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MAUI COUNTY  
WATER USE AND DEVELOPMENT PLAN UPDATE  
REGIONAL PLANS  
WAILUKU  
BOARD OF WATER SUPPLY  
PUBLIC HEARING  
DECEMBER 6, 2018, 5:04 P.M.  
MAUI COUNTY DEPARTMENT OF WATER SUPPLY

J. Walter Cameron Center  
95 Mahalani Street, Wailuku, Hawaii 96793

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

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WATER BOARD:

Anders Lyons, Chair

Shay Chan Hodges, Vice Chair (in at 5:07 p.m.)

Joseph Aquino, Member

R. Raymond Cabebe, Member

Dean Frampton, Member

Norman Franco, Member

Sylvia Ho, Member (in at 5:07 p.m.)

Zoltan Milaskey, Member

Michael Nakashima, Member

STAFF:

Gladys Baisa, Director, Department of Water Supply

Shayne Agawa, Deputy Director, Department of Water  
Supply

Eva Blumenstein, Water Resource & Planning Program  
Manager

Alexander Deroode, Water Resource & Planning Program

Ed Kushi, Jr., First 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: Bringing this Board of Water Supply public meeting to order on the Water Use and Development Plan developed by the Department of Water Supply, County of Maui.  
(Gavel.)

Welcome, everyone. Thank you for being here tonight. This is a Board of Water Supply public hearing to take testimony on the draft Water Use and Development Plan, also known as the WUDP. Your water supply board is comprised of nine Maui residents who have volunteered to serve on this board. Our primary mission is to provide the water supply staff with feedback and advice on various aspects of the collection, storage, and distribution. We are advisory only and do not directly control the Department of Water Supply.

At this time I'd like to have staff and board members introduce themselves to you.

MR. KUSHI: Ed Kushi, corp. counsel's office.

DIRECTOR BAISA: Gladys Baisa, the current director of the Department of Water Supply. And I live Upcountry. He asked us yesterday --

CHAIR LYONS: I do. I prefer if you say.

DIRECTOR BAISA: -- where we came from. I'm from Makawao my whole life mostly.

DEPUTY DIRECTOR OGAWA: Shayne Agawa, deputy director, from Lahaina.

1 MEMBER NAKASHIMA: Mike Nakashima from Maui Lani.

2 MEMBER FRANCO: Norm Franco from Kahului.

3 MEMBER CABEBE: Raymond Cabebe from Kihei.

4 CHAIR LYONS: Anders Lyons from Makawao.

5 MEMBER MILASKEY: Zolton Milaskey from Kahana.

6 MEMBER FRAMPTON: Dean Frampton, Pukalani.

7 MEMBER AQUINO: Joseph Aquino, Lahaina.

8 CHAIR LYONS: Gaye.

9 MS. HAYASHIDA: Oh. Gaye Hayashida. I'm the key  
10 out here.

11 CHAIR LYONS: She makes everything run.

12 Today we're here to take your testimony.

13 I'm sorry. I've been told I have to use this, so  
14 we're going to have suffer through it together.

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

23 The WUDP has been under development for over 2  
24 years. Staff have conducted surveys and managed numerous  
25 public and stakeholder meetings to arrive at the draft plan

1 you have before you today. Staff have presented the current  
2 plan in over a dozen public venues including numerous at Board  
3 of Water Supply meetings. Many of these meetings were  
4 recorded by Akaku Community Television and are available  
5 online.

6 Finally, the board is here to listen and compile  
7 your testimony. The testimony from the five public hearings  
8 we are conducting throughout Maui will be discussed by the  
9 board at our December 13th meeting, which will be held in the  
10 mayor's conference room at 1:30 p.m. The meeting is open to  
11 the public. We will provide our final comment to the  
12 department at our January meeting, which will be on January  
13 17th, 2019. But the process does not end there. Once staff  
14 have incorporated public and board comments into the plan, it  
15 gets sent to the Maui County Council for review. The council  
16 has the final review of this document. Look to the department  
17 and council websites in early 2019 for the council's proposed  
18 review dates.

19 Today we will begin with a brief staff overview of  
20 the Central aquifer sector. Following this overview, we will  
21 begin with public testimony. Again, please keep your  
22 testimony directed specifically to what is contained in the  
23 plan or not contained, as the case may be. You will have 3  
24 minutes to provide your testimony and, if you need it, an  
25 additional minute to conclude. Should you require more time,

1 please consider drafting written testimony and sending it to  
2 the Board of Water Supply care of the Department of Water  
3 Supply.

4 And I thank you in advance for your comments on this  
5 plan.

6 Staff.

7 (Arranging presentation materials.)

8 (Members Hodges and Ho entered the room.)

9 MR. DERODE: Aloha. Good evening, everybody. This  
10 is a loud mic. Okay. So I'm going to provide you with a  
11 brief overview of the Wailuku aquifer sector area or ASEA of  
12 our draft Water Use and Development Plan. I'll be reviewing  
13 the purpose of the Water Use and Development Plan; the public  
14 process -- just in brief detail the public process we've been  
15 through that's brought us to today; some of the key issues  
16 that were identified during the public process for the Wailuku  
17 aquifer sector area; an overview of the water resources found  
18 within that aquifer sector, we'll be going over projected  
19 growth, population growth and demand growth for that sector;  
20 and then go over some strategies not in immense detail.  
21 They're -- a more comprehensive list of the strategies and  
22 details about those are in the draft Water Use and Development  
23 Plan. We have a copy of that here today, it's also available  
24 online. And then briefly speak about implementation of the  
25 strategies.

1           So the purpose of the Water Use and Development Plan  
2 is to guide and advise the Maui County Council and the State  
3 Commission on Water Resources Management, also known as CWRM,  
4 in the planning, management, development, use, and allocation  
5 of the island's water resources. The plan does not identify  
6 the growth areas, the growth areas are identified -- urban  
7 growth boundaries or rural growth boundaries are identified in  
8 the Maui Island Plan and the community plans. And the purpose  
9 of the Water Use and Development Plan is really to say given  
10 that that is the planned growth, how are we supposed to meet  
11 the needs, the water demand for those planned areas.

12           The plan also is a long-range strategic water  
13 resource plan intended to inform the Department of Water  
14 Supply, the County Department of Water Supply in capital  
15 improvement, for our capital improvement program. The Water  
16 Use and Development Plan itself is not a capital improvement  
17 plan, so it doesn't go into that level of detail of here are  
18 the specific wells where they -- where we propose them to be  
19 sited or here are -- new treatment plans are going into  
20 budgets. All of that is in a separate effort of capital  
21 improvement plans and projects.

