

County of Maui Water
Supply

BOARD OF WATER SUPPLY
COUNTY OF MAUI
PUBLIC INPUT MEETING:
EAST MAUI STREAM FLOW

Taken at St. Rita's Church Hall, 655 Haiku Road,
Haiku, Maui, Hawaii, commencing at 7:10 p.m. on
September 12, 2000.

Reported By: Rachelle Primeaux, CSR #370

Attendance:

David Craddick, Director
Jonathan Starr
Orlando Tagorda

Videographer:

Dan Grantham

IWADO COURT REPORTERS, INC.

P R O C E E D I N G S

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MR. CRADDICK: I have a sheet of paper passing
around here to have everybody sign up. If you could
sign up whether you plan to talk or not. I'm not
going to follow that list of who wants to talk.
However, what I would like to ask Father Gary if he
can offer an opening prayer for us.

(Pause.)

MR. CRADDICK: My name is David Craddick. We
have some of our Board Members here, Jonathan Starr,

Orlando Tagorda. And what we're here to talk about is stream flow restoration. The Board in the memorandum of understanding with Alexander and Baldwin has decided that they want to try and restore some of the stream flow, and the area that we're looking at is the East Maui area. This particular map comes from a map that USGS prepared. Let me see if I know the name of it. It doesn't say the name of it here, but it's a study that was participated in with the Commission of Water Resources, USGS and the Board of Water Supply to look at all the streams in the East Maui area and try and make some determination on whether they were gaining, losing streams, and that report is available from USGS. And we do have Gordon Tribble here that is the new District Manager for USGS.

Now, what we hope to get out of the meeting, again, like I say, is trying to get some information that I can pass on to the Board of what streams people would like to see restored, and I use the word prioritize which streams, but at least try and prioritize what uses people feel are most important, not necessarily which stream but what kind of uses the people feel are most important. And we have a court reporter here taking all the words that people give and those reports will be passed on to the Board for future decision-making. We do have Garret Hew here from EMI, and with that, I'll begin. Who would like to go first and say what they want to say? If you could say your name and spell it.

MR. ROGGASCH: Hi, my name is Robert Roggasch, R O G G A S C H, and I'm representing an organization called free Hawai'i Dot Org, "www.freehawaii.org." And I'm here, as I was in Keanae speaking about -- in the first place, I don't want to be negative towards the Board or to the people here, but I think what I see here is the same thing that was in 1937 when the Nazis came. We are not represented by people who elect us. We are elected by people who invaded us and took us -- not us, because I'm part of the invasion. All I'm trying to say is that there is an invasion of people who are sitting around here going to change the course

of Hawai'i forever. And they're going to dry it, drain it, and they have no perception or understanding that they stole it that they have no right to it and they're just going to go on and on and take and take and take until the Kanaka Maoli have nothing. And I'm here to say that that's not the case. They're not going to get the water.

We already on our website have had 40,000 people hit our website saying that they want justice for the Kanaka Maolis, and I'm saying this Board, this report is all going out on website. And I'm going to continue to put it out there until the Board of Water is no longer in existence and the Kanaka Maoli people who have the right to go put the water where it's at to go there, so that's all I have to say. Thank you.

MR. CRADDICK: Who is next? Did anybody else want to say anything?

MR. MOSES KAHIAMOE: This is just for the record. My name is Moses Kahiamoe. I live in Huelo. The last time I was in Keanae, it was the same thing for those of you that wasn't there. This is what we want for a fact. I've been in the military for 21 years, and I've been raised in Huelo from my grandparents, my parents. Now, I come back to Maui. I bring my little kids to teach some of the Hawaiian culture that we have. We been growing taro from way back, but now there is not enough water. In fact, at times, there's no water, especially now it's very dry, so it's hard to grow taro, you know. So what I do, I sprinkle water. I run a water sprinkler system, you know, and it's not wet land. The thing that we're trying to say is that we're not greedy. We no like all the water, but the stream is dry. Let some water out. That's all we're saying, okay. So I don't know what is this all about again tonight. It's probably the same thing.

We like to hear some answers. We like hear answers, but we're going to keep on coming to every

meeting that maybe one meeting we're going to get one answer to these questions. Thank you.

MR. CRADDICK: Thank you. Anybody else?

MR. SHEEHAN: I would like to ask a question. It was the question I asked earlier. My name is Marc Sheehan. With the tremendous development of thousands and thousands of condominium units being developed and town houses that are planned for South Maui, where is that water coming from? Evidently, from the memorandum of understanding, where will the water come from? Do you expect it will be pumped from wells on the North Shore here in Haiku through that proposed East Maui Water Development Plan and pumped to the other side of the island? Because when people talk about water over there, I don't hear any discussion of water problems.

And how is it that that's a priority and the north shore streams are such a low priority? And I want to understand how members of the Water Board hold this and can see and make priorities and can go ahead with this memorandum of understanding that virtually assures water for these huge South Maui developments of people who don't live here and yet the people who live here and live along these streams and have pressing needs and whose life-style is being so severely impacted do not have water. I want to understand it from your standpoint from a Member of the Board of Water Supply.

MR. CRADDICK: As far as water for the Central Maui system, that's not really the purpose of this meeting, and I wouldn't feel comfortable going into that. Like I said, the purpose of this meeting is to discuss stream flow restoration and any priorities that the community may have for that stream flow restoration, so as far as that goes --

MR. SHEEHAN: You don't get the connection?

MR. PARKER: There is a connection, David.

MR. CRADDICK: Do you want to come and talk, Jeff?

MR. PARKER: No, but I would urge you to try and answer that. You have that Wailea 670 and that big Makena project coming along with 3,400 units, and where is the water going to come from for that? Jonathan Starr is sitting there. He can tell us, too.

MR. CRADDICK: Well, if Board Members want to try and answer that, again, like I say, that's not the purpose of this meeting. The purpose of this meeting is stream flow restoration and that's what I'm here to discuss.

MR. PARKER: Well, you saw at the last meeting nobody is buying into that theory.

MR. SHEEHAN: Nobody want to play the game of prioritizing streams. We have a lot of streams people live along, and all those people want water in those streams. What do you see -- why can't we ask you questions, why can't you answer questions in terms of what the priorities are, how decisions will be made? That four-page memorandum of understanding would seem to offer a great deal in terms of water that will be available to developers. That water is going to be coming from the north shore.

People would like water in all the streams, enough that they can maintain their lifestyle of growing crops of having enough moisture so they can gather from the areas, and I think it's important that someone establish what those minimum stream flow standards will be. We would like to see some initiative from your standpoint to say there's going to be a million gallons per stream or some number that will be established rather than just to say -- nobody here wants to say, "Our stream" rather than "your

stream."

We don't want to pit ourselves against each other in terms of competing for a million gallons of water for the whole north shore, but I would like to understand why water will be available for such tremendous development mostly for people who don't live here and who won't even be here. There are thousands of condominium units and homes over there that are unoccupied and yet people have been living for decades and centuries out here and don't have enough water to live. Explain to us what is the reasoning that makes it such a low priority to have water in the streams and to send water some place to make the desert bloom. I don't get it.

MR. CRADDICK: Again, the meeting that we're having here is stream flow restoration, so I see that as being one of the main priorities of the Board. If it wasn't a priority of the Board, I wouldn't be here. So as far as I'm concerned, it is a priority of the Board and I'm here to gather information for the Board to make decisions on.

MR. STARR: David, let me speak to it for a second. I was involved with bringing the item of stream flow restoration to the Board and making a priority of the current Board, and this is something that's fairly groundbreaking. It's difficult for me to understand people taking fault with the Board for having that as a goal because I think it is probably the goal of most of the people in this room. The Board of Water Supply is a very, very minor player when it comes to the surface water of East Maui. Our take of the water that's diverted from the streams and flows in the ditches is somewhat less than 5 percent, so we get less than 5 percent of the water that's diverted and flows in the streams, and so we're not a major player as far as that goes.

But it is our vision that the streams do need to be restored to whatever extent possible, and I for one

was very happy to see that actually put into a memo. And I would actually like to complement HC&S and EMI, that organization to be forward thinking to actually, you know, agree to a memorandum that put that as a priority.

And I think that's the direction that the Board feels is one of the priorities for our society here on Maui to try to bring the streams back to life and that's what we're here to talk about. And I, you know, how much, how soon, which, I mean those are questions that are difficult questions, but I think that it's a good thing that we're in this room talking about doing it.

And actually, there is a willingness to do it, and it's something that I didn't think myself personally I would get to see so soon. Several years ago, when I went to Keanae and Ed Wendt and the taro farmers of Keanae put on that program, was it three or four years ago, to make people aware of the problems that people had with the lois and the way the streams are just not working. And, you know, if that's come this far, I think it's moving, and, you know, I really hope that people can look at it what it is, as an honest attempt to try to move in a positive direction, and, you know, I hope that maybe some other people will give us the manao because without people saying whether they think it's good to restore the streams or not, it's going to be very difficult to move in any direction at all.

MR. CRADDICK: Anybody else have anything to say?

MR. GRANTHAM: I think everybody agrees that stream restoration would be a great thing. My name is Dan Grantham. As long as there are people here, I would like to hear from EMI or HC&S what they feel about stream restoration, because, after all, they're using what, 95 percent of the water. Where are they going to be getting the water that goes back into the

streams?

Is this coming from wells, and are these wells going to further reduce stream storage already? I would like to hear the facts from all the players to just what's going on, and maybe somebody here from HC&S could say something after Ernie of course.

MR. SHOOT: My name is Ernie Shoot, and I've been growing taro now for almost ten years in a poor little stream on this one particular ili aina. It's the last one on that river system. Right now we're conducting research on the growth patterns on 12 different types of taro. It's kind of hard with no water.

