
11 wanna allow her to testify now?
- 12 MS. DE NAIE: Oh, you haven't? 'Cause some
13 people just came and went...
- 14 MR. KUSHI: Well, tell 'em come in now
15 'cause otherwise I'll suggest the chair
16 close Public Testimony.
- 17 MS. DE NAIE: Oh, thank you.
- 18 MEMBER HOXIE: Something new?
- 19 CHAIR HOWDEN: I, I, I sense more Water Use
20 and Development Plan...
- 21 VICE CHAIR ROBINSON: Yeah, if it relates
22 to our agenda, yeah?
- 23 CHAIR HOWDEN: Yeah.
- 24 VICE CHAIR ROBINSON: I know Don's not here

1 today.

2 CHAIR HOWDEN: But we have to uphold our
3 agreement to Don.

4 VICE CHAIR ROBINSON: Yes, we do, even
5 though he's not here.

6 CHAIR HOWDEN: Fair is fair.

7 VICE CHAIR ROBINSON: Fair is fair.

8 MR. KUSHI: Maybe we should've closed
9 testimony right after.

10 DIRECTOR ENG: Close it now.

11 (laughter)

12 CHAIR HOWDEN: John was so brief that just
13 slipped my mind, you know.

14 MR. DUEY: Couldn't keep up with me, right?

15 VICE CHAIR ROBINSON: So, while we're
16 waiting, just in, in terms of the question
17 that you raised about process and how we as
18 a board present our recommendations.

19 MR. KUSHI: I think we gotta get, discuss
20 that with Ellen.

21 VICE CHAIR ROBINSON: Ok.

22 CHAIR HOWDEN: So, what, we've encouraged
23 members of the public to come forward for
24 Public Testimony and then we're gonna go

1 into a different set of discussion.

2 MS. HAYASHIDA: Ah, Lucienne, did you wanna
3 go up?

4 MS. DE NAIE: Yeah, yeah, I'll go up.

5 MS. HAYASHIDA: Why don't you go up now?

6 (silence)

7 MS. DE NAIE: Aloha and thank you for...

8 CHAIR HOWDEN: Aloha, thank you.

9 MS. DE NAIE: An opportunity to testify
10 even though I wasn't here at 9:00 a.m. I
11 just want to point out as you discuss the
12 Water Use and Development Plan that I think
13 it's important for this body because you
14 represent, you know different segments of
15 the community that may not have been able to
16 get engaged during the extensive WUDP
17 process that you reflect back on some of the
18 things that your experience gives you I
19 think a perspective on, on these different
20 strategies. And you know, I, I've heard the
21 board say that perhaps all you should do is
22 say "Good work, Carl, you did a great job"
23 and pass it on to the council. I happen to
24 believe that Carl did a great job but I feel

1 also that it's your responsibility to say
2 based on what we've heard from the public,
3 based on what we think from our experience,
4 some of these strategies are created more
5 equal than others and you know give your
6 mana'o. And of course I would recommend
7 that the strategies that, that have the most
8 facts to support them and have the most
9 logical basis be the ones considered. So,
10 just leave it at that. You've all heard my
11 testimony countless times but, just that's
12 my thought for today. Thank you.

13 CHAIR HOWDEN: Thank you.

14 VICE CHAIR ROBINSON: Thanks.

15 CHAIR HOWDEN: Any questions from members
16 of the board?

17 (silence)

18 CHAIR HOWDEN: Ok. Thanks, Lucienne.

19 VICE CHAIR ROBINSON: Thanks, Lucienne.

20 CHAIR HOWDEN: Any one else? Clare?

21 VICE CHAIR ROBINSON: You wanna bring that
22 microphone close to you.

23 MS. APANA: Oh, here, let me move over.

24 Let's take the whole table. Ok. Good

1 morning. Clare Apana. And I'd like to just
2 give you a little information before your
3 deliberation about the Waiale water
4 treatment plant. And this is the area that
5 I live in and this is the area that I grew
6 up in and I've played all in that area. And
7 first of all I have spoken to the people who
8 live in the neighborhood across the street,
9 in the Kehalani neighborhood and they are at
10 this time not aware of the particulars of
11 this plan and the people that I talked to
12 didn't actually know that it was proposed.
13 And they would like to know more about the
14 plan and so I think that there's just been a
15 miscommunication or a step that's missed
16 because they are like within 500 feet and it
17 doesn't, this isn't going through like a
18 normal planning process so it's not like
19 they were noticed and, and given that
20 opportunity but I've been trying to get to,
21 to speak in their community association but
22 was not able to do that in the last month.
23 And just to, if, if you have, I'm not sure
24 how your process goes and what you, how

1 you'll vote and what you're able to do but
2 to note that that, that that community
3 actually wants to have more information and
4 I think that's really important if you're
5 going to approve this site. And second, I
6 want to say that in reviewing that proposal
7 the person who did the natural resources
8 review states that he doesn't feel that any
9 of the birds that he has seen in that area
10 will be affected by this, by the project,
11 the buildings and, itself, but does note
12 that there are endangered species that he
13 has seen in Waiale Reservoir. Now the, the,
14 I don't, it's not the runoff but the, the
15 chemical by-products of the, these
16 filtration process will be going into Waiale
17 Reservoir. And I, I believe that you can't
18 endanger endangered species. And, and that
19 would naturally change the habitat as would
20 ours if we go put it into our drinking water
21 which they're not doing, putting it in our
22 drinking water. And this water also flows
23 to Kealia Pond area which is another
24 wildlife preserve. So I don't, I didn't see

1 anywhere in that report where they address
2 how that would change the eco-system of
3 those 2 areas where there are endangered
4 species. And the third point I wanna make
5 out is that there is a mistake in the
6 archeology report and that a historical
7 battle which is mentioned in the report is
8 placed like 3 valleys down into, going into
9 Waiehu and it really belongs, this battle
10 belongs from Kealia Pond all the way through
11 the sand dunes of Wailuku. And that is the
12 historical reference. The archeologist has
13 been notified that, that the historical
14 reference is wrong but I didn't see any
15 correction and I think that's an important
16 point to make because the fact that you've
17 seen so many iwi found in this area, it's a
18 cultural, sacred burial ground already. And
19 this, this area, I have a board here with an
20 article from the Maui News, from early
21 1900's where they speak about the, this
22 particular battle and in the area of the
23 Waiale Reservoir. And so, I mean, you could
24 probably expect that you may find more iwi

1 and the, just from a personal feeling we've
2 gone through this area, sand mined, built
3 over burials, moved burials, and we're not
4 just talking about a couple, we're talking
5 about hundreds of burials and this would
6 just be one more place where we'd be
7 desecrating another sacred burial ground and
8 if you can put this somewhere else that
9 would be best done because I think that we
10 have given enough to development and it's
11 time to stop and preserve this area and this
12 area was told and promised to the people who
13 moved into Kehalani, it was going to be
14 preserved as a park for them and it should
15 be a park, is very beautiful. It is in the
16 GPAC, it is in the planning director's
17 version and it's also in Planning
18 Commission's version to be a park. And then
19 you gonna take the chance of polluting that
20 water or changing the whole eco-system so
21 that is, that is all I have to say today
22 about this project and I wish you good luck
23 today in your deliberations and thank you
24 for making the decisions that will affect

1 our water.

2 CHAIR HOWDEN: Any questions for Clare?

3 (silence)

4 CHAIR HOWDEN: Thank you.

5 MS. APANA: Thank you.

6 CHAIR HOWDEN: Anyone else? No? Ok. So
7 I'm closing Public Testimony. Ok. Ok. So
8 let's move on to the Water Use and
9 Development Plan. Is it better that we do
10 this in executive session or...?

11 MR. KUSHI: No.

12 CHAIR HOWDEN: Ok, so.

13 MR. KUSHI: Nothing confidential.

14 CHAIR HOWDEN: Ok. Any, anything ah, what
15 do you see?

16 MR. KUSHI: With comments from the staff I
17 think Ellen gave you a matrix so I think
18 whatever we send up to the council would be
19 in this matrix form. Am I on the same page,
20 Ellen?