22           And this plan also applies not just to the  
23 Department of Water Supply and other county agencies such as  
24 Department of Environmental Management, but is also there to  
25 guide water demand associated and the development associated

1 with privately owned public water systems -- so we have  
2 several of those, for example, on the west side as well as out  
3 in Hana -- and potable and non-potable water use, so both the  
4 reclaimed water and other strategies for alternatives to  
5 potable water use as well as conservation. The plan also is  
6 intended to address how we allocate water resources to land  
7 use by identifying water supply and conservation strategies  
8 for planned growth, as I mentioned, per the Maui Island Plan.

9 So the public process to date, this effort: The  
10 most recent iteration of this effort was kicked off in 2016,  
11 over 20 public meetings targeted stakeholder meetings and  
12 public workshops were held during that time. Then moving into  
13 2017 we had 16 presentations and briefings to the Commission  
14 on Water Resources Management as well as to this board, the  
15 Board of Water Supply, and to various committees within county  
16 council, such as the Water Resources Committee.

17 Today we're here as part of the Board of Water  
18 Supply's public hearings. This is the final of five public  
19 meetings. Prior to this we were out in Hana, in Lahaina, in  
20 Kihei, and last night up in Pukalani covering various -- the  
21 various sectors within the Water Use and Development Plan.  
22 And this is not the end of the process. So today we're here  
23 to provide the public with an opportunity for public  
24 testimony. Once the department gets feedback from the board,  
25 which will be based on their feedback as well as what they've



1 gleaned from the public input, we then have 60 days to turn  
2 that around and get a revised version of the plan to county  
3 council for their review. It will go through a process there,  
4 there'll be more opportunity for public input during that part  
5 of the process, and then from there it ultimately goes to CWRM  
6 at the state level for final adoption.

7           Okay. So getting into the Wailuku aquifer sector  
8 area, the Water Use and Development Plan analyzes -- this is  
9 just for Maui Island now, we're -- we will be embarking on a  
10 Molokai Water Use and Development Plan after we complete this  
11 plan. And it's split up by aquifer sector areas, so those are  
12 not -- it is a bit of a challenge to analyze with those units  
13 because they don't coincide directly with, for example,  
14 community plan boundaries. Right? So that you have various  
15 community plans found within one aquifer sector area, for  
16 example, so that has its own sets of challenges. But per  
17 state water code from CWRM, that is the unit of analysis we  
18 need to use for this plan.

19           So some of the key issues identified through the  
20 public process to date for the Wailuku aquifer sector area  
21 include:

22                   Return of stream flow and cultural use of stream  
23 waters.

24                   Lack of aquifer information in regions that are not  
25 designated groundwater management areas for the Wailuku

1 aquifer sector area. That's the -- specifically regarding  
2 Waikapu.

3 Salt water intrusion, so concerns of chloride levels  
4 in well -- in groundwater.

5 Maximizing the use of alternative sources of  
6 water -- so, for example, R-1 wastewater, rainwater, gray  
7 water, etc. -- while minimizing wells and surface water use.  
8 So that approach to -- an alternative to using potable water  
9 when needed.

10 And mitigating water transport. So the Wailuku  
11 aquifer sector area has a significant amount of its water  
12 resources that are being exported into the Central aquifer  
13 sector.

14 Some of the major constraints or other  
15 considerations include the Na Wai Eha contested case and the  
16 IIFS or interim in-stream flow standards.

17 So within the Wailuku ASEA, an overview of the water  
18 resources, you can see here the --

19 It's a little blurry here. Let me see if I can  
20 adjust this. A little bit better.

21 You can see the four aquifer systems, so our Wailuku  
22 ASEA is made up of four aquifer systems, which are smaller  
23 hydrologic units than the sector. Starting up top with  
24 Kahakuloa which have 5 mgd or million gallons per day of the  
25 sustainable yield as the assessment for that aquifer system; 8

1 mgd in Waihe'e, 20 mgd in Iao, and 3 mgd in Waikapu. So those  
2 are the assessments of the groundwater resources in the  
3 aquifer sector.

4 In terms of surface water during median flow  
5 conditions, we're looking at approximately 74.5 mgd and in  
6 drought conditions 45.8 or just under 46 mgd.

7 So projected growth, that's population growth, and  
8 water demand: This is looking out to 2035, so the Water Use  
9 and Development Plan is a 20-year plan. 2014 is the baseline  
10 year and then we go from 2015 to 2035 for the analysis and  
11 projected demand. In terms of MDWS potable Wailuku and  
12 Central ASEA demand, this is demand on the Wailuku aquifer  
13 sector resources, we're looking at a projected demand of 36.17  
14 mgd.

15 You'll see here on the right a map of our MDWS  
16 infrastructure and distribution lines and the Central MDWS  
17 system goes between the Wailuku aquifer sector and the Central  
18 aquifer sector, but it's solely fed by the Wailuku aquifer  
19 sector or primarily fed by the Wailuku aquifer sector  
20 resources and that goes down all the way to Kihei, Wailea,  
21 Makena.

22 In terms of MDWS potable export, so what's going out  
23 of Wailuku aquifer sector to Central or what's the projection  
24 there, it's 31.87 mgd add up to 37. Just the projected demand  
25 within the Wailuku aquifer sector you see 5.31 mgd and then we

1 have non-potable demands, this would be primarily for  
2 agricultural purposes, a projected amount of 34.06 and a 2.73  
3 mgd losses through the system; so a total demand of 73.97 mgd  
4 projected.

5 Okay. So just to give a little bit of context, that  
6 means for the Wailuku ASEA in terms of percent of sustainable  
7 yield currently being -- or, sorry -- yes, currently being  
8 used as of 2014, about 57 percent of the sustainable yield of  
9 groundwater resources are currently used in the Wailuku  
10 aquifer sector overall.

11 Okay. So, again, here in a bar chart we have 2035  
12 projected demand. That first blue bar there, the 37, is  
13 groundwater sustainable yield plus 1 mgd coming out of the  
14 Kahului aquifer system area -- or aquifer system, rather, so  
15 that's totaling 37. And that all the feeds into the Central  
16 MDWS water system.

17 The next blue bar is looking at the surface water  
18 median flow which includes surface water from Kahakuloa. And  
19 currently there are no plans to have that water feed into the  
20 system, there's no infrastructure currently bringing water  
21 from Kahakuloa into other parts of Wailuku ASEA or to Central  
22 ASEA.

23 The next blue, that 43, is surface water low flow,  
24 so under drought conditions, excluding Kahakuloa resources, at  
25 43 mgd.

1           And that green middle bar you see there is the 37  
2 sustainable yield from the first bar and the surface water  
3 median flow including Kahakuloa, so that's 111.47, that's  
4 groundwater and surface water resources put together.

5           If you're looking at the total drought yield, so in  
6 drought conditions without looking at Kahakuloa water  
7 resources, that gives us a total of -- there's an error here  
8 on the slide, it's actually 79 mgd instead of 75.

