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MAUI COUNTY
WATER USE AND DEVELOPMENT PLAN UPDATE
REGIONAL PLANS
LAHAINA
BOARD OF WATER SUPPLY
PUBLIC HEARING
DECEMBER 3, 2018, 5:01 P.M.
MAUI COUNTY DEPARTMENT OF WATER SUPPLY

Kaunoa Senior Center
788 Pauoa Street, Lahaina, Hawaii 96761

BEFORE: SANDRA J. GRAN, CSR NO. 424
Registered Professional Reporter

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WATER BOARD:

- Anders Lyons, Chair
- Shay Chan Hodges, Vice Chair
- Joseph Aquino, Member
- R. Raymond Cabebe, Member
- Dean Frampton, Member
- Norman Franco, Member
- Zoltan Milaskey, Member
- Michael Nakashima, Member

STAFF:

- Gladys Baisa, Director, Department of Water Supply
- Eva Blumenstein, Water Resource & Planning Program
Manager
- Alexander Deroode, Water Resource & Planning Program
- Jennifer M.P.E. Oana, Deputy Corporation Counsel
- Gaye Hayashida, Commission Support Clerk

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P R O C E E D I N G S :

CHAIR LYONS: (Gavel.) Bring this Board of Water Supply public hearing for the Water Use and Development Plan, Lahaina aquifer sector to order. Members of the Public, this is your water board. We are a volunteer group. And I just wanted to have the staff and then the board introduce themselves to you.

Gladys, would you like to start? I'm not going to bring this over there.

DIRECTOR BAISA: Okay. I think I can yell loud enough with the voice that's left.

I'm Gladys Baisa and I'm the current director of the water department. And I live Upcountry, so I have long experience with water issues.

MS. OANA: I'm Jennifer Oana, deputy corporation counsel for the County of Maui.

MEMBER AQUINO: I'm Joseph Aquino from Lahaina.

MEMBER FRAMPTON: Dean Frampton from Pukalani.

MEMBER MILASKEY: Zolton Milaskey from Kahana.

MEMBER HODGES: Shay Chan Hodges, Haiku.

CHAIR LYONS: Anders Lyons, board chair, from Makawao.

MEMBER CABEBE: Raymond Cabebe, Kihei.

MEMBER NAKASHIMA: Mike Nakashima from Wailuku.

MEMBER FRANCO: Norm Franco from Kahului.

1 CHAIR LYONS: Thank you, Board Members.

2 So, Members of the Public, welcome. This is a Board
3 of Water Supply public hearing to take testimony on the draft
4 Maui Water Use and Development Plan, also known as the WUDP.
5 Your water supply board is comprised of nine Maui residents
6 who have volunteered to serve on this board. Our primary
7 mission is to provide the water supply staff with feedback and
8 advice on various aspects of the collection, storage, and
9 distribution of water. We are advisory only and do not
10 directly control the Department of Water Supply.

11 Today we're here to take your testimony on the Water
12 Use and Development Plan. While you may provide testimony on
13 any section of the plan, we are primarily here tonight to
14 receive feedback on the Lahaina aquifer sector. This is not a
15 question-and-answer session. You are expected to have
16 familiarized yourself with the plan in advance of this meeting
17 and all testimony should be directly related to the
18 development of this plan.

19 The WUDP has been under development for over 2
20 years. Staff have conducted surveys and managed numerous
21 public and stakeholder meetings to arrive at the draft plan
22 you have before you today. Staff have presented the current
23 plan in over a dozen public venues including numerous
24 presentations at Board of Water Supply meetings. Many of
25 these meetings were recorded by Akaku Community Television and

1 are available online.

2 Finally, the board is here to listen and compile
3 your testimony. The testimony from the five public hearings
4 we are conducting throughout Maui will be discussed by the
5 board at our December 13th meeting which will be held in the
6 mayor's conference room at 1:30 p.m. The meeting is open to
7 the public. We will provide our final comments to the
8 department at our January meeting, which will be on January
9 17th, 2019.

10 But the process does not end there. Once staff have
11 incorporated public and board comments into the plan, it gets
12 sent to the Maui County Council for the review. The council
13 has the final review of this document. Look to the department
14 and council websites in early 2019 for the council's proposed
15 review dates.

16 Today we will begin with a brief staff overview of
17 the Lahaina aquifer sector. Following this overview, we will
18 begin with public testimony. Again, please keep your
19 testimony directed specifically to what is contained in the
20 plan. You will have 3 minutes to provide your testimony and,
21 if you need it, an additional minute to conclude. Should you
22 require more time, please consider drafting written testimony
23 and sending it to the Board of Water Supply care of the
24 Department of Water Supply.

25 I thank you in advance for your feedback on this

1 plan.

2 Staff.

3 MS. BLUMENSTEIN: Aloha. I'm Eva Blumenstein,
4 Department of Water Supply. And so I will give a brief
5 overview of just some highlights of the Lahaina aquifer
6 sector. I have a handout of the PowerPoint here today and
7 there's also an executive summary which is also just a brief
8 summary of all the six subchapters of the plan. So I will
9 review the purpose of the plan and the public process up to
10 date, the key issues for Lahaina, the regional water resources
11 predicted growth and water demand, the highlights of some of
12 the strategies, and the implementation.

13 So the purpose of the Water Use and Development Plan
14 is to guide and advise Maui County Council and the State
15 Commission on Water Resource Management in planning, managing,
16 developing, use, and allocating the island's water resources.
17 It's the long-range strategic water resource plan that should
18 inform the County Department of Water Supply as well as
19 private purveyors in capital improvement programs. So this
20 plan addresses water resources meaning aquifers, streams, not
21 individual well sites, tanks, waste treatment facilities.
22 That detail is going to be in the capital improvements
23 programs of the water department. So it applies to both to
24 Department of Water Supply, private purveyors, and other
25 county agencies. Water resources can be recycled water that

1 comes from the Department of Environmental Management or it
2 could be under a state agency as well.

3 It applies to all type of water, potable and
4 non-potable, and all users and uses, so agricultural,
5 irrigation. It should allocate water resources to land use by
6 identifying the water supply or conservation strategies for
7 planned growth that is established by the general plan, the
8 Maui Island Plan that was developed in 2012.

9 So as the chair mentioned, there's been a multi-year
10 public process up till now. We started actually late 2015, we
11 held about 20 public meetings in four regions of the island,
12 so there was three open public meetings and targeted
13 stakeholder meetings here in Lahaina as well. We did Saturday
14 public workshops and we did another 16 or so presentations and
15 things to different public bodies such as the board, the state
16 water commission, the council water resources committee, and
17 others. And where we're at now, this is the board's public
18 hearings, so after this the plan needs to go to county council
19 for adoption by ordinance and eventually to the state water
20 commission for approval. We anticipate that to be done during
21 2019.

22 So a lot of the issues and concerns, of course, were
23 addressed in the public process and I just highlighted some of
24 the key ones here for Lahaina. Restoration and protection of
25 streamflow to support Native Hawaiian traditional and

1 customary practices; streamflow measurement and development of
2 in-stream flow standards. In-stream flow standards being the
3 amount of water that needs to stay in the stream versus what
4 can be diverted out of stream.

5 Watershed protection and restoration is a key issue
6 of the plan, other -- we don't want to just focus on how to
7 allocate and develop new water supply, but also how do we
8 augment and protect what's there. That would be reducing
9 effects of runoff and sedimentation on streams and the near
10 shore environment while also maintaining access to lands for
11 gathering, hunting, and other Native Hawaiian traditional and
12 customary practices.

13 To improve understanding of the connection between
14 ground and surface water resources and the effects of water
15 use on available water resources long term. Improved
16 transparency and controls on water withdrawals.

17 Precautionary planning to reduce and adapt to the
18 effects on drought and climate change on water resource
19 availability and quality.

20 And adapt economic and population growth and the
21 built environment to regional, local water resource conditions
22 and doing that by integrating more water conservation and the
23 use of alternative water resources. So that would be --
24 conventional water resources is ground and surface water,
25 aquifers, streams. And alternative resources are stormwater

1 catchment, recycling, desal.

2 So the plan, by state water code it has to be based
3 on hydrologic units and for the Maui Island Plan, we divide up
4 the plan in aquifer sectors. So the Lahaina aquifer sector
5 you can see on the right, it's the -- it coincides -- I don't
6 know if you can see the text there. For Lahaina, the entire
7 aquifer sector coincides with the watershed, with the
8 community plan boundaries. The whole aquifer sector is then
9 divided into individual aquifers, so from Honokohau in the
10 north to Ukumehame in the south. There's six individual
11 aquifer systems in the sector.

12 Sustainable yield refers to the amount of
13 groundwater that can be withdrawn without negative impact to
14 the aquifer that is established by the state water commission.
15 And for Lahaina aquifer sector, that's 34 million gallons per
16 day. When you see mgd, that's millions gallons per day.

17 Pretty unique for Lahaina too is that there are
18 multiple water purveyors that serve both potable municipal
19 needs and non-potable. The map on the right there shows you
20 just the general location of the private purveyors. There's
21 Kapalua Water Company that serves the -- down to Napili area;
22 then the Maui County Department of Water Supply, we have one
23 subsystem that serves Honokowai and Napili; and in between
24 there in Kaanapali there is the Hawaii Water Service Company;
25 then Maui County serves Lahaina Town, a separate subsystem;

1 and south of that is the Launiupoko Water Company; and below
2 that is Olowalu Water Company.

