

# WATER RESOURCES COMMITTEE

Council of the County of Maui

## MINUTES

January 27, 2016

Council Chamber, 8<sup>th</sup> Floor

**CONVENE:** 9:06 a.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Gladys C. Baisa, Chair

Councilmember Michael P. Victorino, Vice-Chair (out 9:54 a.m.;  
in 10:27 a.m.)

Councilmember Robert Carroll

Councilmember Elle Cochran (in 9:10 a.m.)

Councilmember Stacy Crivello

Councilmember Mike White (in 9:24 a.m.; out 10:27 a.m.; in 10:56  
a.m.; out 11:23 a.m.)

NON-VOTING MEMBERS:

Councilmember Don S. Guzman (in 9:30 a.m.)

**EXCUSED:** Councilmember Don Couch

**STAFF:** Kimberley Willenbrink, Legislative Analyst  
Clarita Balala, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone  
conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via  
telephone conference bridge)

Dawn Lono, Council Aide, Hana Council Office (via telephone  
conference bridge)

**ADMIN.:** David Taylor, Director, Department of Water Supply  
Eva Blumenstein, Planning Program Manager, Department of  
Water Supply  
Jennifer Oana, Deputy Corporation Counsel, Department of the  
Corporation Counsel

*Seated in the gallery:*

Paul Meyer, Deputy Director, Department of Water Supply

**OTHERS:** Rosemary Robbins  
Mercer "Chubby" Vicens

**PRESS:** *Akaku: Maui Community Television, Inc.*

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**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

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**ITEM-4: WATER USE AND DEVELOPMENT PLAN (CC 15-159)**

CHAIR BAISA: . . .(gavel). . . Will the regular meeting of the Water Resources Committee please come to order. It is Wednesday, January 27, 2016, and it's about six minutes after 9:00. Before we get started I'd like to remind everyone to please check your cell phones and make sure that they are on the silent mode. That would be very helpful. So we won't have interruptions. And I'd like to introduce the Members that are here today. I'm Gladys Baisa and I'm the Chair of the Water Resources Committee. And with me I have Vice-Chair Mike Victorino.

VICE-CHAIR VICTORINO: Aloha and good morning, Madam Chair.

CHAIR BAISA: Good morning. And I have Robert Carroll.

COUNCILMEMBER CARROLL: Good morning, Chair.

CHAIR BAISA: Good morning, Mr. Carroll. And I also have Stacey Crivello from Molokai.

COUNCILMEMBER CRIVELLO: Aloha and good morning, Chair.

CHAIR BAISA: Aloha. And excused, at the moment, is Elle Cochran, who will be joining us shortly. Mr. Couch, who is excused today and is under the weather. And we're hoping that he's...I know he's probably glued to his TV watching this. Thank you for not bringing your germs. And we also have excused our Council Chair Mike White and I'd assume Mr. White will be joining us later. Not Member, voting Members of this Committee are Don Guzman and Riki Hokama and so they're not required to attend but they may be watching anyway. With us from Administration we have Dave Taylor, the Director of Water Supply.

MR. TAYLOR: Good morning, Chair.

CHAIR BAISA: Good morning. And we have Eve...Eva Blumenstein, I keep messing up her name. And Eva is the long range planning Department of Water Supply person. And we have Jennifer Oana, who is our Deputy Corporation Counsel, sitting in with us today. Thank you.

MS. OANA: Good morning, Chair.

CHAIR BAISA: And we have our Committee Staff, Kim Willenbrink, our Legislative Analyst.

MS. WILLENBRINK: Good morning, Chair.

CHAIR BAISA: And we have Clarita Balala our Committee Secretary. Thank you so much, Staff. In the District Offices, we have Denise Fernandez in Lanai. Good morning, Denise.

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

CHAIR BAISA: And we have Ella Alcon in the Molokai Office.

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai.

CHAIR BAISA: Good morning. We have Dawn Lono in Hana.

MS. LONO: Good morning, Chair. This is Dawn Lono in the Hana Office.

CHAIR BAISA: Good morning, Dawn. Members, today's agenda we have one item on it and it is WR-4, the Water Use and Development Plan. It is...the Committee is in receipt of County Communication 15-159, from Councilmember Gladys C. Baisa, relating to the County of Maui Water Use and Development Plan. As required by Chapter 174C, Hawaii Revised Statutes, you may recall at our last meeting that this Committee requested a status report on the Water Use and Development Plan update. We are going to be doing that today. But before we get started on the presentation, Members, we'd like to go ahead with public testimony. Public testimony will be limited to the item on our agenda today. And if you wish to testify I ask you to please sign up at the desk located in the 8<sup>th</sup> floor lobby or one of the District Offices listed on our agenda. Testimony is limited to three minutes. At two and a half minutes the light will turn yellow and at three minutes the light will blink...blink red. If you are still talking at the three minute mark, I will ask you to please stop. When testifying please state your name and who you are representing, if you're representing anyone beside yourself or a group. We have established a connection to the District Offices and to be fair, we'll rotate through each of the sites. In the Lanai Office, Denise, do you have anyone wishing to testify?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

CHAIR BAISA: Thank you so much, Denise. In the Molokai Office, Ella, do you have anyone wishing to testify?

MS. ALCON: There's no one here on Molokai waiting to testify.

CHAIR BAISA: Thank you, Ella. And in the Hana Office, Dawn Lono, do you have anyone wishing to testify?

MS. LONO: There's no one waiting to testify at the Hana Office, Chair.

CHAIR BAISA: Thank you very much, Dawn. And...so that's our District Offices and before we . . .(inaudible). . . start with our first testifier in the Chamber, Chair would like to welcome Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Aloha.

CHAIR BAISA: Good morning.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

---

COUNCILMEMBER COCHRAN: Good morning.

CHAIR BAISA: Thank you. Ms. Willenbrink, will you call the first testifier in the Chamber?

MS. WILLENBRINK: Yes. Thank you, Chair. We have one person signed up to testify this morning, Rosemary Robbins.

CHAIR BAISA: Ms. Robbins?

**. . .BEGIN PUBLIC TESTIMONY. . .**

CHAIR BAISA: Good morning.

MS. ROBBINS: Good morning, Gladys. Good morning everybody. Here to testify on item number WR-4, water resources, on our agenda. And I did come down on Friday to be able to go over the binder on the 7<sup>th</sup> floor in Counsel Services. Nothing was in there with the exception of your last summer request that that be heard pretty soon. Last summer, another year we're into. I also came down yesterday toward the end of the day to see what had come in over the weekend that I wouldn't have had a chance to go over. Still nothing. Questionable about transparency out of that. I tell you, you've got a community here that's livid with the fact that...and these are individual people. They're not part of a group, nor am I. But anyway and it sounds like talk a good story about transparency and then watch what happens. So I knew nothing about this or any of the things that were, presumably to have been, in the 7<sup>th</sup> floor folder. Nothing there. So I've had like three minutes, the opportunity to do this. And I will gallop over closer to that screen to be able to see it when it's shown. At the last meeting that we had when the Council wisely did not pass the...wipe out the "Show Me the Water" bill. We were promised that, we had actually been working on that all along. So I'm not too sure I understand the why of the delay in that. Okay. I would like to quickly quote Governor Ige's State of the State address on Tuesday. He said we must operate with truth. We must follow the law. We must be spending Federal money timely. We must do a great deal on infrastructure updating. We must make sure that everybody values the public trust, including for water. Good thoughts. I also would like to share what was in the *Honolulu Advertiser* on Sunday's paper and it's 6.5 million homes still get water from lead pipes. Now they're dealing in this particular one about Flint, Michigan. That's pretty much on everybody's screen perhaps now. But one of the things I took out of that was...I'm quoting now "trouble can start when a utility makes the change in its treatment process so taps into a new water source without accounting for how that will affect its lead pipes." Those of us who worked on that Oversight Advisory Committee 15 years ago and on, are well aware of that. It also quotes in here "each individual really is given a large reasonability and I think most people would be surprised to learn that they cannot trust what's flowing from their tap in many cities." A quote by Marc...

MS. WILLENBRINK: Three minutes.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MS. ROBBINS: Marc Edwards, he's one of the honchos who has been over here on Maui working with us at that time. And very well recognized. So, I'm anxious to see what this is that we're supposedly have been working on. And I will take good notes, and thank you all for your willingness to continue on to pursue this for the health of the community. Thank you.

CHAIR BAISA: Thank you very much. Members, any need to clarify the testimony? Seeing none, thank you very much.

MS. ROBBINS: You're welcome.

CHAIR BAISA: Ms. Willenbrink?

MS. WILLENBRINK: Madam Chair, there's no one else waiting to testify.

CHAIR BAISA: Members...audience, anybody would like to testify, please come up and you can do your paperwork later. We have someone approaching the podium. Good morning.

MR. VICENS: Good morning, Madam Chair and Members of the Committee. The only reason I'm here this morning is...

VICE-CHAIR VICTORINO: Madam Chair? Excuse me.

MR. VICENS: Excuse me?

CHAIR BAISA: Yes.

VICE-CHAIR VICTORINO: He didn't announce his name so...

MR. VICENS: Mercer "Chubby" Vicens, I'm sorry.

VICE-CHAIR VICTORINO: Okay. Thank you.

CHAIR BAISA: Thank you.

MR. VICENS: I'm sorry, Mr. Victorino.

VICE-CHAIR VICTORINO: I'm sorry.

CHAIR BAISA: Go ahead.

MR. VICENS: As I sat back there and I looked around I couldn't contain my disappointment for the apathy of the general public, especially the developers who are so concerned about where the water's gonna come from. And what kind of a plan. You look in the newspaper everyday there's criticism of the Department for not having the plan. Speaking of working on it for 23 years. And how important it is to this community to

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

have a plan so we know where we're going. We know how it's going to guide our future so that by 2030 we can add the 12,000 homes that's in the General Plan. And yet we speak to empty chairs. I think this is one of the main problems that we have. Where one side looks at the other and says it's your fault because you haven't done it. And the other one says well, you know, it's not my responsibility. I beg to differ. I'm in the sunset of my career. And I've been around for over 30 years. And this is the worst, worst scenario of apathy that I have ever seen. And I apologize to the Members of this group for taking time to be here today. I apologize to Mr. Taylor for having to put on a water development plan before two people. And I don't know how many are out there watching. But for crying out loud, what did it take to come down here and support this effort? I am so...I can't tell you how disappointed I am in this community which I love very much. But this is the reason that we're in the position we are today. Is we talk a good show and we don't back it up. Madam Chair, I apologize for kind of swaying off what the topic is today; however, it is important. It's important to me, and I know it's important to you, that everyone take to heart what is being said here today. You're not talking to empty walls. You're talking about our future. You're talking about the future of my grandchildren. And I can't again tell you how disappointed I am in this general public for not taking the time to come and express their thoughts. Because that's what you're looking for. You're looking for their thoughts. How can you legislate in a vacuum? Again, I apologize, Madam Chair, for maybe swaying off the subject but as I sat back there, I got angrier by the minute. And thought I had to say something. Thank you so much for your patience and your time.

CHAIR BAISA: Thank you very much, Mr. Vicens. Members, any need to clarify the testimony? Chair would like to thank you...oh, Mr. Carroll?

COUNCILMEMBER CARROLL: Thank you, Chair. And thank you for coming. And we appreciate your remarks and I'm sure the general public, I hope they listen to what you've said today. And maybe you need to stop thinking about sunset and start thinking about sunrise.

MR. VICENS: Thank you very much.

CHAIR BAISA: Mr. Vicens, I don't think that an apology is necessary. I share your angst. You know, we all talk about water. And we all know that it is the most important thing that we need to deal with because without it life is gone. But it seems like we have difficulty making it a priority. We have difficulty wanting to pay for it. We have difficulty wanting to make the decisions that our community has to make in order to move forward. This Chair is going to work very, very hard on making sure that this Water Use and Development Plan moves on and that it gets done. And that we take care of business here because we have to. Our lives and the lives of everybody coming behind us depends on it. So thank you very, very much for being here. I appreciate it.

MR. VICENS: And thank you, ma'am.

VICE-CHAIR VICTORINO: Madam Chair?

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

CHAIR BAISA: Mr. Victorino?

VICE-CHAIR VICTORINO: And I would like to express my exact same feelings as you've just expressed, Madam Chair. And, you know, we sat here for years doing this. Chair, six years fighting every battle you can think of, right, Chubby? Every battle. And trying to get moving forward. And we have made small steps thanks to Mr. Taylor and others, you know, I gotta thank you guys for helping us get to this point. But yet those who...the naysayers out there, who have all the excuses in the world why we can't do what we need to do, they don't come. They don't participate. And then they wonder why. Well this is why. Right here now. Because you're not here to speak up.