9           And the selected demands -- so that was all the  
10 supply, all the bars showing supply resources within the  
11 aquifer sector. Now the orange bar at 73.96 or just under 74  
12 is the selected demand scenario for 2035. So given the  
13 projected population growth, the projected demand will be just  
14 under 74 mgd in 2035. Again, that's not where we are  
15 currently and there aren't plans at this point for Kahakuloa  
16 to be -- or other resources within the Wailuku aquifer sector  
17 area to be meeting that projected demand.

18           And finally here we have the demand from the Wailuku  
19 aquifer sector area only projected up to 2035, so 15.39.  
20 Right? So if Wailuku aquifer sector area was only dependent  
21 on its own resources and no resources were being exported out  
22 of Wailuku aquifer sector area, there would be plenty for  
23 Wailuku aquifer sector demand. But because of the demand from  
24 Central, that kind of changes the scenario.

25           Regarding the Na Wai Eha contested case November

1 2017 proposed decision, the assessment is that low flow  
2 conditions can generally meet the recommended IIFS for  
3 domestic uses, Category 1 surface water use permits and  
4 necessary water losses as well as Category 2 permit  
5 allocations could generally be satisfied under median flow  
6 conditions. Category 3 would not be met by drought scenarios.

7 And here we have an estimate of the lo'i kao and  
8 appurtenant rights at 8.42 mgd in terms of demand.

9 And then the HC&S lands, based on their diversified  
10 ag. plan that they've submitted, the range there is what  
11 they're stating will be needed from the Wailuku aquifer sector  
12 to fully implement their diversified ag. strategy is 17.43 mgd  
13 from Wailuku aquifer sector. If you apply to the amount of  
14 acreage of 3,650 acres that would be served by Wailuku aquifer  
15 sector area resources, a low growth scenario would be 9.13 mgd  
16 per day of demand and that's using applying a 2500 gallons per  
17 day per acre estimate for ag. use, which is consistent with  
18 previous CWRM determinations for water needs per acre.

19 Okay. So I'm moving into some of the recommended  
20 strategies for the Wailuku aquifer sector. One of those here  
21 regarding resource management and conservation is for Maui  
22 County to continue financial support for watershed management  
23 partnerships. Mauna Kahalawai is the new name of the West  
24 Maui Mountain Watershed Partnership and the strategy there is  
25 to continue to support fencing and weed eradication efforts as

1 well as control of feral ungulates. And you can see here how  
2 dependent the Wailuku aquifer sector residents are on that  
3 aquifer, right, so hence the importance of preserving it.

4 Another recommendation here is to establish a  
5 diverse working group to address alternative structures for  
6 future management of the watershed lands and sustained  
7 operations of the Wailuku Water Company ditch system. And  
8 that should include the Aha Moku, Hui O Na Wai Eha, OHA, Maui  
9 County, and the Wailuku Water Company at the very least as  
10 major stakeholders to come up with a strategy for that.

11 Some of our other strategies here are adapt pumpage  
12 of constructed wells in Waikapu aquifer. So we have some  
13 newer wells in Waikapu aquifer, but adapt the pumpage of those  
14 with guidance from the 2015 USGS groundwater flow model  
15 results once those are available so that we're not over  
16 pumping or we know -- we have a better understanding of what  
17 the healthy pumpage rates would be from those wells.

18 The next strategy would be exploring a new basal  
19 well development in the southern portion of Waihe'e aquifer  
20 based on results of USGS groundwater model and best pumping  
21 scenarios. A lot of these proposed strategies rely on  
22 additional studies to be conducted to be -- to have better  
23 information on what makes sense or doesn't make sense to do.

24 Continuing the exploration of East Maui well  
25 development in consideration of reliable capacity for planned

1 growth areas including the MDWS Central system. Initiate  
2 hydrologic study any negative impact on ground and surface  
3 water sources, stream flow and influences from dikes. So that  
4 is a proposed strategy to meet this expected demand of the  
5 Central system that those -- that that demand could be met  
6 potentially by well development in East Maui.

7 Identify private-public partnerships including state  
8 and federal funding to maximize the use of recycled water  
9 produced at the Kihei Wastewater Treatment Facility and  
10 supplement non-potable sources for seasonal use of R-1 water.  
11 And the estimate there is transmission from South Kihei to  
12 Wailea of the R-1 system, a ballpark estimate is about \$21  
13 million to get that from South -- to South Kihei and into the  
14 Wailea.

15 And last, but not least here: Explore the Wai'ale  
16 Road Stormwater Drainage as potential to offset stream  
17 diversions associated with Spreckels and Waihe'e ditches and  
18 supplement irrigation sources for ag. water demands in Central  
19 Maui. So looking at the possibility of using stormwater as a  
20 source for agricultural, meeting agricultural demand.

21 This is our last slide here. Just some  
22 implementation notes that the time frames/lead roles of  
23 agencies and organizations tasked with actions to implement  
24 the policies and strategies are identified in this plan and  
25 within the strategies, but expect to be further defined as



1 further studies are conducted; for example, engineering  
2 studies, capital -- associated with capital program and plan.

3 The Water Use and Development Plan does not legally  
4 bind the agencies and organizations to implement adopted  
5 strategies, but, rather, provides guidance for land use and  
6 infrastructure, including guidance for the county capital  
7 improvement plan. So it's really more of a guiding plan, high  
8 level guidance than policy.

9 Actual implementation depends on the level of  
10 funding, detailed project design and planning, and other  
11 factors. So a tremendous amount of work has and will continue  
12 to go into this plan, but recommended strategies will only be  
13 implemented if funding is allocated and projects are actually  
14 pursued.

15 And the funding of system expansions to serve growth  
16 should primarily be borne by new development to ensure that  
17 costs are distributed equitably to uses benefiting from the  
18 improvements. So proposed development, the recommendation  
19 here on implementation is that proposed development and  
20 associated water demand, the cost of that should be borne by  
21 the proposed development.

22 So mahalo for your time and attention. The entire  
23 plan and presentations are available for you to view at the  
24 following website here on maucounty.gov. And my colleague  
25 Eva Blumenstein and myself are available at recesses in this

1 meeting or after this meeting for any questions or follow-up  
2 you may have. Thank you.

3 (Applause.)

4 CHAIR LYONS: Okay. So at this time we're going to  
5 open it up to public testimony and I have a list of people who  
6 have signed up here. If you are not -- if your name is not on  
7 this list, please come and sign up on the corner of this -- or  
8 end of this table here. We also have handouts, an executive  
9 summary of the plan, as well as today's presentation that you  
10 can take home with you.

11 I'll remind you you have 3 minutes with a minute to  
12 follow up if you need that minute to conclude your thoughts.  
13 And I will ask you to come and stand and -- right next to Gaye  
14 there and make your comments.