3 There's some key issues also that pertain to
4 resources in Lahaina, so I summarize those here. There -- as
5 I said, sustainable yield is about 34 million gallons per day.
6 Very little of that has been extracted or used to date, so
7 about 18 percent of the total sustainable yield is pumped
8 currently.

9 Interim in-stream flow standards, that's the water
10 amount that needs to be -- that needs to stay in the stream
11 and not diverted out of stream needs. Those are the -- the
12 state water commission is underway to establish those for the
13 west side and you've probably heard about that. By now
14 they've -- working south to north, we are -- they are -- they
15 just finished Kanaha and Kahoma Streams.

16 Another concern for the area is looking at
17 predictions for climate change impacts, reduced rainfall,
18 diminishing streamflow. So that means that in droughts we're
19 looking at less streamflow, but also in wet season we look at
20 more variable of natural conditions and that could also be a
21 concern.

22 Another issue is that there is a need to dispose of
23 recycled water in Lahaina and, of course, that represents an
24 opportunity to use that for -- to offset potable demand, an
25 alternative resource.

1 Also specific for the region is that the end uses,
2 most of the use occurs in the coastal zone and in resort areas
3 and where you have population and that tends to be in the
4 really dry areas and not necessarily where the water resource
5 is. So it's generated in recharge areas or wet area, so, for
6 example, most of the surface water used for both county and
7 for non-potable needs is transported from ditches all the way
8 out from Honokohau Valley out to Ukumehame, Launiupoko, and
9 Olowalu areas.

10 I don't know how well you can see that map, but it's
11 an indication of location of municipal wells. The county's
12 are shown in red and the private ones in orange. It shows you
13 the ditch system, you can see starting up in the north of
14 Honokohau and going down south. And then shows you proposed
15 development projects in light green. Those are pretty light.

16 It's projected growth and demand. So if you're
17 looking at the graph, the far left of the table, 34 million
18 gallons per day, that's the sustainable yield that I
19 mentioned.

20 The next darker blue one, 40 million gallons per
21 day, that represents the median base flow for streams. That
22 just means the median flow that is generated by groundwater
23 only, so it doesn't include additional rainfall, freshets when
24 you have storms, that's additional flow. So during median
25 conditions, that's about 40 million gallons per day.

1 Then the next lighter yellow represents that same
2 base flow under drought conditions.

3 The yellow one to the right of that, 20 million
4 gallons per day, that's surface water that was diverted before
5 any in-stream flow standards were established for the west
6 side or before numerical in-stream flow standards were
7 established.

8 So if you add sustainable yield and median base flow
9 from the streams, the total 74 million gallons per day, that
10 represents total average yield. It doesn't mean that that
11 yield is all available in the location where you need it, but
12 about 74 million gallons per day is surface and groundwater
13 resources combined.

14 And the lighter blue one to the right of that
15 represents the same during drought conditions.

16 And the little blue 5 mgd there, that's the recycled
17 water produced in the region. Not all of that used is today,
18 but it could be expanded and used to offset potable needs.

19 And the red column on the far right is the selected
20 demand and demand represents both water use over the planning
21 period, which is the 20-year planning period, so it's
22 population growth over 20 years until 2035, and all other
23 water needs, so agricultural use, irrigation needs, potable
24 and non-potable.

25 So at the first glance you can see that there are

1 sufficient conventional water resources to meet predicted need
2 in the region. It doesn't tell you, though, whether -- what
3 resource should be used for what purpose, that kind of detail
4 is -- you go into the individual sectors and allocating
5 appropriate resources for the appropriate use. For example,
6 you don't want to use high level groundwater for non-potable
7 irrigation if you have a water of lesser quality available,
8 such as recycled water.

9 So there are multiple strategies outlined in the
10 plan and they are in the -- not in the executive summary, but
11 in the actual chapter, the last table 1938, summarizes the
12 recommended strategies and it indicates which planning
13 objectives it addresses. It shows -- it also includes
14 estimated costs where those apply. Those are lifecycle costs
15 per thousand gallons of water, that includes capital cost,
16 operation, maintenance, and inflation.

17 So here I'm just highlighting a few of the
18 strategies. The first ones here address resource management
19 and conservation. As I mentioned, we heard that resource
20 protection and restoration should have a prominent place in
21 the plan, so make sure that there are sustained financial
22 support for watershed management. Most of that work is
23 fencing and weed irradiation that's done currently in the high
24 mauka watershed by organizations such as the West Watershed
25 Partnership and -- excuse me, they changed names to Mana

1 Kahaloa Partnership and Pu'u Kukui.

2 Also supporting local initiatives that seek the
3 mauka to makai, traditional ahupua'a management such as the
4 which tree initiative on the west side is the role model for
5 that.

6 The conservation side, there's many conservation
7 measures that are supposed to apply island-wide, specifically
8 the west side concern was the efficiency of the old plantation
9 ditches and because those were developed primarily for
10 agricultural use, the recommendation is to have a
11 comprehensive study done of the ditches in the Agricultural
12 Water Use and Development Plan update which is done by
13 Department of Ag.

14 Conventional and alternative water sources: To meet
15 predicted demand and potable supply, primarily it's developing
16 basal or groundwater wells, maintaining a buffer to
17 sustainable yield.

18 Smart source development, which is discussed in
19 detail, but it generally refers to make sure that you -- that
20 you work collaboratively with all purveyors that need to
21 withdraw groundwater from an individual aquifer and base the
22 pump -- the scenarios how you would draw on models, scientific
23 studies, so you know that you're really optimizing your
24 pumpage. And most of that -- those withdrawals come from
25 Honolua and Launiupoko aquifers that are less developed with

1 more yield available rather than Honokowai aquifer that is
2 mostly developed today.

3 Another issue to address in-stream flow standards,
4 we expect that there will be less and less reliable surface
5 water available, so a shift to groundwater doesn't mean that
6 you abandon surface water for potable needs. That is the most
7 affordable resource there is and in wet season when it's
8 plentiful, then there's usually enough to go around for
9 everybody, but then you need to have basal groundwater backup
10 for reliable supply in droughts and dry season.

11 Support the capital improvement funding for the
12 recycled water projects on the west side, expanding that
13 infrastructure to offset potable needs.

14 There's also a stormwater opportunity, Kahoma Stream
15 Flood Control project, that's recommended to be funded.

16 Generally implementation, the time frame for
17 implementing the different strategies and the lead roles and
18 organizations that are tasked to deal with those, those are
19 identified in the plan. It is expected that over the 20-year
20 period they should be further defined as projects are scoped.

21 A coordinated approach is needed between all the
22 water purveyors, the land use planners, and visitor industry.
23 There is a lot of opportunities for west side for new
24 infrastructure to offset potable demand for the next 20 years.

25 The actual implementation timing depends, of course,

1 on level of funding -- Department of Water Supply projects
2 must be approved by council -- and the details of each
3 individual project design.

4 The Water Use and Development Plan, as I said early,
5 the purpose is guidance for allocating funding for the
6 different projects. It does not legally bind agencies and
7 organizations to implement.

8 And one of the sort of final conclusions for this
9 region is to really prioritize resource management and funding
10 of alternative sources such as recycled and stormwater should
11 not be delayed because we know that the shift from surface
12 water and looking at drought impacts on the region will have a
13 pretty severe impact.

14 All the documents, the executive summary, the
15 individual chapters are available online, mauiwater.org and
16 the specific URL for the Water Use and Development Plan is
17 there. Mahalo.

18 CHAIR LYONS: Okay. We will begin our testimony. I
19 would like to request that any testifiers come and stand at
20 this podium and speak into the mic so we can all hear you.
21 Please state your name and the part of the plan that you are
22 referring to in your testimony.

23 And if there is anyone out there who has not signed
24 up to testify, but would like to do so, please see
25 Ms. Hayashida here and she can get you put on the list.

1 So at this time I'd like to call up Pam Eaton.

2 MS. EATON: Hi. My name is Pam Eaton. My name is
3 Pam Eaton and I'm a division chief in the Long Range Planning
4 Division, County of Maui Planning Department. And I have some
5 familiarity with this, but what I wanted to do today is a
6 couple of things:

7 First of all, I want to thank Eva Blumenstein and
8 Pam Townsend and Alex Deroode who have done a yeomen's amount
9 of work. This has been a tremendous effort, I can appreciate
10 that probably as much as anyone, since I bailed. But
11 community plans are so much fun. So really, truly from the
12 bottom of my heart, the amount of work you guys did is
13 incredible. I went to a lot of their outreach meetings and
14 just about every single one in West Maui and you guys had some
15 really good people there, there was some very important
16 discussions. And I can tell you that for me and for my team,
17 the long range team, it's really helped us a lot with doing
18 West Maui Community Plan in terms of addressing water
19 infrastructure and water issues.