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: Let it be said today by myself, I think by you and Ms. Baisa, that either you be a part of the solution or you're a part of the problem. You take the choice. I hope you choose to be part of the solution because that's what makes Maui County a strong and makes Maui County no ka oi. But if you choose to be part of the problem then down the road when I look back if somebody says why wasn't this done? I can say look at the gallery on this date, January 27, 2017...2016. Nobody in the gallery, had two testifiers that's it. Thank you, Madam Chair.

CHAIR BAISA: Any further comments? If not, Mr. Vicens, thank you.

MR. VICENS: Thank you again.

CHAIR BAISA: Ms. Willenbrink, any other testifiers?

MS. WILLENBRINK: No, Madam Chair.

CHAIR BAISA: Members, there are no people in the gallery. I'll check with the District Offices and make sure that no one's there. Let's go to our District Office on Lanai. Is anyone there?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

CHAIR BAISA: Thank you. Molokai Office, do you have anyone there?

MS. WILLENBRINK: We may have lost Molokai.

CHAIR BAISA: Yeah. We may have lost Molokai. Hana, Dawn, do you have anyone there?

MS. LONO: There's no one waiting to testify in Hana, Chair.

CHAIR BAISA: Okay. Thank you. Well there is no one in the District Offices and it appears that there is no one else in the gallery. So, Members, without objections, I'd like to close public testimony for today.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBERS: No objections.

CHAIR BAISA: Thank you very much. So ordered.

**...END OF PUBLIC TESTIMONY...**

CHAIR BAISA: And I'd like to note the presence of Council Chair White. Thank you.

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR BAISA: Good morning. Okay. Members, we are here today to receive a presentation on the update status report on the Water Use and Development Plan and you remembered our discussion at our last meeting where this became a big issue as we were discussing the "Show Me the Water" bill. And we made the request to the Department and I want to thank them very very much 'cause they have been scrambling. It's just been a very short time since we asked them to put the presentation together for today. And they've done an outstanding job. I had a chance to preview it. And I'd like...I think you're going to find it very interesting and I hope that the public, who is not here for whatever reasons they're not here, will watch this either now or later on in a rebroadcast. And they will understand a lot better about what is going on with the Water Use and Development Plan. So, Mr. Taylor, any remarks before we get started?

MR. TAYLOR: No, Madam Chair. We're ready to go.

CHAIR BAISA: Okay. And would you introduce our presenter?

MR. TAYLOR: Yes. I'm Dave Taylor, Director of Department of Water Supply and with me is Eva Blumenstein, the Chief of our Planning and Water Resource Division.

CHAIR BAISA: Okay. So did we need any time to get ready or we just go?

MR. TAYLOR: No. We're all ready.

CHAIR BAISA: Okay. Let's just take off then.

MR. TAYLOR: Okay. So, thank you, Madam Chair and Members, and the community, for the opportunity to put on this update.

CHAIR BAISA: And so, Members, as we go because it's the only item on our agenda today and we don't have a whole lot of testifiers and I think we have adequate time to do it, as she goes through the presentation if something grabs you, let's try to deal with it right there. So if you raise your hand, I'll let you ask your question so we clarify as we go. Then when we're done, we're done. Sometimes it's better if we have enough time to do that because then it's fresh in mind. We will definitely cover the whole presentation today. I think it's really, really important. So, go ahead, my dear.



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

---

MR. TAYLOR: Okay. Well, first is me so not my dear.

CHAIR BAISA: Oh you? Okay, my dear.

MR. TAYLOR: So, I'm just going to go through a couple of slides with a couple of big-picture items and then hand it over to Eva for the majority of the presentation. So we're going to go through the purpose and requirements, some of the Hawaii Water Plan, our approach, and some key issues. So before that, just a couple of big-picture items. So the Council previously passed the Maui Island Plan. And that defines land uses. Big-picture land use. Not only urban growth areas but agriculture, conservation, et cetera. The Water Use and Development Plan is really a companion document that allocates water to those land uses. Not just Department of Water Supply but any land that has a need for water and where that water is coming from. So it's going to have planning by aquifer areas and allocate water to the land uses. We like to look at it as a companion document to the Maui Island Plan. It's not a Department of Water Supply infrastructure plan. It's a where does the water for the Maui Island Plan come from for which purpose? It's a companion document, supposed to be consistent and supposed to be at that same level of detail. So that starts focusing people and us, that it's not going to get into what pipe size, and what year and, you know, where is the pump going to be? It's a big-picture water allocation effort. Current water use in the...on Maui Island is about half a billion gallons a day. As shown in this chart. How that water is broken down is the great great majority, is that green section in agriculture. There's a light green section, irrigation. That's things like golf courses, which are not agriculture. Municipal and purple, which is not DWS municipal. And the Department of Water Supply's share in orange. So this starts giving a sense that the Department of Water Supply is only responsible and only involved in a very small amount of the actual water use on Maui. There's been a lot of discussion about the Department's role. We want to be clear that the Water Use and Development Plan is about all water use. And our portion is really just the orange portion. It's all important but our Department's actions as a utility are really the orange portion. So this is all of the water available. Orange is the surface water that's currently diverted. Grey is the untapped groundwater. And blue is the used groundwater. So that totals, right now 833 million gallons. It gives you a sense of how much water there is on Maui Island. How much is being used. In that same size, 833 million, you see the yellow and the purple, that's DWS' share of what we're using. Yellow is our surface water. And the purple is our groundwater. So you start getting a sense of DWS as a utility is really a very, very small user of water. When we talked about "Show Me the Water" bill and people said well to move forward, we need to know that there's enough water for the DWS utility. Clearly you look at this and even if there was substantial growth, it's really just a tiny, tiny fraction of the available untapped groundwater and even of the currently used surface water. Mr. White?

COUNCILMEMBER WHITE: Just a quick question. I'm assuming that the blue area for groundwater is private wells?

MR. TAYLOR: That's correct. That's non-DWS groundwater.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBER WHITE: So it'd be Kapalua, Kaanapali, and other --

MR. TAYLOR: And any other private --

COUNCILMEMBER WHITE: --private --

MR. TAYLOR: --owners, correct.

COUNCILMEMBER WHITE: --systems.

MR. TAYLORS: That's correct

COUNCILMEMBER WHITE: Thank you.

CHAIR BAISA: No problem.

MR. TAYLOR: So, you know, we...when...the last meeting we talked about "Show Me the Water," you can see it's less "Show Me the Water" than it is show me the infrastructure. From our standpoint as utility, the issue we've been raising in this Committee is that, there are a number of different strategies to get water to our utility. You can see that from this graph. We're a very small user. And even if we have a substantial growth rate, it's really just a, you know, a drop in the bucket. It's really more about money and infrastructure than it is about whether or not there's enough water available. The other big item is, you think about the orange section of surface water that's being diverted. As we...the last time I sat here in front of you, I think literally while I was sitting here is when HC&S put out their press release that they'd be shutting down sugar operations at the end of the year. So you think about that orange section, HC&S used about a 150 million gallons a day of surface water. About 140 from East Maui, 10 from Na Wai Eha. If that orange section is substantially going to change, if the new diversified agriculture plan uses substantially less than a 150 million, all of a sudden, what happens with that orange section is a much, much, much bigger issue than the DWS purple and yellow sections of, you know, where are we putting pumps and this and that. So, the Water Use and Development Plan, that whole orange section or most of it, has been tied up in contested case hearing for both Na Wai Eha and East Maui . So you can get a sense of the struggle we've had where we're trying to put a Water Use and Development Plan together, there's this huge uncertainty with these contested case hearings dealing with the whole orange section. We've been focusing with this Committee on the purple and yellow, about how is DWS going to deal with infrastructure and it's financing issues, to try to get that section a little more nailed down. While we've been watching closely and participating in these contested case hearings. With the uncertainty with what's happening with HC&S in the orange section, you can see that there's all of a sudden a lot of different options. If the new diversified agriculture plan on the isthmus uses substantially less than a 150 million gallons, that orange section, we could substantially get a significant amount of that. The Mayor is in high-level discussions with A&B about what those possibilities might look like. A significant portion of that orange could go back into the

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

streams. So all of a sudden we can see that the Water Use and Development Plan, again, because DWS utility is such a small share, these other issues dwarf it. So we've been following that, we've been struggling to try to get this document done. Wanting it to be useful and recognizing that the single biggest issues are completely out of our control. And we don't even control the timeline. So, with that that's sort of a big picture of what we're trying to do.

CHAIR BAISA: Mr. Taylor?

MR. TAYLOR: Its...

CHAIR BAISA: If I can interrupt --

MR. TAYLOR: Yes.

CHAIR BAISA: --for just a minute. I'd like to note the presence of Councilmember Guzman. Welcome and thank you for coming.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR BAISA: You probably heard earlier the sentiments about people being very concerned that this is such a big deal.

COUNCILMEMBER GUZMAN: Yeah.

CHAIR BAISA: So thank you. Thank you.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR BAISA: Okay, Mr. Taylor.

MR. TAYLOR: So with that I'm going to turn it over to Eva who's going to continue with the presentation about where we go from here and, you know, we'll certainly be here to help answer any questions as we go. Thank you.

COUNCILMEMBER WHITE: Before we...Chair, before we--

CHAIR BAISA: Yes.

COUNCILMEMBER WHITE: --go on.

CHAIR BAISA: Mr. White?

COUNCILMEMBER WHITE: Just wanted to make sure that I understand that this pie chart is based on the available water, not the water that is currently being used.

VICE-CHAIR VICTORINO: Eight hundred.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBER WHITE: Actually I was looking at the next slide. I believe the one that had the...yeah. That one.

MS. BLUMENSTEIN: So...yeah. You see the grey untapped groundwater being available resources, and by that we mean sustainable yield, what's been defined as available in the aquifers. What portion of that is tapped between other users and DWS. And the orange surface water, what's being used. And that is a tricky part because we don't have a perfect grasp on exactly what's available in the streams as we know and that is being defined, as we speak, in the two contested case hearings.

COUNCILMEMBER WHITE: Right but as far as the...looking at the blue sector. Is that...it...would it be correct to look at that as what is the amount of gallons that is available to private systems or is that the amount currently being utilized?

MS. BLUMENSTEIN: Being utilized. Reported as being used.

COUNCILMEMBER WHITE: Okay. So if a well is capable of 2 million gallons a day and it's only pumping a million, then the blue is showing the million not --

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER WHITE: --the 2 million?

MS. BLUMENSTEIN: Correct.

COUNCILMEMBER WHITE: Okay. Thank you.

VICE-CHAIR VICTORINO: Madam Chair?

CHAIR BAISA: Yes, Mr. --

VICE-CHAIR VICTORINO: Before --

CHAIR BAISA: --Victorino?

VICE-CHAIR VICTORINO: --we move on, since we're on that one --

CHAIR BAISA: Yes. Please.

VICE-CHAIR VICTORINO: --pie chart.

CHAIR BAISA: Please.

VICE-CHAIR VICTORINO: So if I read correctly, Eva, then you're saying this County or this island basically is 50/50 ground availability and surface availability? Is that what you're saying here with this pie chart?

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MS. BLUMENSTEIN: Yes.

VICE-CHAIR VICTORINO: Okay. And so we depend still in totality more on surface than we do on ground?

MS. BLUMENSTEIN: In terms of agriculture use. Yeah. As an island.

VICE-CHAIR VICTORINO: No but in actual use because when we talking Kapalua, Kaanapali, a lot of that is surface water. That's being utilized. So in totality when we're talking private systems we still use more surface than we do use groundwater?

MS. BLUMENSTEIN: Are we talking specific use, municipal, or all uses?

VICE-CHAIR VICTORINO: Municipal.

MS. BLUMENSTEIN: Municipal. Then it's groundwater, about 70 percent groundwater versus 30 percent surface.

VICE-CHAIR VICTORINO: Yeah. Because of this aquifer here in Central Maui?

MS. BLUMENSTEIN: Yes. I would say about 90, for Central Maui where we have our biggest customer base, about 90 percent is groundwater.

VICE-CHAIR VICTORINO: Right.

MS. BLUMENSTEIN: And for the other areas it varies. It's 50/50 like on the West Side.

VICE-CHAIR VICTORINO: Right.

MS. BLUMENSTEIN: Other places 100 percent. So...

VICE-CHAIR VICTORINO: Upcountry would be 100 percent?

MS. BLUMENSTEIN: Upcountry's 80 --

VICE-CHAIR VICTORINO: Eighty, okay.

MS. BLUMENSTEIN: --surface water, 20 ground.

VICE-CHAIR VICTORINO: Good. So I just want the public to understand what this ground versus surface water. And so groundwater would be water that's taken out of the aquifers. Surface water is our streams and other means of water.

MS. BLUMENSTEIN: Surface water is stream water. Yes.