Now EMI tells us that we have 8-inch water rights, but we have two 4-inch water pipes that go over the top of the Lowrey Ditch, and before it gets to the ili aina that I stay on, it runs into another two 4-inch pipes. Now, as the water moves through the loi without the proper water flow, the water gets warmer and warmer and warmer.

The four pipes that are putting out water right now cannot put out anymore water. They're maxed out. The rest of the water is going into the new Haiku ditch. So no matter what I do and how many times I plant taro, I'm still going to lose it to rot. Lehui Lapenia, she owns a ili aina, 3 acres on the Hana Hoe Stream, completely cut off the Hana Hoe stream. No more unless there's really big rains.

How are we supposed to grow taro and protect the lands that need the water when we can't get the water? No matter what we do, we can't get enough water. It all is diverted into the ditches. I don't know what the answer is, but we need to come up with some solutions. I mean we go to meeting after meeting, and we get no answers. Moke, he's going through the same thing. This is all in the Huelo area. We can't get anymore water if you don't give us

anymore water, so we've got to come up with some solutions because right now it's just not working.

Just last week, I was weed-eating not the banks of the river, I was weed-eating the river of the Hana -- the California grass and other things that are growing in the river, all the new seedlings from the rose apple trees, I'm weed-eating the river just to keep some flow going. It's almost impossible, but we're trying to protect the last of the lois on these streams. This is it. This is the last of them, so we need help, and these meetings are -- I guess they're helping, but we need water now. Thank you.

MR. CRADDICK: Anybody else?

MS. SCOTT: My name is Lurlyn, and my mother comes from the Kalealoha family and Kepani's in Hanapo. I just want to say in 1989, we had to apply for water rights, and in that water rights, we stated that we would need an every increasing amount. Well, since then, we've got a lesser increasing amount, and there's more people on the river. And there's more people coming in to buy property. They're accessible to our rights that we have.

So we're going to be -- where are we going to be left in there? Our children are going to be left with nothing, and there's no water. If you have no water, you have no life. We can't even grow taro anymore. We have a small little patch and not even enough water for that. We live off it domestically. We feel we have a right to all our lives, and now we've got less and less. What's going to happen to us at the end of the stream? And we are one of the last flows into the ditch. What's going to happen to us? That's my question. What's going to happen to the future generation?

MR. CRADDICK: Anybody else?

MR. HALL: My name is Isaac Hall. Where are we

now? There are 50 or more streams from Makapipi Stream all the way over to Maliko. The base flow in each one of those streams is totally diverted. Everything is pulled out of East Maui/Central Maui. Those streams, some of them are diverted at 3 and 4 different elevations. You start at the top. It gets diverted, totally wiped out. Get some springs, some water, wiped out again the second level, wiped out again the third level, wiped out again the fourth level. The Waiahole decision that just came down should stop everything we're here complaining about. There's language in here -- how many times we hear David guys say, "What a waste, leave the water in the stream, let it fall over into the ocean, total waste." Our Supreme Court has said, "That's not a waste. That's what a stream is for. That's what we're supposed to have." Public trust they talk about in the Waiahole decision. This is total reverse what we've got going here. They're saying, "We'll give you a little water back." It's totally the reverse what our Supreme Court said. Supreme Court said, "No, first you've got to decide how much water is needed in the stream." Once you decide, let's see, these number of people need to grow taro, okay, we can save that much water for them. These people got Riparian Rights. We save enough water for them. The stream, life in the stream, we save enough water for that. We go stream by stream by stream. We do a study, decide how much water. Okay, is there any left over we can take out of here? If there's some left over, we can take it out of here. If there's none left over, they can't take it out of here.

This is something that got decided a month ago, and here you're coming in here and telling us, "If you're lucky, we'll give you a little water." They've got it totally in reverse. The other thing they said is there's no grandfathering, which is good news for us because EMI has been diverting this water for years and year and years. The Supreme Court said, "We don't care how long they've been diverting it. They've got to put the water back in the stream."

And then they say some other interesting stuff. They say under the common law, there's no water management area. You can't divert water from a stream outside of the basin that it's in. You look around, and you say, "Is that the law in this State?" What's going on here? How come all this water is being pulled out of every stream out to Central Maui. The Supreme Court is saying that's illegal, and these wells they're going to put in. The Supreme Court says the same thing. You can put a well in the ground. You can use it on your land. You can't yank it out and take it somewhere else.

What needs to happen now is the Board of Water Supply ought to be coming before us and telling us what their plan is for complying with the Waiahole decision. What is it you guys are going to do? When are you going to start the studies of each one of these streams and do the study and say, "This amount of water is necessary in this stream, and then EMI, if we've got enough left for you, we'll pull it out"? But you're the ones, Dave and the Board, that have got to do those studies.

You ought to start doing the studies now to decide what's going to stay in the streams. Then if there's enough left over, it can come out. So we kind of got it reversed here. We're all up here saying, begging, they want us to come up and beg for our own individual streams. They should have come out and said, "Okay, guess what, we're going to start doing these studies. We're going to study your stream. Let's see, how many people down the stream are trying to grow taro? Okay. How much you need for the taro? All right." And then that amount has got to be let down. Not the other way around, okay?

MR. STARR: Well, we're here to answer questions.

MR. CRADDICK: Anybody else?

MR. MOSES KAHIAMOE: David, you got a copy of that?

MR. CRADDICK: As a matter of fact, if you look on our website, it will give a link connection to that Hawai`i State Court.

MR. MOSES KAHIAMOE: Do you want to comment on that, kind of bring us up to date?

MR. CRADDICK: I haven't read the whole thing, but it is an interesting decision. But it revolves around companies that went out of business.

MR. MOSES KAHIAMOE: The reason why you're saying that the -- you say priority, okay. Priority as in --

MR. CRADDICK: Not just for streams. I said uses, too.

MR. MOSES KAHIAMOE: Uses in general?

MR. CRADDICK: Right.

MR. MOSES KAHIAMOE: And that is the concern --

UNIDENTIFIED SPEAKER: All streams should flow whether someone is living on it or not.

UNIDENTIFIED SPEAKER: Why do we have to partition for the flow if no one lives on it? It should flow. It's the nature of it to flow.

MR. STARR: David, ask them to come up so we can have a record.

MR. CRADDICK: Yeah, if people want to talk if, they can come up here. Very good, Jonathan.

MR. DARRELL KAHIAMOE: I guess I have to stand up again. Praise the Lord, everybody. My name is Darrell Kahiamoe. I'm from Huelo. I'm very concerned about this water situation, and I think, David, you all, you know about this time and time again. And it's kind of for me being in the young generation, it's kind of idiotic. I know enough to know that this whole thing is backwards, and I think if you ask me, maybe we're the ones who should be telling you how much water you guys should be having, how much water you guys should be using, not we being told by you guys what streams we want to be opened because I don't own these streams, but I don't believe you guys own these streams either, you know, because I believe in God and God created all this. God created you, everyone of you here in the room. He created me, and the word is truth. That's all I say. The word is truth. So we prayed about this, and I said it in the last meeting we had in Keanae. And this wasn't just a normal prayer. This is what people are doing all over the world. I'm not just talking about Maui.

When we did that prayer, we're talking about being united with the whole nation. And you guys were brought up. The water was brought up. That's the first thing that we prayed about out loud. We also prayed for the State and the County, and the only thing I can ask now is, of course, you know, we want water and I'm not going to say which stream because everybody here has equal rights. We are human. But I believe all of these streams should be running the way they were in the beginning. Without going through the whole details, I can go on for hours and not have anybody talk if I wanted to, if this was the case that you guys wanted to hear something that's true, everybody has a piece. Everybody has a message. But, yes, we do need water, and you guys, maybe you won't understand how much water, and I'm directing it to you, David, and you Mr. Jonathan Starr.

For me, I know how important water is. I'm self-sufficient. I'm also disabled. I have a bad leg here, got into a major accident, two-and-a-half-ton

forklift. I know how important water is. My kapunas, my kupus, all my family raise up the taro to opae, to every kind of thing you can think of, hihiwais that runs through that stream.

Also, when it gets to the bottom into the ocean, the fish that's there, there's a purpose to everything, and water is life. Water is life. And if you guys are going to stop this water from, you know, from us, how are we going to provide, how are we going to provide for each other? I can understand with the building, and to me, the building don't mean nothing. Who is this for? Is this for us as people having the use, or is this for -- is our diversions going to construction and job sites? Because I know it is. I have a lot of people -- I have a lot of friends.

This island is so small for each and every one of us here. Everybody here is like family, you know. And I just really ask God to give you guys the knowledge because he gave me the wisdom. But I ask him to give you guys the knowledge, and I thank you very much.

MR. CRADDICK: Anybody else?

MS. KAHIAMOE: For the record, my name is Lissa Messenger Kahiamoe. I'm here to witness for the land and people of Hawai'i, and before -- I'm just here by special appearance. What I like someone to answer though is by what authority do you ask these people to come here and discuss their water with you? By what authority do you control the water that God gave by birth right to the people of Hawai'i? By what law, by what lawful authority, because if you cannot name an authority, is there anyone here that will show the authority that they have by law to control the water?

I mean is there a contract in place, a valid contract? Because if not, then all we have to -- the record will show Public Law 103-150 Senate document 240, and also, if you want to look in the Universal

Declaration of Human Rights Article Number 42, the record will show that the civil authority in the Nation of Hawai`i is right here and right there and right there and everywhere you see the kupuna of Hawai`i.

Because they are the civil authority, and I know how precious water is. And I want the people of Hawai`i to have their water, and I believe that God himself will restore the people of Hawai`i their water.