20 I also want to let the board know and I think a lot
21 of folks here probably already know through the community
22 planning effort, Eva and I worked very well and very closely
23 together, and so I want to assure everybody that these two
24 massive efforts are very well integrated. We did put out
25 about 2 weeks ago a technical resource paper. So seeing the

1 folks in the room and how interested you are in water, I hope
2 that you can go to our website, which is wearemaui.org. And,
3 again, I want to thank Eva and Wendy Tamamoto. These two are
4 just the brains behind the water department and they put
5 together a phenomenal paper with one of my staff on water
6 issues with regard specific to West Maui. And we're doing
7 these technical resource papers for a number of different
8 topics because we felt it was very important to get that
9 information out to the community in terms of: Here is a
10 factual paper, so let's start from the facts before we really
11 delve into issues and implementing actions. We'll have a
12 paper coming out on cultural resources, drainage, multiple
13 level transportation, coastal resilience, roads,
14 transportation, so those will all be disseminated through our
15 site. But Eva and Wendy put that together and they did a
16 phenomenal job.

17 Finally, I want to make one final plea and that
18 is -- Eva covered this in her presentation. When it comes to
19 implementing actions, and I'm speaking specific to West Maui,
20 particularly CIP projects -- I've already circled and made
21 notes -- those, I think, are really key things to include in
22 the community plan. And the reason why it's important to
23 include in the community plan, not that it's ever been done
24 before, but, by God, it will be this time, there is a charter
25 and an ordinance in the county whereby the community plan's

1 implementing actions are supposed to be tied to the county
2 council budget, so that's very, very important. I've talked
3 with Eva about this, Wendy, but that's just really important
4 to cross-reference and make sure these really important CIP-
5 type projects, restoring, implementing, and supporting the
6 watershed partnerships, you know, particularly land use and
7 water supply kind of overlaps, that those projects and
8 policies are included in the community plan. That's really
9 important.

10 So I want to thank you guys, this is a great effort,
11 you really did a terrific job. Thanks so much.

12 CHAIR LYONS: Thank you very much.

13 Is there anyone else in the public who would like to
14 testify at this time? Please come and state your name and
15 after you're finished with your testimony, please write it
16 down for our records. Thank you.

17 MS. LINCOLN: Thank you. My name is Michele Lincoln
18 and I have just a couple of things and I can send in the
19 testimony if that's better for you.

20 Two of the main landholders in this ahupua'a that
21 we're in right now, the Kahoma one, is Kamehameha Schools has
22 about 1200 acres and the state has a bunch of ag. land around
23 the school, so one thing I'd like to suggest for the water
24 department is to consider water sources to help get native
25 forest reforestation to help with natural water, collecting it

1 from the air, getting it back into the ground. But those are
2 two different agencies that maybe work with -- could work with
3 the water -- your commission to maybe figure out how we can
4 start doing that, get carbon credits and to help recharge our
5 watershed through nature with trees.

6 Also if you don't have it, I have access to it, I
7 can find it on my computer, there's a really wonderful
8 documentary that shows the whole watershed that goes from
9 Honokohau Valley to Olowalu and all the details on that and
10 how it was done and the history on it and the people who were
11 part of it. I have the documentary that is online and the
12 maps and stuff. Right now that ditch system is not fully
13 functional to Launiupoko, though it could be. But if you
14 don't have access to that video, I would be happy to -- it was
15 put together by the people who were responsible for it and are
16 still around and it's very informative.

17 I was also going to say the Lahaina Wastewater
18 Reclamation Facility, in the 1980s they did put in
19 infrastructure to be able to pump reclaimed water up to that
20 ditch system that I'm talking about, the Honokohau ditch
21 system. The existing infrastructure is there, it has never
22 been used because they never needed it before, but it is
23 intact and could be utilized. And that's pumping treated R-1,
24 which is good for all agricultural, up to the district and
25 could foster reservoirs and whatnot. So that's -- that is

1 already infrastructure that is in place and there are many
2 people who used to work at the mill that are familiar with
3 that infrastructure. And although it was never used, it is
4 still there, so that would be to use recycled water.

5 The flood control, I attended that meeting and they
6 are going to restore more of Kanaha and Kahoma Streams. And I
7 saw on your thing here maybe using the Kahoma Flood Control
8 project for stormwater and using it for ag. Another thing to
9 keep in mind is that it should probably be Army Corps of
10 Engineers, it still has to do with water. At the bottom of
11 Kahoma in pre-contact times and it was actually still around
12 until the early 1900s the Alamihi Fishpond, it was an inland
13 fishpond that was right down where -- like the Safeway, that
14 area where the Kahoma Stream is, there was a Hawaiian inland
15 fishpond.

16 And attending one of the Army Corps of Engineer
17 meetings, they said that lo'i terraces are a good way to
18 filter land-based pollutants from entering into the stream.
19 So putting lo'i terraces along our stream watershed is a good
20 way to -- a natural way to filter out the land-based
21 pollutants from entering into the ocean, so that would be nice
22 to include that into part of the water commission. But also
23 possibly restoring the Alamihi Fishpond as a cultural
24 preservation, historical preservation, and also as a way to
25 mitigate land-based pollutants from entering the ocean and

1 using the --

2 CHAIR LYONS: Three minutes.

3 MS. LINCOLN: Those are some comments I wanted to
4 add, but if you don't have access to that video that shows the
5 documentary on that stream, it's The Ditch System, it's very
6 informative and I'd be happy to forward that to be somebody.

7 CHAIR LYONS: Thank you very much for your
8 testimony, some fascinating historical information there.
9 Please provide your name and contact information.

10 Is there anyone else in the public who wishes to
11 testify at this time?

12 (No Response.)

13 CHAIR LYONS: Okay. Hearing none, I'm going to
14 recess this hearing and we'll see if any addition members of
15 the public show up and would like to testify. So we are in
16 recess. (Gavel.)

17 (Pause in Proceedings: 5:33 p.m.-5:56 p.m.)

18 CHAIR LYONS: Okay. Members of the public, we are
19 back in our public hearing. (Gavel.) We do have an
20 additional testifier. Kai McPhee, please come up.

21 MR. MCPHEE: Hello, everyone. My name is Kai McKee.
22 I'm a resident of Lahaina. Thank you guys for being here and
23 taking the time to explain all of this to us.

24 For me, I am pretty ignorant on all of this
25 information, just kind of learning about it. I'm a farmer in

1 Lahaina, I grow coconut trees up in Launiupoko and we have
2 water issues up there. You know, there's been some scary
3 rumors going around, not a lot of real strong information, so
4 I'm just trying to learn.

5 One thing I wanted to address, because I -- I think
6 this is kind of the county side of the people looking at this
7 topic, is the mandatory use of the ag. land that -- and the
8 way I understand it is whenever you are now applying for
9 building permits on ag. land, there is mandatory use of at
10 least 50 -- 51 percent of the land to be used in agriculture,
11 which seems to be putting a lot of people in a position -- not
12 myself, I'm using as much of my land for agriculture as
13 possible and all for it. I love farming and I think we should
14 have lots and lots of farming in Hawaii, in Maui. But it
15 seems to be putting a lot of people in a position who would
16 otherwise not be wanting to use as much water as they are
17 having to because of the mandatory implementation of the ag.
18 use. So that was just something that to me seemed like there
19 could be some -- a different way to look at it or a different
20 way to address that situation.

21 I know this isn't a question and answer, but I've
22 got a lot of questions right now. I just don't have a lot of
23 information, so that's why I'm here trying to learn about it.
24 So, again, thank you guys for taking the time. I appreciate
25 it.

1 CHAIR LYONS: Thank you, Mr. McPhee. We appreciate
2 your comments.

3 MR. MCPHEE: Yeah. Thanks.

4 CHAIR LYONS: Is there anyone else in the public who
5 would like to testify at this time.

6 Can we come back in like 15 minutes? I'm just
7 writing myself some notes, I have to work on it.

8 CHAIR LYONS: Yeah. We're -- we can be available in
9 15 minutes. Okay. We're back in recess. (Gavel.)

10 (Pause in Proceedings: 5:59 p.m.-6:06 p.m.)

11 CHAIR LYONS: (Gavel.) Okay. This Board of Water
12 Supply public meeting is back in order. And, I'm sorry,
13 Mr. Keahi, I can't read your first name, but you're first.

14 MR. KEAHI: Oh, that's okay.

15 CHAIR LYONS: You have 3 minutes and a minute to
16 finish up if you need it.

17 MR. KEAHI: I'm recruiting testifiers.

18 CHAIR LYONS: Okay. Great.

19 MR. KEAHI: Kekai Keahi. Water use, I'm a part of a
20 group that fought almost 10 years to restore the streams in
21 Kahoma, also a big part of the group that restored all of
22 Olowalu, Kauaula, Ukumehame. Just last week we got up to
23 Kanaha and Kahoma Valleys. This last year or this next coming
24 year, will be Honolua, Honokohau, Honokowai, the rivers up
25 that side. You know, during the plantation era, over a

1 hundred years our water been diverted. A lot of that water
2 goes back into the aquifer as groundwater that we can use in
3 wells and so restoring the streams helps us or gives us the
4 ability to take more water from the ground. Little more
5 expensive than to pump. But we was a big part of that.