VICE-CHAIR VICTORINO: Okay. Thank you very much.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

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CHAIR BAISA: As I mentioned I was sure that Councilmember Couch, although he is being considerate and being sick at home, he's watching and he said it's okay that I tell you he's watching. He has a question, Mr. Taylor. He'd like to know if we can grab 220--what is it--million gallons per day as per the priority in the Constitution in the Waiahole Ditch decision? Comments?

MR. TAYLOR: Madam Chair, I guess I'd appreciate if we can get through the presentation and then start...if there's questions on the presentation perhaps we can handle them during the presentation? But what we --

CHAIR BAISA: Big issue.

MR. TAYLOR: --may do in the future maybe would be best for after the presentation?

CHAIR BAISA: Okay. That's fine. No problem. Go ahead.

MS. BLUMENSTEIN: Thank you. Okay just a quick...first a little background on the purpose and requirements of the plan. The Water Use and Development Plan is required by State Water Code, the purpose being to inventory all protected water demands, ensure that future water needs of the County are met, and to allocate water to land use and provide guidance to the Commission on Water Resource Management, CWRM, for decision making regarding water management area designations, water use, and water reservation requests. It should also provide guidance to the County, set forth in the Maui County Code, guiding the Council in conservation, development and use of the County's water resources. And briefly the required elements of the plan is to allocate water to land use. Consider a 20-year timeframe analysis using the Commission's hydraulic units, appropriate recognition of Department of Hawaiian Home Lands development needs, and needs to inventory existing water uses, future land use and demand, and prepare regional plans for water development. The plan has to be consistent with this component of the State Hawaii Water Plan, that is the Water Resources Protection Plan, which is prepared by the State Water Commission, The Water Quality Plan, that's prepared by Department of Health, and the other state and county land use classification policies. It also have to be updated periodically. So where we're at, again the Water Use and Development Plan, those have to be prepared by all the counties and they are an important component of the Statewide Hawaii Water Plan. All the components of the Hawaii Water Plan is currently being updated in some...progress of being updated. The County Water Use and Development Plan's, the situation's the same with only Hawaii County having an adopted Water Use and Development Plan since 2011. So for Maui County, as you know this started over a decade ago, as with the other counties there was an adopted Water Use and Development Plan in 1990. The Commission deemed all the county Plans missing some significant elements. So we had substantial work being done starting in 2004 by consultants that focused really just on the Department systems. And the Central Maui Chapter was in fact approved by this body by the Council in 2010. So those pieces are incorporated. The Lanai plan was adopted already in 2011 and Molokai will follow shortly. We have been working quite a bit with the Department of Planning in

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

their process of updating the community plan for Molokai. So some analysis for the County long-range needs have been analyzed and partially completed. So as Director Taylor was mentioning this is really a sister document to the Maui Island Plan. Which builds on a decade-long public process studying land use policies and directed growth areas. So therefore the Water Use and Development Plan will be at the same level of detail and also not propose different locations or growth rates than what's set forth in the Maui Island Plan. Using integrated resource planning, when we talk about resources, we're talking about streams, aquifers, not individual wells and projects. It is not going to include any CIP-level detail specifying an individual well or project or a cost. We're talking about a 20-year timeframe so it doesn't really make much sense. Those numbers become outdated very quickly. This plan is including all water systems and users on Maui and is not DWS centric. And because we're using 2014 as our base year, we also have the opportunity to include, there was several climate studies and scientific studies by USGS that we can include in this update. And with the intention of recommending water allocation policies with two major caveats is the ongoing court processes of the Na Wai Eha and East Maui contested case. So we're applying an integrated planning process, which again then builds on the planning objectives that was set forth in the Maui Island Plan and also at...in earlier meetings for the Water Use and Development Plan starting in 2004. And like I said, we're using 2014 as the base year. We have developed two alternative demand forecasts. One scenario is the land use based forecast which is a full build-out scenario. I don't want to say worst case scenario but meaning that all zoning designations is built out fully, including the Department of Hawaiian Home Lands' zoning, their designations. Then the second alternative or scenario is the population growth rate based growth, that is what is set forth in, through the socioeconomic forecast. And the planning horizon then is 2015 to 2035. So integrating the planning objectives with available resources and demand, we're now at the point where we're starting to identify and prioritize various resource options and strategies, and continue with the public process to come up with viable options so those can then be coordinated with other State plans. Integrated with whatever available assessment has been done. We have the Department's optimization studies done for the Upcountry, Central, and Lahaina systems for private purveyors. We're assessing...we're doing optional strategies such as conservation programs and coming up now with some preliminary water allocation policies. So again the planning objectives have been...have evolved over the time of the Maui Island Plan. They're also set forth in the Directed Growth Plan. As well as the State land use plans, the Hawaii Water Plan, and the various water shed management plans that we have for Maui Island. This is not a finite list. We...this continues to evolve in...with the public process. But what we've heard so far in our meetings and also throughout the Commission's public meetings and their update of their Water Resources Protection Plan, planning objectives tend to fall within one of these broad categories. And of course they do overlap somewhat and they also conflict with each other. So the multi-year foundation, the public process multi-year foundation was then the Focus Maui Nui, we had the General Plan Committee. We had the past Water Use and Development Plan public meetings in five districts on Maui. As well as a few targeted meetings, policy board meetings, and just these last couple of months we had...we held a couple of smaller stakeholder meetings to vet certain issues that we have...we needed more input before completing data to go out

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

---

and present to the public. We are ready now at this point to start open public meetings again. We have enough data to put together some strategies. And we're planning to hold regional public meetings throughout the island, Hana, West Side, Upcountry, and Central. With the aim then of course to present a draft first to our Board who will have a chance to have input before that gets presented to this body and eventually the aim is to get this adopted by the State Water Commission. For the purpose of integrating available resources with demand projections and various planning boundaries, we selected aquifer sectors as the most suitable. Of course aquifer sectors use...the...an aquifer sector would then include multiple aquifer systems. So for example, you would have the light blue...oh, the light blue Wailuku sector would include the aquifers of Kahakuloa, Waihee, Iao, and Waikapu. And of course those hydrologic units do not coincide with planning boundaries. An example would be the central sector which is lavender colored, spans four different community plan districts. The community bound...plan boundaries are dark purple. So the central sector would then include both the Paia-Haiku community plan area, Makawao, Kahului, Wailuku, and South Maui. All of which have different population growth rate projections. Then you have the purveyors, service systems. An example is the Upcountry system. In this case that serves both the central hydrologic unit but also spills over into the Koolau sector. Other portions are within and those are in two different community plan districts. It also includes portion of the Central Maui service district. So my point is just that it's not a very straight forward answer to tell you what is the available resource to be used for growth in South Maui area. You add into that transport of water from different hydrologic sectors such as surface water from the east into the central. So we made just quite a few assumptions and early decisions on how to define growth rate for specific resource. Resource assessment then, for surface water we are heavily relying on the commissions and monitoring and adjusting those numbers as the two court cases progress. Na Wai Eha at this point the Commission is in the process of permitting, water use permitting for East Maui. We just had this last week. The findings of fact, conclusions of order for the East Maui streams. On West Maui, the USGS have completed a study in 2014 on low-flow characteristics which is a basis to start the assessment of instream flow standards. And the Commission staff has just starting now to prepare those IFS assessments. So we have...we're using best available data on Maui, we have 39 of several hundred diversions being reported. So we really just...we depend on USGS and the Commission as they refine and define what the available resource is in terms of surface water.

VICE-CHAIR VICTORINO: So let me ask you if I may? You're talking about diversions. How accurate are the diversions when it comes to ag and other uses? Do we have accurate reports in this area? Because we get the monthly reports but sometimes they don't seem to correlate into what they're actually using, or should be actually using.

MS. BLUMENSTEIN: Yeah. My understanding is 39 out of 488 diversions report. Most of the major, the large diversions report and most of the small ones do not. So this is being defined and assessed by USGS and the Commission, these processes. So for certain areas we really...we're quite uncertain both of what is available as the resource, what is the...occurring in the stream and what is being diverted.



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

VICE-CHAIR VICTORINO: What's the difference between a small user and a large user? Is there...like use 200,000 gallons or more or 50 gallons or less, 50,000 gallons or less. Is there a determination what small and big is?

MS. BLUMENSTEIN: There is, I just can't tell you what that --

VICE-CHAIR VICTORINO: Okay.

MS. BLUMENSTEIN: --threshold is.

VICE-CHAIR VICTORINO: Madam Chair, if we could get that at a later date but?

CHAIR BAISA: Okay.

VICE-CHAIR VICTORINO: Yeah. I'd just want...I think it's important to understand what big and small diversions are.

CHAIR BAISA: Very good.

VICE-CHAIR VICTORINO: Okay. Thank you.

MS. BLUMENSTEIN: Assessment of available groundwater and use is a little more straight forward. This graph shows you the 2008 established sustainable yields for Maui Island. Sustainable yields are in the process of being revised as the Water Resources Protection Plan is being updated. But we're using whatever is published data for now. You can tell that generally as you go east those aquifers tend to be quite vast and the striking two spikes in the middle there being agricultural pumpage from the Kahului and Paia Aquifers. Which in fact appears they're exceeding sustainable yield by about a 1000 percent is the pumpage for irrigation of sugar cane from those aquifers that are recharged from the same irrigation return water that's coming in from West and Central and East Maui. So we will likely see some changes in that over the next...from next year on as the plantation irrigation will change. Other than that you can see Iao Aquifer at the far left is really the only aquifer that is tapped close to sustainable yield. It's still just the...between 16 and 17 MGD in today's numbers. Demand projections, I mentioned we're using two different scenarios. The first one is the land use based full build out of zoning designations. And this again shows what Director Taylor was referring to in terms of demand for agriculture use. We did a graph where...that takes agricultural land use out of the equation because almost all land outside urban growth boundaries that is not in Conversation is Agriculturally zoned. And never has all of that land been cultivated. You have 36,000 acres that going to change over the next few years. You have a very small portion that's diverse ag. So if you're taking ag out of that equation you have the bottom red and orange graph showing land use build out base demand excluding ag but including DHHL land uses. And the graph on the bottom is the population growth projected demand through 2035. And you can see there that the municipal use being Department of Water Supply is really what's supplying 90 percent of municipal use on the island. So

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

we're at about 36 MGD when this started in 2010. Close to 40 this year. And including private public water system, meaning those that are regulated by the Department of Health, and the municipal supply we're going to reach somewhere around 55 MGD in 2035. So this is where the rubber hits the road so to say. We have been...we have met with the stakeholders, various interest groups, to trying to gather policy guidance and without really getting into detail of the specific resource options. And this is what we're ready to do now. We can put together the data we have and define some resource options. Conventional resource options meaning development of new ground and surface water sources. Alternative resource options that would be recycled water, brackish water, desal, gray water. And resource programs and policies, that could be conservation programs or resource augmentation or preservation, reforestation. Then weighing those relative costs, meaning not specifying the individual CIP cost for one well but rather gray water in an area versus development in a specific aquifer that may need additional transmission. And consider the viability of those strategies, are there unresolved legal issues, obviously for a lot of these sources, others restrictions on use, such as with recycled water or grey water, or other constraints, aquifer limits, et cetera. And we...this is not a exclusive list of resources used, but a lot of studies have been completed by in-house consultants, USGS, and the Commission that we can use that are...were available to us now to get a better grasp on what the viability of these various options are. So I mentioned we have been meeting with stakeholders discussing a few items that were...either we were struggling with them because we were...had unresolved policy guidance, we needed more public input, they're multiple stakeholders involved. They have conflicting planning objectives, situations where we have municipal water weighed against other private purveyors in the...within the same resource. Contingencies and uncertainty so and not saying that these are the only issues but these were some of the key issues that we identified and we wanted to get more input from the public, including this body. Those...and I'm gonna go over those in a little bit. But what we've been talking about has been the native Hawaiian rights, traditional customary practices, agriculture needs, water allocation policies, use of conventional sources versus alternative sources, resource efficiency and protection, and drought and climate change. So this is a good start because again, the Water Use and Development Plan is required, mandated by State Water Code. The State Water Code and the courts have defined what public trust uses are. What the priorities are, in terms of resource use, and public trust uses include instream uses, traditional and a customary Hawaiian rights, and domestic use. So some of these objectives and policies that has been set forth in the Maui Island Plan directly relate to these and I think it's just important to remember that these...when we talk about policies and objectives for heritage resources, is not the Department Water Supply that's the implementing agency of these but these are issues that impact all users, agriculture, private purveyors, the public. But they are closely tied to instream flow standards and they're closely tied to what available...what resources are available for other uses that are not public trust uses. So options, strategies or things that we have been discussing is continuing to meet with the representatives of the 12 moku on Maui and identify their regional priorities. Promote them from ahupuaa-based watershed protection efforts. We do...this body has been funding \$14 million over the years in watershed protection efforts. Which is great. Still a few of that is ahupuaa based.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

Meaning that it includes the areas reaching all the way to the ocean and the reefs. Another option considering is reduced the reliance on surface water in dry season. That's when you have the conflicting uses. And developing new groundwater sources as an alternative. As well as implementing conservation. Again in terms of resource use ag is the big player by magnitude. Almost all land outside urban growth boundaries is zoned Ag. Now more than ever there's really great uncertainty as to the availability of the irrigation sources and the distribution systems. For farmers and other uses on Maui both in...on the West Side where we have the defunct pioneer mill, Maui Land and Pine system, the Na Wai Eha, and EMI. We don't have State systems on Maui so farmers rely on private or municipal sources that they pay much more in comparison to what they do on other islands. The Maui Island Plan's guidance is to consider cultivation where land is classified as important farm land. Which is not really consistent with the Agriculture Water Use and Development Plan's demand projections. Then finally now, the end of sugar. What's gonna be...what's feasible really for diverse ag and other agriculture --

COUNCILMEMBER COCHRAN: Chair?

