

BOARD OF WATER SUPPLY  
COUNTY OF MAUI

REGULAR MEETING  
MINUTES OF SEPTEMBER 22, 2011

The regular meeting of the Maui County Board of Water Supply was held at the Department of Liquor Control office conference room, 2145 Kaohu Street, Room 105, Wailuku, Maui, on Thursday, September 22, 2011.

CALL TO ORDER

The meeting was called to order by Chair Phyllis Robinson at 9:04 a.m.

ATTENDANCE

Members present: Phyllis Robinson, Chairperson  
Kevin Boteilho  
Patricia Eason  
Donald Gerbig  
William Kamai  
James Rust  
Ted Yamamura

Members excused: John Hoxie, Jr.  
Kelli Myers

Staff present: Paul Meyer, Deputy Director  
Edward S. Kushi, Jr., Deputy Corporation  
Counsel  
James Giroux, Deputy Corporation Counsel  
Herb Chang, Engineering Program Manager  
Alan Murata, Civil Engineer  
Pamela Pogue, Water Resources and Planning  
Manager  
Gaye Hayashida, Commission Support Clerk

Others: William Blietz  
John Pollock  
Michael Howden  
Mary Blaine Johnston, Deputy Corporation  
Counsel  
Jane Lovell, Deputy Corporation Counsel

ANNOUNCEMENTS

Introduction of Water Resources and Planning Program Manager Pamela Pogue

Deputy Director Meyer introduced Ms. Pogue to the board members.

Ms. Pogue, who was very excited to be in this position, gave a brief background on herself. She has a Masters Degree in Oceanography, has worked for the Coastal Institute Agency of Rhode Island and spent the last 15 years with the state emergency management agency in Rhode Island as director of all natural disasters. She brings to the Department of Water Supply her knowledge and experience in writing and publicly testifying before the U.S. Senate and the House on bills dealing with Katrina. She enjoys working in this field and has a lot of good experience in groundwater management, source water, and water needs.

APPROVAL OF MINUTES

Chair Robinson asked for an approval of the minutes of August 25, 2011.

Motion: Member Rust to accept the minutes of August 25, 2011.

Second: Member Boteilho

Discussion: None

Vote: Unanimous. Motion passed.

TESTIMONY FROM THE PUBLIC

Mr. William Blietz stated that he heard at the Kula Water meeting that there was talk that they might do away with this board. He said that this is insane as this board is the only place that a person can come to when the "Mañana Water Company" makes some decision that isn't in everyone's interest. Another complaint he had was that the rules are too tough that you have to be an attorney to figure it out. He asks that the board make it easier for people. The third complaint was that there is a conflict of interest. He explained that there are 3 sides to every controversy -- the board advised by its counsel, the department and the applicant. For one party (Corporation Counsel) to represent 2 of the 3 sides is not fair. The rule of law requires fairness.

He closed his testimony by asking that this board should fight to keep it from being done away with.

#### APPEALS

At this time the meeting went into hearing Appeal No. 08-06 and Appeal No. 10-01.

#### UNFINISHED BUSINESS

None.

#### OTHER BUSINESS

#### Receipt of Board Member request for agenda items to be placed on future agendas

1. Member Rust asked for a discussion on the Waikamoi Flume and Reservoirs and how the department can clean it out and get it in condition to store a little more water
2. Member Gerbig asked the department to provide data on DBCP (dibromochloropropane), specifically how much is in the water before and after treatment; federal and state laws on the acceptable levels in the water from the Oahu wells and in Hamakuapoko wells as a comparison.

Deputy Director Meyer offered to give his recollection of some general information on DBCP at this time. What the department uses is .2 micrograms per liter and the Hamakuapoko well has tested as high as .17. The wells in Napili have tested higher and the wells above Kaanapali (Hawaii Water Service Corporation) test much higher. The wells in Central Oahu has 3 to 4 times as much DBCP as well as EDP (ethylene dibromide) and other chemicals in the water.

Maui is lucky because we get a lot of recharge and that water percolates through the aquifer and flows through the groundwater and pushes the water out along the coastline and out to sea where it is diluted pretty quickly. The theory is that over many years the contaminant will eventually work its way out to sea, and it will no longer be in the groundwater.

The second effect is that this chemical evaporates pretty readily in open air. Also, DBCP has a half life of about 15 years in the soil and degrades naturally. DBCP can also effectively be filtered

out by GAC filters. And if it is exposed to open air it volatilizes, like any other chemical that evaporates.

In settling the matter of the DBCP contamination, Judge McConnell worked it out so that 40 years was a reasonable period of time for the initial step to deal with this problem. After this period of time has gone by and there still are contaminants in the water the County may go back and ask for an extension of the liability.

Deputy Director Meyer noted that back in the 80's when DBCP lost its label it was never proven to cause cancer.

Member Gerbig told the Deputy that he doesn't have to put anything writing to the board at their next meeting regarding this matter.

#### COMMUNICATIONS

None.

#### DIRECTOR'S REPORT

##### Update on the Council's action regarding Hamakuapoko Wells 1 and 2

Deputy Director Meyer announced that the vote in the Water Resources Committee was 5 to 1 in favor of restarting the wells. The bill has since gone before the County Council and passed first reading.

The primary source of water is the surface water systems but if there is not enough then the Pookela well will be used. There is always the risk that Pookela is going to break and you don't want to have the water service curtailed as a result. Hamakuapoko would give us 100% backup to the Pookela well. That's the key because that capacity is what we can issue meters off of. We will have 100% redundancy and reliability. We probably won't run the Hamakuapoko wells very much, maybe once a week for a little bit; maybe once a month for maybe a day, just to make sure that everything is operating and in good repair.

#### DIVISION REPORTS

##### August 2011 Division Reports

There was no discussion on the division reports.

ADJOURNMENT

There being no further business the meeting was adjourned at 12:30 pm.

Prepared by:

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Gaye Hayashida  
Commission Support Clerk

Approved by:

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Paul J. Meyer  
Deputy Director