15 So let's see here. It looks like I have a Mr. Tom  
16 Cook as my first.

17 MR. COOK: I'm here. Okay. Thanks. Commissioners,  
18 thank you for your service and for all of the time that you  
19 spent working on this for such a long time. I've watched some  
20 of the hearings on Akaku, I have not been attending these. If  
21 it was an affordable housing or affordable rental thing, you  
22 would've seen me pretty much at all of them. I did serve on  
23 the GPAC for three and a half years and I truly empathize and  
24 appreciate your commitment and your efforts in this. I'll try  
25 and be brief, which is kind of hard for me, but I'm going to

1 do it.

2 I did live for 35 years up in Kahakuloa on rain  
3 catchment, homesteaded up there. My son who is 42 now, we  
4 planted trees 2 years before he was born and his 40th birthday  
5 they're like that. And he still lives up there on rain  
6 catchment, two different homes. I used to sell and install  
7 for rain, so, you know, East Maui rains a lot. My comments on  
8 this is the continuing -- first of all, the Wailuku aquifer  
9 and the Iao aquifer need to be preserved at all costs to  
10 prevent saltwater intrusion because that is -- that's just --  
11 oh my God -- could change that. So I recognize the importance  
12 of being very conservative and very cautious with over  
13 pumping.

14 Having said that, I'm concerned with two things,  
15 one -- and I think the continuing the development of the East  
16 Maui aquifer and the wells where there's an abundance, a  
17 proven abundance of water hopefully is an opportunity that we  
18 could have water resources and not water become a major  
19 constraint to growth. I'm not an advocate for growth, I'm not  
20 a -- I don't want Maui to like blow up, but I want to build  
21 10,000 homes for local people, affordable rentals, affordable  
22 sales. We need a significant, large, aggressive building  
23 endeavor for our local population. This is a little bit of  
24 deja vu for me, because water used to be used as the key  
25 constraint for development and I kind of see this potentially

1 being used again. Not by intent, but as a possible byproduct.

2 Also, funding expansion to service the growth should  
3 be primarily borne by new development to ensure cost -- I  
4 disagree with that. I think that the County of Maui should  
5 pony up, develop the water resources, and charge people to  
6 connect to it. Right now what we have due to the Show Me the  
7 Water Bill and whatnot is a whole lot of private water systems  
8 and to me that's pretty dysfunctional. And wealthy people can  
9 afford to develop a well and develop a neighborhood and build  
10 there and live, and then average people can't. So the  
11 municipality, hopefully, has the bonding capacity and the  
12 technical expertise to develop an island-wide functioning  
13 water utility, so that's basically -- I'm supportive and I am  
14 concerned. Aloha. Thank you very much.

15 (Applause.)

16 CHAIR LYONS: Thank you very much, Mr. Cook.

17 Dave Ward.

18 MR. WARD: Okay. I'm going to try not to hold it  
19 too close. Oh, there? Okay.

20 My name is Dave Ward. I would like to encourage the  
21 development of an additional source in East Maui more rapidly  
22 than is in the plan. I was just involved in a workforce  
23 housing, single-family home development in Haiku and we just  
24 in the last 6 months or so have put young families in brand-  
25 new homes in Haiku, so -- and, you know, watching the kids

1 move into the neighborhood and everything was just wonderful,  
2 you know. It's such an opportunity for our young local  
3 families here on Maui. We were able to do that because there  
4 was a 2-inch water meter on the property. If there weren't a  
5 2-inch water meter on the property, we would never have been  
6 able to do that because there's not water in Haiku, there's a  
7 moratorium. The interesting part about that, of course, is  
8 that area is the area that has the most source on Maui.

9 And so, you know, I give that as an example because  
10 that's in Central and Wailuku as well. It appears in the  
11 information that there's going to be a period of time where --  
12 and I'm talking about potable use only. There will be a  
13 period of time over the next 10 years where we're going to  
14 have not enough water to meet the potential demand for potable  
15 water in Central Maui. And what that will mean is that, you  
16 know, local families, young families will not be able to have  
17 the opportunity to have a new house because we won't be able  
18 to build homes. So I just encourage the development of water  
19 in East Maui so that we can continue to provide housing for  
20 people who live there.

21 A couple other things I want to comment on. Tom  
22 Cook brought up the idea of developers paying and I do agree  
23 that -- you know, that developers do need to pay their fair  
24 share, but at the same time, you know, the water department is  
25 there to provide source and I think it's important that the

1 water department go out and provide that source for people on  
2 Maui and then that can be charged through source transmission  
3 and distribution fees through water meters and other things.

4 The other thing I noticed was the -- was the  
5 reclaimed water in Kihei and other places and I would like to  
6 encourage this body and everyone to, you know, spend the money  
7 and get those systems in place so that we can, you know, use  
8 non-potable water for irrigation and use our potable water for  
9 drinking, for our population here. Okay.

10 CHAIR LYONS: Thank you very much, Mr. Ward.

11 Chris Nakahashi. Chris Nakahashi? Stepped out?

12 No?

13 Do we have additional testifiers?

14 Mr. John Duey.

15 MR. DUEY: Thank you. Aloha, all. Thank you, Board  
16 Members, for being here. My name is John V. Duey, I'm a  
17 resident taxpayer and landowner in Iao Valley. I've been  
18 involved in the water issues for -- you guys weren't around  
19 then, none of you. All these board members are all new, the  
20 water director. The only guy that's the same guy in here is  
21 the guy sitting on the end down there, Ed. He's been here  
22 forever.

23 A couple of nitpicking things and a couple of  
24 comments. This afternoon I read through the Wailuku sector  
25 report draft. On page 26, a little nitpicky with these two

1 guys here, Wailuku River was not renamed, the name was  
2 restored. I take offense at that. It was restored in this  
3 room on May 25th, nineteen -- 2015 by the State Board of  
4 Geographic Names in Washington, D.C. 11/10/15. My wife and I  
5 were there. I take offense at that because it was Wailuku  
6 River and renamed in 1907 by an individual and we got the name  
7 restored in '15.

8 Page 57, the chart for Iao tunnels, Kepaniwai,  
9 it's -- you note in there a 2.2 million gallon, I wonder if  
10 that's been changed. Stern's report in '42 it said 2.05  
11 million gallons. So I wonder if somebody done some research  
12 and rechecked that tunnel flow. It's not a big deal.

13 Also, I didn't get the page number, I forgot, I read  
14 the recharge, that was one of the things we're after in the  
15 contested case hearing, the Na Wai Eha event. I'll call it an  
16 event. It looked like in there from the table that the  
17 recharge started to occur right after we got water restored  
18 which was 10/13/14, so that's the -- that's one of the good  
19 news.

20 Mr. Lyons identified 2 years on this program, the  
21 first Water Use and Development Plan was November 30th, 2004.  
22 I attended 12 of the -- 11 of the 12 meetings back then. I  
23 had some input into what's happened now. I was so sad it  
24 didn't go through the CWRM at the time, but they kicked it  
25 back and said they didn't like the -- didn't like the way it

1 was worded and everything. Anyway, appreciate what these guys  
2 are doing. It's a long process.