21 MS. KRAFTSOW: Whatever you wish.

22 MR. KUSHI: If you were to write up a
23 commentary might take you another month to
24 do it.

1 VICE CHAIR ROBINSON: Ah, I have a question
2 regarding this. The, the matrix is a, is a
3 very long document.

4 MS. KRAFTSOW: Uh huh.

5 VICE CHAIR ROBINSON: And I'm under the
6 impression that county council members
7 rarely read really long documents. One
8 would hope that, you know it took me a week
9 to pour through each of these and as you can
10 see I wrote lots of notes. You know, I took
11 it seriously. I, I was wondering from your
12 experience of the county council can we
13 expect that our board recommendations if
14 they get incorporated into this document
15 along with public testimony and the
16 responses of the department to the public
17 testimony, will that actually be read or do
18 we have to summarize what's here for them?

19 MS. KRAFTSOW: Ah, this kinda puts me on
20 the spot but I expect that there will be
21 some council members who will read it and
22 others probably not. I expect it there will
23 also be staff in council services that will
24 read it. Of course I can't guarantee what

1 will happen. If you wanted to, you know we
2 could look at summarizing the key points but
3 that will probably be a cover letter or
4 something, yeah? Or you could like we were
5 saying instead of making one comment on each
6 comment, although they're not all the same,
7 you could take each, each space between the
8 grey lines and make one comment for that
9 general type of comment, is another option.

10 VICE CHAIR ROBINSON: So a comment on the
11 public process, comment on the pertinent
12 portion of the plan, for, for each of the,
13 of these.

14 MS. KRAFTSOW: Yeah.

15 VICE CHAIR ROBINSON: In, in bold headings?

16 MS. KRAFTSOW: But it would need to be
17 responsive to what's in the left column.
18 'Cause what's in the left column is what
19 people said.

20 VICE CHAIR ROBINSON: That's what people
21 said.

22 MS. KRAFTSOW: So.

23 VICE CHAIR ROBINSON: And who would
24 actually do that summary?

1 MS. KRAFTSOW: Well, I would think that the
2 board would have to come up with what their
3 comments are and then staff could summarize
4 for the board but so far and with due
5 respect, many of the comments that have come
6 from the board say things like "this should
7 be incorporated" and it is in fact
8 incorporated and, ok, it's almost like, "ok,
9 check." In other cases, the board has more
10 specific concerns like the traditional and
11 customary component obviously needs to be
12 incorporated and you might wanna say that
13 you have the full expectation that it will
14 come at a later point and that it's in
15 progress or something. But where people
16 make specific comments like "as a matter of
17 policy we feel that you should've addressed
18 this and you didn't." And, and, and we
19 really didn't in some certain cases like
20 whether or not, I think that, for instance
21 whether or not we should use condemnation as
22 a means of acquiring surface water sources.
23 That wasn't so much part of, the means of
24 acquisition wasn't really part of what he

1 was reviewing. He was reviewing the sources
2 themselves regardless of how they are
3 acquired. So if the board had some strong
4 feeling about that similarly if, I think
5 that the testimony I heard today about the
6 Waiale Reservoir was stronger than what I
7 may have in here but if the board has some
8 direction about the siting of those things.
9 We heard diametrically opposed testimony.
10 One person said put it there and one person
11 said don't put it there, don't put the
12 treatment plant there either, don't put, you
13 know. Those are substantive things that the
14 board's recommendation would be whatever
15 they are. I couldn't make that up for you.
16 You know what I mean. You, you would have
17 to say what you want in each and somebody
18 can, staff person can summarize it for you
19 but, but can't make it up for you.

20 VICE CHAIR ROBINSON: So, ok so, you've
21 answered part of it is that that this matrix
22 will find its way into the hands of the
23 county council.

24 MS. KRAFTSOW: If it is the board's wishes

1 you know. I think that the board has the
2 option to pass this forward with no matrix.
3 I, honestly, this is just had been how I had
4 seen plans handled in the past and so I was
5 asked to do it and so I did it. If you feel
6 that it's too cumbersome and you don't wanna
7 use it that's ok with me.

8 VICE CHAIR ROBINSON: I'm not actually
9 saying that. But what I do want is the
10 process honored and the outcome, the most
11 valuable that there can be.

12 MS. KRAFTSOW: Right.

13 VICE CHAIR ROBINSON: In terms of decision
14 making.

15 MS. KRAFTSOW: Right.

16 VICE CHAIR ROBINSON: So, so there is, ah
17 questions still in my mind as to the
18 difference between our opinions as board
19 members about what we want to put into the
20 recommendations and our responsibility to
21 respond through our recommendations to the
22 public testimony. And so, if we as a board
23 have not thoroughly gone through this and
24 taken each piece by piece and made our

1 recommendations to contain these comments
2 then they, this matrix does need to go to
3 the county council because we can't
4 guarantee that our recommendations are going
5 to take into account all of what the
6 comments by but if we summarize them again,
7 we have to be clear, are we summarizing them
8 and making a statement about what is being
9 summarized, is it our opinion as a board
10 member or is it as scientific as possible
11 like qualitative research would be to
12 represent what is in this document. So,
13 that is still a question in my mind and
14 maybe we can have some people can respond to
15 that.

16 CHAIR HOWDEN: Well, I, I think it's
17 something of an awkward situation because
18 the board is a public board. And as Phyllis
19 has pointed out, there are a number of
20 diverse viewpoints and as chair, I felt
21 rather than beginning to polarize the board
22 and fragment what I feel is a very nice
23 coherence in this board, that I would try
24 to, I would encourage people to speak

1 individually. Obviously, that the use of
2 the power of eminent domain is only referred
3 to somewhat briefly in there in, in spite of
4 my insistence that nearly every meeting that
5 I went to. And I realize that it might be
6 awkward because that's really a political
7 decision and would represent the
8 administration's commitment to the public
9 trust doctrine as a whole in the State of
10 Hawaii which the county seems somewhat
11 reluctant to address. But, and that's why
12 I, I thought oh, we'd be better off to
13 encourage board members to speak as
14 individuals rather than try to come up with
15 some kind of board decision which I'm
16 certain would not represent the unanimous
17 feelings of the board. I may be wrong but
18 to really create a discussion that hopefully
19 if, if the council's not totally fried with
20 the budget process that they actually can
21 pay some attention to 'cause water along
22 with economics seems to be the foundational
23 issue throughout the county; access to water
24 determines where development will happen,

1 etcetera. So you know, for myself I, I
2 thought I'm in bit of a quandary 'cause I, I
3 really, I like the, I like the manner of
4 discourse on the board. You know that we're
5 not fighting each other for every little
6 thing. At some boards I think it's very
7 unpleasant to deal with them. But at the
8 same time we need to be truthful. And
9 there's...

10 MS. KRAFTSOW: I, I didn't mean to belittle
11 that...

12 CHAIR HOWDEN: Please, go ahead.

13 MS. KRAFTSOW: Statement, I'm sorry.

14 CHAIR HOWDEN: What?

15 MS. KRAFTSOW: I, I said I'm sorry didn't
16 mean to criticize that comment...

17 CHAIR HOWDEN: Oh no, that's fine, Ellen,
18 I, I...

19 MS. KRAFTSOW: It was just, that's a
20 broader policy issue.

21 CHAIR HOWDEN: You know, 'cause, you know,
22 everyone knows the tremendous effort that
23 went into this document. And the same time
24 when I look at the document and that's why

1 in my second set of comments, I went through
2 the Northward Basal Groundwater Well
3 Development thing you know. Un, unproven
4 hy, hydrology, no meetings with area
5 residents. The Eastward Basal Groundwater,
6 you have the EMPLAN decree and we're talking
7 about taking more water out of East Maui, an
8 underserved area in East Maui, I mean
9 completely underserved, substantially. And
10 then when, Na Wai Eha, I mean that's under
11 litigation. We don't know where that's
12 gonna go. Desalinization, frankly I
13 consider a disaster because of the highly
14 toxic by-products and the extraordinary
15 expense of that. So, you know for myself I
16 ended up, ok, conservation and wastewater
17 recycling and you know reassessing the
18 county's willingness to deal with use of
19 eminent domain, both for West Maui and for
20 East Maui. I mean we're living on borrowed
21 water as far as I can see.

22 VICE CHAIR ROBINSON: So are you making
23 your comments now?

24 CHAIR HOWDEN: Ah, I'm just going through

1 what I had, you know what I had said, yeah.