6 I'm all for ag. I grew up in Kanaha Valley, we
7 raised taro since I was a baby, my grandparents, my
8 great-grandparents, and so I feel like it's my duty to protect
9 the water that we have. A few years ago I coached a canoe
10 crew on this side and we did the Catalina Race quite a few
11 times. And on Catalina Island, if you guys ever been there,
12 limited, that island is limited to what the island can
13 support. And it was one big eye-opener because was over a
14 smaller version of what Hawaii is, basically. A lot of times
15 we'll go we have 7 million gallons in the Launiupoko aquifer
16 and we can pull a lot more water out of that aquifer and
17 continue on developing and even doing ag. and whatnot, I
18 understand that, but why would we build all the way up the
19 cliff? So we got 7 million, we got 7 million gallons it's
20 possible for us to take from the aquifer, let's build, let's
21 continue to build and go right up to that 7 million gallons.
22 And then what happen if we find this water start falling off?
23 Now what we do? Because last time we talked with the people,
24 they was talking about desalinization, that's way beyond,
25 that's way beyond what we should be looking at. It's like me

1 going to the store and buying a hundred dollars worth of
2 groceries with just five bucks, that's ridiculous.

3 Like I said, we working on doing Honokohau, Honolua,
4 and Honokowai. Our next step -- and people might not want to
5 hear this -- our next step is we're going to push for a
6 groundwater management area for the Launiupoko aquifer. Okay?
7 That's going to tie up a lot of water. And we talk about
8 development and future development and all this stuff coming
9 in, but a lot of the development is not being bought up by the
10 people that live here. This is -- it's a simple fact.

11 I just -- I've been helping a family out in Kauaulua
12 Valley, they lost their house in the fire, and so I remember
13 when we was going through the hearings about Kauaulua, how
14 West Maui Land losing their water, that they're not going to
15 be able to sustain that development up there. Sprinklers
16 still running, pipe leaking. I got videos of pipes leaking
17 all over the place. People's yards still green, the green
18 ways is still lush and green. I just came from there. They
19 was fixing a pipe in one of the roads up there. And the water
20 that these people want is to continue making a profit, they
21 want to make more money, these landowners want to make more
22 money, and if we say we're going to use this water for ag. and
23 future development, maybe hopefully affordable housing, real
24 affordable housing, then we -- then, yeah, I can agree with
25 that, but Launiupoko is supposed to be farms. It's not

1 necessarily farms. They farming swimming pools up there.
2 There are a lot of swimming pools up there. And this is water
3 that was denied to my family in Kauaulua for a long time, from
4 the Pioneer Mill on to West Maui Land. West Maui Land a
5 little bit more aggressive, they a little bit more aggressive.
6 At least with Pioneer Mill, we kind of -- we could kind of
7 have some harsh words and we could get some water. With West
8 Maui Land, they a little more aggressive, because they --
9 Launiupoko Irrigation has customers that they gotta give water
10 to. Yeah? They selling that water. The water is state
11 water, they apply for one PUC and now they can make money off
12 that water. The land does not have any value unless there's
13 water on that land. So how many people here can afford to buy
14 a house in Launiupoko? Not me. Maybe if I had a million
15 dollars, I could get one small house up there. So this
16 development, this development I looking at -- you know,
17 there's a certain point where we gotta say, Guess what, we
18 cannot build any more in this area. And people not liking
19 that. But looking at Catalina Island, it opened my eyes to
20 realize that, Hey, on that island, if you want to come, as
21 soon as you're born, they put you on a wait list. Why?
22 'Cause they only allow so many cars on that island. You gotta
23 get -- by the time you're 18, hopefully some people die so you
24 can get one car. And you know how I know that? The mayor for
25 Catalina Islands, he paddle for me and he told me how they run

1 things on Catalina Island. And like I say, it's just a small
2 version of what we are. And it kind of -- a lot of people
3 that make the decisions here come from a -- or have a
4 continental ideology as being -- as their resources being
5 unlimit -- limitless, yeah. When you live on an island, you
6 know you only have so much of stuff and you gotta take care.
7 Why we build up next to one cliff? All we need is a little
8 earthquake to shake us, they fall off the cliff. Why? Why
9 are we going to say, Okay, we can get 7 million gallons from
10 Launiupoko, why we take? Why we take all 7 million? Let 'em
11 go.

12 Another thing, too, the state set the interim in-
13 stream flow standards for these island. You cannot touch 'em.
14 You can't touch that water. I don't care what the county
15 trying to do and say you can do, it's set, you cannot take
16 that water in the streams. In Kahoma, a hundred plus years,
17 no more water. We took Kanoe, she's back there, she's a
18 marine biologist, she get all with the state, went to the
19 stream, obviously we knew wasn't going to have life in the
20 stream, it's dry. We fought to get the water back, now it's
21 been running pretty steady for -- how many years? Six, six
22 years maybe.

23 UNIDENTIFIED SPEAKER: Six years steady.

24 MR. KEAHI: Talk to Kanoe, the highest concentration
25 of o'opu nakea she's seen in most rivers around the state. We

1 started with just one o'opu, now get five. Nobody put the
2 o'opu back, they figured a way back there. They go through
3 the ocean as little, you know, fry, whatever you call 'em, and
4 find one, the first one, and they inhabit the stream, go in
5 the stream. Now our problem is not having enough water for
6 fish, it's people overfishing. I got on Facebook and I had to
7 put them out there, guys overfishing, catching thousands of
8 o'opu in a stream that never had fish before. Go down to the
9 muliwai by Mala Wharf, you know where Panda Express is up by
10 the highway, mala ana holiholi is way up at Panda Express
11 going through take out. That's -- and, again, you get guys
12 down there raiding the malikena and holehole. And it's a
13 problem, but it's a good problem because, guess what, when we
14 put that water back, this is what came back.

15 So I'm not for any more development, I'm for
16 protecting our water in case we come in to some hard times
17 which we know with this weather change that's going on, we're
18 going to fall on hard times. And I don't like to think we got
19 to desalinize water for drink. We went too far already.

20 What else? Oh.

21 Moving water from like maybe Launiupoko aquifer or
22 from Honolua aquifer to different places to continue
23 development, cannot do that, cannot do that. I just got off
24 one phone with one of my friends in Honokohau Valley, West --
25 and Maui Land and Pine almost all the stream in Honokohau

1 right now is almost dry, it's a foot lower than usual. If you
2 go up above Mahinahina, they're into Mahinahina and Honokohau
3 and Honokowai Valleys. I called them on that, they changed --
4 they shut that off and guess where they're dumping 'em now?
5 In Honokowai Ditch and down into the fields. The reason why
6 they're making this water and throwing it away is because they
7 know in one year the state is coming down and they're gonna
8 make a decision on how much water going to be returned to the
9 stream and they gotta show usage and so on that -- on their
10 ditches you got monitors showing how much water is coming
11 through the ditch, yeah. They want to hold on to that water
12 for development. If you guys like, let's go hiking up in the
13 mountain tomorrow, I'll take to where they're running into the
14 fields and down the ditch. Is that what these big
15 companies -- I mean, is that good stewardship? I don't think
16 so. And that's the kind of stuff that we been facing all our
17 lives.

18 And as far as, like I said -- like I said, I --
19 excuse me, I just got off work and I'm trying to remember what
20 I wanna say, so I'm kind of all over the place, but I feel
21 real strong about slowing down development, yeah.

22 So just kind of to reiterate, talking about the
23 groundwater management area, we'll be pushing for Launiupoko
24 and when that is done, we're moving all the up into Honolua
25 and Honokohau, in that area, and we're going to be locking up

1 this water. Not to be asses, but to make sure that our
2 environment is okay. Because you know what, people think, oh,
3 groundwater is down in the ground, is not having any effect on
4 anything. Guess what, this place down by Mala, Kapunakea --
5 you know what Kapunakea means? Kapuna is spring, kea means
6 vast, vast amounts of spring water that's coming up from the
7 water that's being -- from water that's going into the ground.
8 The limu grow all in those areas, that's why we get the fish
9 in those areas. Up in Honokohau is a place called Punalau,
10 puna means spring, lau means plenty. So the place names, they
11 give you an idea about the importance of the place. And so if
12 we start tapping into these wells, those -- Kapunakea is gonna
13 dry up, Kapunalau is gonna dry up, our fish gonna dry up,
14 yeah. So I'll be back one more time.

15 CHAIR LYONS: Mahalo, Mr. Keahi.

16 Mr. Kapu, would you like to testify now?

17 No. (Inaudible.) Anybody else pau already?

18 CHAIR LYONS: Ms. Lawrence, you can just state your
19 name and then just right it down afterwards.

20 MS. LAWRENCE: Aloha. My name is Tiare Lawrence.
21 I'm part of the hui along with Kai and Archie Kalepa and Kanoe
22 over there that was instrumental in getting the in-stream flow
23 standards set for Kanaha and Kahoma. We started -- we started
24 a nonprofit called Ka Malu O Kahalawai and our mission is to
25 support sustainability on the west side, to have our streams

1 restored, to see our ecosystems thrive. And so we've been
2 hard at work. I just came from the lo'i today, actually,
3 dealing with fish boards in our lo'i pond. Besides that, I
4 wanted to come tonight and testify. Last week, as you know,
5 we had our in-stream flow standards set for Kanaha and Kahoma
6 and the county did testify that day and stated that they have
7 had issues with salinity in the groundwater here in Lahaina.
8 And I think now that the commission has set the in-stream flow
9 standards and now the county has a time period where they're
10 going to have to source new groundwater, I think it would be
11 smart of the county to kind of, perhaps -- and I know some
12 people don't want to hear this, but maybe consider putting a
13 moratorium on building permits unless the building permits for
14 a hundred percent affordable housing that I would hope would
15 go to local people primarily. But right now I think we need
16 to pump the brakes on building on the west side until the
17 county is able to source adequate amount of groundwater.