3 Well water storage, I've been on my -- the stump  
4 for -- since 2004 for raw water storage, I think it should  
5 happen at some time or another. Sooner or later we're going  
6 to run out of water. During our mediation for the Na Wai Eha  
7 thing we allowed for the DWS to get additional stream flow  
8 from Wailuku river, 3.2 million gallons. One day that'll get  
9 used up, so raw water storage should be on the agenda  
10 someplace down the line.

11 I disagree with Mr. Cook and Dave about Show Them  
12 the Water Bill, it was introduced in 2005 by then  
13 Councilmember Dain Kane. I supported it, testified umpteen  
14 times in favor of it.

15 CHAIR LYONS: Three minutes.

16 MR. DUEY: Okay. I -- my feeling is that as a  
17 taxpayer, we shouldn't have to pay for water resources, the  
18 developer should.

19 One more thing and I'll be out of here.

20 CHAIR LYONS: Sure.

21 MR. DUEY: If I could find it. In the -- in the  
22 presentation it mentioned here non-potable water losses at  
23 2.73 million gallons. During the contested case hearing the  
24 plantation at that time said it was 8 to 12 million gallon  
25 losses in the ditch system. I don't know where this figure's



1 coming from, what it included or not, but it was 8 to 12  
2 million gallons, the ditches and reservoirs at that period of  
3 time.

4 So thank you for listening to me. I can talk  
5 forever about water, but there's not enough time. Mahalo.

6 (Applause.)

7 CHAIR LYONS: Thank you, Dave. I appreciate your  
8 feedback.

9 MR. DUEY: Thank you.

10 CHAIR LYONS: Okay. Gaye, do you have anyone else?

11 Okay. And I want to ask one more time if Chris  
12 Nakahashi would like to testify?

13 (Pause in proceedings while people sign up.)

14 MS. DeNAIE: Come forward while they're doing that?

15 CHAIR LYONS: Sure. Please do.

16 MS. DeNAIE: Thank you. My name is Lucienne deNaie.  
17 I'm president of Haiku Community Association, but since our --  
18 and I'm also on the board of Hui O Na Wai Eha, so I've got  
19 a -- sorry. I've got a foot in both of those sectors.

20 I'd like to address some of the things that are  
21 being discussed here. First of all, the idea of watershed  
22 management that is specified in the plan, very important, but  
23 it needs to go all the way from the mountain to the sea and  
24 right now our watershed partnerships stop at a certain  
25 elevation. So the folks from the Hui O Na Wai Eha really

1 support there being management of the lower parts of the  
2 watershed too now that the streams are being restored. So  
3 just as a goal in the plan, I think that that's a goal in our  
4 Maui Island Plan and it should be a goal in this plan.

5 The idea that there's going to be a study about  
6 managing the ditch system and, you know, funding for that and  
7 everything is good; however, our impacts are happening right  
8 now. I don't know how long we can wait for a study. Maybe  
9 Kokuau could talk a little bit about this, but the au wai, the  
10 places where intakes have been are really affected by these  
11 storm surges that we're getting because of changes in weather  
12 patterns. So we're getting hundred, two hundred year storms  
13 every couple of years now. And so we really need kind of a  
14 community vision of how we're going to maintain the systems  
15 that help the kalo farmers and help other people that rely on  
16 any of the diversions.

17 There's a lot of talk about Haiku as the future  
18 source of water for Wailuku. Of course, we all know most of  
19 Wailuku's water goes to South Maui where it's used to water  
20 lawns. What a great idea. I think we should just drill a lot  
21 of expensive wells in Haiku so we can certainly have more  
22 well-watered lawns in South Maui. God forbid we should do  
23 what California does and encourage people to use cactus and  
24 rocks in the desert. That would be just a terrible idea. But  
25 Haiku has no proven capacity. There have been limited studies

1 there. Most people who have wells in Haiku do not have very  
2 high head levels; in other words, there's not robust capacity  
3 there.

4 And our Haiku Community Plan, for very good reason,  
5 says that before you develop wells in Haiku planning area --  
6 not just Haiku Town, but all the way out to Huelo, which is  
7 part of the planning area, before you develop those wells, you  
8 need to make sure all those people that have been waiting on  
9 the list for 20 years have their water first. And that's not  
10 an unsound policy, that's not -- in fact, it's what would be  
11 fair to, you know, the people who live in the area. This is  
12 the water under their feet, under their ground, you know,  
13 under their land; why shouldn't they have a chance to have  
14 water for their families too? So before we go putting all our  
15 eggs in the Haiku basket, please remember that is the law, it  
16 is in our community plan, it's a very simple statement.

17 I also want to just mention about the, you know,  
18 private water systems. Maui has always had a ton of private  
19 water systems. Long before the Show Me the Water Bill there  
20 were 50 private wells in Kihei, there were 50 private wells in  
21 Kahului. Like we've never had a very well-developed county  
22 system and so Show Me the Water or not, people go and find  
23 water on their own. If you look at the well permits for the  
24 Big Island that has no Show Me the Water, they have like 50  
25 times the well permits every month that we do. It's like they

1 don't have a well-developed system either. So the problem  
2 isn't, you know, hoping that we have water accountability, the  
3 problem is developing a system.

4 And I have to say I have one concern about the  
5 Wailuku wells. It's not very well discussed in the report,  
6 but Shaft 33, which was the major source for water for Maui  
7 County, but not owned by Maui County, got such bad disrepair  
8 that it was replaced by four wells. All of the environmental  
9 documents stated that these four wells were going to be public  
10 wells which everyone supported.

11 CHAIR LYONS: Three minutes.

12 MS. DeNAIE: Thank you. I'll conclude in one more.

13 These public wells, these four public wells which  
14 were going to replace that capacity -- not increase the  
15 capacity because that could be maybe, you know, kind of  
16 playing with fire here in the Iao aquifer, but just replace  
17 the capacity -- ended up being three public wells and one  
18 private well that then was deeded over to the county. It was  
19 deeded over to the county with a portion of its capacity left  
20 in the hand of private developers, who, of course, made sure  
21 that water could go to the highest bidder in the Wailuku-  
22 Makena area instead of the homes in Kehalani that people here  
23 could afford. And that was all done legally at our county  
24 council, people signed the contract, but that would be a very  
25 unfortunate precedent for future well development in the

1 Wailuku aquifer, if there is future well development. And  
2 it's very sad that that happened because -- of course, no one  
3 mentioned that the water was going to go south where it'd  
4 bring more money because the developer that kept a portion,  
5 about a third of the capacity of the well, was able by the  
6 contract with the county to send it wherever they wanted in  
7 the Central Maui area.

8 Thank you.

9 CHAIR LYONS: Thank you very much.

10 Hokuau Pellegrino.

11 MR. PELLEGRINO: I've got read my notes. I've got  
12 plenty of notes.

13 Aloha mai kakou. My name is Hokuau Pellegrino. I'm  
14 a kuleana landowner, kuleana kalo farmer in the ahupua'a of  
15 Waikapu. My -- I'm born and raised in the Na Wai Eha. My  
16 kupuna have been in Na Wai Eha for seven generations and more  
17 and they come from Iao and Wailuku.