MS. BLUMENSTEIN: --options.

CHAIR BAISA: Yes?

COUNCILMEMBER COCHRAN: Just real...a clarification --

CHAIR BAISA: Go ahead. Sure.

COUNCILMEMBER COCHRAN: --question right now. The part important farm land, is that different than important ag lands? Agriculture, the IAL lands? Is your...

MS. BLUMENSTEIN: That's what I mean.

COUNCILMEMBER COCHRAN: That's what you mean?

MS. BLUMENSTEIN: Yeah. That's what I mean.

COUNCILMEMBER COCHRAN: Is the IALs?

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER COCHRAN: Okay. Same.

CHAIR BAISA: Okay. Good.

COUNCILMEMBER COCHRAN: Thanks.

MS. BLUMENSTEIN: So some strategy options and issues that we are considering and struggling with is demand projections for ag land. Should it be predicated on the Ag

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

classification per the Maui Island Plan? Should it consider ambient rainfall? What we use in those demand projects is what HC&S crop need and the Department of Ag's crop specific or diverse ag need. So those do not consider rainfall for, locally. The Agriculture Water Use and Development Plan's 20-year projection for diverse ag demand is only 3...the range is just 3 to 12 MGD. And at this point it's completely an unknown range for HC&S lands. Also agriculture needs have...we've...what we've heard from the public is to include kalo cultivation in the diverse ag discussion and predictions. Water allocation policies, something else, the map shows the Upcountry service area. The Department's Upcountry service area with underlying aquifer sector and your growth boundaries. Those little dots are the meter priority list. So we have the objective in the Maui Island Plan to reduce proliferation and impact of residential development outside urban small town and rural growth boundaries. So we have the Upcountry waiting list with "unplanned growth" outsiders growth boundaries that equals about 7.4 MGD. While keeping growth within the growth boundaries Upcountry 20-year demand is...so 20 percent or 95 percent growth, those are 2 very vastly different scenarios. Some of the other planning objectives in terms of water allocation is to maximize reliability of water service while minimizing the cost. Also to acquire and develop additional sources of potable water. So optional strategies is to develop additional groundwater in the areas where the demand is, Lahaina, Koolau, Wailuku sectors to sustain growth and reliable capacity, to reduce reliance on surface water as a primary source. In terms of drought and competing demands while maintaining that seasonal flexibility because really it's just in summer time where there is...typically there is conflict in use for surface water. And then of course we have directed growth in dry areas such as South Maui and the West Side. So should we transport groundwater to those areas rather than relying on the resource available where growth occurs? Conventional sources. development of wells, treatment plants versus alternative sources, that would be recycled water, brackish, rainwater catchment, storm water reuse, desal. In cost analysis and studies that have been done for those various alternative sources they, generally they're less cost effective than a conventional source and usually used where there is scarcity or conventional source is no longer available. Recycled storm-water reuse and catchment due its nature is dependant is another use and rainfall that's less reliable sources. Then of course you have planning objectives that are conflicting. Maintain sustainable resources and minimize adverse environmental impacts versus maximize reliability and minimize the cost. So options are using lower quality water, which I was corrected last night by the Commission, surface water is not a lower quality water. I mean, this is untreated surface water. In terms of quality it's deemed a public trust use. Whenever that's possible and economically feasible. Resource efficiency, I don't think there, there hasn't been much conflict on that but I'd like to point out that we have been almost mimicking what Honolulu Board of Water Supply have accomplished in terms of growing services and service areas, while maintaining or even decrease the consumption per service or per meter. Looking back ten years, the use per service or meter, regardless if it's commercial or residential has decreased as we have increased the number of services throughout the island. Part of this is of course due to conservation programs. And we continue and accelerate demand and supply side conservation programs. This is more a question about which ones are most...have the greatest impact, technical potential, and funding issues. So tiered rates, leak

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

detection, commercial audits, other incentives. Education is what we have been doing. There are other options to expand that, in terms of regulations for conservation design, retrofitting, et cetera. The Department has also, over the last few years, optimized production from what we have, pump efficiency, increased storage, and repair programs. So there's definitely more to be done in resource efficiency but that has been, in meetings with stakeholders, this is something that always have a lot of support and we are aiming at continuing and accelerating these programs. Drought and climate change, we have climate studies done specifically on Maui Island. We're really fortunate to have Maui almost used as a experiment looking at the impact of climate change on groundwater levels, local climates. So we have models showing pretty in-depth patterns for Maui where temperature increases, where wet areas. Haiku, Hana getting wetter. Dry areas mixed, during the dry months, flashy rainfall conditions. So what would this mean? In terms of the Water Use and Development Plan we're looking 20 years out and this is beyond that timeframe but water resource planning in general needs to adapt to longer planning periods and more sever doubts. Do we consider conservation measure adequate or are we looking at drought-proof, full basil well backup in areas that are prone to drought? Should we increase raw water storage? This is the Kahakapao Reservoir at normal capacity or winter capacity and dry periods. Should we diversify with alternative sources? Seasonal groundwater use or recycled water where that's feasible? Also there's small purveyors, there are few small purveyors that rely 100 percent on surface water. But when they are, do they need to look at more reliable backup? There's a lot of support in the Maui Island Plan for resource protection and restoration. Both in terms of watersheds, streams, protecting and maintaining the water delivery systems themselves, meaning wells. So strategies are to continue having a consistent funding program, the watershed protection, to implement wellhead protection, the Department has a wellhead protection program in place and a draft ordinance. Implementing well citing criteria. Making sure that we're citing wells out of contaminated areas, protecting water quality for the future. And supporting programs that restore adequate flows for instream use and kalo production. So in sum then this plan is really a technical sister document both supporting and implementing the Maui Island Plan. It's sorta like the link between the Maui Island Plan and the CIP and the master plans for the Department and for the private purveyors. And it's resource based meaning aquifers, streams, not being focused on the Department systems only. Using previous studies and data most that was developed in the early phases of the Water Use and Development Plan process. And what's available now from the Commission and the USGS. Continuing the public process, we held various smaller meetings and are planning on going out for more broad public input next month already. And to do...to address the local, the key issues and the conflicts rather than avoiding them, we're trying to bring this up at the stakeholder meetings. And we cannot resolve them all but at least attack them. And then make sure that we plan for uncertainty. So that's the contact numbers for me and Pam Townsend. We're the two planners that are working on the plan now for the next couple of months. I'll be happy to take some questions.

CHAIR BAISA: Thank you very much, Eva. Members, we're going to take our morning break and for one of two reasons. One, we're done with the presentation. Give you some time to digest what you've heard. You've had a lot of information thrown at you and

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

maybe you can organize questions and we'll go down the row and take them when we come back. Secondly, Mr. Victorino is on a NACo call and hopefully he'll be done by the end of the break and be able to come back and participate. So we're going take our morning break and we'll try to be back here at about 25 minutes after 10:00. Meeting is now in recess. Thank you very much. . . .(gavel). . .

**RECESS: 10:12 a.m.**

**RECONVENE: 10:27 a.m.**

CHAIR BAISA: . . .(gavel). . . Will the meeting please come back to order? Members, we had a wonderful presentation here and I know that you probably have lots of questions. And it worked, Mr. Victorino was able to complete his NACo call and he's back with us. We welcome you back, Mike.

VICE-CHAIR VICTORINO: Thank you, Madam Chair.

CHAIR BAISA: I know you're trying to be in two places at once, which is very difficult, but would someone like to lead off with the questions? Otherwise, Chair will just go down the row and try to give everybody a chance.

VICE-CHAIR VICTORINO: Well, why don't we let our Members, you know, Madam Chair, 'cause I have lots of questions but then sometimes I take over. So I'll allow the other Members --

CHAIR BAISA: Don't worry --

VICE-CHAIR VICTORINO: --to go first.

CHAIR BAISA: --I'll stop you.

VICE-CHAIR VICTORINO: I know you will. But let the other Members talk.

CHAIR BAISA: Okay.

VICE-CHAIR VICTORINO: Not a problem.

CHAIR BAISA: Okay. Anybody like to start the questioning? Ms. Crivello? Sure, thank you.

COUNCILMEMBER CRIVELLO: Thank you. Thank you for the presentation. I appreciate it. But I just would like to have some clarification and this would...it doesn't have a page number but the heading is identify, evaluate, and prioritize strategy options.

CHAIR BAISA: Ms. Blumenstein, I bet you know exactly where that is.

MS. BLUMENSTEIN: Gonna to find it for you.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBER CRIVELLO: There you go. So the last bullet, in regards to in re Iao ground water management area high-level source water use permit applications and petition to amend interim in stream flow standards. Can you clarify for me what are we looking at to amend? So I can have a better understanding the interim instream flow standards. And amend to what?

MS. BLUMENSTEIN: We're just referring to the ongoing contested case --

COUNCILMEMBER CRIVELLO: Okay.

MS. BLUMENSTEIN: --for Na Wai Eha. So a lot of these studies, reports, and information data that's come out of those Na Wai Eha and East Maui contested cases, we are using the...those sources and the data as we go through the process of identifying, evaluating, and analysis, source options. So the title is just what the Commission is in the process of doing, amending instream flow standards.

COUNCILMEMBER CRIVELLO: Oh, so this is coming from the CWRM?

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER CRIVELLO: Okay. Alright. Thank you. I was wondering how the Department is...okay. Thank you.

CHAIR BAISA: Anything further, Ms. Crivello?

COUNCILMEMBER CRIVELLO: Not right now, thank you, Chair.

CHAIR BAISA: Okay. Anybody else wants to jump in before we get to Mr. Victorino? He says he's going to wait because he has a long list. Go ahead --

COUNCILMEMBER COCHRAN: Oh, okay.

CHAIR BAISA: --Ms. Cochran.

COUNCILMEMBER COCHRAN: Yeah. And thank you. Thank you, Department. Wonderful presentation. And thank you for picking it back up and going out and having stakeholder meetings, and looking forward to attending and seeing what transpires out of the those. My one slide in particular and I guess they're not numbered. But it was under the...it's water allocation policies and it mentions Lahaina, develop additional groundwater to sustain growth and reliable capacity. And you list Lahaina, Koolau, Wailuku sectors. So I just had a question in regards to Lahaina. I know we've been putting a lot of monies into well...wells, in Mahinahina in particular. And so are those to help assist so this...that's in relation to developing additional groundwater. And in particular Lahaina though...town. Lahaina Town proper. Are those intended to be transmitted into that area of the island? And is there currently --

MS. BLUMENSTEIN: They...

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

January 27, 2016

---

COUNCILMEMBER COCHRAN: --infrastructure built to transmit that water there?

MR. TAYLOR: General answer is yes. The West Maui system is...our system is connected. So we don't as much identify that this well is for, you know, people on this street or something like that. But we can move the water around and there may have to be certain improvements that come in for CIP. What Eva was referring to earlier as...we want to recognize, in the Water Use and Development Plan, that that aquifer is the source for us. The...and that's sort of where the Water Use and Development Plan ends, and then in our Capital Improvement Plans, that's where we get into, you know, here's the wells and here's the pipes and that kind of thing. But we want to recognize that there is water for DWS uses by tapping that aquifer. The details of which we'll handle as part of our CIP program. That is, and thank you for pointing it out, that's sort of this line we're trying to make between the Water Use and Development Plan sources by aquifer and then our CIP efforts which are individual projects to accomplish specific goals.

COUNCILMEMBER COCHRAN: Okay. Yeah. Very good. But I guess also this is probably a little more detailed question but in regards to that booster pump that was to be slated for Lahaina, was that to accomplish that? Transmission of water from say Mahinahina into Lahaina?