18 I do support Kai's statement, how he said, you know,
19 it's not sustainable to be taking from other communities and
20 pumping them to Lahaina, that just, to me, is very
21 unsustainable thinking and it just -- it doesn't serve the
22 best interests of the community.

23 I am going to be part of a hui of people that will
24 be putting together a petition to petition CWRM to -- for West
25 Maui to become a groundwater management area and I hope -- and

1 I do hope that we can make that happen because I think it's
2 critical, especially with everything that has happened on this
3 side of the island. And so there is going to be a strong push
4 by the community for this ground management water area, so I
5 just kind would like the opportunity to let the county know
6 that it's coming down the pipes and, hopefully, that we can
7 work together, holistically create a plan that's in the best
8 interests of West Maui community, that is sustainable, and
9 that's going to benefit future generations to come. And I
10 mahalo you guys for putting together this, this plan, and I
11 hope that moving forward we can work together on doing what's
12 pono and making sure that the streams are restored.

13 And just to talk to the -- to Kahoma Valley, Kahoma
14 Valley was a dead stream for a hundred plus years. Growing up
15 on the west side, we never have streams, you know. When we
16 would go to the other side of the island and go to Iao Valley,
17 we were so excited to -- we were able to go in a river. I
18 never knew that this whole time in my backyard that we had the
19 most beautiful streams and agricultural systems. And now that
20 we've done all this restoration work in Kahoma and brought
21 life back to the land and these lo'i kalo are being restored,
22 we have five lo'i kalo in production right now, we plan to
23 open another three in the next few months, and we're going to
24 continue this work. We're working on getting a -- securing a
25 lease with Kamehameha Schools and opening up more lo'i, so

1 that's going to -- we're going to need a lot more water if
2 we're going to want to continue this practice. And so I just
3 think that Kahoma Valley can be a template of resilience, can
4 be a template of what restoration can look like statewide.
5 Like Kai said, o'opu is coming back, we have -- we have five
6 of the five native o'opu species in Kahoma Valley. Mind you,
7 just 8 years ago this stream was completely dead, life did not
8 exist. Now we're growing food, we have -- the muliwai is
9 loaded with fish. We have schools of fish coming into Mala
10 that haven't come in years. And so I would hate for us to
11 lose this because my kids, they've been part of this
12 restoration since they were babies and I want their kids to be
13 able to experience what I'm experiencing now. Even though
14 it's so far late in my life, the -- just seeing so much
15 community come, be able to go to that valley and get a sense
16 of connection, a sense of place, a place where they can feel
17 connected to their ancestors. And even people that are not
18 from here and they come up there and they just feel like --
19 like so connected to the aina and to wai and to living
20 differently. And so I would hate for us to take that away
21 from our -- from our kids, especially.

22 So I would just pump the brakes a little bit, you
23 know, if you guys could have those talks about possibly
24 putting a moratorium on building permits until the county can
25 do its due diligence to find new groundwater for now, I think

1 that would be a smart move by the county. And I'm sure it
2 would be supported a lot by the people of this community.
3 Mahalo.

4 CHAIR LYONS: Mahalo, Ms. Lawrence.

5 Do we have any additional testifiers?

6 Mr. Archie Kalepa.

7 MR. KALEPA: Aloha, everyone. So I think by chance
8 of seeing what really happened, watching the stream for the
9 last 6 years and working on the restoration for the last 10
10 years, what I've seen firsthand is what's really important.
11 And I think what's really important is to see the stream go
12 from nearly almost dry to where the water was hot, gray, and
13 warm; to go to crystal clear, cold, and see life come back
14 firsthand, watching it every day, that was really eye opening.

15 When I first started fighting for this project with
16 Kai and Tiare and a few others, it was one purpose and it was
17 selfish, it was for my family taro patch. But working on that
18 stream every day, working towards trying to open the taro
19 patch, I realized one thing, I realized that it was about the
20 revitalization of the stream. And it is through the stream
21 that we're blessed to have a taro patch, but, more
22 importantly, by seeing the stream revitalize itself and the
23 things that live in it, made me realize the importance of the
24 wai. For the last 130 years that stream has not flown --
25 flowed, but, more importantly, we have seen the life of the

1 land die. It is when you put the place first, the people
2 second, we can live in a place.

3 And I think what's really important is really,
4 really when you look at what we're doing today, we're almost
5 losing the answers and the answers are from the past, yeah.
6 Glancing through this and I saw some remarks of the ahupua'a
7 system and I think that's truly why the place was thriving 150
8 years ago because they truly practiced that. And when I --
9 what I'm seeing right now is if we take water from Kahoma and
10 send it to Launiupoko or someplace else, that's wrong. An
11 ahupua'a system should exist from its given water, that water
12 can sustain that community and that community should be built
13 around that resource. When we begin to take and borrow to
14 supply someplace else, we're only killing ourselves. We're
15 killing our streams, we're killing our reefs, we're doing all
16 the things that are wrong. And I say this because I've seen
17 change happen right in front of me that I thought was almost
18 impossible.

19 One of the things I think we need to think about is
20 by seeing the stream recharge in 6 years, we don't know if
21 that's long enough for a full recharge. When we talk about
22 Kauaulua and the streams that we're beginning now to reopen,
23 we need to find how long can that -- do we need for that
24 stream to recharge? And Kahoma is an example and I would say
25 6 years is not enough time yet.

1 We also need to create setbacks on well drilling.
2 By just letting the streamflow, we need to create setbacks on
3 how far they can drill from the stream to take the water
4 because if you drill right next to the stream and just begin
5 to open the stream, we're just -- we're just diverting water,
6 really. So I think it's important for us to stop, think, and
7 observe about what we're doing.

8 And, you know, I was -- I was really happy with
9 CWRM's research and I would hope that between the state, the
10 county, and the private stakeholders that you guys can really,
11 really sit down and ask, ask yourselves the hard questions,
12 ask yourselves the questions about what is it going to take
13 for us to allow this place to thrive for the next 500 years.
14 And it's not easy, but if we continue to do the things we're
15 doing, we have 200 years, maximum. So think about that and
16 let's really, really look at and walk in the path of -- you
17 know, this sounds really like --

18 You know, when you really think about the kapuna and
19 everything, like I remember my grandfather telling me stuff
20 and I thought to myself, What is he telling me? I never
21 understood. Today I really, really understand what he was
22 saying, I honestly, truly understand, and I wish that I
23 understood what he told -- what he was telling me when he was
24 alive. And, you know, so I hope that between my kids, my
25 grandkids, that I can begin to share and shed light on what

1 it's going to take for us to live for a long time as human
2 beings on this earth. And I just want to us think long and
3 hard about what we're doing. Not short term, not money, but
4 about Hawaii, the island being able to thrive and survive.
5 Thank you.

6 CHAIR LYONS: Mahalo, Mr. Kalepa.

7 Ke'eaumoku Kapu.

8 MR. KAPU: Aloha kakou. Ke'eaumoku Kapu, Kahoma
9 Valley.

10 Yeah, it's good to hear that Kahoma is thriving. My
11 valley is the contentional valley. It's pertaining to go
12 where the buck stops here. So I looking at, you know, these
13 implementations on what you guys' responsibility is going to
14 be to provide adequate water and it always seems that the
15 approach is basically for everybody else but the residences of
16 this town. When you start looking -- because the last time I
17 was at the Commission of Water Resource Management, a lot of
18 the people that was there, a lot of the general community was
19 concerned about the surface water that we're going to get for
20 the specific reasons, eight reasons, specific reasons as to
21 why the water gotta go back to the river. I think we're
22 forgetting that that one stem off of a Supreme Court ruling 20
23 years ago that the Supreme Court mandated to make sure that
24 the state was to implement some kind of fair due process to
25 put the water back in the river for specific reasons, one of

1 them is fauna and species, the other one is the most mundane
2 idea, to allow presidents to go back in the river, yeah, for
3 recreational purposes. So not only taro cultivation, then
4 there's whole lineup, but then the state also at the same time
5 loves to push the idea saying that, yeah, but being that you
6 no can use the water, the surface water anymore because the
7 state is mandated to implement the in-stream flow standards to
8 put the water back in the river, we encourage everybody for
9 drill wells. Why? Because by drilling the well and putting
10 the water back in the river, you know, the saturation of the
11 water will recharge the aquifer. Who's the scientific guy
12 that came up with that stupid idea? When all of a sudden you
13 gonna get more people drilling wells on the west side, just as
14 much as the east side now.