But before I even care about water, my heart is to see the kupuna of Hawai`i restored to their lawful position as civil authority of the localities of the islands of Hawai`i. And I would also like to see the Monarchy, the treaties that the Monarchy had honored. That's part of restitution, which Public Law 103-150(c) says that restitution is in order. And I would like to know by what authority the voters of Hawai`i elect agents to control the natural resources and to exercise authority over the people of Hawai`i because I find no lawful grounds for any other authority over the people of Hawai`i than the treaties which the Monarchy had operating and the civil authority, the kupuna of Hawai`i.

And I love water, but I don't believe that the Lord will let any of us thirst, any of his people. I'm concerned about the natural resource of our governing authority. Our kupuna who are precious, they need to be restored. We don't have time for all your games. We don't have time to come here for the runaround. Unless you give us your law and authority for this, you have no authority for this. We can prove the authority of our kupuna. We can prove the authority of our Monarchy, and we testified to the authority of our creator and God, and I just appeal to all of the politicians to really think about it in these last ten days, and you voters also, please think about it. Who are you giving the authority to? It's only by the vote signature that they have any

authority, and that's it.

It's the authority that the people give them. Our kupunas, our true leaders, we don't need to vote. We know who they are. They're serving us. They're serving us daily. We know who our kupuna are. We know who our leaders are. It's not the Hawaiian way to vote. That's not the Hawaiian way. They have a more civilized governing system than other nations of the world.

I was very privileged and honored to be a witness in 1993 at the Royal Lahaina when the OHA Kupuna Council met there. What they did was they wrote the Constitution of Hawai'i, and I thank them for that. And President Clinton has signed the bill, and the law went into effect. Now, the British press was there. I thought I was going to see this on CNN, everywhere. I was so happy, "Look, the world can see our kupuna. Look how wise they are. Look how full of aloha. Look how competently they lead." None of it was covered. It was covered. They were there. The media did not choose to reveal it to the public. But I thank God for the King who every time this OHA Kupuna Council meet, the King of Hawai'i has his tapes rolling and he keeps a record of that fulfilling his duty.

And I just ask that until you show your authority, stop denying the authority of our elders in Hawai'i and our King because God has allowed Public Law 103-150 to pass. He has the paper -- he has laid a paper trail, a foundation. No matter how much corruption has gone on in the law, there is a paper trail that can be traced. There are documents that have evidenced, mountains of evidence, okay. The United States of America has not one title of evidence of any authority at all in these lands, not one.

And I just urge everyone to think about it before the elections. Do you really want to give your

authority away? Do you want to give authority to the oppressor? You know how I know that the kupuna are God's authority, you know how it says submit to Government in the Bible? I submit to Government. The Government that God appointed by the very birth right is the kupuna, the OHA Kupuna of Hawai`i. And I hope all the people of Hawai`i will support that. That's all I have to say.

MR. CRADDICK: Anybody else?

MS. POWERS: Good evening, my name is Megan Loomis Powers. I made some notes today, and I don't know if I'm going to stick to them, but anyway, I've been living here on the north shore solid for the last ten years, but I grew up, we moved here 30 years ago and I was like mostly raised on Hoolawa stream and played a lot in those pools there on the Hoolawa stream. And the reason why I'm here is on behalf of Hoolawa stream and my neighbors who couldn't show up, there's a section of the river that's right below the Hana Highway and it's about a third-a-mile of stream that EMI takes every last drop of water, and so it's a dead stream there. And that's not right to be able to take every last drop of water and to be able to take it to the other side for, you know, so you can spray your golf courses and overspray the field and let it run down the drain.

Anyway, so I'm not sticking to my notes at all, sorry. I'm a biologist just by nature and that's what I got my degree in in college, and ever since being a little child and playing in those streams, I was observing the live streams there and I noticed when I was a kid, I would sit down in the stream and within like just a minute, hundreds and hundreds of the little sword tails were nibbling on me and the crawdads come up. And every night you could hear the bullfrogs and the toads. And used to be you drive down the Hana Highway and you couldn't avoid the toads. There were so many toads, you couldn't avoid them. It's just like squash, squash the whole time.

And now it's like there's so much less life in the streams. I sit down in the pool, and after five minutes, maybe ten, little guppies nibbling on me. And there's no more bullfrogs at all in our pools.

And there's some toads, but not nearly as much as there used to be.

Used to be every step at night you step on them. Now, you're lucky if you step on a toad. So there's definitely been an alteration in the ecosystem around here, and that's not right. And I think that a lot of it is, especially the amphibians, are the most sensitive, and so they're a good gauge for us to read. And I know that EMI sprays along the ditches to prevent, you know, the overgrowths of the plants and along the roadside and that washes down the rivers. And I think that's one of the main reasons why there's such a loss of streamlife. The fact that you can like kill a whole stream or in like my case, it's a section of stream because there's springs down below. And so the stream is alive down below, but that section I know that like the opae and stuff, they come up the stream and they're supposed to like keep going and breed up high in the mountain. But they can't get up past that dead part of the stream.

And also that dead section is a mosquito breeding ground. There's so many mosquitoes at my place. It's just standard that in a day, I'm going to get 50 to 100 mosquito bites. That's the way it is. I've grown up with that. I accept that. I'm just really glad we don't have malaria yet. I'm just wondering with such lax of import requirements and in terms of invasive species, it's just a matter of time until malaria shows up. At that point, Hawai`i, the whole thing changes because there's so many mosquitoes right now, and especially when there's areas of dead stream where there's ponds that sit with water and breed mosquitoes until they've evaporated. And not only that is that the streamlife that was in those ponds rots, so it's really disgusting, until, you

know, until it rushes really big and that flushes it out and it brings down the poisons from the ditches.

So that's an issue that needs to be taken care of, and let me see. Also, where I live is ag land, and all the people who live down the valley, that's considered ag land, and we don't have water to do ag. And it's like you've got to do back flips to get water from EMI even like a one-inch pipe. And you can only get it if you were in the Huelo hui way back, if your land was quartered off as part of the Huelo hui. And it seems unfair and ridiculous. For example, I go over to Kihei or Wailea, and on the way, you know, through the cane fields, and they're watering the fields in the heat of the day where you're getting the most evaporation.

So, one, it's not efficient use of water, or they're watering the golf courses. And there's always a little bit of overspray with the sprinkler. Or at the hotels, there's a bit of overspray. I remember just walking along the sidewalk and there's at least 2 inches of water, like a 2-inch pipe running into the storm drain. And I'm thinking, wait a minute, they can waste -- they can let 2 inches of water just run down the storm drain, and I don't have any water at my stream to do ag, and I'm on ag land. What's up here? So that's definitely an issue. It's like, first of all, you shouldn't be able to kill an ecosystem because we all rely on the ecosystem around us being alive for our lives to flourish, and so you shouldn't be able to kill a stream. There has to be a certain amount of stream flow maintained. And perhaps there's a law in place that says that, but it's not being abided by. And if there isn't a law, there needs be a law that at least a minimum stream flow requirement for maintaining a balanced ecosystem and life in the stream. And then if there are people downstream that are trying to do ag on ag land, there needs to be appropriations for that. What else here? I'm looking at my notes.

I think one of the solutions is water storage. In my -- in my little community, we all have our little water line that we share, and that's not going to support all of us all the time. In the heat of the day, you want to water your garden, or, you know, we're all like going drip as much as we can so that there's the minimum amount of evaporation. And this one line isn't going to serve all of us all at the same time. But if we all have storage tanks, it does serve all of us. So if you just enlarge that example, it's ridiculous that Maui County has such little storage area. We should have lakes. We should have reservoirs, especially if the dry side, which is a desert, was a desert when I came here, it now is looking like paradise at the expense of the real paradise. They should be paying for water storage facilities to be installed, especially to cover during a drought because there are times when it rushes when there is so much water that they let it overflow into our stream. And a lot of that water -- during those times of excessive rainfall, we gather enough rain for the whole island to have ample amounts of water. We just need to store it for that time, and it seems to me like before any development can happen, it has to be built into their development plan, their water storage facilities that are going to cover say 400 houses.

Okay, how much water does 400 houses with 45 pools and et cetera, et cetera, what's their water requirement going to be? Okay, what's the size storage facility they're going to need? Where is that going to be installed? That has to be a part of their development plan. You can't just like go build your 400 houses and say, "All right, we're going to take the rest of the water from out there." That's not intelligent, sustainable development. I think I mean in Maui there's like a lack of creative thinking and applied sustainable technology when it's all there. And we're like the perfect environment for really being an example to the world of how you can take a microcosm of the world, which is what we are. We have 24 of the 26 bioregions on the planet here on Maui.

We are a very special case.

We need to rise to that and realize, wow, this is a special case. We can be an amazing example to the world of how water is appropriately distributed and how energy is appropriately gathered and how farming practices are sustainable and et cetera, et cetera. And we need to rise to that instead of just falling back on the old ways, you know. I mean the old ways are good, and I don't mean to like brush off the Hawaiian old ways because they had one of the most smartest water sharing systems in the world.

And that, you know, the knowledge from that needs to be brought forward. And let me see if I covered most of my -- anyway, yeah, that was my main point that -- oh, and also just to look into the, you know, the building codes. And I think, I'm not sure how to phrase it, but there's like a rule against having water storage for your own house or water collection, isn't it? I've heard. Maybe I'm wrong that it's against the law to collect your own water off your roof say in an urban area in a big storage tank. And that's really going to be the answer to get those people through those times of drought, if every house even in Pukalani has 5,000 gallons in their backyard. Because when it really rains, we've got enough water, and so that's when we need to stock up. And then that will get us through the time of not enough water.