MR. TAYLOR: That would have helped in that second part I was talking about. About being able to move water around a little more. So the Water Use and Development plan is making sure there's enough volume for the region. Something like that booster pump is about how do we, as a utility, move water from one point to another within our utility. So that kind of thing is important, obviously. But it's not gonna to be covered in the Water Use and Development Plan. Because it's not about regional supply versus demand. It's about localized service.

COUNCILMEMBER COCHRAN: Okay. Thank you. But what I guess what I'm trying to get at is that in Lahaina, we have one source and only one at this point. But you're saying that we can move water around but as I'm understanding, we really don't have. Unless we build out our infrastructure. So I think in the plan, it needs to state, is there redundancy, is there backup for certain users in certain urbanize areas or what have you. So, you know, and where is that going to come from? And are we in place to implement it and transmit it?

MR. TAYLOR: Okay. I under...

COUNCILMEMBER COCHRAN: So that's why I'm trying to hone in on Lahaina because that's where I represent. And I have questions and the community has questions right now.

MR. TAYLOR: So, our West Maui region we're dealing within the Water Use and Development Plan as a region. There are a number of...there's two different surface water treatment plants, a number of wells. They each feed into this interconnected piping system. The



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

issues that you raised are important. They're more relevant perhaps in a different discussion not about the Water Use and Development Plan but about us as a utility and how we're providing reliable service and how our CIP plan matches that. It's those normal discussions that we have in this Committee that are about our infrastructure plan where we try to deal with those. This item today, the Water Use and Development Plan, is really just dealing with West Maui DWS service area as one block, and not getting into that level of detail. But it is a detail, obviously, we get into with our CIP plans.

COUNCILMEMBER COCHRAN: Okay. And we'll do that then. And I guess and...did anyone...sorry I was five minutes late from our --

CHAIR BAISA: No go right ahead. Go right ahead.

COUNCILMEMBER COCHRAN: --break, Chair. In regards to the meters and demand graph.

CHAIR BAISA: No.

COUNCILMEMBER COCHRAN: Did anyone touch on that?

COUNCILMEMBER CRIVELLO: Go ahead.

CHAIR BAISA: Go ahead.

COUNCILMEMBER COCHRAN: I guess, the bottom line I'm getting calls and I'm sure you are and...

CHAIR BAISA: Oh yeah. Tons of 'em.

COUNCILMEMBER COCHRAN: How we working on that list? But I know...I mean in relation to, I guess...so with the Water Use and Development Plan per se and the closure of HC&S, I guess the minds are thinking that there's going to be at least, according to Kapua Sproat too, 50 percent more water freed up in order to be utilized. So are we maybe factoring that in? Has the Department...is that somewhere in here? I know you're saying figures, contested cases are happening. You're not quite sure but, an attorney the other day said they're thinking 50 percent --

MR. TAYLOR: So --

COUNCILMEMBER COCHRAN: --more.

MR. TAYLOR: --this gets down to I think the single most important point in what I wanted to make today. And thank you for pointing that out. And it's back to this pie chart. The yellow and purple are our total usage for the County. The orange is the surface water that is currently being used. And let's assume that a bunch comes up. If you had asked me a month ago or so, I would have said the solution for the Upcountry meter list is going to have to be wells. It's going to have to be more and more wells pumping

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

that water from sea level, building distribution systems. That's what I would have said a month ago. All of a sudden, today, a month later, there is an excellent possibility that we can get more surface water at the Kamole Plant site or related site that's somewhere near there. Expand that and that could be our source. That water would be brought in at 1,100 feet elevation. We'd only have to pump it from there higher versus pumping it from sea level higher. It would solve a lot of problems from a volume standpoint. It wouldn't solve the piping distribution problem. It's still located at, you know, point A and we have to get it to points X, Y, and Z. But if through these changes with HC&S and their water use...and I think we all know that water is about the thirstiest crop there is. If their new diversified...I'm sorry, I'm sorry, sugar is the most thirsty crop.

VICE-CHAIR VICTORINO: We knew what you meant.

MR. TAYLOR: Water is even --

CHAIR BAISA: We know what you meant.

MR. TAYLOR: --more thirsty. So if whatever ends up growing there, you know, is 36,000 acres of something that is less thirsty, there is a very good possibility that we could end up with more surface water. That could all of a sudden change our complete strategy as a utility of how we're going to generate that volume. And all of a sudden instead of wells, we may shift back to expanding surface water plants. Both with Na Wai Eha and with East Maui. That is, frankly would be my recommendation if we could get it. Now this gets into a subject that's come up here before. Members including, you know, Mr. Carroll's pointed out that...and Mr. Victorino, that maybe it would be a good idea to move from 80/20 surface water to groundwater to reverse that. Perhaps that that was based on the old situation and maybe if there's more surface water available, we want to go to 90/10 surface water. That gets into our little purple, yellow. And especially back to my favorite issue, how we're gonna pay for what. Because surface water expansion would be less expensive. But if from a social value standpoint, that Council from a policy standpoint says look, we want to tap this grey area, untapped ground water. And we're going to leave surface water to other people. We can do that, it'll just be more expensive. It's this key policy issue from the Council, which goes back to rates and fees and how we're funding the water utility, that is probably gonna drive that. If the Council feels that look, if HC&S is going to use less, let's use that at a lower cost. But if the Council says that should all go back in the streams, we'll develop groundwater at a higher cost. Those are two completely different directions. And part of these discussions we're trying to find out does the Council support one or the other knowing that there is going to be a significant cost difference. And that policies, these public meetings, we're trying to...Member...and Chair Baisa was at our public meeting last night, it's difficult to get people to take a side on this. And yet to come up with a detailed plan, we're going to have to take a side. So any input we can get about how the Council feels about this would really help us tune the plan.

CHAIR BAISA: Ms. --

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBER COCHRAN: And --

CHAIR BAISA: --Cochran?

COUNCILMEMBER COCHRAN: --just real quick. I don't...did you ask Mr. Couch's question? 'Cause I think he had a reference to Waiahole Ditch?

CHAIR BAISA: I believe that it's being, you know, discussed in a roundabout way here but --

COUNCILMEMBER COCHRAN: Okay.

CHAIR BAISA: --go ahead.

COUNCILMEMBER COCHRAN: But, so in regards...if I got that case understood correctly, the Waiahole Ditch case. It basically says there's no vested rights in water? I...maybe Ms. Oana knows? Meaning that of course water as the source is a public trust and nobody truly owns it and all this, it can't be a sold commodity, what have you. But of course the transmission of that public trust is where now you can be charged, you know, the cost. So I guess in relation to the waters that could be freed up, the surface waters with HC&S, are you saying that...I mean it almost sounds like everyone's saying it's their vested right that they have this water. And so, you know, how does that reference this development plan going forward? If we're gonna look at it as the law states we ought to look at it.

MR. TAYLOR: There's been a number of articles in the paper and without getting into our legal situation, I can just quote from what was said by CWRM people in the paper for the last couple weeks. The water coming from East Maui, through the EMI ditch, including our use, is part of an ongoing contested case hearing in front of the Commission. That's...that just last week, actually was actually on the day that HC&S made their announcement, happen to be the day that the Hearing's Officer sent his findings and fact and conclusions of law to the Water Commission. Just by coincidence. According to Water Commission staff, they were quoted in the Maui...we...it was just in *The Maui News*. That process is a legal process that the ruling that the Commission's going to make has to be based on the evidence they collected during that process. Not evidence that was in the newspaper after that. So this issue that HC&S, this HC&S announcement, was not evidence in the April...March and April, I think that's when they were, March and April hearings. So that process keeps going along. Now at some point in the future, something else will have to happen. But right now there is no mechanism for us to just say, well look HC&S had this press release, you know, give us more water. There will be mechanisms, legal mechanisms for that later that we'll be a part of. But just because we know what's going to happen, doesn't change the contested case protocol. We're a part of it, we're aware of this, and we're, let me just say, working with our attorneys to modify our strategy based on this new information. But there is no redo on the evidence just because things have changed since then. So I'm sure you'll hear more

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

about this. Some things...obviously things are changing. Everyone knows that. But we're going to have to work through the legal processes.

COUNCILMEMBER COCHRAN: Okay. Alright, well very good. Chair, I got the brunt of my questions answered. So thank you very much.

CHAIR BAISA: Thank you, Ms. Cochran. Mr. Carroll, any questions?

COUNCILMEMBER CARROLL: Thank you, Chair. And thank you for having this meeting. I think as everybody knows I've always been a proponent of the restoration of streams, especially in East Maui, Waiehu, and the other areas. And I think we can see by the court decisions that have come down throughout the State that is probably going to happen sooner or later. So meetings like this to where we can look at how we're going to address it. Eventually, I think everybody can see that we're going to have to rely on well water. And that we really need to go in that direction. And we need to plan for it. Even if it's very long term toward implementation, complete implementation, that we need to start now. And we need to try to set a timeline when this can be completed. And this will probably go a long way toward assuring that we have enough surface water till it is completed because the courts will look, well we are making a good-faith effort to go over there and get away from stream water. So I would hope that meetings like this, and this Council, and the Water Department, can set policies toward that end so we don't have any water shortages. Thank you, Chair.

CHAIR BAISA: Thank you very much, Mr. Carroll. I'm going...I have a question for Ms. Blumenstein, and I think it's relevant. You know, everybody's interested in the Water Use and Development Plan and...well where is it and why hasn't it happened. And of course that was an attempt today to try to tell people how complicated this is. And the process that's ahead of us in order for us to have something that is more relevant to what we're dealing with right now. You know like Mr. Taylor said a month ago, he would have looked at everything differently. Actually I think less than that, whenever we heard about this HC&S thing it kinda changed all of our feelings about a lot of things. And we really don't know 'cause we don't have the answers. A lot of this will be, you know, ferreted out in months to come and with legal processes and all of that. But anyway, we need to get a Water Use and Development Plan going on the best information we have. So maybe you could give us an idea of a timeline here if you have any clue as to what, you know, what's ahead.

MS. BLUMENSTEIN: Yes, thank you. I think our plan was really to have a draft to this body in June of this year until just two weeks ago, because I really feel we haven't...have not had an opportunity...the public has not had an opportunity to vet the new major events. And these are, even though these are all closely related to what's going to pan out from the contested case and the findings of facts, we still need the community's input on the policy issues that the Director was referring to. Should we pursue more surface water in times when there is a conflict? Dry time and so on. We really haven't had an opportunity to vet that in the public. So with that said, I think we're at least doubling the number of public meetings that we had anticipated. We're still gonna complete this plan in 2016. We're committed to that. There are going to be more, I

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

think we're going to have meetings just more often to do this. But that's our plan. It's probably not gonna to be to this body at the...by the time you come back from Budget in June. So later this year.

CHAIR BAISA: Thank you very much. That gives me hope. You know, I've only got till the end of this year and I would certainly like to see this plan completed by then. And things will clear. You know, right now we're, I think the whole...we're all in a flux.

VICE-CHAIR VICTORINO: Yeah.

CHAIR BAISA: We're all in a oh my God, you know, big change and what's going to happen? But that should clarify as the dust settles and things fall into place. So it, you know, it may not be a plan that'll...we can stay with and it may have to be amended but I think it'd be good to have something that is not as outdated as what we have is. We need guidelines, particularly as we go ahead with CIPs. And, you know, when you look at that pie chart, which for me is the key to the whole thing, you know, water is available. We can probably figure out how to get some of it and I'm hoping that the Commission will be sympathetic and everybody will understand that we need to kinda share the water and take care of what we need to take care of. But it's going to take policy and it's gonna take money. It's gonna take commitment and money. And we seem to have difficulty in deciding when it comes to money, who pays and how much they pay and how much do we want to plan for. And until we do that we never, never gonna solve our water problem. We can have all the water in the world but until we can get it where we need it, it's just that, it's a chart. But we gotta figure out how to make it work for us, you know. I am so concerned because this problem is so old and it's been around so long, and I hear Mr. Victorino's frustration. You know, he's been working in this so much longer than I have. And I know that he has tried his best. But, you know, every time we bring up policy decision before an elected body, everybody has a real hard time trying to decide how much and who pays. And so, you know, it's hard to move a plan forward. But anyway I just wanted to comment on that. Mr. Victorino? I think I can see you're dying to say something.

VICE-CHAIR VICTORINO: No. No. I wanted to first of all say that my colleagues have added a number of dimensions that, like Mr. Taylor said earlier, wasn't on the table a month ago.

CHAIR BAISA: Yeah.

VICE-CHAIR VICTORINO: Two weeks ago.

CHAIR BAISA: Yes.