2 VICE CHAIR ROBINSON: Ok. I'm just, I'm
3 just, procedurally, I'm just wondering, is
4 like have we stepped into the, the process
5 you're suggesting which is that individual
6 board members give their, their piece, so
7 if, if we are, I assume that we'll all in
8 agreement that that should be the way it
9 should be done, is that right?

10 CHAIR HOWDEN: Oh, I'd, I'd be happy to
11 hear from all the board members including
12 Kevin.

13 VICE CHAIR ROBINSON: So, hear from the
14 board members regarding...

15 CHAIR HOWDEN: Yeah, where, where...

16 VICE CHAIR ROBINSON: Procedures.

17 CHAIR HOWDEN: Where we're at. I mean we
18 kind of been beating this up a little bit,
19 you know. John and Don and Ted and you have
20 written comments, you know, so we have
21 something on the table to work with. But
22 it, but it's still cursory.

23 MS. KRAFTSOW: That second set of comments
24 that you sent, that's not in the matrix. I

- 1 think that arrived when it was handed in
2 already or? The second set of comments.
- 3 VICE CHAIR ROBINSON: By the board you mean
4 from the chair?
- 5 MS. KRAFTSOW: That, from the chair.
- 6 MS. HAYASHIDA: That was emailed to me
7 after the last meeting by the chair.
- 8 MS. KRAFTSOW: There was one set of
9 comments that came after that had been
10 handed into me though, for printing.
11 Anyway, I think...
- 12 CHAIR HOWDEN: Yeah, anyway all, all our
13 comments are on...
- 14 MS. KRAFTSOW: Whatever I got.
- 15 CHAIR HOWDEN: In this little folder. So
16 would board members like to...
- 17 MEMBER YAMAMURA: I have a question.
- 18 CHAIR HOWDEN: Reiterate? Yeah.
- 19 MEMBER YAMAMURA: Procedurally, Ellen, if
20 you know, when the county council
21 deliberates the Water Use and Development
22 Plan would they in the process be hearing
23 public testimony as well.
- 24 MS. KRAFTSOW: Yes.

1 MEMBER YAMAMURA: So this whole thing comes
2 up again.

3 MS. KRAFTSOW: Yes.

4 MEMBER YAMAMURA: So essentially what we
5 should be giving the county council is our,
6 our meaning, the board's opinion.

7 Notwithstanding public testimony because
8 that, they're gonna hear that themselves
9 again anyway.

10 MS. KRAFTSOW: Right. I think it, it, it's
11 your response as a board, cohesive,
12 normally, cohesively, to the public
13 testimony that you've heard in your
14 deliberations about the document and what
15 you understand of the document compared to
16 the testimony, what your call would be. So
17 that when it goes, for instance, when the,
18 when the community plans go to the county
19 council, they've gone from the committee and
20 the department, they've gone to the Planning
21 Commission, then the Planning Commission has
22 heard testimony and they have comments and
23 then staff responds to that and then it goes
24 onward to council and usually the, the

1 version that goes onward to council
2 incorporates some of the changes of
3 department wishes. Now, since you transmit
4 to council there's no clear place for us to
5 incorporate that but we can recommend like
6 this is ok or this is not ok. But still I
7 think it would be both your opinions on the
8 document if any, and your opinions in
9 response to the testimony that you've heard.

10 MEMBER YAMAMURA: It's getting so
11 voluminous that you know we're gonna lose
12 something somewhere here. And all the hard
13 work may just become over, overwhelming..

14 MS. KRAFTSOW: Right.

15 MEMBER YAMAMURA: For anyone to understand.
16 That's my concern.

17 MEMBER HOXIE: So...

18 VICE CHAIR ROBINSON: So, I, I actually; go
19 ahead.

20 MEMBER EASON: No, I just, I don't have
21 anything written here but my philosophy is
22 you know KISS, Keep It Simply Stated. And
23 this is why I like Mr. Hoxie's you know, 5
24 items that he put down there because I think

1 all of that is imbedded in the general plan.
2 And so with all the data we can make
3 conclusions but I think the conclusions are
4 stated very clearly, these 5 points. And I
5 guess everybody has his 5 points. But I
6 also agree with Phyllis' statement about
7 making sure that the public testimonies are
8 really looked into. If we missed anything,
9 because like it's so voluminous as you say,
10 Ted, that we may have missed something.
11 And, and if there are any corrections to be
12 made, I think we should make corrections
13 like this person who spoke earlier. But I
14 liked it simple.

15 MEMBER HOXIE: Can I, can I comment, and I,
16 yeah...

17 CHAIR HOWDEN: John, please. Yeah.

18 MEMBER HOXIE: The way I look at this
19 thing, you know, this is, we, we've, we've
20 had comments from each other and we agree
21 and we don't agree, we got different
22 opinions and that will always be that way.
23 But the way I look at this is this is a
24 planning document. It's a big picture.

1 Look at what we can do to provide water for
2 projected growth. I think that as it goes
3 forward, you know the details are gonna be
4 hashed out, you know, East Maui water,
5 Waiale reservoir, and all those things and
6 those are gonna have to be gone through a
7 process of hearings and budget
8 determinations and so on, but again I think
9 this is a big picture look at the water
10 resources on Maui and we've got more coming.
11 And if we're getting hung up on this first
12 one we're gonna get hung up on all the
13 others also.

14 CHAIR HOWDEN: Sure.

15 MEMBER HOXIE: So, what I'm, what I'm
16 saying is I agree with Phyllis, it should be
17 a simple comment, you know this is a big
18 picture item, there's lots of details to
19 come, there's lots of problems that may
20 develop but I think we'll get to those as,
21 as the details develop, you know, whether
22 it's East Maui or pumping more at Kamole.
23 Again, this is a big picture the way I look
24 at it; what's, what, what's around here for

1 us to use. That's, that's my opinion.

2 CHAIR HOWDEN: Ok.

3 MEMBER MYERS: I agree with, with both of
4 the statements. I think if we get caught up
5 on all these details; they are important and
6 should be considered and I'm sure they will
7 be considered at some point. This is only a
8 piece of the whole plan. The, the framing
9 document hasn't even been created yet and
10 these should, I mean, if Carl hasn't already
11 seen them, obviously he should have this as,
12 you know, something to consider when he's
13 creating that document but as far as the,
14 the plan itself, I mean, should be simple,
15 straightforward.

16 CHAIR HOWDEN: Phyllis.

17 VICE CHAIR ROBINSON: I'm all for simple.

18 (laughter)

19 VICE CHAIR ROBINSON: And, I'm also very,
20 very concerned about public process and that
21 is so important, so important because this
22 is a public trust. And we owe it to our
23 community if we are a community board to
24 honor the people that have come, not just

1 who shows up at the County Council meeting
2 because a person who spent a lot of time
3 giving testimony may not be able to be there
4 and so just because something gets re-
5 hashed, maybe it gets re-hashed by somebody
6 else who may differ from the original
7 comment that was made, so, so I, in public
8 processe is messy. It takes time but
9 otherwise why live in a democracy if we
10 can't honor the, the voices of the people
11 that have taken their valuable time to show
12 up and comment. And so, we have those
13 comments. They're here. It's probably
14 going to be a really good idea that our
15 individual comments as board members get
16 incorporated if they haven't been already in
17 to this and making sure that they are not
18 duplications of things that are already said
19 but if there's something new, they should
20 end up in here. And I wanted to just thank
21 Ellen because she sent us a revised version
22 because she incorporated the testimony from
23 the last meeting into this and so some of
24 you will see that the new matrix actually

1 has a colored difference in blue that shows
2 the new comments. And I believe those got
3 sent around to everyone...

4 MS. KRAFTSOW: Yeah.

5 VICE CHAIR ROBINSON: A few days ago so
6 that we could actually see the new comments
7 that came from public testimony were
8 incorporated into the matrix. So, so is it
9 advisable then that each of us give, go
10 around and give our individual opinion that
11 that, that, those opinions will either be in
12 documents that we've sent to Gaye already
13 and maybe we just summarize kind of what we
14 had said instead of reading the whole
15 document? I mean some of us got worried, I
16 got worried. John didn't. (laughing).