15 And I hate to put the burden on you guys, but the
16 water commission from the county was the one that rubber-
17 stamped a lot of these dense developments all over the place
18 all based on real estate interests to the lands that they went
19 purchased and now they like subdivide these lands into -- we
20 get one big pending one, what you guys gonna do about when all
21 of a sudden the state comes in and the Hawaii Housing
22 Development Corporation -- Finance and Development Corp,
23 because they came in front of the county 2 years ago and the
24 county was asking them to only develop 2400 homes and the
25 state says, No, we're gonna develop 4,800 homes. Me and my

1 wife over there been through this whole scheme of the process,
2 the bottom line is the buck gotta stop one place. It's not --
3 if it's not the county planning to try to implement something
4 that literally don't work, which I'm telling you it ain't
5 gonna work, the state is just gonna go ahead and do whatever
6 the hell they feel like, making the pressure even more hard on
7 you guys to come up with something that is going to be doable
8 and something that gonna work.

9 You know, I've stressed at this point many times. I
10 don't know. The first time I ever was in front of the county
11 council was twenty-something years ago and I still telling the
12 same story over and over and over again, but I don't think
13 anybody listening because every time we get one mayor in, he
14 goes out and get one new cabinet and we starting all over
15 again from the beginning time and time and time again. Our
16 issues never changes, it never gets better, it gets worse. So
17 the pressure on you guys to find out what is the fundamental
18 practice on how we can draw water, yeah, from the source and
19 not impact the surface water. So you guys got a lot to
20 juggle. And number 2 is you guys get to coordinate approach
21 between water -- is it purveyors or surveyors? Land use
22 planners and the visitor industry. Where we stay in there?

23 Every bullet point you guys put out there should
24 involve the general community because we are the life of the
25 land, we the ones that gotta be depending on these things.

1 And it's always like every time we come in front of one body
2 like this to make some kind of recommendation, seemed like the
3 deal already struck, everything is already done.

4 My son-in-law sat in the GPAC for 6 years, the
5 general plan action committee, to go through all these things
6 on development. Where development gonna be? 1800 Pulelehua,
7 4800 HHFDC. Now you get all these other private developers,
8 yeah, they're all looking. Now all of a sudden, yeah, the
9 sugarcane company shut down, now they thinking they get enough
10 resources to subdivide all these lands into parcels, turn them
11 into one agricultural subdivision, yeah, but they're going to
12 have to be -- depend on some kind of water resource. Then it
13 goes through you guys purview, then all of a sudden all these
14 things get rubber stamped without even going up with the final
15 solution whether or not any of these things gonna work.

16 It's a gamble, everything we do is a gamble. If I
17 can positive directions that's pertaining to we're going in
18 the right direction, yeah, as so-called water plan that's for
19 the future, I don't like to be reading this kine stuff saying
20 that, Oh, we're looking for recommendations from the community
21 because we came to you guys time and time again, what is the
22 recommendation. Even with Jo Anne Johnson was in office, she
23 was trying to put forward a moratorium to slow the roll on
24 these developments on the west side, she was pushing that, and
25 we were supporting her. We need one moratorium, we need one

1 moratorium now, and without the moratorium, yeah, then let's
2 not try to say, Oh, we can squeeze this development in because
3 based on the statistics of the so-called geographic survey of
4 this area, we got this much water. Kauaulua is 4.1, Kahoma is
5 like what, 2 point something over there. How long is that
6 longevity going to last for when we start tapping out the
7 resources from the surface and the ground well -- water to the
8 point where we can't even allow the -- this thing to saturate
9 to -- to build the capacity of these wells of these areas or
10 anyplace in these areas.

11 So I kind of frustrated and all I like do is plant
12 taro. So my argument, I hope, goes someplace just on the
13 basis that I want my life and I plant taro and I feed my
14 community. Same reason as to why you're sitting in the
15 commission is to make sure that the longevity of our resources
16 of water will be continued for our next generations tomorrow.
17 The route that I see right now is not going anyplace. All
18 it's going is into the private sectors of people who bought
19 land who want warranty title deed. And that's another
20 question now they talk about, but I don't think it's the
21 commission to talk about it. When they start talking about
22 title, but in order to get water, you gotta have title. And
23 I've been sure everybody that claimed to have title, they no
24 more.

25 So, mahalo, I hope you take it to hard consideration

1 of what I say. Don't just say, Okay, braddah is for it, that
2 braddah is not for it. Come down to some kind of consensus
3 that we know gonna work for the general community, myself, my
4 kanaka, ohana's over there, and my ohana, my extended ohana,
5 my grandkids. If you guys can guarantee me we're gonna still
6 be here in the next 50 years without worrying about all this
7 kine stuff, then, hey, I'll be supportive. Right now I'm not
8 optimistic, though. So mahalo.

9 CHAIR LYONS: Mahalo, Mr. Kapu.

10 I just want to reiterate my opening statement which
11 I read when we first opened this meeting at 5 p.m. and that is
12 that this is not the end of the process for this plan. This
13 plan is adopted by the county council which will receive it
14 once this board has discussed and made recommendations to
15 changes to the plan and then that -- those changes have been
16 incorporated into the plan, then it will be sent to the county
17 council early next year for deliberation, so you'll have
18 another opportunity to testify them.

19 In the meantime, we have board meetings, water
20 supply board meetings on December 13th and January 27th, at
21 which time we will be discussing this plan and you are also
22 welcome to attend and testify at those events.

23 I have Ekolu Lindsey.

24 MR. LINDSEY: Aloha. I'm Ekolu Lindsey. And this
25 is quite an interesting web of things we need to discuss and

1 the -- I'm going to give kind of brief summary. If I get this
2 wrong, anybody figures that I got it wrong, please let me know
3 afterwards. So you guys are responsible for the future growth
4 and we're looking at the handouts, the population is
5 increasing by 64 percent which is going to increase from 9
6 million gallons per day up to 60 million gallons per day.
7 Now, we're looking at you guys gotta find alternate sources of
8 water sources to increase the demand up to 2035 and you're
9 also looking at the county general plan and under the county
10 general plan, you got the county policy plan, the Maui Island
11 Plan, and the community plans that all fit together and you
12 guys all gotta take that into consideration in coming up with
13 recommendations.

14 So I'm hoping that throughout this whole process
15 that somebody from this board sits on every one of those
16 plans, because I know there's a lot of questions that you guys
17 should be alerted to throughout that whole process. And the
18 previous speakers here all spoke basically on cultural
19 restoration and the importance of water to be returned to the
20 streams and that's a very important part of who we are,
21 especially here in Lahaina where the community is very close.
22 Farming kalo being number one up there, the return of the
23 o'opu to the streams, that's huge. And I didn't even have a
24 chance to see that yet because I never seen it in my lifetime.

25 And the infrastructure is a huge issue. Who's going

1 to be responsible for putting the infrastructure -- or, more
2 importantly, who is gonna be paying for the infrastructure for
3 the delivery of water. The -- when we pay our taxes to the
4 Department of Water Supply, I'm assuming the water is free and
5 we're paying for the service to get the water to our house.
6 So in that case we all -- the infrastructure cost is on the
7 burden of the people who are going to be using it as far as
8 the maintenance is concerned.

9 But, you know, Archie, Kai, Tiare all talk about
10 cultural restoration and that importance and I'd like to
11 reiterate what they're saying. I see it in front of my house
12 in Lahaina. We live on Front Street, we're the last local
13 family that live along the -- south of the 505 Lahaina Shores
14 area. So I've seen that place go through serious degradation
15 to the point where it's very difficult to see any fish bigger
16 than that. My grandfather used that place to feed a family of
17 12 plus, dive for half hour, plenty of food. Can't do that
18 anymore, we'd be all skinny.

19 So it's important once that Kauaulua Stream starts
20 flowing more what had happened is when those large episodic
21 events, rain events happen, we no longer have mud that's up to
22 your ankle in the channel when you go out surfing. What the
23 continuous in-stream flow has done is continuously flush that
24 out so when we do have these large rain events, we're not
25 killing off so much coral anymore. So it's very important

1 that we establish the in-stream flow standards through CWRM.
2 I'm assuming that this board, CWRM's up at the top and they
3 take that information and the suggestion from you guys.
4 Right?

5 And then hats off to Erin, who did a lot of work on
6 this. And I told him, you know, what you could be wrong, but
7 I support his science and his work in establishing those IIFS,
8 so --

9 Another thing I'm also really confused upon is if
10 you gotta establish new water sources and you drop in another
11 straw into the drink here and you have all these private
12 sources, I'm hoping there's some other large organization to
13 maintain the continuity in managing those resources
14 appropriately so that we're not drawing up too much. We seem
15 to be always staying close to that line and development's a
16 huge thing with that. Yes, we need affordable homes,
17 especially here in West Maui. We can't give water to these
18 affordable homes, but we can give 'em to other homes that got
19 water features. But I think we need to really plan for the
20 affordable homes and allow for more water.

21 You know, Mauna Kahalawai, one of the wettest places
22 in the world. It's unfortunate that we're still fighting over
23 water and we got plenty water coming down there, both surface
24 and subsurface. I get to see that our nonprofit with Maui
25 cultural lands in Honokowai Valley, I get to see the results

1 of not even enough carrying capacity when we get too much
2 water coming through and I'll call that a water dump happening
3 in Honokowai. So when you measure in-stream flow standards
4 below the dump and above the dump, big difference in water.
5 So it's unfortunate that that was coming from Honokohau, but I
6 understand it's necessary to supply water throughout all of
7 West Maui. Thank you very much.