VICE-CHAIR VICTORINO: So let me start by saying I've already spoken with the Deputy of the State Water Commission. And let's put it this way, everything that has been completed to this point, his basic answer to me is, Mike, just throw it out the window, because you're starting over again.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

CHAIR BAISA: Wow.

VICE-CHAIR VICTORINO: And that's what it's gonna end up. It's gonna be a start over again. Even the reports saying put this much water back in the streams because of the change in HC&S' approach and what type of ag they will be doing, whatever it may be, the State...CWRM is gonna change everything. They're gonna start all over again. And I think Mr. Taylor knows that that's what's coming down. That's really the end result of this decision of HC&S closing. They'll use parts of what they have but they'll be changing a lot of it because this is an opportunity to really look forward, our future, when it comes to water. I disagree with Mr. Taylor and I agree with Mr. Carroll that we still need wells. Because wells are consistent. They don't dry up. They don't have dry periods like surface water. However, considering how much water comes into the central plain from East Maui, the probability of a drought without sugar cane, slim to none and none has the lead. Okay. So I'm okay with that. I understand what Mr. Taylor saying that's the lo- hanging fruit, it's cheaper to do.

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: It's more inexpensive and less costly. All of that I got it. And I'm all for that. I still, you know, I still have and will continue to push forward that idea of interconnecting our systems. So during the wet seasons, we can pump water down or let water, gravity flow down. We can treat from Kamole and send it down. So the aquifers in Central Maui could rest or be, you know, recharged at a lower...at a quicker pace. I think Mr. Taylor has agreed that is a good idea. But these dynamics all are predicated on the State Water Commission and their ruling. We can sit here and talk, discuss and that's why, I feel sorry because this plan was ready to come out in its conceptual stage --

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: --as you saw today.

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: But it's all changed. It's all changed. I mean in the sense of what water may be available. Right, Mr. Taylor?

MR. TAYLOR: Yeah. If I could comment on that.

VICE-CHAIR VICTORINO: Okay.

MR. TAYLOR: I --

VICE-CHAIR VICTORINO: Go ahead.

MR. TAYLOR: --agree with almost, you know, almost everything Mr. Victorino said. I'm not gonna debate on the little tiny things I don't.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

VICE-CHAIR VICTORINO: Yeah.

MR. TAYLOR: But he's right about the issues in front of the Commission. If you look at the findings of fact and conclusions of law from the Hearing's Officer and you look at what the Commission is tasked to do under State water law. They took evidence from us and from HC&S and from all kinds of stream users. And the Hearing's Officer had to compare that evidence to State law with priorities and the State Water Code and the Constitution. And if you look at the evidence by HC&S it is sugar centric.

VICE-CHAIR VICTORINO: Right.

MR. TAYLOR: Sugar uses X amounts of gallons per acre. Sugar generates Y amount of jobs. Sugar contributes this to the economy, et cetera, et cetera. So that body of evidence that was in this case, was about growing 36,000 acres of sugar. It was not...there was no evidence about growing 36,000 acres of something else. So there was this determination made about this 18 million gallons the Hearing's Officer recommended returning to the streams, was based on comparing our use, sugars use, other uses, and the stream. Now there's gonna have to be a new determination sometime about whatever the new A&B-HC&S plan is versus these other uses. Which whatever it is won't be sugar. It will have a different amount of water use. A different economic impact, et cetera, et cetera. So I think we're all in agreement that there's going to have to be a new evidentiary proceeding of some sort, before a final decision is made. The big questions are going to be, what is going to happen in the interim before that's worked out? It...does the water stay in the ditch till then? Does it go back in the stream? Those are some of the unknowns. But this isn't going to be wrapped up by the end of the year. And so --

VICE-CHAIR VICTORINO: No

CHAIR BAISA: I'm sure.

MR. TAYLOR: --I think one thing everyone should be ready for is, as Eva promised, we will do our best to get this draft in the timeframe she talked about. But we're going to have to finish a Water Use and Development Plan without having great detail --

CHAIR BAISA: Right.

MR. TAYLOR: --of what's happening to that orange piece.

CHAIR BAISA: Yes.

MR. TAYLOR: And unlike the Waiahole on Oahu, that's a very small piece compared to the Board of Water Supply...

VICE-CHAIR VICTORINO: Total usage.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MR. TAYLOR: It would be...the Waiahole was a small piece of the pie. Here we have the uncertainty with the single biggest piece of the pie. And that is what makes this so challenging. And we recognize, you know, Mr. Guzman's concerns that he expressed last time, that, you know, the public needs a plan. And we agree and we will try to get something. I just hope the public will understand, we want to get a plan that's useful. And getting a plan out that's outdated while it's coming out of the printer, is probably confusing things more. And that's a struggle we've had. If you look at the Lanai Water Use and Development Plan, within a year, I think, of the Commission adopting that the ownership of the island changed. And all of a sudden the desalination plant was the new plan.

CHAIR BAISA: Right.

MR. TAYLOR: The word desalination plant is not in the Lanai Water Use and Development Plan.

CHAIR BAISA: Yeah.

MR. TAYLOR: And so all of a sudden, the entire plan really changed. And now, based on the Lanai Planning Commission not supporting a, you know, a 30-year Special Use Permit for that, well now it's gone again. I...these plans take at least a few years to put together. And the data changes overnight. And I think that's the struggle we have, is how to get something complete, that gets all this public input, when the facts on the ground are changing faster than we can write. So, I don't have any great solution. We're gonna get something on the timeline Eva talked about. It is going to have a lot of what ifs. And it's not going to be, you know, X, Y, Z, and year one, two, three. It's just not going to be able to have that.

VICE-CHAIR VICTORINO: Well, you got a moving target. More in the...I guess that's the term you would have to be using now. It's a moving target because until finalization, and this may take years to finalize, and then they will be contesting the final or drafts.

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: And we know that will take years. So, you know, some of us may be long gone before all of this is finally settled. And Waiahole, as many years as that's been contested, has gone back and forth. Because every time a decision has been made, the other side challenges. And it's been an ongoing litigation, for what, 15 years? Twenty years? So that, you know, so using Waiahole is really not a good place to start. Because it is being contested by both sides each time the decision was made one way or the other, it went right back to court because the other side intervened and challenged the decision. So that being said, Madam Chair, you know, what I will say for to the public, we have a grand opportunity. We are...I'm hopeful that HC&S or EMI or A&B, which all of the above are, would look upon, first of all, giving us enough water, like we were promised years ago according to the agreement made, to a fully used Kamole. So that we can produce 9-million-plus gallons, I think that's the capacity if I'm not mistaken. And you can correct me if I'm wrong, Mr. Taylor, for



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

Upcountry. We get 9 million gallons consistently out of that system because HC&S not going be taking the water out. You can pretty much start working on all that water meter lists like now, today. But I mean you gotta make sure we get it first. Secondly, having our wells, both Hamakuapoko and Pookela are the two main wells, Kaupakalua and couple other small ones in Kula, helps us to make sure we have some diversification in that area. The other area we had been working on for a lot of years was Piiholo and also the idea of the dual line. But yesterday or the day before yesterday when Mr. White and I were at the Senate hearing when the Mayor...Senate and House joint hearing, where the mayors came and made their presentation. This fact was brought up, that most of the farmers now that do leafy vegetation, or any type of vegetation, for which water has to be dispersed on. Number one, all their workers can no longer use ditch water to wash hands. It's got to be potable water. All the plants and the irrigation has to be potable water. All based upon the new EPA food safety and FDA new food safety requirements. So that dual line that we had worked on and been talking about --

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: --almost becomes null and void. I mean it can be used for other areas but where it's been set up to go and to help us, really is not going to help us. And that, if I'm correct, was a diversion of untreated water, right? Through the system to feed our farmers and the need for irrigation with our farmers. Is that correct, Mr. Taylor? It wasn't treated water, it was untreated water.

MR. TAYLOR: The plan for that was untreated water. One thing, I haven't had a chance to read that FDA ruling. I've asked some people who know about it. And when I heard people start saying leafy vegetables have to be grown with potable water, something didn't sound right. Because I mean you think about the Central California Valley, there's no way that could all be replaced with potable water. And so my understanding is something that it's either potable or you have to do more testing.

COUNCILMEMBER CRIVELLO: It's washed in potable . . . *(inaudible)* . . .

MR. TAYLOR: But this opinion that's going around that somehow all leafy vegetables in the United States can only be grown with potable water, I have it on pretty good authority that that's not correct. And it's not remotely possible.

VICE-CHAIR VICTORINO: No, I have to disagree --

MR. TAYLOR: But --

VICE-CHAIR VICTORINO: --with you.

MR. TAYLOR: --I'm not sure --

VICE-CHAIR VICTORINO: But we're not going to...

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MR. TAYLOR: --exactly what it says.

VICE-CHAIR VICTORINO: I don't want to get into a --

COUNCILMEMBER CRIVELLO: Chair?

CHAIR BAISA: That's...

VICE-CHAIR VICTORINO: --debate because...

COUNCILMEMBER CRIVELLO: Chair? Can I just...

CHAIR BAISA: Ms. Crivello is trying to offer some information.

COUNCILMEMBER CRIVELLO: Yeah.

CHAIR BAISA: Go ahead.

COUNCILMEMBER CRIVELLO: Okay. Just because there's been lot of discussion about --

CHAIR BAISA: Yes.

COUNCILMEMBER CRIVELLO: --the food safety and what we're trying to address on the island. It's not the irrigation of using potable, it's the washing.

CHAIR BAISA: Yes.

COUNCILMEMBER CRIVELLO: It's...that's the thing about using potable water. Not necessarily the irrigation.

CHAIR BAISA: And even at the ag park they have to wash all the leafy vegetables --

COUNCILMEMBER CRIVELLO: Right.

CHAIR BAISA: --in potable water, even though they have non-potable water --

COUNCILMEMBER CRIVELLO: Yeah.

CHAIR BAISA: --that they're growing with.

COUNCILMEMBER CRIVELLO: Cause you can't --

CHAIR BAISA: I know that.

COUNCILMEMBER CRIVELLO: --market it.

CHAIR BAISA: Yes.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

VICE-CHAIR VICTORINO: So, you know, and so thank you for that correction. You know, at the meeting, and Mr. White was there, that was the indication they had given us as far as food safety was concerned. Again, this was coming from a couple of Senators in Oahu. You know, and they're concerned how that affects agriculture here on Maui and Maui County. You know, they're keenly aware of what we're going through so they're very anxious --

CHAIR BAISA: Of course.

VICE-CHAIR VICTORINO: --to help us in any way they can. And so they...but they don't want to throw money against...into something that may not be feasible and not workable for us. But anyhow and finally I'll say this, with all of these dynamics changing consistently now and with...we have to see what HC&S plan comes up or --

CHAIR BAISA: Right.

VICE-CHAIR VICTORINO: --A&B's plan by diversified ag. Cattle, I had people already coming in from all the different sectors telling me about what they need for cattle and about the grass, the shade, and all these other issues that gonna be...if we go into ranching in the central area. And all the other crops that there, you know, had mentioned like avocado and mangos, and other, you know, is industrial hemp, another possibility. You know, you and I have been to a number of these conferences and we like the idea of industrial hemp. You know, that's another strong possibility. But all that being said and done, if that was all to start today, which we're not, is not happening, we're not going to have any productivity. Avocado takes five-plus years to get any productivity. Mangos are not much quicker. And other crops are not like tomorrow. Now hemp can and has been proven in Oahu to grow more expensive...more quickly. However, even that takes, you know, how much can we grow and how much can we use? And are we equipped to start putting that hemp into building material and other. So there's all these dynamics that are out there. So I want the public to understand that. I know the Mayor and we've talked and others that are, you know, we're looking at many, many options. And many of us in this room have talked and looked at options with the public. They've gotta be patient because we gotta figure out which is the best approach. You know, and if you look at all the other islands when they shut down their plantations, they went hog wild crazy in different areas to try and keep these people working and trying to put other agricultural crops in these areas and most of them failed miserably. And that's something I will have to agree with the Mayor. It did fail. Maybe we can learn from that so that we don't fail miserably and do it the right way. And hopefully the public can be a part of this, like you said, Eva, that, you know, we need to get the public's input. But there is a lot to be done. And there's a lot of work. And I'll finally say this, Madam Chair, I agree with you. We better start putting our money where our mouth is or it's never gonna work. Unless we put our money where our mouth is to put in the infrastructure, to put in the pumping system, to put in all the other issues that we seem to always kinda push off to the wayside. And public, there is no free lunch. You're gonna have to pay for it. So if you want water, you're gonna have to pay for it.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

And we have some of the cheapest rates in the entire nation right here, in Maui County. So we're gonna have to look at all of these dynamics. Yeah, maybe it's not politically correct but again, facts have to be put on the table and everybody has to understand. These are the things that we need to start working for. Six years as Chair, now a year and a half with you, Madam Chair, as deputy. I...two years under Michelle Anderson as the Vice-Chair. These challenges haven't changed since I was on the Board of Water Supply in 2002. And if anything else, it's only gotten worse. But with what's happening around us right now, there's a big light at the end of the tunnel. I see that big light. Let's give them time to get their plan together. Let's help them and let's put our money where our mouth is. And let's start putting the infrastructure so that we can provide water to all the people in Maui County that want to live, work, and raise their families here. Thank you, Madam Chair.

