

BOARD OF WATER SUPPLY
COUNTY OF MAUI

REGULAR BOARD MEETING
MINUTES OF FEBRUARY 20, 2020

The regular meeting of the Maui County Board of Water Supply was held at the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, 96793, on Thursday, February 20, 2020.

CALL TO ORDER

The meeting was called to order by Chair Shay Chan Hodges at 1:30 p.m.

ATTENDANCE

Members present: Shay Chan Hodges, Chair
Zoltan Milaskey, Vice Chair
Joseph Aquino
Antonette Eaton
Dean Frampton
Norman Franco
Dr. Hanna Mounce
Nalani Kaninau

Members excused: Buddy Nobriga

Staff present: Helene Kau, Deputy Director
Mimi Desjardins, Deputy Corporation Counsel
Noreen Saito, Commission Support Clerk

Cablecast: AKAKU, Maui Community Media

APPROVAL OF MINUTES

Minutes of January 16, 2020

Motion: Member Milaskey moved to approve the minutes of January 16, 2020

Second: Member Frampton

Discussion: Chair Chan Hodges added to a statement on page 3 C. to say, "Member Frampton spoke about increasing the Engineering budget to help meter list. Other members brought up additional issues." Also on letter C. reword to say, "Chair Chan Hodges suggested writing a letter to the Mayor transmitting the budget with board

members recommendations.” Add bullet points of the issues from the Mayor’s letter under Discussions.

Page 4 B. the Discussion should have been for the previous section, Discussion from page 3 D.

Vote: Unanimous. Motion carried. The minutes of January 16, 2020 with changes were approved.

TESTIMONY FROM THE PUBLIC

Simon Russell gave public testimony on behalf of Hui ‘O Mālama ‘Āina. Appreciates the Temporary Investigative Group (TIG) report. Hope that the County Council and the Mayor’s office take recommendations to purchase the East Maui Irrigation (EMI) system. We should control the water locally and not from Oahu or by a Canadian Pension Fund.

It was a great meeting with Department of Land and Natural Resources (DLNR), Mr. Ian Hirokawa at last night’s Kula Community Association Meeting. Mr. Hirokawa spoke about the Interim Instream Flow Standards (IIFS) in East Maui and the fact that the lease for Mahi Pono cannot occur until the IIFS are set.

Mr. Russell would like to know how many Hydrologists are there in the State of Hawaii to do IIFS?

He is concerned about House Bill 2677 that is being supported by the DLNR and how it allows the DLNR Chair to bypass the lease auction process and deal directly with the leasee.

Dick Mayer testified on the questions dealing with the DLNR Auction. He introduced to the board to add another item to the list for Mr. Hirokawa. It is the possibility of negotiation. The State law allows DLNR can issue these leases either in form an auction or go through negotiation with a government entity. Could the company that wins the bid sell or sub-lease parts of the water to an entity that we have no knowledge and control over? Or the usage we would have no control over. In the TIG, it is mentioned doing an appraisal and doing it quickly, getting a response from DLNR and the steps that could be taken to do the negotiation.

V OLD BUSINESS

- A. Director’s Update regarding January 23, 2020 meeting with the Ag Working Group regarding the use of chloramines.

Deputy Director Kau reported the Ag Working Group has requested deferring discussion of the matter until they further discuss it at their meeting tonight before speaking to the Director.

VI OTHER BUSINESS

- A. Department of Land and Natural Resources Auction presentation by Ian Hirokawa of four (4) East Maui Water Leases, and questions on what will be auctioned, and the Sale of Water, as requested by Mr. Dick Mayer's testimony of January 16, 2020.

Mr. Hirokawa summarized his two page presentation on water leasing process that is described in HRS 171-58.

He continued with answering Mr. Dick Mayer's DLNR Auction questionnaire.

- B. Director's Update on Maui Land & Pineapple's source water delivery agreement with the Department of Water Supply.

Deputy Director Kau stated this agreement has not been finalized and they anticipate execution prior to the next Board meeting.

- C. Temporary Investigative Group Report's summary by Chair Chan Hodges.

Chair Chan Hodges stated if there is a presentation, it needs to abide by and agree upon summary. She put together a two (2) page summary of the TIG report for the board to approve.

Member Frampton asked about the additional comments from the last meeting recommending the need for a complete appraisal and encouraging the Director to work collectively with EMI.

Member Dr. Mounce suggested wording was accepted by Chair Chan Hodges for the conclusion in the summary.

Motion: Member Franco moved to approve the TIG report two (2) page summary with Member Frampton's consideration.

Second: Member Eaton

Vote: Unanimous

- D. Financial Disclosure forms to be completed by Board members.
Secretary Saito stated due by April 15, 2020.