17 MEMBER EASON: Yeah, I like that.

18 VICE CHAIR ROBINSON: He was very, very,
19 very succinct. But that, would that be
20 possible, Ellen, that our comments be
21 incorporated into this matrix...

22 MS. KRAFTSOW: We...

23 VICE CHAIR ROBINSON: And then maybe the
24 chair and the vice chair work together to

1 create some kind of cover letter that goes
2 with it, that may note some important pieces
3 that we wanna agree on as a board and then
4 that gets put on top of the matrix, is that
5 a good...?

6 MS. KRAFTSOW: I mean, I'm not the process
7 expert here but I would think it's certainly
8 possible. And whatever comments I've had
9 except for the ones that, whoever that was
10 from that came in after I had submitted for
11 the agenda, there was one set that wasn't in
12 there. They're all, they have been in here.
13 So if you're saying in addition that one set
14 and plus whatever you say today, yeah.

15 VICE CHAIR ROBINSON: I, I, think my
16 comments didn't get to you. And part of it
17 is my fault was that I just didn't get them
18 to Gaye until yesterday and it was late in
19 the day so...

20 MS. KRAFTSOW: Was it, was you? Ok, sorry
21 Michael.

22 VICE CHAIR ROBINSON: Yeah, it wasn't
23 Michael's, it was mine.

24 MS. KRAFTSOW: Ok.

1 VICE CHAIR ROBINSON: Michael actually
2 wrote 2 sets of comments...

3 MS. KRAFTSOW: Yeah.

4 VICE CHAIR ROBINSON: And, and then revised
5 them and the revised copy got to us all.
6 And then Don had done quite a long time ago
7 and then I, I haven't seen Ted's, I just saw
8 today. But they were probably there before,
9 it's just that...

10 CHAIR HOWDEN: Oh, yeah, we've had Ted's
11 for awhile.

12 VICE CHAIR ROBINSON: Yeah, I think it
13 probably were there before, I just went
14 through my emails. So, yeah, so...ok. So
15 it's, would you agree that we write some
16 kind of a cover letter that goes as a
17 summary...?

18 CHAIR HOWDEN: If, if the, if the board's
19 in agreement with that. I like, I like what
20 John wrote and Don, Ted, I mean those are
21 very straightforward and clear. And in
22 keeping with what Patricia has...

23 MEMBER EASON: I didn't give a written
24 thing because my computer was down.

1 CHAIR HOWDEN: Oh, no, no, no, there's no
2 shame. You know, that's...

3 MEMBER EASON: I'd like to write it now.

4 CHAIR HOWDEN: That's part, you know one's
5 participation on this board is voluntary.
6 There's no compulsion about doing this
7 stuff.

8 MEMBER HOXIE: Well, I think we have a
9 couple of options. One is to consolidate
10 everything but then again that's gonna take
11 time. And there may be something missed in
12 it. Or we could have everybody, maybe dress
13 up their, their comments and then have a
14 cover letter attached to the matrix here
15 with the individual comments and send it on.
16 But I, I think we need to move on this thing
17 because we're gonna run out of time. Let me
18 ask a question. Ed, so now the council will
19 take that same plan and basically go through
20 the same process that we have done?

21 MR. KUSHI: Yes.

22 MEMBER HOXIE: And they will modify it or
23 adopt it, one or the other?

24 MR. KUSHI: Right. And they, they, once we

1 deliver, the board delivers the report with
2 the board comments, then a time clock starts
3 for them to...

4 MEMBER HOXIE: Right.

5 MR. KUSHI: If they don't approve it within
6 the time period the plan is disapproved.

7 MEMBER HOXIE: Yeah.

8 MR. KUSHI: Just, just going back, you
9 know, the board's task as per the ordinance
10 is that "the board shall hold one or more
11 public hearings on the proposed update in
12 the affected, affected district and shall
13 transmit the proposed update with its
14 findings and recommendations to the council
15 within 180 days." That's the task at hand.
16 Now when it says "transmit the proposed
17 update with its findings and
18 recommendations," you've had discussions
19 here. The 5 of you have submitted written
20 comments or proposal or whatever. Am I to
21 understand that you're not gonna vote on
22 this? Just go individual board member
23 comments? There's not gonna be a board
24 action? 'Cause if it is, then it's really

1 not the "board's recommendations."
2 VICE CHAIR ROBINSON: Right.
3 MR. KUSHI: It's each individual member's.
4 MEMBER HOXIE: Right, right.
5 MR. KUSHI: Which may be ok, you know. I'm
6 not saying to stifle comment from the public
7 or the board members but again, the
8 ordinance says the "board's findings and
9 recommendations." So you can go either way.
10 This is very unusual for me; first time I'm
11 in this process and I think first time for
12 everybody; this is virgin territory. But
13 again, I should strike that word, but this
14 is initial process. I agree with you we've
15 got 4 more coming up. And again, what, what
16 you transmit to the council is not only, I
17 would suggest the matrix; you would transmit
18 the recorded public testimony of those
19 hearings; you would transmit minutes of any
20 discussions we've had. We've had 3 board
21 meetings so far, with public testimony and
22 board, board discussions. Transmit that all
23 to the council, today's testimony, today,
24 discussion we're having right now; transmit

1 it all to the council. But I think you
2 should come up with some sort of a
3 narrative, you know, and again, as I said
4 before I think your focus should be on the
5 final candidate strategies 'cause that's the
6 meat and potatoes of the whole plan. That's
7 what the council will eventually look at.

8 MEMBER HOXIE: Right.

9 MR. KUSHI: And up or down it. And you
10 should, should comment on the areas of
11 kuleana rights. There's lot of testimony on
12 that. You should comment on the, even
13 eminent domain. Put it in there. At least
14 make a reference that it was discussed and
15 the other areas about...

16 MS. KRAFTSOW: There's about 20.

17 MR. KUSHI: Pardon me?

18 MS. KRAFTSOW: There's about 20 areas...

19 MR. KUSHI: Outside of the plan?

20 MS. KRAFTSOW: There's 25 grey bars and...

21 MR. KUSHI: Right.

22 MS. KRAFTSOW: Only about 20 of 'em are
23 really issues. Some of 'em are things like
24 praise for the consultant.

1 MR. KUSHI: But again, you know, like I
2 said before, I would think the final
3 candidate strategies are the ones that the
4 council would kinda look to you guys to see
5 if you agree or don't agree or common
6 assumption. But if you can't get a
7 unanimous decision on, on any one of these
8 areas then so be it. Transmit all your
9 individual comments up to them.

10 MEMBER EASON: I, I like Phyllis'
11 suggestion that she work with our chair and
12 have a narrative of sorts that will
13 incorporate everyone's comments because some
14 are repetitious you know, and have it then
15 presented to the council. Because if you're
16 gonna try to get all of us trying to work on
17 it it's really gonna be difficult. But 2 of
18 you could do it. And I feel you're very
19 capable and competent that you do the
20 writing.

21 VICE CHAIR ROBINSON: How do you feel about
22 that, Michael?

23 CHAIR HOWDEN: I'm, I'm comfortable with it
24 as long as the board, that that's the will

1 of the board.

2 MEMBER HOXIE: So, how will that work? I
3 mean, would you develop it and, and have us
4 all approve it, or?

5 CHAIR HOWDEN: We'd send, we'd send it to
6 everybody. Yeah. I mean the last thing
7 you'd want to do is put something in in the
8 name of the board and you know, it's not
9 even a majority of the board. Gaye?

10 MS. HAYASHIDA: So, my understanding is,
11 are you recommending a committee of 2 to
12 oversee this?

13 MEMBER EASON: Yes, I think that's what I
14 would say. So would I, would that...

15 MS. HAYASHIDA: So...

16 MEMBER EASON: Be a motion?

17 MS. HAYASHIDA: So, make, make a motion to
18 have a committee of 2 to draft the cover
19 letter?

20 MEMBER EASON: Ok.

21 MS. HAYASHIDA: Is that what you want?

22 MEMBER EASON: Yes, I mean that's what I
23 say. So...

24 MS. HAYASHIDA: Is there a motion?

1 MEMBER EASON: So, I move that Phyllis and
2 our chair work together to incorporate all
3 of our comments into a narrative that will
4 be presented to the council. I think...