CHAIR BAISA: Thank you very much, Mr. Victorino. I'm gonna give Chair White an opportunity and I'm gonna get to Mr. Guzman because I really appreciate you being here. So I'll let the Members, the voting Member go ahead. Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. Looking the slide, this slide. I'm wondering how it comports with the private wells on that pie chart.

CHAIR BAISA: We learned something. Next time we'll try and number these pages.

COUNCILMEMBER WHITE: Yeah.

CHAIR BAISA: It makes it a little easier but that's okay. We'll do the best --

COUNCILMEMBER WHITE: Yeah.

CHAIR BAISA: --we can.

COUNCILMEMBER WHITE: Yeah. That's the one. So on that one the bottom line on the lower chart is identified as private public systems. Is that the same as the private systems in the blue piece of pie on the earlier chart that you were just looking at?

MS. BLUMENSTEIN: This is projections...population-based projections, based on consumption...all existing consumption of the municipal and private systems. So that does not include ag, at all. That...it includes --

COUNCILMEMBER WHITE: No...

MS. BLUMENSTEIN: --ag for on the municipal system or on the private systems. But in terms on non-potable, really sugar is not included in that.

COUNCILMEMBER WHITE: Yeah. I'm just wondering, the pie chart on the...that showed the...that the private water systems actually were pumping significantly more than the Department of Water Supply in groundwater. It doesn't seem to be reflected here. Because the private systems were --

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MS. BLUMENSTEIN: Right.

COUNCILMEMBER WHITE: --larger than...

MS. BLUMENSTEIN: The large pumpage groundwater for ag is, that is HC&S pumpage from those two --

COUNCILMEMBER WHITE: Oh, okay.

MS. BLUMENSTEIN: --aquifers. So it's really just reflected --

COUNCILMEMBER WHITE: So it's not the...

MS. BLUMENSTEIN: --for ag use. Yeah.

COUNCILMEMBER WHITE: Okay.

MS. BLUMENSTEIN: Not included in the municipal.

COUNCILMEMBER WHITE: So it's not domestic then? Okay.

MS. BLUMENSTEIN: Or private systems.

COUNCILMEMBER WHITE: And then the other question I had was on the water allocation policies page. This one.

MS. BLUMENSTEIN: Sorry. Oh there.

COUNCILMEMBER WHITE: Yeah. The question there was on the two bullets or the two arrows or whatever you call them. Says Upcountry waiting list unplanned growth outside growth boundaries. Is that 7.4 million gallons what is projected to be added to the current usage?

MS. BLUMENSTEIN: That would be the total usage. If all the meters on the waiting list were installed. No in addition, I'm sorry.

COUNCILMEMBER WHITE: Okay. So...and --

MS. BLUMENSTEIN: From a...

COUNCILMEMBER WHITE: --my recollection is the current usage is around 8 million gallons so the...if you add all those that are on the water meter waiting list it would approximately double. And then the 1.65 for Maui Island Plan projected demand is on top of that. Would be on top of the...

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MS. BLUMENSTEIN: That would be on top if you did all the Upcountry metered list. Plus, of course, some of that is reflected within the growth boundaries. But as you can see almost all of them are outside.

COUNCILMEMBER WHITE: Right. Okay.

MR. TAYLOR: I'm not too sure that's on top of. The Maui Island Plan, independently of the water list said here's the population growth Upcountry that we expect. I think that 1.65 ties...just imagine if there was no water list and we just developed as per the Maui Island Plan. You could expect, you know, an addition of growth of 1.65 million gallons more to the 8. But if we look at the list on its own and got everybody who's on the list the water they wanted, that would be 7.4. So whether or not you should add them to each other or whether if everybody on the meter list gets their water, that would incorporate the Maui Island Plan. I mean, I don't really know but it's...it just shows the difference between what the Maui Island Plan population projections are versus the list. That's really what . . .(inaudible) . . .

COUNCILMEMBER WHITE: Okay. Thank you. Thank you, Chair.

CHAIR BAISA: Alright, Mr. White. Mr. Guzman? Thank you again.

COUNCILMEMBER GUZMAN: Thank you, Chair. I too would like to thank the Department for coming forward and presenting this plan in its theory. And at least for my...for me, it basically shows me that there's a lot more than just, you know, there's a lot more facets involved in the entire plan. And there's a lot of moving parts as my colleagues have mentioned. And I think the public should understand that yeah this is a plan that does take quite some time. I'm glad to hear about the, you know, the efforts that can be done by drafting it. Or at least having something presented by the end of this year. That's hopeful. One of my questions is is that in drafting the plan, do you go by sections? Is there a possibility to complete sections of the plan and then have that presented to the Council? Like for instance I see that the sectors are divided up here, Central, Hana, and it goes all the way down. Is...or are you gonna complete the entire plan and present it in its entirety?

MS. BLUMENSTEIN: Our strategy is to complete all the aquifer sectors. In theory, we could complete some individual ones. But they really are almost all interrelated because of transport from...of one resource into another hydrologic unit. So I think that's what the Commission would like to see. And that was one of the problems with the original plan that was passed by Council but rejected by the Commission. That it really just addressed a portion. So in theory we could do that but I think it makes sense to look at all the interactions between the hydrologic units at one point.

COUNCILMEMBER GUZMAN: Okay. Okay. And there's no way of...I guess there is...I mean in what you're saying is that you could phase it in phases like, not necessarily by sector but you can complete it in certain phases, correct? Or does it --

MS. BLUMENSTEIN: We could.

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

COUNCILMEMBER GUZMAN: --have to be done in...

MS. BLUMENSTEIN: Yeah. I think we have a lot of the data absent from what's going on with the contested cases and HC&S. We have a lot of the data, the demand projections to put a draft together tomorrow. But what we need more is really to refine vetting the resource options and strategies with the public. 'Cause that's the end result that you're looking at. That you're looking for, I assume. Also at the same time getting policy guidance from this body and other special groups. So that we have...so that both the public and this body gets some strategies or alternative scenarios to, kind of not pick apart but, look at and see what's the consequences. Do we go this route what are the consequences of that and what's the environmental cost. What's the cost to the other hydrologic units.

COUNCILMEMBER GUZMAN: Is there a possibility of producing an outline?

MS. BLUMENSTEIN: We do have an outline. Yeah. We have outline, we have pieces of it that is definitely possible to submit so you could just see where it's heading...

COUNCILMEMBER GUZMAN: Yeah, usually like when you start a plan you have an outline.

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER GUZMAN: So I mean that would be great if we could, you know, take a little, you know, look at it. Just to see that, you know, it's...

MS. BLUMENSTEIN: That'd be fine.

COUNCILMEMBER GUZMAN: Right. I mean at least we have something to say to our constituents that call and say --

MS. BLUMENSTEIN: Sure.

COUNCILMEMBER GUZMAN: --you know, what are you guys doing? You know?

CHAIR BAISA: Right.

COUNCILMEMBER GUZMAN: And we can look at it and say we'll look, they're working on a plan and it involves...and we can read it down. And it's just something that we could try to educate the public. And this is...these are the certain areas we're still studying and looking into. But without that piece of knowledge to convey to the...to our...to the public it's very --

MS. BLUMENSTEIN: Right.

COUNCILMEMBER GUZMAN: --difficult cause it's hard to repeat exactly what you're saying here based off of the, you know --

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

MS. BLUMENSTEIN: Of course.

COUNCILMEMBER GUZMAN: --the PowerPoint presentation. You know as a public servant or a Councilmember it's difficult to be on the phone and say oh well this graph says that it has...

MS. BLUMENSTEIN: Yeah. I like to point out to...

COUNCILMEMBER GUZMAN: But, you know, just realistically it does help us to communicate better to the community based off of what we learn.

MS. BLUMENSTEIN: Right.

COUNCILMEMBER GUZMAN: And what is presented to us, but that would be helpful, Chair. Thank you.

MS. BLUMENSTEIN: We have...if I may add?

CHAIR BAISA: Go ahead.

MS. BLUMENSTEIN: We did a few presentations to different bodies and groups over this last year, a couple in 2014 too. So those are available on the Department's website. And as we move through the public process I will definitely add the outline to that. But, you know, some of the minutes or notes for meetings are...some of it's already available under Water Department, Water Resources Planning, Water Use and Development Plan. So that'd be another place for the public to access data.

COUNCILMEMBER GUZMAN: The simpler the better. Outline, you know, points and that's, you know, very...something like we could grab and when we're on the phone we can talk about it, so. I mean that's...that sounds like you're spoon feeding us but I'm saying that it is helpful and it educates the public at the same time. Thank you.

CHAIR BAISA: You make a great point, Member Guzman. You know, we've had all these people complaining about, well where is that plan? And we want it and we want to know, you're not doing anything. We don't have a plan. We hear about it, but I was really happy that we were able to do this today. Because I think the public, as well as ourselves, understand how complicated this is. You know, the more I get into this Water Committee the more I realize how difficult the issues are. And you think you understand but then when you sit with the experts and you sit with the people that have the data and the statistics, you begin to realize how complicated it is. And there's so many things that we all don't know about. And I agree that if we're going to have a plan, it should be as useful as we can get. Otherwise what's the point? You know, you spend all the time, all the money, and you have a document that you can't use. So if we have to wait a little while to get some of these huge questions that are gonna affect this plan, then we just gotta wait. But in the meantime, we need to keep talking because there are policy issues that will eventually go in the plan that we can



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

decide. And those policy issues are issues like, what should we plan for? How are we gonna pay for it? Who's gonna pay? What is the timetable? How hard do we want to push? We can work on those issues. Although we might not know where...what's gonna happen, what HC&S is gonna plant or, you know, what CWRM is gonna do. But big policy issues that are our issues we can be working on so that when the plan is ready we're ready. And that's where I would like to take this. And, you know, I really want to commend the Department. You know, it's frustrating as the public to sit out and say nothing's happening. I can't see anything. There's no plan before us. But when you get into it and you listen carefully and you learn, you have a different perspective about how hard these things are. It's not easy to make these decisions. Also a lot of them are not in our control. You know, we have no control over what the Commission on Water Resource Management is gonna do. We also have to deal with public trust issues and legal issues. And we all know what happens when we go to court. We can be in court for years and years and years, to get any kind of decision. So what I want to do is I want to keep this on the radar screen. I will keep checking back with the Staff and the Department to make sure that, you know, things are happening. I work very closely and well with them. I really appreciate the Water Department staff. I've gotten to know them so much better over the last year and a half. And, you know, even though people complain about the Water Department, I'm really sorry but it has a huge, huge responsibility and does the best they can with not a whole lot of money. And I've gained a whole lot of respect for the work that they do. After all, guys, without water nothing's gonna happen.

VICE-CHAIR VICTORINO: Right.

CHAIR BAISA: So we are very dependent on their dedication and them doing what they do.  
Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And yes, and thank you for your diligence in this and making sure it's at the forefront of everybody's mind. And the Department for pursuing this. So, for me, I mean if we just take a look at the title water use and development, and were going through our Maui Island Plan and what have you, we...you have it all slated down where our urban areas are. What the potential use is with the build out and all that. So set aside the contested cases and the use...where...why...we know the water's here. And where...we...we're not approving things too much, that don't have an access of some sort of water somewhere at sometime. You know, with build out and everything in the future. So I think this plan can be drawn out.

CHAIR BAISA: Yes.

COUNCILMEMBER COCHRAN: And put out there, especially for West Maui. We don't...there's no contested case, you know, holding anything up over there. So I mean as Mr. Guzman mentioned phases. Yeah. West Maui can definitely be put out there and signed, sealed, and delivered. Probably Hana also. Or the other...you know, not the east, the...well per, I guess not East Maui but South Maui perhaps. So anyways there's portions I think that can be and, you know, that's how I look at it,

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

Chair, where some of those floating factors that are, you know, undetermined right now. This can move forward. And I think just...we do...we, you know, there's a project in Lahaina that's moving forward but it has no water. It's still moving forward. There's a plan in place to build it out. So just as this plan can still continue on. And, you know, I want to thank Chair White for allowing me to go to Oahu for a day to go to the Hawaiian School of Law and it was all about...and I...and there was a whole eight hours and one portion was all about water. And I got to see Director Pearson there. And got to pick his brain, not much but, you know. And it was interesting but, you know, they...the whole entire water section, and I have eight pages of it, which does pull in the Waiahole Ditch case, Water Commission, Water Code, everyone really looks to that particular case for, you know, precedent setting and things of that nature. So I just want to thank Chair for letting me go there and then understanding that scope and narrowing it down to us as a municipality and our water issues and how we, you know, our, what our management and kuleana is for the water. And I believe you folks...we are doing a good job. And let me tell you, Council, we are prized, we are looked at as shining examples, especially in our watershed management protection. Because we all know, you know, that water is life. So I just want to say, you know, to all of us collectively as you say, you work in collaboration with Department. So thank you for your efforts alongside and bringing that to us to make our decisions in an educated manner.