Anyway, and we need the streams to be alive all along East Maui, not the paradise killed in exchange for a false paradise over on the dry side. I mean I love it over there, too, and it's very beautiful and they've done a great job. But it's not fair to do it at the expense of the real paradise on this side of the island or at the expense of the stream life or the people who live there and people who are trying to live a real rural, balanced with nature kind of life. And that's my opinion and a lot of my family and friends of my neighborhood said, "Go out there, Megan,

and speak for us," so I'm speaking for at least 10 or 12 people in my immediate vicinity, neighborhood. Thank you. Have a good night.

MR. CRADDICK: Okay. Anybody else? We had some latecomers.

MR. MOSES KAHIAMOE: I would like to make a comment. One is this podium is in the wrong place. When I comment, I got to face the members, you guys. Brothers up here, make something real good, that brother right there. For what we coming up here talking? The same thing over and over right there. That's everything we talking about in that book. Priority. What we going do? Stick out our finger in our own mouth, cut our own tongue out? We like this priority. No, we like everything back, brah. Think about the whole thing. This is crazy. You know what's happening.

You bruddah got 'em right there on the paper, official document. Why should I turn around and talk to these guys? We the ones talking to you folks trying to get enough answers. The podium is wrong, brah. We need to face you guys, the members. Now, he was asking a question. Totally insane. Everybody saying the same story.

One, when the water come out and everything in between, when you don't have water, that's what happens. You think about it. A thousand things. Everybody got their own thing going on, that is correct. You think about it. No water, this is what would happen. But that guy right there, he got the stuff. He got the stuff. We not going tell you we like prioritize this. They only like this much. They only like this, not that.

This is what's happening when you take the water, put it some place else. Then no more water. But we already running out already. You killing one, feeding somebody else. But we born and live over

here. We from here. That's the thing we saying. Our family came from this place where water we just use to eat, to live to raise animals. We no more pools. We no more golf courses, brah. We let the water flow. Come in and out, go, nothing. We no take water to give somebody else over there. That's the problem.

You guys taking the water away from our place, brah. That bruddah, that's the answer. You got to go talk to that guy. So we no keep coming back the same thing. What you guys like priority, what river, what stream for what cause? Not that, brah. Not saying that. We like the whole thing back.

MR. CRADDICK: Anybody else now?

MR. SMITH: I don't think this is really about water at all. It's about cheap water. It's how can I get your water, which is the cheap water and save the hotels from pumping water. There's more than adequate water. There's a hell of a lot of water on this island, twice as much as Oahu, but you've got to pump it if you want, and that's expensive.

This is about stealing the cheap water. It's not about that. There's a billion gallons over there for them to pump if they would pump it, but they don't. They come for your free water. Thank you.

MS. HEMMING: Hello, I'm Christina Hemming. I just off of work. I work at a hotel and, in fact, have even been penalized for not wanting to do the wet treatments because I know where the water is coming from, and we waste so much water at the hotels. And I know the people who have worked in the hotels before, you've seen it. I mean they try their best to do conservation, but you have people coming over here from the mainland on vacation. They want to relax and take it easy and on and on.

But for the Water Board, I'm here representing my boyfriend, Richard Kale. He owns a piece of land

that borders Hoolawa stream and Hanapo stream, and he is an organic farmer. And he has been living there for ten years down that valley, and the amount of water that comes down the stream is obviously not adequate even right now to sustain taro farmers in those valleys, and also they spray lots of different chemicals in the ditches to maintain weeds and other unnatural fresh water organisms. And then that collects in the streams, collects in the ditches and then pumps down the streams thereby polluting the whole valley. Also, those valleys dump out into the ocean. There's wildlife, obviously fish and lots of microorganisms, so I personally feel that the ditches should -- well, I have a lot of feelings about this whole thing, especially being a person from the mainland. But I feel like the water does belong to the people, and it belongs in the valleys. I do believe that in order to have proper water for the growth that the expansive growth that is happening in the south, you're going to have a lot of wells to be drilling, and that is going to ultimately affect the downward flows of the water, so I would like you to ask the County for a moratorium on all permits and by saying this by saying there is not enough water for a thousand-acre development in Makena and it should never have passed.

There's not enough water for the development that's going on right now because we don't have the resources to be doing all this, and I would just like to say that the beauty of this island is the nature that is existing right now. Thank you.

MR. CRADDICK: Anybody else?

MR. HILANANDA: I have a question for you, David, about what was said a few moment ago. I would like you first to respond to a question following up with what this gentleman who just walked out said. First of all, I would like to know, I was at a meeting similar to this in Keanae a little over a month ago, and I keep on hearing people and I've heard it for years. I've been in Haiku for ten years and now I own

a piece of land over in Huelo.

I've heard meetings similar to this, but now all of the sudden, there's something going on behind the scenes and all of the sudden we've had these two meetings in Keanae and Haiku. Before I say anything, I would like to know, one, who is holding this meeting; number two, where is the information we share going; number three, does anything that we say really matter into what the decisions are that are going to be made before I then share some information to people sitting here who all know because we're all from the north shore. So I'm going to be talking to us, but we're not the ones that want to hear this and we're not the ones that need to hear this. So just a simple question. Who is holding this meeting? Under what authority? Why is the meeting happening? What's going to happen with the information that we share? And then I would like to share some information after that.

MR. CRADDICK: I think we kind of went over those questions.

MR. HILANANDA: Some of us were not here at the meeting for various reasons.

MR. CRADDICK: The meeting is being conducted by the Department to pass information onto the Board.

MR. HILANANDA: The Board of Water Supply?

MR. CRADDICK: Yes.

MR. HILANANDA: To do what? What is the Board of Water Supply going to do with the water that is already in the streams that's being flowing through the ditch? What is the reason why this meeting is happening for the Board of Water Supply?

MR. CRADDICK: The idea is to see what they can

do about restoring some of the streams.

MS. KAHIAMOE: Did they ever plan to see about what they can do about everything, all the streams they stole and the land and to stop development? By what authority do you develop? By what authority do you steal the water? You haven't answered that. Unless you do, everything else is moot. You're trying to get the people of Hawai`i to give you permission to rob them. And that by dangling a few streams in front of them, really. I mean I have nothing against you personally, but I would like to know, you know, I want to -- I would like to speak with whoever is an authority over you. I would like to know what authority you have. Where is your lawful authority? Because if not, I don't even -- the kupuna are the lawful authority. I put that out again. The Monarchy and the kupuna are the lawful authority of the land of Hawai`i and they have been for the last 109 years since they were usurped illegally and unlawfully. And it's been witnessed. It's been documented. We have Supreme Court rulings. We have the San Francisco Tribune ruling in 1984 about genocide being committed against the people of Hawai`i by the United States. And really, who answers to this? Who is the authority? What authority do you have at all to address the people that you've stolen from? What? What authority?

If you have no authority, if you cannot prove your authority, then God is the authority. Thank you. And God by the very creation and birth of the people of Hawai`i and then they grow up, and if he grants them long life, they become kupuna and that makes them the civil authority of the land as it's been set up since time began.

And I see no way that you have any authority over them or their natural resources to water that God gave them stewardship over and the people who live here. God gave them stewardship. If you want to usurp God's stewardship to these people, then at least

come at me with some law. Whose law? Do you have another God that's stronger? Because this is the God of Abraham and Isaac and this is the God that brought the children of Israel out of Egypt and this is the God that brought Hawai'i Nation out from under the authority of the American Government, which it was never rightfully under in the first place. And it's already down on paper, and I don't know how much longer you can suppress the truth. And I pray to God in heaven that we will not subject ourselves again to you or fall into any of the traps that are set. In fact, I pray that you fall into your own trap, and that's all I have to say.

MR. CRADDICK: Anybody else?

MR. HILINANDA: I really like what that gentleman a few minutes ago said that I'm going to talk to you, and we've heard this, we all live out here. I'm Nik Hilananda, and I always felt a little bit hesitant to speak about water issues even though I've lived in Haiku for ten years and now I own a couple of acres out in Huelo.

However, now I own, whatever that means, I own a couple of acres out in Huelo and I'm on Makupapa upstream and I'm neighbors to a number of people and Megan talks and I start getting a tear in my eye because I know about her pool and I can see the water decreasing. My stream Makupapa is bone dry like that, okay, and a lot of us live on streams like that.

And two weeks ago during the heavy rains, which is a sort of misnomer because we are having, you know, it's been raining. We don't have a problem with rain on this side as everybody knows. You go to the other side, people say, "Wow, it's really dry," and you watch the news and they say, "It's going to be sunny tomorrow." And for weeks it's been raining out at my house and everybody here knows that. But people from the Water Board or people from the Water Department, they don't know that because they have plenty of water

that they take from our streams and flow it to the other side.

So when you go over, now we have someone that testified who works in the hotels, they don't have a problem with water. Why? Because we have a problem water. But we don't have a problem with water because there's so much water. So my property, the irony is that right on the edge, the distance from here to that back wall is where the EMI ditch damn is, and they built a damn there. And maybe about five times a year the damn overflows and I wanted to bring the pictures today and I thought, you know, most of the people here, maybe some of the people from the Water Board need to see that, but you've all seen it. And my damn overflows about five times a year and last week it was flowing. It was so -- it was a couple of feet maybe about 6 feet wide the stream flowing so full, and I also have a little culvert that's overflows when one of the reservoirs is too full. They open it up, and if you went into my stream, I get a tear when I see that. I ran down with my camera because in the three years I've been on that property, it's happened maybe a dozen times. But that was the natural flow of the water. That's the natural flow of the water. This is not natural.