5 MS. HAYASHIDA: And the...

6 CHAIR HOWDEN: Is there a second?

7 MEMBER HOXIE: I'll second the motion.

8 CHAIR HOWDEN: Ok.

9 MEMBER YAMAMURA: So, in the, oh.

10 MR. KUSHI: Discussion, Mr. Chair.

11 CHAIR HOWDEN: Yes.

12 MR. KUSHI: Procedurally, whatever,
13 whatever this sub-committee comes up with,
14 is the board gonna review before it's sent
15 to the council?

16 MEMBER HOXIE: Yes.

17 MEMBER EASON: That's what Michael is
18 saying.

19 MEMBER MYERS: Do we have time?

20 VICE CHAIR ROBINSON: We should set a
21 deadline...

22 MEMBER HOXIE: Right.

23 VICE CHAIR ROBINSON: For that based on our
24 deadline and you said it's May 30th that it

1 has to go to council?

2 MS. HAYASHIDA: Another question, so, once
3 the committee comes up with their cover
4 letter will the board have to meet again
5 and accept the cover letter? Take a vote?

6 CHAIR HOWDEN: Oh, they can do that by
7 email.

8 MEMBER EASON: Yeah.

9 MR. KUSHI: No, you can't.

10 MS. HAYASHIDA: Cannot. Yeah.

11 MEMBER HOXIE: Do we have enough time in
12 our...?

13 VICE CHAIR ROBINSON: It'll be tight. Our
14 next board meeting is May and these have to
15 be at the county council by May 30th.

16 MS. HAYASHIDA: No.

17 VICE CHAIR ROBINSON: No?

18 MS. HAYASHIDA: April 30th.

19 CHAIR HOWDEN: April 30th.

20 MS. HAYASHIDA: Next week.

21 VICE CHAIR ROBINSON: Oh, April? Oooh.

22 MR. KUSHI: April 30th?

23 MEMBER EASON: Oh, next week!

24 MS. HAYASHIDA: Yeah. Well, within the

1 hundred, it says within 180 days, the 180th
2 day is May 3rd, but it's a Monday so May 1st
3 and 2nd are Saturday, Sunday, nobody, so
4 gotta get to council by April 30th. Unless...
5 VICE CHAIR ROBINSON: On May 3rd.
6 MS. HAYASHIDA: May 3rd, morning of May 3rd.
7 VICE CHAIR ROBINSON: So, the morning of
8 May 3rd. So this is our last face to face so
9 we are gonna have to hash out what's gonna
10 be in that letter together today.
11 MS. HAYASHIDA: Or...
12 MR. KUSHI: Or call a special meeting.
13 MS. HAYASHIDA: Special meeting.
14 VICE CHAIR ROBINSON: Or call a special
15 meeting.
16 MR. KUSHI: By next week.
17 MEMBER MYERS: I have a...
18 MS. HAYASHIDA: But the problem is I have
19 to note, 6 days notice, yeah?
20 MR. KUSHI: Well, if you call a, either
21 call a special meeting and you notice it
22 accordingly or you recess this meeting..
23 MS. HAYASHIDA: Reconvene, and recess and
24 reconvene...

- 1 MR. KUSHI: And continue within...
- 2 MS. HAYASHIDA: Six days.
- 3 MR. KUSHI: Six days.
- 4 MEMBER MYERS: I have a question. Ok, I
5 guess regarding this entire process. I
6 guess our recommendations are gonna be
7 transmitted to council if they, if they
8 accept our recommendations that certain
9 things be added in or taken out, is that
10 gonna be sent back to the consultant and
11 revised and then go through this process
12 again? Or how, how does that affect the
13 document? At what point is the document
14 gonna be revised? I mean, is it, if it's
15 not accepted or if it's accepted with
16 comment, how, how does that, I mean, and
17 then how do we know that it's acceptable,
18 you know, I mean.
- 19 MR. KUSHI: Well, again...
- 20 VICE CHAIR ROBINSON: Read this.
- 21 MR. KUSHI: Go ahead.
- 22 VICE CHAIR ROBINSON: So this is the actual
23 ordinance about the process.
- 24 MEMBER MYERS: Ok.

1 VICE CHAIR ROBINSON: Very quickly, the
2 department started by transmitting the
3 updates to the board, commission for review.
4 Then we had our public hearings which we had
5 on the proposed update in the affected
6 district. And we transmit that proposed
7 with its findings and recommendations to the
8 council within 180 days of receiving the
9 update.

10 MEMBER MYERS: Uh huh.

11 VICE CHAIR ROBINSON: Ok, then the council
12 shall pass the proposed update by ordinance
13 within 180 days from the receipt of the
14 proposed update and the findings and
15 recommendations of this board.

16 MEMBER MYERS: Uh huh.

17 VICE CHAIR ROBINSON: Ok, so the council
18 may by resolution extend the time to pass
19 the proposed update to no more than an
20 additional 180 days; if the council fails to
21 pass the proposed update pursuant to the
22 provisions of the section, the proposed
23 update shall be deemed disapproved. So,
24 that's not good. Within 10 working days

1 after the affected date of the ordinance the
2 council shall transmit the ordinance to the
3 commission for final review, acceptance and
4 incorporation into the Hawaii Water Plan.

5 MR. KUSHI: It's the State Water
6 Commission.

7 VICE CHAIR ROBINSON: That's the State
8 Water Commission.

9 MR. KUSHI: So, I think Kelli, good
10 question is that whatever we transmit to the
11 council...

12 MEMBER MYERS: Uh huh.

13 MR. KUSHI: They can take it, consider it,
14 throw it in their file, whatever, and it's
15 up to them to accept the plan, proposed plan
16 update as drafted, as modified by board,
17 through the recommendations of this board or
18 as modified by their own decisions. And if
19 they can't vote on it within the time period
20 then any proposed update is, is deemed
21 disapproved. So, they can modify it
22 themselves. They can tell Carl and Ellen,
23 you knock out, instead of 5 candidate
24 strategies, 3. Whatever they want; it's up

1 to them. We're at, we're, our, our task for
2 this board is to get public input and use
3 your own feelings and put it in writing and
4 send it up to them. But they're the
5 decision makers.

6 VICE CHAIR ROBINSON: Yeah.

7 MR. KUSHI: They can rip up the plan
8 whatever they want.

9 VICE CHAIR ROBINSON: But they're also
10 representative of us.

11 MR. KUSHI: We're representing them.

12 VICE CHAIR ROBINSON: Right, but not, us
13 meaning the public.

14 MR. KUSHI: Yeah.

15 VICE CHAIR ROBINSON: They're our
16 representatives so they gonna take into
17 consideration what the public feels about
18 the different aspects of this.

19 MR. KUSHI: Right. We may end up with a
20 brand new plan. But that's the way...

21 VICE CHAIR ROBINSON: But only 360 days...

22 CHAIR HOWDEN: You happy to hear that?

23 VICE CHAIR ROBINSON: Only 360 days to do
24 it.

1 MR. KUSHI: You know that's the way it
2 reads.

3 VICE CHAIR ROBINSON: So they have a year,
4 basically, it's 360 days.

5 MR. KUSHI: I'm not trying to make fun of
6 it or down play it because whatever plan is
7 adopted, the effect of the plan is that when
8 the council funds monies for water
9 development, they have to go by this plan.
10 So if you knock out the East Maui Plan, the
11 E-M Plan from Central Maui District and
12 some, and the department comes up 2 years
13 from now and says I wanna go to East Maui.

14 VICE CHAIR ROBINSON: They can't.

15 MR. KUSHI: It's not in the Water Use and
16 Development Plan, ok. I can see a strong
17 case for opponents saying you can't use a
18 dime to go East Maui. So, again, the plan
19 as adopted is like a planning tool. It's a
20 planning tool and it responds to concerns
21 about the Waiale reservoir. If the
22 department or anybody goes towards that
23 area, you need a full blown EIS. So, public
24 community input, notice to community

1 members, at this point is premature, in my
2 opinion.

3 MEMBER HOXIE: Again, I just, you know,
4 comes back to my point that this is a big
5 picture look at what's out there. And like
6 Ed says, if they decide that East Maui is
7 something that they wanna move on, there's
8 gonna be a lot of hoops to jump through to
9 do it, so, and it may not happen but again,
10 this is just a look at where, where is the
11 water, what is the demand, it's a planning
12 tool from my perspective.