18 I appreciate you guys' time. I know we've been  
19 actively -- I'm the current president of Hui O Na Wai Eha and  
20 kao'o in support of -- as Uncle John has said, we've been in  
21 this together since -- well, he's been in it way before I, but  
22 since 2003 for me. And we've provided numerous public  
23 testimony over the years in regards to this plan, former plans  
24 and so on and all that, so...

25 I have a bunch of notes here, so I'm going to try my

1 best so I -- I don't think -- I don't know if there's anybody  
2 after me, so I've got to beg for a few more minutes if -- like  
3 if I need to, but, -

4           You know, one thing that I think is really clear and  
5 I notice -- and I appreciate you guys going around,  
6 introducing yourself and talking about where -- or just saying  
7 where you're from. And one thing I noticed off the bat was  
8 there wasn't any commissioners from this particular -- or at  
9 least currently living in the Wailuku region and so I -- first  
10 and foremost, knowing that you folks have a kuleana and an  
11 affinity to your place that you obviously have the kuleana of  
12 looking at all of Maui and I'd like you guys to hone in  
13 especially -- and not that the Wailuku aquifer is any more  
14 important than any other aquifer or, you know, water resources  
15 on this island, but it is important to note that more than 60  
16 percent of the water that this island uses bears down on us in  
17 Na Wai Eha. We support the hotels, whether we like it or not,  
18 the golf courses, the beautiful, you know, manicured lawns and  
19 million dollar homes in Wailuku all the way to Makena. And  
20 this is something that, you know, whether we like it or not,  
21 we don't have a choice in Na Wai Eha. And there's not many  
22 other places, if at all on Maui where you have water delivered  
23 that far and especially to places that historically did not  
24 have water resources. And so I bring that up just to show the  
25 importance of how valuable this, you know, region is and thus

1 the name Na Wai Eha, which means The Four Great Waters.

2 Being a Waikapu resident and a kuleana landowner and  
3 kalo farmer in Waikapu, I'm very concerned about developments  
4 that are occurring in Waikapu. One thing that we noticed when  
5 we -- when Hui O Na Wai Eha vied for groundwater designation  
6 for Na Wai Eha, for Iao, is that everybody jumped on the  
7 bandwagon and went to Waikapu. And now we have much more --  
8 many more aqua -- wells in Waikapu and I feel like there's not  
9 enough studies that have shown potential impacts that  
10 groundwater well development has on especially our interim in-  
11 stream flow standards.

12 I gave the same testimony to the water commission  
13 recently because there -- the county is now going to be  
14 required in Kahoma Valley to -- or Kanaha, excuse me, above  
15 Lahainaluna to look at developing well, you know, groundwater  
16 resources because surface water is going to be put back into  
17 the stream with very minimal studies to look at how  
18 groundwater aquifer, you know, well development impacts these  
19 in-stream flow standards. You know, Uncle John mentioned, you  
20 know, Waiehu and Waihe'e got restored mauka to makai in 2010,  
21 2014 was Wailuku and Waikapu. That wasn't a long time ago and  
22 there is -- there hasn't been enough time to allow the  
23 saturation in these streams for us to study the impacts that  
24 groundwater, you know, recharge is having or not having.

25 Another thing that I appreciate is the county

1 willingness -- willing to -- for Hui O Na Wai Eha to be a  
2 partner in looking at strategies for the potential or future  
3 purchase of the Wailuku Water Company system, but I -- but I  
4 want to also urge the county to ensure that they know very  
5 clearly -- because I feel like in the public arena this  
6 potential purchase of Wailuku Water Company somehow guarantees  
7 the county for additional water resources from surface water  
8 and it absolutely doesn't. By purchasing Wailuku Water  
9 Company's Wailuku, Waiehu and Waihe'e watershed lands does not  
10 mean that the County of Maui is allotted any more -- a drop  
11 more water than they're allocated right now under the  
12 Commission of Water Resource Management. So I wanted to make  
13 that clear because it seems that there's misconceptions out in  
14 the public arena.

15 There are -- and maybe I'll just send written  
16 testimony in. There -- I've noticed a few errors in the  
17 appendices in regards to some things related to Waikapu under  
18 the Inventory of Surface Water Resources.

19 CHAIR LYONS: I can give you few more minutes after  
20 we have everybody --

21 MR. PELLEGRINO: Sure, yeah. If I can come back and  
22 finish that part, I'd appreciate it.

23 CHAIR LYONS: I only think we have one or two people  
24 and then we'll allow you to come back.

25 MR. PELLEGRINO: Mahalo.



1 CHAIR LYONS: Thank you very much.

2 MS. KAMAUNU: Is it okay if I just stay right here?

3 CHAIR LYONS: Sure. Joanna Kamaunu, just for the  
4 record.

5 MS. KAMAUNU: Thank you. I don't know if I'm the  
6 right person to comment here, but I can't remember the last  
7 time we had a water use development plan meeting and the  
8 county passed and approved it. Back when we had the five  
9 different plans; right? And if I remember correctly, there  
10 was a lot of input and if I also remember correctly, the board  
11 that was present at the time could not understand a single  
12 word that Karl was talking about. But here we have a much  
13 livelier board and I'm appreciative of that, and we have again  
14 a thick document to look over. And some ideas here that I  
15 can't just wrap my head around right now, the numbers don't  
16 seem right to me. And John is on the right track. The  
17 numbers are not accurate for us. And I don't know where they  
18 came from, but for me, it leaves a couple of questions for me.

19 So I'm looking through the report and I appreciate  
20 that the cultural was taken into consideration in this, but,  
21 I'm sorry, it's all window dressing. The cultural is spoken  
22 of in the past in this report, the culture is spoken of as not  
23 being current, and there's nothing to provide for the  
24 culture's future. We cannot assume that lo'i kalo waters will  
25 always be the same. We have a resurgence of interest in

1 people going -- of all nationalities going back to the lo'i  
2 kalo. We cannot prevent them the opportunity from -- or  
3 prevent them from having that opportunity.

4 Now, I'm just one person, my husband was another,  
5 but today we have 19 from us and that's going to multiply  
6 everywhere else. Their interest is in the lands and the  
7 waters in our valley. I'm from Waihe'e Valley. I can tell  
8 you that in the community of Waihe'e there's at least 2,000  
9 people and if I go by the numbers that's projected for use for  
10 lo'i kalo, for consumptive use, 15,000 to 40,000 per acre,  
11 figure that to 2,000 people, already it starts to have  
12 problems for me. We're looking at, what, something like 7.5  
13 gallons per person. And I may understand how the figures were  
14 put together -- I may not understand it perfectly, but that's  
15 the problem with the report. It should be easy for us to  
16 read. It should be more available to us.