Maalaea is not natural. Makena is not natural. Kapalua is not natural. This is natural. And when I went down there, like Megan also said, and I know a lot of you and I apologize for coming late, all of the sudden, you see these little animals and crawdads and little fish and other life in the stream. They were alive. My water, we have four properties that share that damn, and that's my drinking water. That's my water to irrigate. That's our water. And as it's been said before, we all know how stupid it is that how come we don't require water catchment on all properties on this island, especially places which do not have water that need the water, and where does it come from?

So like some of you a few years ago, I used to live down Haumana Road and that has a spring, so the water trickles, but most of it is diverted and so a few of us go and throw palm fronds in there and block the thing up and the water overflows the damn and it's flowing, how beautiful. And after a while, it naturally flows away, but you can see the creek and the stream running natural. So the chances of this happening are slim, but what I would like to see is EMI go along the entire ditch and just open up every damn, just open up every damn and let the water flow. And then let Maui and the Water Department and the County Governments and the officials start dealing with the fact of where the water comes from for the places that do not have water.

Now, I'm not against sharing the water, but again, we all know we're not sharing it. That's why I asked David the question, and like Lissa says, I have nothing against David, but he's representing the governmental authority that's destroying Keanae, Nahiku, Huelo, the water on this side. And there's people who have been here for generations, not like me, but generations who live off of that water and who have watched it over time less and less and less and less water, so I'm talking again to you. But you guys are the ones that need to hear this to bring it back.

Someone else suggested we should put a moratorium on development. Well, that's a no-brainer for most of us, a 1,000-acre development. But you and I both know the Planning Department will probably say, "Oh, great idea." And where is that water coming from? And isn't it ironic the technology is there, but as Rick said, and I don't know if he's still out there, cheap water. We're on an island. We're surrounded by water and those of us who have been in the Middle East, you go to countries that don't have water, and what have they developed out of necessity? Water desalination. And the technology is there. Don't kid yourself. It's there. Now, do we spend enough money in developing that technology? No. But would we out of necessity? You bet you. So that's

another thing that needs to happen last year, and that is start looking for water desalination for the places that need the water like the hotel development. If they want to develop, that's fine. There's plenty of water surrounding the ocean, but it's got to be done environmentally, ecologically conscious because you can destroy us even more if it's not done correctly.

So we don't have a problem with water. We have a problem with wanting to get cheap water. We don't have a problem with water because it's raining all the time. It's with conservation and taking the water and killing the streams. And I don't know, I guess that when you see it, as we all have and maybe the pictures would have been preferable to see the stream filled with water and to see it empty. And that's what happens a couple of times a year on this stream. And if the damn wasn't there, again, as all of you on this side, we all know that. If the streams weren't diverted, we would have more than enough water.

Just the other day in the paper, they mentioned that the other side Haleakala and this side of Maui is the fifth wettest place in the planet, in the planet. We're not lacking water. We're lacking enough water to keep on developing South Maui and West Maui. That's where the water is lacking. West Maui has its own challenge with the Iao Aquifer. We won't even get into that. But our streams are dead, and those that still have a little bit of trickles are dying, so I know when I was out at Keanae, I got tears in my eyes listening to people talk about seeing their streams and seeing the water disappear. And what is this? Oh, which stream should we open up? How many people in here feel that we should open one or two streams at the expense of others? Nobody. The camera, if it turned around, could see that.

How many people feel we should open up all the streams immediately? So that's what the Water Board needs to hear. And keep in mind that part of this also is this 25-year plan and deal that's being worked

on. Is that to benefit us to bring some stream, water back in the stream?

UNIDENTIFIED SPEAKER: No.

MR. HILANANDA: And it's not the final, but the final comment that I'll make here is that we need to watch what's going on in Oahu because they have a similar battle. And if my understanding is right and Isaac is here and some other people who are even more knowledgeable involved with that issue, it appears that the judge there in the courts don't accept the fact of taking water from one side for the development on the other side at the expense of destroying a way of life. That's what needs to be taken to the Water Board.

Will the Water Board listen to us? I won't answer that. So I hope, David, that you answer -- I did ask a couple of other questions that you didn't answer and Lissa asked you some questions. But this information taken somewhere, what are they going to do, what are they going to decide, and do the people who live on this side really have a say, or is this just a front so that the papers can be signed, the T's crossed, the I's dotted and we keep on moving on watching our streams get less and less water?

Anyway, thank you.

MR. BEE: My name is Andy Bee. There's a difference between a driving vision and a program. You come here with your good intentions for a program to restore stream flow. A lot of people here don't want to play in that field because when you set up a meeting about a program, it defines a playing field that includes a flawed vision. And people don't want to choose to play with your good intentions around your program. It's the reason why recycling is a program that's not going to really correct the problem because a flawed vision is driving the whole insanity. And sending food to countries where people

are starving is a stopgap measure that's not going to get back to the flawed vision that's driving this insanity.

And there's a flawed vision here around what needs to be nourished and fed, and it seems to be around development and money and economics and not about people and family and the land and the nature. The vision is flawed, so we don't want to play with programs. We want to fix the vision. We've got to fix the vision. Thank you.

MR. PARKER: Hi everybody, I'm Jeff Parker from Huelo. First, I would say actually say a good word about A&B. You know, I appreciate the sugar cane growing all over the island and if the water is used for agriculture, I think it's great. They've been pretty nice to me, and I'm not going to attack them. Now, what we learned at the previous meeting in Keanae is that the BWS may be able to supply a relatively small amount of water, about 1 million gallons per day for, quote, unquote, stream restoration, and the other thing we learned was that the details of how stream restoration would be applied or managed are known only by Mr. Cravalho at this time.

Now, I was happy with the testimony of the public at that meeting. Generally, people felt that rather than name individual streams for possible restoration, which might have the effect of pitting residents of one area against those from another area, rejected that idea and had the feeling that we should all stick together.

And I asked the question at that meeting, "Why is the stream restoration idea coming up right now?" I believe it's being proposed now in order to divert the people's attention away from the real issue, which is the power brokers of Maui are beginning to begin the second major extraction of water from East Maui in this island's history. You pick up the newspaper and you see the Makena project is back on track. It's got

almost 2,000 hotel and condominium units.

And a few weeks later, you see Wailea 670 back on track, another 1,400 units and many more projects as well. And I would again pose the question to David exactly where is the water for those projects going to come from? And also, I would like to ask David when will the BWS answer the questions posed by Marc Sheehan here? When will there be a public hearing on the rest of the MOU? And I think you could give us that indication tonight.

Now, this is the wrong meeting to be having here tonight. Instead of going out in the community to find out how the public feels about stream restoration, the BWS should be asking the residents of East Maui how we feel about the idea of stepping up the extraction of water from our area in order to fuel more urban development in South Maui as well as the other areas.

Getting back to that idea of stream restoration though, 1 million gallons a day doesn't restore many streams. By contrast, each one of these new proposed commercial wells can deliver up to 2 million gallons a day each. So if the idea is to give the public 1 million gallons in stream restoration while the power brokers extract an additional 10, 20 or 30 million gallons a day from our aquifer, I think we should all soundly reject that idea. We should not -- the main thing is we shouldn't allow ourselves to be manipulated by this political system that we have here on Maui.

Otherwise, Maui will become another urban disaster like the beautiful island of Oahu has become. And speaking of Oahu, look at what's happened there. Most of the wells there are sucking salt water now. The level of the underground aquifer has dropped by many feet over the last two decades. Parts of Oahu have been dried up like a dried sponge, and I don't know if many of you are familiar with that Waiahole

case that's been discussed here tonight on Oahu. That's a major case with major implications, and basically, when sugar collapsed over there, the farmers and residents of the north shore demanded that all the water that had been diverted be returned to the streams.

They stuck with that idea and they didn't back off of their demand, and as a result, they've got some water back now. My fear is that if we sign on to this idea of restoring a token stream or two, by doing so, we are inadvertently giving our blessing to the rest of the plan which is the increased extraction and removal of more water from East Maui.

I would like to briefly talk about the idea of water banking. This is the idea where you have certain water resources that are put off limits to development. Global warming is a fact. Five-hundred scientists including 50 Nobel Prize Winners wrote a letter to the United Nations and they said, "Global warming is a fact. It's caused by man, and it's occurring faster than we predicted."

Dr. Lloyd Loope at Haleakala National Park published a paper where he showed a model where global warming could cause the cloud layer to rise up, and then you've got the Haleakala mountain here, and the clouds just keep going. They don't pile up anymore. This is exactly the same thing that scientists working at Monte Verde National Park in Costa Rica have been saying. There's been historical droughts on Maui that make the droughts we've had look like nothing.

Entire populations had to leave the island the droughts were so bad. So I think that that water in that aquifer might be valuable to the existing residents here and that we ought to -- we shouldn't be so quick to get into that aquifer just yet. So I think it would be a big mistake to endorse this idea of token stream restoration, which would amount to our tacit endorsement of the bigger plan, which is the

increased water extraction from East Maui. Jonathan knows that. David knows that. They all know that. Don't fall for it. Be smart like the Keanae and Hana people are being. Thank you.

MR. BLUMER-BUELL: Aloha everybody, my name is John Blumer-Buell, and this is the first time I've come to Haiku for a meeting. And I'm here just as an expression of how important people of Hana feel it is to be together on this issue, and I hope anyone that wasn't at the meeting in Keanae will have a chance to watch it on Akaku. It was very moving testimony by people, great wisdom and great sadness, and it really -- really, when you hear that testimony, it really does amount to genocide of the Native Hawaiians in East Maui. I am one of nine-member Board for the Hana Community Association.