13 VICE CHAIR ROBINSON: And our comments as a
14 board carry weight...

15 MEMBER HOXIE: Uh huh.

16 VICE CHAIR ROBINSON: So.

17 MEMBER HOXIE: So, we have a motion and
18 second; to come up with a...

19 CHAIR HOWDEN: Any further discussion on
20 the motion? Ted.

21 MEMBER YAMAMURA: So, in the, in what you
22 prepare, will that also include our board,
23 the board's recommendations to the council?

24 CHAIR HOWDEN: Yeah.

- 1 VICE CHAIR ROBINSON: Yes.
- 2 CHAIR HOWDEN: I mean, yeah. This is
3 largely based on, on this.
- 4 VICE CHAIR ROBINSON: Right. Yeah, I mean
5 some of us as board members agree with that
6 certain things like wastewater recycling;
7 there's maybe 4 or 5 of us that have all put
8 that into our recommendations. So, we, if
9 there's any board member that doesn't agree
10 with it that's when you get the draft that
11 we have to agree to, that would be the time
12 to say I don't agree with that. And then we
13 have to put it to vote, I think. Right?
14 And then we're gonna, we're gonna include
15 our individual wish list of what we want in
16 it. We have to agree as a board that that's
17 get included in the recommendations.
- 18 CHAIR HOWDEN: And would that take a
19 special meeting then, Ed?
- 20 MR. KUSHI: Yeah, yeah. I mean, again, I
21 would suggest because of the timing..
- 22 MEMBER HOXIE: Right, recess.
- 23 MR. KUSHI: Recess this meeting, set it for
24 early next week some time.

- 1 MS. HAYASHIDA: Ok, the 6 days...
- 2 MR. KUSHI: As long as 5 of you can show
3 up.
- 4 MS. HAYASHIDA: The 6th day is the 28. Or
5 if you wanna hold it on the 27?
- 6 MEMBER HOXIE: What we talking about? Oh.
- 7 MS. HAYASHIDA: Reconvening. Let me check
8 with the secretary...
- 9 CHAIR HOWDEN: The 28th would be better for
10 me.
- 11 MS. HAYASHIDA: Let me check with the...
- 12 MEMBER HOXIE: What day of the week is
13 that?
- 14 CHAIR HOWDEN: Wednesday.
- 15 MS. HAYASHIDA: That, that's a Wednesday.
16 The 28th. Let me check with the secretary.
- 17 VICE CHAIR ROBINSON: Twenty-eighth would
18 be better for me too. The 27th is...
- 19 CHAIR HOWDEN: So, would we have 5 people
20 for Wednesday, the 28th?
- 21 MEMBER EASON: I can be here.
- 22 MEMBER HOXIE: What time?
- 23 CHAIR HOWDEN: Well, regular probably.
- 24 MEMBER EASON: I'm old, I get up early.

- 1 CHAIR HOWDEN: Ok. Kelli? Can? Kevin?
2 Ted?
- 3 MEMBER YAMAMURA: I say Wednesday.
- 4 CHAIR HOWDEN: Wednesday, yes?
- 5 MEMBER YAMAMURA: Yeah.
- 6 CHAIR HOWDEN: Ok. And then if we need to
7 we can ask Kui to come. Will Don be back by
8 then? Do you know, John?
- 9 MEMBER HOXIE: I'm not sure. He might be.
- 10 CHAIR HOWDEN: Yeah, but he would come for
11 sure if he's back so.
- 12 MEMBER HOXIE: So would we have a draft to
13 look at before...?
- 14 CHAIR HOWDEN: Oh, yeah, sure.
- 15 VICE CHAIR ROBINSON: Yes.
- 16 CHAIR HOWDEN: God willing.
- 17 MS. HAYASHIDA: Ok, the room is available
18 on the 28th.
- 19 CHAIR HOWDEN: Twenty-eighth? Ok.
- 20 MS. HAYASHIDA: Any time.
- 21 CHAIR HOWDEN: Nine o'clock?
- 22 MS. HAYASHIDA: Nine o'clock.
- 23 CHAIR HOWDEN: Ok. Have that, so we need
24 to vote on the motion. Ok, those in favor?

1 (a chorus of ayes)

2 CHAIR HOWDEN: Ok, good. Thank you.

3 VICE CHAIR ROBINSON: So...

4 MS. HAYASHIDA: We will have a quorum for
5 the...

6 CHAIR HOWDEN: Yeah.

7 VICE CHAIR ROBINSON: Looks like it, yeah.

8 CHAIR HOWDEN: So, we can either take a
9 break for 10 minutes. Ted has to leave at
10 11. But we just have basically the Lana'i
11 Plan, the Director's Report, and then a
12 recess. So you guys feel like a 10 minute
13 break or do you wanna just keep..

14 VICE CHAIR ROBINSON: Five minute break,
15 just to go to the bathroom.

16 CHAIR HOWDEN: Five minutes, right. Five
17 minutes.

18 MS. KRAFTSOW: Some people might need to
19 move their cars too.

20 (recess)

21 CHAIR HOWDEN: Ok, I'd like to call the
22 meeting back to order, somewhat. Lana'i.
23 We lost, did we lose Ellen? Or Ellen will
24 come back.

1 VICE CHAIR ROBINSON: She'll be back.
2 She's moving her car.
3 CHAIR HOWDEN: Ok.
4 DIRECTOR ENG: I can kinda...
5 CHAIR HOWDEN: Great.
6 DIRECTOR ENG: Basically, they're trying to
7 wrap that plan up too. I think the, there
8 she is. Ellen, they'd like just a little
9 up...
10 VICE CHAIR ROBINSON: On the Lana'i plan.
11 DIRECTOR ENG: Update on the Lana'i plan.
12 MS. KRAFTSOW: Ok. Did you already tell
13 them about the committee situation?
14 DIRECTOR ENG: No. I haven't gone there at
15 all.
16 MS. KRAFTSOW: Ok.
17 DIRECTOR ENG: I wasn't going to.
18 CHAIR HOWDEN: Thank you.
19 MS. KRAFTSOW: Sorry.
20 CHAIR HOWDEN: It's cool.
21 MS. KRAFTSOW: Sorry. Ok...
22 DIRECTOR ENG: I think we can ask...
23 MS. KRAFTSOW: So Lana'i, I kinda begged on
24 bended knee to Jeff, like just, I'm

1 struggling with Adobe Framemaker a lot. So
2 putting all the changes in is just taking
3 more time and more computer crashes. So I
4 asked if I could make a presentation of the
5 plan in May and not give you the final
6 actual physical document until June.
7 Because it's just, it, it's not even that
8 there are major changes but it's just taking
9 a lot of time to get them in and to get the
10 formatting working around them. And that
11 said, we have a meeting April 29th on
12 wellhead protection and April 30th on the
13 plan. And then we were anticipating having
14 one more special meeting in May to go over
15 it. The thought was before your board
16 meeting but actually now if it's not gonna
17 be transmitted it might be just its usual 4th
18 Friday meeting. And the, we have, there was
19 the head of the Planning Commission who was
20 on during her term as the Planning
21 Commission, the Lana'i Water Advisory
22 Committee's kinda unique. It has a certain
23 member count, it has 2 members from Castle &
24 Cooke or Lana'i Water Company; 2 members

1 from LSG; 3 at-large members; 1 member from
2 the Lana'i Planning Commission; and 1
3 member, the council sitted, seated council
4 member from Lana'i. As we came closer to
5 the end, you know this plan, the review
6 draft already exists and it's just the final
7 edits and so the request was just for
8 continuity purposes until it gets
9 transmitted; whether the person who's been
10 serving as the chair of the Lana'i Planning
11 Commission could continue; as the, the
12 committee voted to have a 4th, voted to
13 request to have a 4th at-large member just
14 until the final plan approval. And, it was
15 a unanimous vote. Not everybody was there
16 but among the people that were there, was
17 unanimous vote and the head of the Lana'i
18 Water Company was there. The state
19 commission staff also recommended it. And
20 so..

21 DIRECTOR ENG: So, excuse me, so basically
22 there is a member that is no longer per the
23 old resolution because that person is
24 leaving the Lana'i Planning Commission.