17 And I'm sorry that from the time of the other water  
18 use development plans, I've not kept track of what was been  
19 happening, but tell you the truth, I don't recall hearing  
20 about public meetings. There might have been a few -- and as  
21 I look at the presentation, if 20 public meetings were held  
22 and some of them went to targeted audiences and others went to  
23 workshops and there was a third body he listed, then that  
24 means two per year in the last 4 years might have been general  
25 public meetings, so I think the opportunity for us to

1 participate in it at that time is very small.

2           What I appreciated in our last plan was that the  
3 council saw a need to include my perspective at the beginning  
4 of the process, at the beginning of an application for water.  
5 Up until that time that had not been allowed or not have been  
6 made available to us. We come to everything after the ground  
7 is broken, after the permits have been issued, and at that  
8 time it's --

9           CHAIR LYONS: Three minutes.

10          MS. KAMAUNU: -- fiscally unfeasible for the county  
11 to change their mind, that's the best way I can put it.

12          Okay. So, I'm sorry, have I gone over my time?

13          CHAIR LYONS: You have another minute.

14          MS. KAMAUNU: Okay. But basically I think there  
15 needs to be a little bit more attention made to the cultural  
16 needs of our community. I appreciate the work that's put into  
17 it, but I would really request that there be more input. And  
18 when I say I was made -- able to be at the beginning of a  
19 permitting process, I speak on the behalf of the cultural  
20 perspective. They were going to make that available to us by  
21 the county and I appreciated that immensely. Thank you.

22          CHAIR LYONS: Thank you so much, Johanna.

23          Jonathan Starr.

24          MR. STARR: Aloha kakou. My name is Jonathan Starr.  
25 Some of you know me. I sat on this commission 18, 20 years

1 ago. I've been -- Ed Kushi, Jr. is the last one that's still  
2 around from those days. But, you know, I've -- it's been an  
3 interesting process. I also sat on the Maui Planning  
4 Commission and served as chair. I've been a state water  
5 commissioner as well on CWRM at a time when an attempt to move  
6 the Maui Water Use and Development Plan was not -- not  
7 successfully, really, permitted by the commission. And that's  
8 because the Water Use and Development Plan, along with being  
9 a -- you know, a map for where the county water system should  
10 go, is a very important part of the state water plan process  
11 and it really involves all of the waters of Maui. And, you  
12 know, that's laid out in the State Water Code 174C. So, you  
13 know, when we talk about water planning, the county has on its  
14 shoulders a responsibility for all of the waters and not just  
15 those that are part of -- part of the utility.

16 And I'm very happy to see that the movement has been  
17 in that direction, kind of following in the footsteps of Oahu,  
18 which has had a really good planning department and system for  
19 the water, water board for quite a few years. And they were  
20 the first to grasp the process that includes, you know, water  
21 that serves for the creatures in the streams and the needs of  
22 loi kalo and cultural and traditional practices and life, you  
23 know, life in the streams. Everything else including reuse of  
24 water that's been used for one purpose or another. And that's  
25 a direction things should be heading and I'm happy to see

1 that's the direction things are heading.

2 So I just want to put in a plug for the state water  
3 code and those higher responsibilities and to see that things  
4 keep moving in that direction that -- really in that area this  
5 body, this department, and this planning process is really  
6 here to preserve all of the waters and all of the uses in  
7 perpetuity. That's a big responsibility. That's a long, long  
8 time and the playing field is changing as our land uses change  
9 and as our climate and as our weather changes. So please keep  
10 doing your best and I in general have compliments for the  
11 process, it's a lot better than it was years ago, so mahalo.

12 CHAIR LYONS: Thank you very much, Mr. Starr.

13 Again, still looking for Chris Nakahashi.

14 Please state your name so --

15 MS. APANA: Clare Apana.

16 CHAIR LYONS: Thank you.

17 MS. APANA: How's that? Can you hear me?

18 CHAIR LYONS: Yes.

19 MS. APANA: Okay. Clare Apana from Wailuku, Maui.

20 And I really tried to get through that plan that was put --  
21 someone sent it around and I tried to get through and I really  
22 couldn't get through it and make sense of it because of the  
23 way that it was outlined. And I would ask that you might  
24 simplify the language there to the things that are -- to  
25 direct -- directed the information to things that are really

1 important to people that we could understand like: How much  
2 water is being asked? How much water is being used? How much  
3 water is going back into recharge? How much is that -- of  
4 that is actually working? Is the Iao aquifer really  
5 recharged? Is it in good shape?

6 Those are really simple things that -- and it would  
7 be a simple way that I could understand. And I really tried  
8 to read the report and make sense of it, but I -- I'm  
9 listening to this testimony and I'm listening to Haiku is  
10 going to give water to Wailuku. Wailuku has the most water of  
11 everywhere on this island, but yet we need water from them?  
12 And then our water is going to South Maui to Wailea.

13 I've been recently working with some of the projects  
14 in Wailea and what I have noticed -- and this is a great big  
15 puka in the system -- is that although they have not fully  
16 developed that area, there is no water plan. Where is the  
17 water plan? Why are you sending our water out there, continue  
18 to send our water out there when there is no water plan?

19 It's very simply: What is the responsibility of  
20 these developers to have their people, these residents, come  
21 up with how they're going to keep that groundwater clean? You  
22 want to repurpose the water, how are you going to get -- keep  
23 it clean? Can you put pesticides in there? Can you build and  
24 go down into the lava tubes that feed the streams and that  
25 feed the fishing areas? Can you do that? Where is the water

1 plan?

2           You're going a little bit backwards, you're giving  
3 our water, our precious water away to people who have no  
4 responsibility to use it. And I think that that's something  
5 you really could do, you could -- we could be having best  
6 management practices that really encompass all the things that  
7 even a single homeowner could do to keep the water clean, to  
8 keep the resource that they get to have from where I live.  
9 And I've got to take well water now that comes out of probably  
10 the Maui Lani well, I don't get the clean water of Na Wai Eha  
11 anymore. And you're going to give them my water and they're  
12 going to get to put swimming pools in there and they're going  
13 to get to build their beautiful mansions and interrupt the  
14 lava tube system that is already there because we're going  
15 backwards at doing this. And so I would like to ask you to  
16 make this more simple.

17           CHAIR LYONS: Three minutes.

18           MS. APANA: Do a very simple chart of questions that  
19 simple people like myself would ask. Things that we would  
20 want to know. Is our aquifer safe? Are you over pumping it  
21 still? How will we manage this in the future? Will you allow  
22 developers to keep asking for more water and then we'll have  
23 to keep pumping more water that will endanger our precious  
24 resource? How can you possibly deal with this without looking  
25 at the responsibilities of every person on Maui to keeping our

1 water clean, flowing, and abundant for us all. Thank you.