I'm speaking for myself, but each and every one of them have expressed at meetings great concern about this water issue feeling that it's the paramount issue right now in East Maui. The best that I can offer as someone that's been involved in these water issues for about 25 years is my feeling we really need to communicate with each other and find the best that we all have to offer and bring our resources together and hire a good attorney like Isaac Hall and hopefully with help from the Native Hawaiian Legal Corporation, we need to get a legal opinion and enforce that decision on Oahu as it applies to Maui.

The County of Maui, the Water Board, they will not -- they will not enforce anything. They don't have a history of planning. They don't have a history of enforcement. It's really up to us to do something. So I urge everybody to, you know, talk with each other. We have sign-up lists, and we need to stay in touch with each other and to really get a legal reading on what this Waiahole decision means for people in East Maui. And what I heard from Mr. Hall sounds very promising in terms of resolving a lot of the issues that people have, so I know the -- I'll

urge the Hana Community Association Board -- we've already voted to get together with the Board of Directors of Namoku. I would like to see all these community groups get together, get a good legal reading on the decision, and it's up to us to enforce it. I don't believe the County will, so mahalo.

MR. CRADDICK: Anybody else?

MS. KAHIAMOE: Can the record state that no one in the room desires to meet for water restoration planning anymore like this until we have answers. Until we get answers, why should we continue to keep wasting our time coming here? I mean didn't everyone agree that we don't want to just get two or three streams back? Okay, everyone agrees to that. So please don't ask us to meet with you again to discuss which 2 or 3 streams we want back because we're not falling for it.

MR. CRADDICK: I think this is the most critical time for you to pay attention if you want my opinion because what's going to happen with these two records is they're going to go to the Board and then the stuff is going to start happening. And that's when you need to pay particular close attention is my understanding as of late.

MS. KAHIAMOE: May the record state that I don't recognize any authority for any water plans being made at all by this Board or this Department, that they have not shown any documentation of their authority to do this, which is the only question I wanted answered, where's your authority. And until so, we're just all here by special appearance.

And in order to clear up this misunderstanding, okay, we do not wish to discuss this further until we've had recognition of your lack of authority or you show us your authority. Show us by what authority you call us. Show us by what authority you are diverting the water in the first place, and until you do, don't

ask us to meet with you to discuss a few streams here and there because we cannot legitimize -- we do not recognize your authority and we don't want to legitimize the authority that you're trying to hang onto which you don't have. Do you understand that until you show jurisdiction and authority that nothing can be further done? Do you understand that that's the first step is to prove who owns this water?

And I say that the people of Hawai`i do and that it's been given to them by God and it's held in trust by the kupuna and the Monarchy, and it's bigger than the Ultra Sovereign Canon Law Trust. And there is also American law. By American law, by your own law, they are the authority, so by public law 103-150, according to restitution, you cannot give the Hawaiian people back the pristine islands that you stole from them, but you can give them back everything, all the waters, all the lands. You can give them back the stewardship which rightfully belongs to them in the first place of the land and the water, and until you show authority where your authority is coming from, you don't have no stewardship over it. We don't recognize your ownership of it or your stewardship of it. We don't recognize it.

MS. HEMMING: May I ask a question. I'm a little confused about if there's a stream restoration but EMI owns the ditches but they lease it from the County, is that correct, you guys have gone on a new contract? So should we be talking to EMI since they seem to be owning the cement walls that, you know, are making the ditch system? Is EMI, do they have a role with this at all, which is basically part of A&B?

MR. CRADDICK: EMI is part of A&B with the memorandum of understanding with the Board.

MS. HEMMING: That was that memorandum changing it from a month-to-month to a longer?

MR. CRADDICK: No, no.

MS. HEMMING: A year-to-year to a longer.

MR. CRADDICK: The memorandum of understanding has nothing to do with EMI's leases of the water licenses.

MS. HEMMING: What is the understanding?

MR. CRADDICK: On what?

MS. HEMMING: On the ditch system. I mean if they own the ditch system, then the Water Board is putting forth, so you are working with EMI to divert some water into the streams, this is what you want? I mean this is what I have a problem with personally is that EMI has the ditches but the Water Board has the water, so it's like how does that really work?

MR. STARR: Explain about the State and the leases because some people don't understand the State issued leases.

MR. CRADDICK: I think she understands very well how the leases work, but I'll go over it. The State has some land out in the East Maui area. EMI has some land out in the East Maui area. The ditch, there's a number of ditches here. This is the top of the mountain. This is the ocean. Up here is the upper Kula water system. That's the intakes that the Board of Water Supply has. This is the Lower Kula system. These are intakes that the Water Department has.

Both of these systems, EMI does maintenance work on them up to where the end of the intakes are, and from there, we take over the system. These yellow lines here, one, two, three, four are EMI's ditch system. The Wailoa ditch, Hamakua, Spreckels, which Spreckels and this ditch here that feed into Lowrey and the Haiku ditch, and those ditch systems, EMI put them in. They run over EMI land, over State land.

There's a 1938 agreement that exchanged easements for that ditch, and right now, they go year to year getting the licenses off the State land to put water in these ditches, or at least this one here. I don't know about these ones. But we do pay them something to maintain that system to bring water in. That's all we --

MS. HEMMING: So basically EMI acts as a provider of water for the County, so they're really kind of like the Board of Water Supply?

MR. CRADDICK: Well, they do provide a delivery system, I will say that.

MS. HEMMING: Why doesn't the Board of Water Supply buy that system from EMI and have it all in one department? That would be one of my questions, and another one of my questions is, of course, how did they ever get the leases anyway or the EMI lines? But that's a whole other trip. So, you know, with the stream restoration, you're talking about what is the goal of the stream restoration for the Water Board, what is your goal?

MR. CRADDICK: Again, what I'm doing is collecting information. Those kind of questions are going to have to come up for the Board when they schedule it for a Board meeting.

MS. HEMMING: Well, as the Director of Water Supply, what is your goal in presenting this to us?

MR. CRADDICK: To implement the memorandum of understanding.

MS. HEMMING: To implement the memorandum of understanding between EMI and the Board of Water Supply?

MR. CRADDICK: Yes.

MS. HEMMING: So this is actually one of the details in part of the agreement that you have to get to the EIS to do this drill welling?

MR. CRADDICK: No.

MS. HEMMING: That's separate?

MR. CRADDICK: Yes.

MS. HEMMING: Okay.

MR. HILANANDA: David, could you follow up, I thought I had a grasp on this, but then from that question -- first of all, I just want to point out that this map is really -- you cut East Maui off. Am I right? That shows Kula and then Huelo and Kailua. Does it go all the way out to Hana?

MR. CRADDICK: It stops where the end of the ditch is.

MR. HILINANDA: I apologize for that. It looked like when you showed the Kula ditch, because it's one system and the water just falls down and goes in the ditch and EMI diverts it to where they want, and like I said before, I don't think too many people have a problem if much of it was used for agriculture as long as the ditches still flowed, but all the water is being taken.

But you were just asked a question and you just sort of very quietly answered about a memorandum of understanding, but then we're all sitting here giving information and is it true this memorandum has already been signed so we're just keeping some seats warm because the Water Board, the County and EMI are going to make decisions that we really don't have input? Or the question was asked a few moments ago the time frame. Now that you've got collected information,

you're going to give it to the Water Board. We will be able and the people from Hana, I'm glad John came out from Hana because it's just a funny line that this is a line and that's a line. It's one stream system. It's one island. So what's the next, we're going to have to go and testify again and get on our knees and say what are you stealing the water for and make a lawsuit to say look what's going on in Oahu? What's the next step with this memorandum of understanding that the Water Board is going put into effect that we actually have a say in what's going on on the north shore and East Maui? Or is it just because there's a rule that says let the public think they have a say in something and we'll make the decision. Because it appears a memorandum of understanding has already been signed before we had a chance to have any input, or am I missing something?

MS. POWERS: What is the memorandum of understanding?

MR. CRADDICK: It's on the website if you want to take a look at it, "mauiwater.org."

MR. HILINANDA: Could you -- I mean I did have a question in that little diatribe. Would you please explain now that we've given some information and Jonathan is here from the Water Board and the information is going to go before the Water Board. And then give us a time frame because I don't want to say what I think EMI wants and the developers on the south shore want, but it's pretty obvious they want to take more water, so they want to placate us by putting, you know, 2 streams out of a few hundred for some water. What's the next step so we know what meeting to come to and try to say don't do it? Give us the time frame so it's on record. It's on Akaku, and many of us don't get Akaku anyway because there's no cable out here.

MR. CRADDICK: I would expect that I'm not going to get the transcript in the next week, so I would expect it would be before the Board in October. And

typically, what the Board does is refer matters that come before it off to some committee and if this is no different, that is what would happen and then there would be some discussion on the matter.

MR. HILINANDA: And is the issue, I'm sorry, I don't mean to hog if somebody else has something to say. I don't know why I'm not getting the complete answer I want. There's a memorandum of understanding. I can go read it, and it's going to say there's been this decision, but the trade-off is that some trickles of drops of water will be put in the streams so that more water can be taken from Nahiku and East, is that accurate or not accurate?

MR. CRADDICK: Not accurate.

MR. HILINANDA: Not accurate. Good, that's a good start. There's a chance that more water won't be taken. Is the desire from that memorandum of understanding so that more water gets taken from East Maui, yes or no?

MR. CRADDICK: There are provisions in there to develop ground water.

MR. HILINANDA: So that more of the water, even though our streams are already dying, you want to take, not you personally because you're representing this whole monstrosity which is the development and taking the water, is that yes or no so that more water can be taken, you're going to put a couple of trickles in a few streams, is that correct or is that not accurate?