- 1 MS. KRAFTSOW: Yes.
- 2 DIRECTOR ENG: Ok, can that person just
3 stay on informally and complete the process?
- 4 MS. KRAFTSOW: They wanted her to be a
5 voting member. They wanted her to continue
6 to be a voting member. And that was
7 something that Charlie was very much in
8 favor of. I have received an email from
9 Butch, the chair, that he was gonna send a
10 letter to you. And I told him why don't you
11 hold off because maybe, because that
12 resolution was made when the county was
13 still under the board and I didn't know for
14 sure if they had to make a request to, to
15 who they had to make a request to. Would
16 just be you now.
- 17 DIRECTOR ENG: Yeah, see I was just trying
18 find a way not making it so formal. If the
19 person wanted...
- 20 MS. KRAFTSOW: Yeah.
- 21 DIRECTOR ENG: To continue and the
22 committee wanted the person stay, so be it.
23 I don't think we needed to amend the
24 resolution necessarily and, otherwise

1 potentially we could be amending any time
2 someone wanted to stay on and keep people
3 on. I mean...

4 MS. KRAFTSOW: Yeah.

5 DIRECTOR ENG: Informal is good for me if
6 the committee as a whole agreed to allow
7 this member to continue until it's passed on
8 to the board.

9 MS. KRAFTSOW: Yeah, the vote actually, the
10 vote as they, as they took it, the motion
11 was until council has approved it. I
12 originally had expected it to be until it's
13 passed to the board. Because then it's
14 pretty much out of their hands anyway. But
15 they, the person who made the motion, who
16 was the chair, well, said why don't you make
17 it 'til the council approves it.

18 MR. KUSHI: What council?

19 MS. KRAFTSOW: Was fine with everybody
20 there.

21 MR. KUSHI: What council?

22 MS. KRAFTSOW: County council.

23 MR. KUSHI: What'd they have to do with the
24 LWAC?

1 MS. KRAFTSOW: They approve the Lana'i
2 Water Use and Development Plan. So they,
3 they're request was let's have this person
4 continue as a 4th at-large member until such
5 time as the county council has finalized
6 their approval of the Lana'i Water Use and
7 Development Plan, meaning then if the
8 council were to send it back for edits or
9 whatever then that person would still be
10 there until it was done through the approval
11 process. That was the motion.

12 MEMBER HOXIE: So, when are we gonna get
13 the plan?

14 MS. KRAFTSOW: June, at your June meeting.

15 MEMBER HOXIE: Ok.

16 DIRECTOR ENG: See, I didn't wanna do
17 anything that would delay the process.
18 We've been waiting forever for this plan.
19 And it just seems to be one thing after
20 another delaying it so, with this member
21 leaving, if this person could informally
22 continue and all the other committee,
23 advisory committee members felt it was
24 appropriate allow her to continue. I just

1 don't see, I just don't want any further
2 delays and that was my intent.

3 MS. KRAFTSOW: I didn't see it as a
4 delaying, I don't think, I don't think
5 anyone saw it as something that would delay
6 anything actually; anyone on the committee
7 nor staff anyway.

8 DIRECTOR ENG: But that's always been my
9 concern and I just wanted to get that plan
10 moving...

11 CHAIR HOWDEN: So, we're gonna put off your
12 presentation 'till June then?

13 MS. KRAFTSOW: No, I, I think that I have
14 to present it to you in May like, so that
15 you have it and then the formal like
16 document transmittal. It's just you know,
17 it's a big document and it has to be printed
18 and compiled and..

19 CHAIR HOWDEN: Yeah.

20 MS. KRAFTSOW: I'm struggling with the
21 software a lot. So, maybe it was a poor
22 choice.

23 CHAIR HOWDEN: Oh, it's a struggle just to
24 get through that. Was over 800 pages?

1 That's pretty awesome.

2 MS. KRAFTSOW: Yeah, well that's the other
3 thing. I have to write a summary that's,
4 that's just short so people can read just
5 the summary.

6 MS. HAYASHIDA: Um, just for the board's
7 information. I do have an appeal scheduled
8 for May. So, you would plan, if we do have
9 her presentation and the appeal the board
10 needs to plan for a full day.

11 MS. KRAFTSOW: Well...

12 MS. HAYASHIDA: Otherwise I do have June
13 open for Ellen's presentation.

14 VICE CHAIR ROBINSON: Well, the thing is
15 that when do we have to have that...

16 MS. HAYASHIDA: When the director...

17 VICE CHAIR ROBINSON: What's our deadline?

18 MS. HAYASHIDA: When the director formally
19 transmits the documents, the Water Use and
20 Development Plan to the board. The clock
21 starts ticking.

22 VICE CHAIR ROBINSON: So, it's not, it's
23 not gonna be held up if we wait until June?

24 MS. HAYASHIDA: So, by all accounts if the

1 plan is gonna be given to the board in June
2 that's when the clock starts ticking..

3 VICE CHAIR ROBINSON: Clock starts ticking.

4 MS. HAYASHIDA: Not May. Right?

5 CHAIR HOWDEN: And, and the plan is on the
6 website, right?

7 MS. KRAFTSOW: The review draft is on the
8 website.

9 CHAIR HOWDEN: Yeah.

10 MS. KRAFTSOW: I can tell you what some of
11 the changes have been. They wanted me to
12 take all the tables and figures and change
13 'em all to figures because they said it was
14 too confusing to have 2 separate tables of
15 contents. They wanted me to change the, I
16 did, I had done a rate analysis for the
17 Lana'i Water Company to see if it was even
18 possible for them to be self-sustaining and
19 do all the things that were saying need
20 doing. And the rate analysis resulted in
21 really steeply tiered rate. It wouldn't be
22 one that they'd go to immediately, it'd be
23 one that would phase in as they did their
24 projects but it was kinda like the end

1 result and the company came over and said
2 you know this place is too much burden on
3 the golf course, can you revise it and so I
4 did revise it. There were several
5 discussions about the allocation table and
6 whether it would be confusing for decision
7 makers and so we've, we couldn't get really
8 good data from the planning department or
9 the company about the, the status of all the
10 project districts like which, which parcels
11 had actually been specifically subdivided,
12 which ones were at phase 2 approval, which
13 ones were at phase 3, which ones actually
14 built. So we spent some time researching
15 and mapping that so that there could be an
16 easier reference for somebody who is a
17 decision maker to say whether or not this
18 project or that project would, would fly
19 under the allocation proposal and things
20 like. And we, you know it is awkward
21 because we don't have even one meter on
22 Lana'i but we are required to do the Water
23 Use and Development Plan for the county and
24 there is a public trust function that the

1 county serves for all resources and all
2 people and Lana'i is, has no water board of
3 its own nor does it have a member on the
4 water board. And it's the only one that's a
5 whole separate island and so it has really
6 nobody else except this process to oversee.
7 So those are kinda the, the main time
8 consuming changes have been fitting things
9 in that just then screw up, you know tables
10 end up buried under text and text ends up
11 buried under tables 5 pages later, you know.
12 Changing fonts even changes the whole you
13 know. So, and then re-doing the rate and
14 re-doing the allocation table analysis a few
15 times actually before we got a unanimous
16 vote on that. And then...the summary which I
17 haven't completed yet. I'm still trying to
18 make it very simple.

19 VICE CHAIR ROBINSON: Simple.

20 (laughter)

21 MEMBER EASON: Simple.

22 MS. KRAFTSOW: It's not my forté so.

23 That's all.

24 CHAIR HOWDEN: So, when will we look at

- 1 going over there?
- 2 MS. KRAFTSOW: I think after it's
3 transmitted to you. Then you could schedule
4 your trip as you wish, right?
- 5 MS. HAYASHIDA: And currently there are no
6 direct flights from Kahului to Lana'i. The
7 flights go, you would have to go from
8 Kahului to Honolulu, Honolulu to Lana'i.
- 9 MEMBER HOXIE: Take the boat.
- 10 VICE CHAIR ROBINSON: Take the ferry.
- 11 MS. HAYASHIDA: Or you could take the ferry
12 out of Lahaina.
- 13 MEMBER EASON: Easier.
- 14 VICE CHAIR ROBINSON: Yeah.
- 15 CHAIR HOWDEN: Yeah, I, I would recommend
16 the ferry actually.
- 17 VICE CHAIR ROBINSON: That's a nice ride.
- 18 CHAIR HOWDEN: Actually.
- 19 MEMBER HOXIE: Ask a question.
- 20 CHAIR HOWDEN: Yes, John.
- 21 MEMBER HOXIE: It's a private water system.
- 22 CHAIR HOWDEN: Yes.
- 23 MEMBER HOXIE: Right? Maui has no water
24 meters there.