2 CHAIR LYONS: Thank you very much for your comments.

3 Anybody else?

4 (No Response.)

5 CHAIR LYONS: Okay. Last call for Chris Nakahashi.

6 UNIDENTIFIED SPEAKER: Where is Chris Nakahashi?

7 Wonder where he is.

8 CHAIR LYONS: Okay. Is there anyone else in the  
9 public who wishes to testify at this time before I start  
10 asking previous testifiers if they'd like some more time?

11 (No response.)

12 CHAIR LYONS: Seeing no one, are there previous  
13 testifiers who would like to have additional sometime? I  
14 could start with you, Mr. Pellegrino.

15 MR. PELLEGRINO: Oh, not too close. Okay.

16 Auntie brought up a good point that was actually on  
17 my things to share, was the fact that now that we have --  
18 well, one thing that was missing that I wanted to bring up in  
19 addition to what Auntie had mentioned was the overall  
20 assessment of traditional kalo cultivation on kuleana lands.  
21 And you did a fair job in looking at acreage and kuleana  
22 lands -- and I actually think I will submit written testimony  
23 because there are some very specific technical things that I  
24 would like to share that was missing in some of that and in  
25 the appendices.



1           But getting back to what Auntie Johanna said was  
2 that now that our streams are flowing mauka to makai and  
3 kuleana lands that have not been -- have not had access to  
4 families exercising their appurtenant and riparian rights, now  
5 we do have the opportunity. So one of the things that we're  
6 doing and I'm probably the first to hear this is our  
7 organization Hui O Na Wai Eha is actually doing an assessment  
8 right now of all of the kuleana users. And part of it is with  
9 our case, but in addition is now that these streams are  
10 flowing in -- from Waikapu to Waihe'e, is how many families  
11 are returning to their ancestral lands, how many of these  
12 families are increasing or starting or restoring or developing  
13 their -- exercising their traditional and customary rights in  
14 regards to kalo cultivation, 'cause that's really important in  
15 regards this plan. This plan gives a snapshot of what's  
16 happening now, the potential, but it doesn't -- those  
17 numbers -- at least from what I have read over the last, you  
18 know, few weeks when this came out, I'm not exactly sure where  
19 that -- where those -- some of those numbers came from in  
20 regards to increased use. And part of that, like with my  
21 comments that I want to provide with the appendices, is in  
22 looking at some of the traditional and customary rights to,  
23 you know, kuleana lands, there are -- sorry -- some areas on  
24 like on Appendix 8, page 45 says, "Agricultural Use Scenarios  
25 for Kuleana Parcels By Watershed," and some of these numbers

1 and specifically, you know, to Waikapu, for one, was -- I'm  
2 going to get to that -- was on 6001 it talked about, you know,  
3 Kuleana Parcels, Acreage, Parcels Near Streams, 170 acres, and  
4 I will disclose that, you know, for the last 15 years I've  
5 done very extensive detailed research both as part of my  
6 graduate work for -- in regards to Na Wai Eha and I'm -- the  
7 170 acres does not match up to anywhere close. That's about a  
8 10th of how much acreage is actually -- which was actually  
9 cultivated on kuleana lands in Waikapu. So these are some of  
10 the technical numbers and I'll -- like I said, I'll provide  
11 some comments on that.

12 Another thing that Lucienne had mentioned which was  
13 also part of something that I wanted to share was the support  
14 for complete watershed, you know, management and conservation  
15 and resource support. And meaning that, you know, right now  
16 our watershed partnerships work above the conservation line up  
17 to, you know, the top of their watershed and rightfully so,  
18 those are where some of our most valuable native habitat is,  
19 you know, plants, insects, birds, and so on and so on. But  
20 now that we have streams that are flowing not only mauka to  
21 makai in Na Wai Eha, East Maui, West Maui -- West Maui has  
22 more streams now that flow mauka to makai than Na Wai Eha,  
23 which is unbelievable. I mean, we'll become the Venice of the  
24 Pacific as was once described in the early 1800s by early  
25 Westerns arriving in Lahaina. But that being said, it's

1 understanding the relationship that that watershed in the  
2 mauka region has with the makai region. And so there are --  
3 there is a plethora of organizations, conservation  
4 organizations that are doing things in -- you know, related to  
5 marine resources, to wetland restoration, and now that you're  
6 having these things come back alive --

7 Let's just talk about Kealia for a quick second.  
8 Pre-2014 when you drove from, you know, Wailuku going  
9 through -- Honoapiilani Highway going South Kihei Road, you --  
10 you know, when I grew up, I called it the mud flats. What I  
11 saw people doing growing up is people burning rubber, riding  
12 dirt bikes or whatever and just doing doughnuts in there. I  
13 didn't do that.

14 (Laughter.)

15 MR. PELLEGRINO: But now look at how beautiful  
16 Kealia is. The Kealia National Wetland Refuge was spending  
17 \$30,000 a year pumping two brackish wells just to feed their  
18 small little ponds which were little more than 30 acres just  
19 to ensure that the ae'o, the alae kea, and the auku'u could  
20 have habitat. We went from in 2014 from 35 acres to now just  
21 over 200 acres full of water. In fact, there's so much water,  
22 you see it coming down the road and, you know, that's a whole  
23 'nother issue. But the point being is that you're having  
24 these areas that were historically wet and had water because  
25 of streams that went run dry for 150 years and now we have

1 these areas being restored and they have habitats coming back.  
2 And so I encourage you to also when you're looking at  
3 supporting, you know, watershed partnerships, also expanding  
4 that to areas of wetlands and marine resources.

5 CHAIR LYONS: Mr. Pellegrino.

6 MR. PELLEGRINO: Yeah.

7 CHAIR LYONS: I need to have give our court reporter  
8 a break. You can --

9 MR. PELLEGRINO: I'm done.

10 CHAIR LYONS: Okay.

11 MR. PELLEGRINO: I'm -- I can talk forever on this,  
12 but I think those are just, you know, the main areas I wanted  
13 to share so I'll give you a break. Mahalo.

14 CHAIR LYONS: Thank you so much. Please do submit  
15 your testimony.

16 Okay. We're taking a recess at the discretion of  
17 the chair. (Gavel.)

18 (Pause in Proceedings: 6:17 p.m.-6:36 p.m.)

19 CHAIR LYONS: Is there anybody else that wants to  
20 testify?

21 (No Response.)

22 CHAIR LYONS: If not, you can testify on the 13th,  
23 December 13th or January 17th at our Board of Water Supply  
24 meetings.

25 And I also want to mention that there are three

1 board members who are ending their terms in March and so there  
2 will be three openings for 5-year volunteer board members and  
3 we encourage all who would be interested to apply. This  
4 December 31st is the application deadline.

5 (Gavel.) This Board of Water Supply public meeting  
6 is convened again and we are adjourning. (Gavel.)

7 (The proceedings were adjourned at 6:37 p.m.)  
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