MR. CRADDICK: You know, I don't know if you know, but the Board spends approximately a quarter-million dollars a year doing work on the watersheds here on Maui. And other than the matching funds that we get from either the State or the Federal Government and the volunteer help that we get, I see very few people doing anything on the level that the

Board is doing, and we've been doing that for eight years now not at that level of funding.

It's built up to that level of funding, but I feel the Board is doing a very good job in being stewards of the resource or at least making a lot more of a step than ever has been done in the past. So the partnerships that the Board is involved in, the East Maui Watershed Partnership, West Maui Watershed Partnership and the East Molokai Watershed Partnership groups, from the time they were first formed, there are now 400 of these watershed partnership groups across the United States. That was 400 as of last year. There may be a lot more now.

So as far as things that the Board is doing, whether that, you know, you can discuss that memorandum of understanding all you want whether it's good or bad or not. Without that memorandum of understanding, we wouldn't even be having this meeting here. So I think again the Board is making a very bold step forward for whatever amount it is. If it even is a trickle, at least it's a trickle, and that's a trickle more than what was happening in the past, so you can bad mouth it all you want, but it's a step forward by the Board. And it's a step that hasn't been taken before.

And we're doing it with EMI, so EMI is helping out in this, too. I think they are cognizant of the issue, too. So to say that we're not doing anything and don't have authority to do it, you know, maybe we don't have authority to do it, but that doesn't mean things don't get done just because nobody has authority to do it.

MS. KAHIAMOE: But we do have authority. We do have an authority and they are wise and they are our kupuna. And I wish that the world could see our kupuna and how they meet and how they decide things because they make any other government I've seen so far look like a bunch of school children getting

together because they are competent and they are fully equipped for the job of the stewardship of the natural resources of the island for the people of the island.

MR. STARR: I would like to make a -- I just want to make a comment because I think there is a couple of misapprehensions about the way the water diversion works, and the Board of Water Supply has no involvement with the allocation of East Maui water to EMI. This is something that's been ongoing for over 100 years, some of it almost 150 years and it's by agreement between EMI and it's predecessors and the State of Hawai'i and there is an annual lease process whereby lands that are State lands, ceded lands, as you will, some of them are being leased by the State through EMI and the water that flows through them, and that's an annual process.

I went as an observer to the last meeting of the Board of Land and Natural Resources where the leases were awarded, and the only people here that I saw there, I saw Carl who was there. I saw Marc Sheehan who gave some very strong testimony, and I don't remember anyone else commenting on it. But that is the way that the water is awarded to EMI, that which doesn't fall on its own lands.

MS. KAHIAMOE: By what authority does the State own land in Hawai'i? I'm talking about the Corporate State.

MR. STARR: You will have to ask the State. I'm not part of the State Government. But in any case, the Board of Water Supply gets 5 percent of the water purchases from EMI. The other 95 percent is utilized for agricultural purposes. As far as I know, none of that is used for any municipal system. None of it goes to South Maui for development. None of it goes to Central Maui for household use. It's all going -- and use in the plantation.

MR. BEE: So is this whole conversation about

the 5 percent?

MR. STARR: No. The 5 percent incidentally does not go to Central Maui either. The 5 percent goes into the upcountry system, and that's the only place that the Board uses the water that flows in the ditches and originates from the streams.

This is about that there was a desire on the part of the Board to initiate discussions and initiate the thought process about stream flow restoration. The Board didn't say only so much or only so many streams or anything like that. The Board said it has a desire to see this process begun and talked about, and there was also the next step is if there's a desire to do it, it's to come and begin hearing what the people who live in East Maui have to say. And that's why we're here.

So frankly, you know, I applaud EMI because they signed an agreement with the Board that talks about stream flow restoration, and, you know, it's probably not the water, the 5 percent of the water that will be used to restore. I don't know. I don't think anyone knows except that this is the beginning of a discussion. It will certainly be a long and very interesting process.

So I think, you know, it's the beginning of something. And where it will lead and how long it will take to get there, I don't think anyone knows. But, you know, as one Board Member, I'm glad to be here. I know I can feel the emotions of the people and there are people who are saying this discussion shouldn't happen at all. I disagree with that. I think that this is -- that's the way you start. You start on a path is you start to think about it and start to think about it and talk about it openly and the press is here to cover it and the cameras are here to let people know that the process and this discussion is taking place.

And frankly, it's by chance that this is taking place shortly after the ruling on Oahu. And I know we have one of the people who was involved in that. I don't know if you would like to say anything about it. I would love to hear you say some words about the ruling because you probably, Carl, you probably know more about it than anyone else in the universe. If you would care to, can we get a couple of words from you. We need a technical recess.

(Recess taken.)

MR. CHRISTIANSON: Good evening, folks. I'll try and be brief and let you all go home, which is I'm sure where you would rather be. I'm Carl Christianson, a staff attorney with the Native Hawaiian Legal Corporation in Honolulu. We were involved in the Waiahole case. I'll speak briefly to that, but before I get to that, I would like to talk a bit about the EMI water license issue that has come up here.

We've been involved in that issue for a number of years. Ten or 12 years ago we sued the State. First of all, a little background. For a long time, that water was under long-term lease to East Maui Irrigation, 30 or 35-year lease expired about ten years ago.

At that point, our office representing some East Maui residents sued to ask the State to do an environmental impact study before they went out with another long-term lease. For a variety of reasons, the State then went over to issuing these licenses on an annual basis. We think the legal authority for that is pretty weak, but at any rate, it's been going on for about ten years or so. We understand now that the State would like to think about going back to a long-term lease system with EMI.

Well, first of all, this is State water we're talking about. EMI doesn't own it and there is

nothing in the law that says that the State has to give it to them. The Land Board is acting as your trustees in managing public land, public resources, and there is nothing in the law that says they have to continue doing with that water what they've been doing with it.

Another issue, these lands are seated lands subject to the 5F trust of the Hawai'i Admission Act, and by State law, 20 percent of the revenues from seated lands go the Office of Hawaiian Affairs. Also, because these are water licenses, 30 percent of the revenue from water licenses goes to the Department of Hawaiian Homelands. Now, as I say, there are revenues being generated by these leases, but I suspect this is by far the cheapest water on the island. The State has never been terribly good at getting fair market value for public resources.

So first off, EMI is getting this water dirt cheap. It's your water. Fifty cents of every subsidy of the cheapness of that water is coming out of the pockets of Native Hawaiians. Now, the Land Board makes a decision every year to continue these licenses for another year or for however long. When they make that decision, there is nothing in the law that says they have to continue doing business as usual. They could put all of the water back in the stream if they wanted to.

They could put half of it back into the stream. They could give half of it to EMI, all of it to EMI or whatever. But they have to I believe go through a logical, rational process of decision-making on that. They can't just simply rubber stamp, this is what we did last year, this is what we did the year before, so that's what we're going to do now.

And you folks have a chance to have some input into what that decision is going to be next year, and if the Land Board should decide or eventually be ordered to do something other with that water than

what they've been doing before, that is a real possibility that I would ask you all to bear in mind for future fund making. With regard to the Waiahole decision, the relevance of that decision to the Land Board's decision is that, as I read the Waiahole decision, the court is saying that before you make determinations allocating water, you have to look at what the streams need. And that has never been part of the decision-making process before.

It's time to encourage the Land Board to start making that be part of the process. And I'll say no more than that because it's 160-some-odd pages and we would be here until the wee hours of the morning, but I'll stop at that. Thank you.

MR. CRADDICK: That's the last person.

MR. STARR: She had asked before.

MS. POWERS: I have a question to you. You said that 5 percent of the water goes to the County, and that 5 percent actually only goes to the upcountry area and the other 95 percent goes to ag land, so where is Makena, Kihei and Wailea getting their water, they're getting it all from Iao?

MR. STARR: Iao and North Waihee.

UNIDENTIFIED SPEAKER: All the new projects are going to piggy-back onto Iao?

MR. CRADDICK: No.

MR. SHEEHAN: No, the East Maui Water Plan will provide that water. That's why it's critical that they be able to drill these wells and put that water into the Central Maui system, but really, Central Maui means South Maui. And the reason why is because that's where the money is, and that's where everybody is going to be making the money.

So the pressure is on to make sure that the water is available to all these developments because the approval has already been granted for a lot of these developments, so they've got to find the water. So they've got to get it from East Maui. That's the only place it is.

MR. SMITH: The cheapest place it is.

MR. SHEEHAN: Yeah, the cheapest place it is. The idea is cheap water. You have to really understand how cheap EMI gets our water. The best estimate is they pay six-thousandths of a cent per thousand gallons. They sell it to the County for six cents for a thousand gallons. So they're making about a thousand fold increase on the water. Of course, they've got to maintain the system and so on, but really, the water is extremely cheap because they're taking all the stream water that you guys want.

So it's critical that we figure out some way to go to the Land Board and petition the Land Board to change the rules. And I testified last year when the lease was renewed to, first of all, not automatically give it to EMI or A&B, just trade it year to year and to require that they have an independent appraisal because they have some dufus in the DLNR to establish what's a fair rate and they give it away instead of having an appraisal.

At that point, Tim Johns, head of the Water Board, agreed that next year they would ask for an independent appraisal because we're really talking about a fairly corrupt system whereby the major players -- just figure that you own 90,000 acres or 70,000 acres here and you had access to all the water.

Sugar cane is a holding operation to justify continuing to get the water. Nobody knows but EMI and A&B how much is actually going into the cane fields

and how much is being held in reserve and flushed into the streams so they have it for future developments. But I see that memorandum of understanding as being an agreement.

MR. CRADDICK: I'm going to cut you off there because that kind of information is not based on fact.