- 1 VICE CHAIR ROBINSON: Right.
- 2 CHAIR HOWDEN: Nope.
- 3 MEMBER HOXIE: No water meters. So we're
4 making a plan that's gonna go to the council
5 for approval, so when requests come in for
6 money for water development on Lana'i,
7 they'll refer back to this plan, right? But
8 it's a private water system. So, why do we
9 have a plan for Lana'i, my question.
- 10 CHAIR HOWDEN: I think it's part of our
11 public trust responsibility.
- 12 VICE CHAIR ROBINSON: Yeah, if you think
13 about what happened with Hana Ranch where
14 you had a public ownership, you had a
15 company that basically controlled the rights
16 of the water for the people and suddenly
17 they went, they wanted out.
- 18 CHAIR HOWDEN: You mean Molokai?
- 19 VICE CHAIR ROBINSON: Molokai, yeah.
- 20 CHAIR HOWDEN: Yeah.
- 21 VICE CHAIR ROBINSON: Then that put the
22 county into a position. Of course they took
23 a strong position 'cause they don't wanna
24 set a precedent to take up the slack if a

1 private ownership of the water goes away.

2 But it does, it does behoove us to be as

3 cognizant as we can of what's happening

4 there so if something happens.

5 MS. KRAFTSOW: Yeah.

6 MR. KUSHI: Mr. Chair. John, I kinda agree

7 with you but, but, but the other thing is

8 although the, we, the county itself doesn't

9 have anything to do on Lana'i from a water

10 standpoint, the State Commission of Water

11 Resources...

12 VICE CHAIR ROBINSON: Requires.

13 MR. KUSHI: You know if they, the Lana'i

14 Company wants to drill another well or, they

15 have some jurisdiction.

16 MEMBER HOXIE: Yeah.

17 MR. KUSHI: And they look at the county's

18 plans so that's, to me that's the

19 commission.

20 MEMBER HOXIE: Yeah. Thank you.

21 MR. KUSHI: If wasn't for them I'd say

22 just...

23 (laughter)

24 VICE CHAIR ROBINSON: Well, we get to go to

1 Lana'i.

2 MR. KUSHI: We staying overnight?

3 VICE CHAIR ROBINSON: Yeah, Manele Bay?

4 MEMBER BOTEILHO: What's there?

5 VICE CHAIR ROBINSON: Or in Koele Lodge?

6 CHAIR HOWDEN: Hey, we're camping out down
7 by Manele, yeah?

8 (laughter)

9 VICE CHAIR ROBINSON: Oh, we're going
10 camping?

11 CHAIR HOWDEN: We gotta give public notice
12 'cause...

13 VICE CHAIR ROBINSON: It's not such a bad
14 thing.

15 CHAIR HOWDEN: There's more than 4 of us,
16 yeah. Ok.

17 VICE CHAIR ROBINSON: Thank you, Ellen.

18 MEMBER HOXIE: Yeah, thank you.

19 CHAIR HOWDEN: Thanks, Ellen. I, I, I've
20 read through it. I find it quite readable
21 and quite informative and..

22 MS. KRAFTSOW: That makes one.

23 (laughter)

24 CHAIR HOWDEN: Well, I don't have a vote,

1 right?

2 MEMBER HOXIE: I'll go look that on the web

3 MS. KRAFTSOW: Thank you.

4 CHAIR HOWDEN: It's worth looking at and,
5 and you know, yeah, we need to start
6 reviewing that.

7 VICE CHAIR ROBINSON: And is that Butch
8 Gima, when you said Butch.

9 MS. KRAFTSOW: Butch is, yeah, Butch Gima,
10 yeah.

11 CHAIR HOWDEN: Yeah, Butch Gima. He writes
12 all of us letters.

13 VICE CHAIR ROBINSON: (inaudible)

14 CHAIR HOWDEN: Jeff's his favorite though.
15 He likes to write to the director more
16 often. I only got one. Ok, that's done.
17 Items for future agenda items. Yeah, I, I,
18 I like one. I have a note here. I mean, it
19 came from this morning's discussion on the
20 high lift pumps. But I'd like a better
21 understanding on and I think it would
22 involve Ed too, obviously, but the
23 Memorandum of Understanding with HC&S allows
24 us to withdraw, I believe at least 12 if not

1 16 million gallons a day...

2 DIRECTOR ENG: Twelve.

3 CHAIR HOWDEN: In the Kamole Weir. Twelve?

4 And we're talking about opening Hamakuapoko
5 and going through that expensive process.

6 And I just wonder why we're not looking at
7 Kamole Weir maximizing what we've already
8 agreed that we have the rights to. So,
9 maybe we could discuss that next time. Any
10 other agenda items? We'll have the Lana'i
11 again. I guess an update.

12 MS. KRAFTSOW: If you want an update, I
13 understood the presentation's in June but if
14 you want an update that's fine.

15 CHAIR HOWDEN: Well, we can, we can wait
16 'til June on that, yeah. And then we have
17 an appeal.

18 MS. HAYASHIDA: An appeal in May. We also
19 need to hold an orientation. And I think
20 some of the members need refresher course.

21 MEMBER HOXIE: Don and I did take it last
22 year so.

23 MS. HAYASHIDA: Oh, ok.

24 MEMBER HOXIE: It would be good for Kevin.

- 1 MS. HAYASHIDA: Yeah.
- 2 MEMBER EASON: Me too.
- 3 MS. HAYASHIDA: And, and Patty needs a...
- 4 MEMBER MYERS: I never had any.
- 5 MS. HAYASHIDA: Oh, you never had. So
- 6 there's 3 members that need some kind of
- 7 orientation.
- 8 CHAIR HOWDEN: Ok, great.
- 9 MS. HAYASHIDA: June? June orientation?
- 10 CHAIR HOWDEN: Sure.
- 11 MR. KUSHI: Maybe we can schedule it in
- 12 May.
- 13 MS. HAYASHIDA: May. At the end of the
- 14 meeting?
- 15 MR. KUSHI: End or maybe before. It
- 16 shouldn't take long. But, but just a
- 17 (inaudible).
- 18 MS. HAYASHIDA: Or we could hold it...
- 19 MR. KUSHI: Kelli's been here long enough,
- 20 she...
- 21 MEMBER MYERS: I should know what I'm
- 22 doing, right?
- 23 (laughter)
- 24 MR. KUSHI: Osmosis.

- 1 MS. HAYASHIDA: So ok, May meeting.
- 2 MEMBER EASON: What is involved in an
3 orientation?
- 4 MEMBER HOXIE: Well, it, I think you know,
5 it's just an explanation of the department
6 and the water areas..
- 7 MEMBER EASON: So we should study this?
- 8 CHAIR HOWDEN: And helicopter tour of Maui
9 County.
- 10 MEMBER HOXIE: And that took about an hour,
11 I think, an hour and a half.
- 12 MEMBER EASON: Oh ok. Great.
- 13 MEMBER HOXIE: It's very good.
- 14 MEMBER EASON: Very good.
- 15 MR. KUSHI: Pat, you've been through it
16 with the Planning Commission?
- 17 MEMBER EASON: That was long time ago. You
18 know when you're old you forget.
- 19 (laughter)
- 20 MEMBER EASON: C'mon now. I need a, I need
21 an orientation. This is new to me so.
- 22 CHAIR HOWDEN: Director's Report?
- 23 DIRECTOR ENG: I have nothing to add today.
- 24 CHAIR HOWDEN: But you've added quite a bit

1 already. Thank you for your participation.

2 DIRECTOR ENG: Oh, thank you.

3 CHAIR HOWDEN: So, instead of adjourning
4 we're gonna recess 'til Wednesday, April 28th
5 at 9:00, a special meeting. Ok.

6

7 (The meeting recessed at 10:47 a.m.)

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Prepared and submitted by:

Gaye Hayashida
Commission Support Clerk

Approved on: _____