CHAIR BAISA: Thank you very much, Ms. Cochran. You know, I would strongly encourage any of the Members to attend that one-day seminar. I had the opportunity to go a couple years ago. And I was painfully ignorant about some of the native Hawaiian issues. Because, you know, I grew up in the era when Hawaiian issues were not discussed. We didn't know Hawaiian history. We were, you know, prohibited in doing a lot of things. And we didn't really learn a whole lot about native Hawaiian rights and issues. And I really appreciated being there for the whole day. And listening to the law and the experts and all the Hawaiian lawyers that come, and that happens once a year. It's free and it's just getting to Oahu to attend but it's a day well spent to understand. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. Yes, I agree with both you and Councilmember Cochran. The value of attending that eight-hour, all-day seminar on the water or actually Hawaiian law.

CHAIR BAISA: Right.

COUNCILMEMBER CRIVELLO: You know, really when you come down to it. But I would also like to express thanks for bringing this forward. You know, earlier we heard it took...they were working on it for the last three years, on the plan. But I guess with your leadership it comes forward so I appreciate that. I thank the Department for bringing to light, especially your chart on Department of Water Supply, as far as the kuleana of your...our Department's water and availability of untapped groundwater and the surface water. So in this plan and, you know, I think it's...be interesting to have for us, at least anyway for me, water resource development actual where you're going to have to expend, you know, infrastructure or the development of water

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

resources. And I know we're waiting for Molokai CPAC or community plan to come in full circle. However I believe too that that's where community wants to know also--at least I know for my community--where will we develop the...where will we find the water resources? What's the salinity rate or...of our existing resources and I think that the interesting factor that comes up here when we talk about public trust and the integrated water plans that you folks put together, how it involves DHHL and its priority. And all the other rights for public trust. And recognizing that but I'd sure like to know what involves the Department for the integration, you know, what kind of involvement that comes out of it. But this is a good start. You know, Chair keeps saying that she's just been on this just a short bit. But quite a bit has come before us. And I appreciate it, thank you.

CHAIR BAISA: Thank you very much, Ms. Crivello. Along the lines of involving the public trust folks, I had the opportunity to attend the stakeholders meeting last night. And its people that are very...you would recognize all of their names as people that are very involved in the water and water development in Maui County. And the people from DHHL were there, along with their attorney, and so it's important because they're a big piece of it. We have to keep that in mind when we talk about planning. Because we have to recognize that obligation and those rights and that law when we make decisions. So I was very happy to see them at the table and very actively being a part of it. Also there were folks from Aha Moku. So, you know, well represented the native Hawaiian rights, as well as everybody else. So it's a well-rounded group and I'm really excited when we get to the public meetings again, what we're gonna hear and see. But I feel...I wanna thank the Department, I know they were under a lot of stress to try to get stuff to us today. And it's hard to present a plan when you don't have all the information that, you know, we all want to know well what gonna happen. Well they don't know so they can't tell us. So they're doing the best they can. But I want to thank them for, you know, yeoman's efforts, you did a great job. And I think we have as much information as is available. But we're gonna stay on this. We're going to not close this off today. We're gonna...I'm gonna ask you to defer --

VICE-CHAIR VICTORINO: Madam Chair?

CHAIR BAISA: --because I think we want to keep acting on this. We want to keep looking into it. I also want to let you know that I have cancelled our regular February 3<sup>rd</sup> meeting because AWWA will have, holding its conference in, on Oahu. So our next meeting of this Committee will be on February 17<sup>th</sup>. I particularly want you and the public to know that. So that's the reason why we won't be meeting on the third because we, we'll be in conflict with AWWA, which is the American Water Works Association. And that's very important, they're our national people. You know, this problem is not...that we have is not unique to Maui County. We have national water problems. As we've been reading the papers we've been seeing how bad it is in some states. And thank God that we're not there. We have problems but they have worse problems than what we have. And we don't want them here. So it's good to be a part of what's happening nationally. So any more questions or comments? Mr. Victorino?

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

VICE-CHAIR VICTORINO: Thank you, Madam Chair. And just one quick correction, it's the HWWA.

CHAIR BAISA: Oh.

VICE-CHAIR VICTORINO: It's the Hawaii Association of Water.

CHAIR BAISA: I'm sorry.

VICE-CHAIR VICTORINO: Yeah.

CHAIR BAISA: I can't keep track of all --

VICE-CHAIR VICTORINO: Yeah.

CHAIR BAISA: --of these AWWs...

VICE-CHAIR VICTORINO: Yeah. No, no, no, no, no. Just so that, you know, the...you and the public are clear --

CHAIR BAISA: Okay.

VICE-CHAIR VICTORINO: --that that is the Hawaii section --

CHAIR BAISA: Correct.

VICE-CHAIR VICTORINO: -- is getting together. The American Water Works Association actually it is in Chicago in June. So --

MR. TAYLOR: Actually --

VICE-CHAIR VICTORINO: --I will...

MR. TAYLOR: --if I may correct the correction of...it is the Hawaii Chapter of the American Water Works Association.

VICE-CHAIR VICTORINO: I thought we was one section?

MR. TAYLOR: No it's the Hawaii --

VICE-CHAIR VICTORINO: Oh okay.

MR. TAYLOR: --Chapter of the American--

CHAIR BAISA: So we are under AWWA.

MR. TAYLOR: --Water Works. The Hawaii Water Works Association --

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

VICE-CHAIR VICTORINO: Yes.

MR. TAYLOR: --conference will be in November.

VICE-CHAIR VICTORINO: In November? Okay.

MR. TAYLOR: This is...yes.

CHAIR BAISA: A rose by...

VICE-CHAIR VICTORINO: Thank you for correcting the correction to the correction. Thank you.

CHAIR BAISA: A rose by any other name, we are going to be talking about water.

VICE-CHAIR VICTORINO: Yeah. Water is the only issue there. Well actually no, because we also have the wastewater people, that group is also inclusive of this.

CHAIR BAISA: Yes.

VICE-CHAIR VICTORINO: We combined the conferences about what? Three years ago?

MR. TAYLOR: That's right. So it's actually...it used to be the Hawaii Chapter of AWWA. And there used to be a separate --

CHAIR BAISA: Okay. Enough already.

MR. TAYLOR: --HWA. Now they're combined and it's called something else.

VICE-CHAIR VICTORINO: I didn't mean to get started but oh boy I should never get started right?

CHAIR BAISA: Okay.

VICE-CHAIR VICTORINO: Anyhow, Madam Chair, in closing I'll say that thank you very much again for bringing forward. You know, in the six years as Chair, you know, I had to bring in other issues like Hamakuapoko Wells and other issues that had to be taken care of. And now we can move into the areas that really are applicable to where we need to go. And again, the dynamics have changed drastically from last, you know, two weeks ago, till today. And will continue to evolve. I think the public has to understand and I'm gonna close it in this manner. We can do a lot of things that we want to do, we can do what they want us to do, but it takes money. And I think Mr. Taylor has done a yeoman's job trying to present that to the public and to us through the years. And I think that's something that we need to connect. All the other issues and...are there and we can deal with them, once we can take care of the issue of how do we get the water from A to B, C, D, E, and like you said, X, Y, Z. That

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

and also this chart here, and I want people to look at this chart to see that this is what we anticipate or we have available for usage in this County. Or in Maui Island I should say. Right now, HC&S basically uses 200-plus million gallons a day, alone. Upon their shut down, that brings a lot of water back into the picture for the streams of East Maui, for Central, Upcountry, all of this now becomes a part of it. So...but look at the untapped portion, which is about 35-40 percent untapped. Not used, not being utilized in any way, shape, or form. Which is really groundwater, which is what Mr. Taylor has said many times, it's very expensive to get to access. Because of pumpage, drilling, and then pumping it up. But it's there in the future. It's there to be used if needed. But we have enough available that Maui County can be in great shape for centuries to come. And I say centuries to come. It's just getting the infrastructure completed. And I think Mr. Taylor and the Department has done very well in explaining that to us. The challenge has been, are we willing to put the money there. So thank you, Mr. Taylor, thank you, Chair, for all your work. I think we're on a good path. Thank my colleagues because they bring in good information and good, you know...and I...one more correction. One more correction. I think, Ms. Cochran, you mentioned something about South Maui and making a plan. Really can't do...touch South Maui because 90 percent of all the water that gets to South Maui is from Central Maui. And so that becomes real difficult because even though you want to say we have contested cases right here, basically on the Iao and the four waters of the Central plane. So really hard to make something for South Maui because it's dependant on what happens here in Central Maui. And so yes West Maui, kind of separated, you got that mountain. You know, it's easy. Molokai, Lanai, separated. But the rest of the County is kinda interconnected. East Maui, Mr. Carroll's area flows water to Mr. Guzman's area, to my area, to all the areas. So it's all intertwined. So we gotta work, but the good news is we don't have to share with any other state or any other county but Maui County. So we can deal with with our own way. Thank you, Madam Chair.

CHAIR BAISA: Thank you, Mr. Victorino. I would like to thank the Members of my Committee for all of your hard work and I'd like to thank Mr. Guzman for joining us today. I'd just like the public to understand. I don't think they understand this voting non-voting Members. We are all Members of every committee that we have here in the Council. It's just that some committees are nine-member committees and some are seven-member committees. Which means that other Members are welcome to join, they're Members, but they cannot vote. And so we are...many times we use that time to prepare for other meetings or meet with constituents or we may watch at home or watch on the TV or whatever. Sometimes when we can we come and sit and participate and we're always welcome. We always welcome non-voting Members who make the effort. And, you know, Mr. Guzman is in charge of our agriculture efforts. And so he's gonna be a big player in this whole water thing. And I think it's really important that we try to learn as much as we can. One of the things I took away from the stakeholders meeting last night was a suggestion and a very bold statement by one of the native Hawaiian members who was there. And he says we really have a need for education. We have to educate the community so we understand all of the issues and conservation, and the rights, and all of these things that play into water decisions. And I agree. And so we've been trying very hard in this Committee this year to present

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

a lot of educational pieces. And while they're not...might not be as exciting as when we're here debating whether to charge ten cents more or not, they are every important because they help us to make the decision when it comes. And if I take away anything from this presentation today, I'll repeat what Mr. Victorino said, we can solve all these problems, it takes money. So again, thank you very much to my Committee, my Staff. Ms. Cochran, you want to --

COUNCILMEMBER COCHRAN: Yeah.

CHAIR BAISA: --say something? Go ahead.

COUNCILMEMBER COCHRAN: No, real quickly. Just to add on to your Committee and the voting non-voting thing. But we all vote on these items once they come outta committee --

CHAIR BAISA: Correct.

COUNCILMEMBER COCHRAN: --into full Council.

CHAIR BAISA: Correct.

COUNCILMEMBER COCHRAN: So then that's where the non-voter in the Committee gets to now fully vote and that's at full Council days which usually lands on a Friday. So just to finish off your...

CHAIR BAISA: And thank you very much because I think it's important while we're educating the public. You know, they may wonder sometimes when they don't see the Members here. And say oh they're not there. But they don't understand they may not be a Member of the Committee, a voting Member. And so they are doing other things. But I think it's important that the public understand how we operate. So I think that's it. I'd like to thank the Staff who worked very hard. And particularly the Water Department, thank you very much. And thank Administration for providing us with legal counsel. Thank God we didn't need her today. But we probably will soon. So without further items on the agenda, the Chair without objections, I'd like to defer the matter.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: DC and MW)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

---

CHAIR BAISA: So ordered, and the meeting is adjourned. . . .(gavel). . .

**ADJOURN:** 11:33 a.m.

APPROVED:



GLADYS C. BAISA, CHAIR  
Water Resources Committee

wr:min: 160127

Transcribed by: Tiare del Castillo



**WATER RESOURCES COMMITTEE**  
Council of the County of Maui

**January 27, 2016**

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CERTIFICATE

I, Tiare del Castillo, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 16<sup>TH</sup> day of February, in Pukalani, Hawaii

A handwritten signature in black ink, appearing to read 'Tiare del Castillo', written over a horizontal line.

Tiare del Castillo