8 CHAIR LYONS: Thank you very much, Mr. Lindsey.

9 I have Councilmember Elle Cochran.

10 MS. COCHRAN: Thank you. Thank you. Good evening.
11 And I'm here not as Councilmember Elle Cochran, I'm here as a
12 private citizen of West Maui and resident of Honolulu Valley.
13 And so the points of -- I have the Part 3 Regional Plans of
14 November 2017 I've been going through, so -- on page 58,
15 because I -- my water doesn't come through county and, as
16 Ms. Baisa knows, I deal with public -- a public -- a private
17 purveyor Maui Land and Pine and so -- but then the water that
18 does feed into the ditch system that in turn feeds the
19 reservoir, the reservoir feeds my home, that water doesn't
20 come from Honokohau. And as you heard from Mr. Keahi, there's
21 been issues in that valley of Honokohau, so that has affected
22 me personally, so, you know.

23 And I see a lot of sort of -- there's no hammer or
24 oversight or any type -- not -- there is oversight, but
25 there's no real pull on anybody's part to hold the public

1 purveyors -- private purveyors, excuse me, accountable for
2 what they do or don't do. For example, on page 58, the
3 public -- the private public water systems were requested to
4 provide the demand projections, but most did not supply
5 information. And you folks just kind of -- or this document
6 just kind of leaves it at that. Well, are we going to push
7 for them to throw out some numbers? We need to know because
8 it ties directly into what Kekai said, the dumping. Right?
9 And I got the word too. It was going into Honokowai, but
10 since that was noted, now it's moved into -- into other
11 gulches. So I see the dumping all over Honolua too, and yet,
12 oh, well.

13 It also stated unknown number of persons are not
14 served by -- that are not served by any public water systems,
15 they're -- so I'm one of them, you can count me as one, my
16 husband two, we're not served by public system. Honokohau,
17 yes, but they're -- they got issues in that valley. I think
18 this document needs to update. Especially after that flood
19 that just happened, a lot of this is very outdated, obviously,
20 2017 draft, but -- this is what I want to bring to your
21 attention, please focus on those in-stream IIFs that are
22 coming down through these valleys and obviously things will
23 get updated then.

24 But, yeah, I have a real issue where a regular old
25 citizen like myself, I have no repercussions as to holding

1 private purveyors -- I don't know. Accountable. I paid them
2 money, we made a -- well, maybe, you know, my bad, I didn't
3 write a handwritten contract, but, hey, they said, Yeah, we'll
4 help you out, Elle.

5 Okay. Well, nothing happened. Okay. Can I pay for
6 the services?

7 Sure.

8 Did, still 10 months, going on a year already -- I
9 can't remember, I stopped counting. I just go home and
10 hopefully I just can turn on the faucet and have water. Still
11 hasn't happened, yeah, coming up on a year. And yet I call
12 Native Hawaiian Legal Corp, I call county -- that has no
13 bearing on county, so I can't even go to -- turn to county.
14 It's private and nobody can help me, not CWRM -- that's not
15 their kuleana, Elle. They count how much water get in the
16 stream, not if they're servicing a home. So I have nowhere to
17 turn.

18 "Public water systems in the region generally do not
19 report billed consumption but water diverted or groundwater
20 pumped, production instead of consumption is applied for
21 consistency." So, yeah, that's where the water dumping comes
22 into play. They just say how much they're taking, taking,
23 taking, but we need to know, are you really using it? Is
24 there really feed or a golf course, a resort, ag. They don't
25 say and nobody holds them -- so they can go running around

1 dumping all this water. I -- yeah, I take big issue with
2 that.

3 So I think that needs to be looked at and somehow we
4 need to strength what -- I don't know, I don't know how,
5 but -- and it says, Oh, well, you know what, oh, that's going
6 to be -- the purveyor's staff time is gonna be so burdensome
7 on these small guys. Well, you know what, taking water and
8 dumping it is burdensome on people like me. So, sorry, you're
9 profiting on this, on this precious resource, so, yeah, you
10 pay. You cough up numbers and you explain what you're taking,
11 how you're taking it, and how you're using it. So that
12 sentence should be stricken out and made right.

13 CHAIR LYONS: Sorry. Could you give us a page
14 reference?

15 MS. COCHRAN: Page 71. And also on that page under
16 "Agricultural Water Systems Water Loss Mitigation, Issue and
17 Background," it says, "To address the fragmented function and
18 use, ownership and management of Maui Land & Pineapple and
19 West Maui Land ditches" -- "ditch systems, it is recommended
20 that State Department of Ag. assesses the systems in
21 collaboration with the ditch operators." So that's great, if
22 we're going to really get all these parties together to help
23 assist one another, because they're all profiting from it,
24 then by all means.

25 Strategy 3 here is: "A comprehensive study should

1 be undertaken in the update of the Agricultural Water Use and
2 Development Plan of the Maui Land & Pineapple and the former
3 Pioneer Mill ditch systems, including Lahainaluna Ditch in
4 order to resolve operational and maintenance needs of the
5 entire system for the benefit of agriculture in the Lahaina
6 region." And this strategy, it says this strategy is
7 consistent with Hawaii water plan, so -- and this plan was
8 written back in twenty -- 2004. I mean, everything is so
9 beyond outdated.

10 And I remember Ms. Baisa when I got there -- got to
11 the council in 2010, we were going through this with Allen
12 Kratzau and it was like, Oh, here we are still. As Mr. Kapu
13 said, comes back again and again to these podiums in front of
14 the bodies like this, saying the same thing over and over and,
15 you know, been there, in it, leaving it, and it's still
16 hasn't -- nothing's changed. So, yeah, I mean, we're here
17 today, right, to trying to take care of some business.

18 But, you know, for me, "Surface Water Use and
19 Development" plan on page 77 at the top, "Objectives related
20 to surface water use in the adopted West Maui Community
21 Plan" -- which is coming up pretty soon here and Pam mentioned
22 it -- "are potentially conflicting. 'Support sufficient'" --
23 quote, "Support sufficient water to -- sufficient water to
24 support agriculture and Native Hawaiian water rights and
25 traditional access,'" end quote, "requires consideration of

1 public trust uses allocating the appropriate resource to
2 appropriate end uses. For example, agricultural activities
3 require abundant and affordable water supply. Gravity fed
4 surface water was developed by the plantations for this
5 reason." And, "Surface water diversions have left less
6 streamflow in the streams to support taro cultivation, native
7 fauna and coastal discharge which Native Hawaiian traditional
8 and customary uses depend on."

9 Which a perfect example of the balance is with the
10 Kahoma and -- area, so moving out northwest towards Honolua,
11 Honokohau, I'd like to make sure that this example is
12 replicated in these other valleys to benefit this -- to
13 this -- to benefit us.

14 So it talks about setting the IFSes for West Maui is
15 in the process of has been mentioned, so that's good. But on
16 page 77 in the middle, "Of contention is" -- and Mr. Kapu is
17 here too. It says, "Of contention is the Kanaha" -- or,
18 sorry, Mr. Keahi. "Of contention is the Kanaha stream intake
19 supplying," blah, blah. So it's about the Kanaha issue in
20 here. Whether it's about documenting -- because it sounds
21 like this was what was back in 2017, which here we are now --
22 or, yeah, here we are now and things have changed and some
23 positive things have moved, so hopefully those -- the new
24 current day information will be put in here to use that whole
25 CWRM and everything, the IFS example as a positive, you know,

1 step forward for here in West Maui versus just having the
2 issue written in here. And --

3 CHAIR LYONS: If I can make you pause for just a
4 seconds. If you're going to go point by point, it would be --

5 MS. COCHRAN: And I think that's my last one.

6 CHAIR LYONS: Okay.

7 MS. COCHRAN: Yeah.

8 CHAIR LYONS: I was going to say it would be helpful
9 if we could get it in writing 'cause that would make it
10 clearer what --

11 MS. COCHRAN: Yeah, I can bring it down later. I
12 was scrambling through this document.

13 CHAIR LYONS: And I haven't been enforcing our time
14 limits so -- because I want to a robust discussion, but I also
15 need to respect everyone's time.

16 MS. COCHRAN: Okay. Yeah. I was like this is not
17 the three minutes in council, so thank you.

18 And then last, but not least on the bottom of page
19 77 there's a good comment. It says, "Providing for
20 Agricultural Needs: Agriculture is not a protected public
21 trust" and "In developing IFS, further scrutiny of
22 agricultural irrigation supply in the region." And it -- and
23 it touches on Maui Land and Pine and the ditch system and
24 the -- the private purveyors and that they need to be looked
25 at for inefficiencies in their water conveyance because of

1 their century old plantation ditch systems. You know, there's
2 leaking, there's heavily silted reservoirs, we see reservoirs
3 decommissioned, perhaps we can look into recommissioning for
4 more storage. And, you know, Ms. Lincoln brings it up all the
5 time, we can feed the R-1 system towards this way for storage
6 and utilization to offset the uses of our streams. So that's
7 how I look at that, less diversion and what have you.

8 So that's kind of it. The -- and it does highlight
9 on page 79 the two open reservoirs opened by -- owned by Maui
10 Land & Pine are in poor shape, so this is stated. And, again,
11 here's a private company, who has the jurisdiction to oversee
12 and say, Listen, those -- those need to be upgraded or those
13 need to be taken care of or something. And that's where on a
14 private -- a personal level one of those reservoirs is what is
15 to -- supposed to be feeding my home, so -- and I have no say,
16 I can't do anything and I paid the money and everything and
17 they still haven't come through with water.

18 So that's kind of it in a real shotgun scattered way
19 of your document here, but I can put it into more legible
20 comments, you know, a more sensical manner.

21 CHAIR LYONS: That would be valuable to us.

22 MS. COCHRAN: All right.

23 CHAIR LYONS: Thank you so much for your time and
24 comments.

25 MS. COCHRAN: All right. Thank you.

1 CHAIR LYONS: Uilani Kapu.

2 MS. KAPU: Aloha kakou. It's interesting that water
3 is being brought up a lot. We had a water meeting last week,
4 had a water meeting today, had a water meeting tonight, water
5 meeting all the time, but what are we doing about it? We
6 brought up bringing back the reservoirs and that's a good
7 point that you folks should look into. Everything that CWRM
8 is putting together can help and assist with what you folks
9 are -- your time frame, what you folks are going to be doing.

10 We need a moratorium on development. We definitely
11 need that.

12 Diversified agriculture compared to our kalo, it
13 depends on what they're doing only because there's differences
14 in water and what they need for it and the areas that
15 they're -- they're using for agricultural.

16 There was an article that was put out in regards to
17 water and, you know, for us, we've been saying it for 15 to 20
18 years, "Liquor's for drinking and water's for fighting." And
19 here we are still talking about water and how it should be
20 diverted, where it should go, what should be fed for. Let it
21 allow its natural course, let it do what it's supposed to do.
22 By us always playing God and thinking that we're doing right
23 for humanity and whatever else, we're learning that we're not,
24 we're not doing the right thing.

25 There's so much people making grants because water

1 is an issue. If you sit down with all of these
2 organizations -- and this is what we brought up to the lady
3 that came in front of us this past week. We have been
4 speaking out on water for years, we've been sharing our
5 issues, we've been sharing our mo'olelo to it, our clouds, our
6 rain stories, everything. Why should we give that same manao
7 to you when you can go and do your own research that is
8 already printed out there or put out there in books, put out
9 there on the Internet, put out there everywhere, combine it
10 all together and figure it out because it's the same issues.

11 We as people of the aina know when that rain is
12 coming. We know the names of our rains and winds of our
13 valleys. What they're predicting in climate change -- and I'm
14 a big climate change person, I can feel it, I can see it, we
15 live it. Lahaina is hot, yeah, but for us as farmers, as
16 people of the land, it's important to us, that water. That's
17 why we're going to stand and we're going to fight no matter
18 what; if we have to fight the county, if we have to fight the
19 state, if we have to fight private developers. For us, it's
20 first, we're first and foremost. And we are not going to step
21 by as another development comes by and says, This is how much
22 water we need, because this is how much houses we're going to
23 build and this is how much money we going to make. Water is
24 not for money, water is for everyone. Land, sky, resources,
25 everything; it's not ours. We need to remember that. It's

1 not ours. We can say, okay, we're going to make it go that
2 way. No. Like the previous speakers were saying, it needs to
3 stay within the ahupua'a because that's how you can tell that
4 ahupua'a is doing the right and then you can learn from that
5 ahupua'a.

6 I was looking at you folks' folder that you handed
7 out on your table, we tried to stress if you're going to go
8 and speak the language and add it to your paperwork and --
9 then do it right. Maui is not six, Maui is 12, but 'cause
10 we -- we've got to change that through legislation and
11 everything. The moku system is important, the ahupua'as are
12 important, we can learn from that. Don't just put a picture
13 and say, This is what has been passed down from generation to
14 generation. You can put it on paper, it looks so beautiful
15 and pretty, but are we doing it? No, we are not doing it.
16 It's hard work, yes. If you mean what you say, then I'm there
17 to help. We are there to help. But don't take the language,
18 don't take the pictures and just throw it out there because
19 it's Hawaii. Live it, eat it, breathe it, and you will find
20 the right source. Mahalo.

21 CHAIR LYONS: Mahalo, Ms. Kapu.

22 So I'm having a little trouble with the handwriting,
23 but Kanoelani Steward.

24 MS. STEWART: Oh, yeah. (Speaking in Hawaiian.)

25 My name is Kanoelani. I'm from Lahaina. (Speaking

1 in Hawaiian.) I'm over here, but before I became a (Hawaiian
2 word), I used to work for the Nature Conservancy in the Marine
3 Fellowship program and I did a lot of work with Uncle Skippy
4 Howe with the Division of Aquatic Resources.

5 So I'm going to testify about my experience working
6 in the streams and doing stream monitoring and definitely
7 Kekai guys, Uncle Kai guys, Tiare guys, Archie guys, and, you
8 know what, just think about us a people before you guys make
9 any more decisions. Think about us as a community and this
10 aina. When I was working with the Nature Conservancy, I got
11 to visit a whole bunch of different places. I got to see
12 Pelekunu Valley on Molokai, Waihonua, Ho'oulu, and Honokua and
13 Kauai, these are all streams that are untouched, undeveloped,
14 and so to be able to experience a thriving freshwater
15 ecosystem and what it can provide, that's what we're trying to
16 restore back here in Lahaina.

17 You guys listed it -- the first one of your -- the
18 first one of your guys' Lahaina key issues is, "Restoration
19 and protection of streamflow to support Native Hawaiian rights
20 and traditional and customary practices." We cannot fulfill,
21 we cannot practice our practices if we don't have resources.
22 I'm going to say that again. We cannot practice our practices
23 until we have resources: the water, the fish, the o'opu, the
24 opai, the i'iwi, all of the fishes, all of our marine fish
25 down in the kai. We cannot do any of that unless we have

1 these resources that are so important to us as a people, so
2 important to our aina. And so I just hope that you guys side
3 with the people of this place, you guys make us a priority.
4 You know, you want to restore the health and well-being of our
5 people of our aina, of our community, and a lot of it is in
6 the decision of -- it's in your guys's hands. And so it's
7 super important to just remember us.

8 And also, a side note, I don't know what -- maybe
9 you guys could do like a little bit better at like advertising
10 because we can have this whole place filled and you guys could
11 have heard a bunch of more manao on everything going on, but I
12 don't know if people knew about this or how this was being
13 advertised. This is a side note, but -- yeah, definitely
14 helping us to educate our community, like who's going to read
15 that 900-page binder full of papers? You know, little by
16 little helps a lot, yeah. Mahalo.

17 CHAIR LYONS: Mahalo.

18 You can sign afterwards.

19 MR. KEAHI: My name Kapali Keahi. I come from
20 Lahaina too, all my family come from Lahaina, so I belong to,
21 you know, all the old families of Lahaina. And I guess when
22 it comes down to it, most of our problems as Kanaka Maoli as
23 ohana of Lahaina boils down to the fact that we're being
24 inundated by foreigners. I'm not sure where all you guys
25 from, but I really love this place and I love 'em because my

1 tutus of this place, I love 'em because my tutus farmed this
2 place, they committed their lives to taking care of our
3 families right in this place, and so we'd like to do the same
4 thing.

5 I can see, of course, your guys' problem gonna be us
6 trying to help -- try to refrain from allowing more
7 development to happen in our land. Ultimately all the
8 developments that's happening is on our land, my people's
9 land, our collective ownership of our aina. I mean, we're
10 from Lahaina and I can speak for Lahaina, of course, but over
11 here, it's true, if it came down to whether the water should
12 be reserved for us rebuilding our Hawaiian social structure or
13 developers having some kind of right to this water, of course
14 I would choose that we should be able to restore our social
15 structure. That is what was destroyed. Plantation control of
16 our resources alone has killed off our self- reliance. That's
17 what we gotta do, that's what we trying to do. Our problem,
18 our problem is all of this development, our problem is
19 foreigners, too many foreigners coming over here, making this
20 home. I mean, and it's cool, it's cool you like make this
21 home, but no push us out in so doing. Okay?

22 So I believe a moratorium is appropriate, that is
23 the most appropriate thing the county can ever do, the most
24 appropriate thing the county can ever do. If that is in your
25 power, so be it, you should do it. You should have this

1 moratorium. A moratorium should be a priority for you because
2 it's definitely going to help us. A lot of our land was lost
3 through adverse possession. Now, these are -- these are
4 things that occurred within your offices. We get taxed out of
5 our own land. I mean, I don't know of any Hawaiians who tax
6 other Hawaiians out of their own land, but I sure know plenty
7 foreigners, that means U.S. citizens come over here and tax
8 our people out of our land. So the water should be used for
9 better things, yeah, than development, than develop -- than
10 for developers. It should be used for the restoration of
11 Kanaka Maoli self-reliance. Mahalo.

12 CHAIR LYONS: Mahalo for your testimony.

13 Are there any other members of the public who wish
14 to testify at this time?

15 (No Response.)

16 CHAIR LYONS: Seeing none, we will go into recess
17 and see if any additional people show up who would like to
18 testify. (Gavel.) We're in recess.

19 (Pause in Proceedings: 7:13 p.m.-7:52 p.m.)

20 CHAIR LYONS: We are out of recess. This public
21 hearing is now adjourned.

22 (The proceedings were adjourned at 7:52 p.m.)
23
24
25