MR. SHEEHAN: What have you said that's based on fact? Who put you in charge here? You've run this stupid meeting here just letting people talk and you're afraid somebody is going to say something real. What's real is we've been getting ripped off of water for so long, we're kind of stupid about it.

It's cheap water like Roy said.

MR. CRADDICK: Marc, I'm going to stop the meeting here right now because, first of all --

MR. SHEEHAN: I'm getting radical.

MR. STARR: David, I think you should let people speak.

MR. CRADDICK: Sorry, but I'm conducting the meeting. I'll do it the way I see it needs to be done.

MS. DE NAIE: I just have one comment to make which might clarify for folks a little bit. I attended a public meeting last night for a proposal in Kihei, Maui Nui Amusement Park as their Gateway to Kihei. And I asked, geez, are you guys going to have water for this just like everybody else did, and Mr. Craddick was there. And the general opinion that was given by the Water Department is we can't promise you any water for this, so the Water Department is being honest at this point and telling people, at least people who are applying for new projects that we

don't have water to give you at this point. We're trying to develop some new resources, and if we do, then we may have water for you.

So there are things in the pipeline that are evidently kind of grandfathered in for water, but it was kind of nice to hear that said last night that there isn't a guarantee of water just because somebody says, hey, I have a project and it's in South Maui and I need your water from the Iao Aquifer.

MR. SMITH: I have a question. If the stream is restored -- I own a piece of property. It has a dry stream that runs to the center of it that divides it into two pieces. If that stream was restored, would I be able to exercise my Riparian Rights and extract water from that stream for agriculture, or once you restore that stream, am I going to have to stand back and watch millions of gallons run off into the ocean and provide no benefit for me and family or friends?

MR. CRADDICK: I don't know if I'm the one to ask what would happen once water goes in the stream.

MR. SMITH: I just wondered because I'm dry now. I cannot exercise my Riparian Rights even though I have them. But if they put the water back, then I could, all of the sudden we enter a realm of maybe. No one knows?

MR. HILINANDA: I have a similar situation to Roy, and I think that's why it's incumbent upon all of us to keep even going to these meetings where it feels like decisions may or may not have already been made. As I mentioned earlier, I have a stream that's also dry, and the damn is on the corner. I would like to follow up on something that Marc said, just as I mentioned it, out in Keanae.

Some of you know that I'm a candidate for the Council, and I got a questionnaire from the Board of Realtors. And one of the most important questions on

there they want to know is your position in tying the East Maui system to the Central Maui water system, so what Marc said and what David said and what Jonathan said is true, that maybe right now the South Maui development is not tied to East Maui, but you can bet that that's the direction they want because they wouldn't be asking that question if they weren't interested in seeing what your position is in tying in the East Maui water system with the Central system, which right now it does not.

So again, there's other things that are being -- all of these bits of information are quite important, and, David, I apologize for asking a question again because I asked you a question and you answered someone else and not me. I didn't question your authority. I still would like to know the time frame, and I didn't hear you answer that to me. And I would like it answered for everyone, the time frame as to when this information goes to the Water Board, and I appreciate, like you said, and I didn't question that either, that now the Water Board after 25, 30, 50 years is finally doing something they never did before.

So I thank Jonathan and the Water Board for finally addressing this situation of stream restoration, however, just because they address it, doesn't mean that we pat them on the head and say thank you for addressing it, but we're going to let two streams in. It's something that should have been done 50 years ago, so it's about time.

Now I would like to ask the time frame with the information here is one week, then they're going to sit and decide, and please step the scenario of what the Water Board does and somebody else, because again, -if I can put words in everyone's mouth, the desire here would be to see Roy's stream and my stream and Megan's stream and Jeff's stream all of the sudden have water in it because they used to have water.

So help us with the scenario of the steps that may occur, because when I asked that before, you didn't answer me. You addressed somebody else's question. Just that, give us the steps, one week, next, next, next.

MR. CRADDICK: I'll give it a try, a repeat of what I said. When we get the transcript, it will go to the Board. I expect the transcript is not going to be available for two or three weeks. That will make it the October Board meeting that this information goes to the Board.

From there, they usually refer matters to their committees and then what the committee does with it is pretty much up to them. I can't give you a schedule beyond that, but that would be my expectation of what the time frame would be. It would go to the Board sometime in October, go to the committee, and they set their meetings. They try to set them usually the first or second Tuesday of the month, and so that would be the first or second Tuesday in November, and from there, they deliberate on the matter until they have a recommendation to go to the Board.

MR. HILINANDA: So this issue of stream restoration at some point, and I don't know if Jonathan is a better person to respond to this, at some point, the Board of Water Supply will have a statement back to the community about what you feel you're going to do? After it goes to the committees, share back with us how we're going to be notified about what the decision is made and can we have anymore input, additional input, et cetera.

MR. STARR: I would think a good time to have input is when it goes to the committee and the committee has its meeting, and, of course, testimony and public input is more than welcomed at those meetings. And then the committee will try to come up with some recommendation on some course of action or a course of recommendation that will go back to the

Board. And then the Board will further have more testimony and will deliberate on what the Board will do and then it would probably go -- the next step would probably be some kind of public hearing, and, you know, in a more public space than the Board meeting.

So there will be at least three, and then it would go back to another Board meeting, so at least four or five opportunities to come in and give comments on it before any kind of action would be taken, and it's not -- frankly, this is an area where there's not all that much unilateral action that the Board can do because we have very little take of that water. But it's maybe a way to create a direction to move more than something that the Board can just by edict go and do.

MS. POWERS: And who would be on that water committee?

MR. STARR: Which committee of the Board would it go to?

MS. POWERS: Yeah.

MR. STARR: I don't know which committee. That would be up to the chair.

MS. POWERS: So are those people elected by us, or are those people assigned by the Water Board?

MR. STARR: Well, they would be members of the Water Board. Different members of the Board chair different committees and sit on committees. Orlando chairs Committee of the Whole. I chair Operations and Review, and, you know, there are different -- Mayor Cravalho chairs Rules Committee and so on.

MR. CRADDICK: Mayor?

MR. STARR: Ex-mayor.

MR. SMITH: That X is important.

MR. CRADDICK: John.

MR. BLUMER-BUELL: I have a question. Maybe it's a little humorous, but maybe not. If there's public hearings on this, will they allow the testimony before or after the vote?

MR. CRADDICK: I'll leave it on its humorous note.

MR. STARR: It's up to the Chair.

MR. BLUMER-BUELL: For people who don't get the joke, the memorandum was signed before the public testimony.

MR. CRADDICK: Anyways, I don't know, Marc, did you have anything more to say on stream flow restoration?

MR. SHEEHAN: I think I've said enough already. I'm going to get in trouble here.

MR. CRADDICK: When is the next meeting? As I said, I expect this would go before the Board in October. Typically, what the Board does is when they get something new, it's not discussed. It's referred to one of the Board's committees, and it's referred to those committees by the chair. And when it comes up in that committee would be the most important time to be there. And a very critical time, I might add, regardless of whether they have the enforcement ability or not.

MR. DARRELL KAHIAMOE: I just have one thing to say. I thank you again for having us here, and my other point is prior to this, when you guys do find out what is going on, us as a people would like to

know and we would like to know ahead of time. Like there's a lot of us who had last-minute notice of a meeting. And there's a lot that doesn't have any idea at all that there is a meeting. And if it could be addressed to the public that we will know at least two weeks or sometime --

MR. STARR: Can I ask a question. Was there sufficient notice for this meeting, did everybody know about it?

MR. DARRELL KAHIAMOE: Yes, as far as I've seen, yes.

MS. POWERS: Is it only announced in the paper, or is there another venue?

MR. STARR: This meeting was announced at the previous meeting. It was announced in the newspaper. It was announced at the Water Board meeting. I believe, did it go into an article in the Maui News?

MR. DARRELL KAHIAMOE: It did.

MR. STARR: I went on Uncle Charlie Maxwell's radio show to personally announce it and ask people to come, so there was definitely an attempt made to publicize it.

MR. CRADDICK: John.

MR. BLUMER-BUELL: I have always found your Water Board's secretaries to be very good at noticing people, so I think if everybody that signed in at both of the meetings, if you just have your secretaries mail them the notice, that would take care of that part.

MR. CRADDICK: Please, John.

MR. BLUMER-BUELL: When I've asked to be

noticed, they've done a good job. We're only talking about a few dozen people.

MR. CRADDICK: We send out 200 notices every meeting, 200 notices, so it is not easy to do. We do post these notices on our website. Again, that's probably one of the easiest ways to get information about what's going on if you happen to have access to the web.

MR. HILINANDA: Just a quick comment, John, and I really appreciate that there's information that goes out to various media. The fact of the matter is not everybody reads the Maui News. Not everyone reads the Haleakala Times. Where I am, I get only one FM station. I get very poor reception for TV, so my suggestion is I'm sure there's other people in other situations like me, some that are off the grid. So I'm able to get the information, but I think when the comment is made some people would like to be called or something mailed --

MR. CRADDICK: There's no question if you call and your name is on the list, you're going to get a notice of the agenda.

MR. HILINANDA: Well, as a point of information, my name was on the list at Keanae and I was not noticed by mail nor phone about this meeting. It's because I read it in the Maui News and I made an effort. What I'm saying is a lot of people, and I'm not making apologies for them, that want to know about these things but don't have access as readily as other people.

MR. STARR: Let me make a suggestion. We have a list of 200-some-odd people who are notified of meeting announcements. If you want to be added to that list, if you write a letter to the Board, you will be added to that list, and then it will be 201, 202, 203 and so on, and you will get a notice of all of our meetings.

MR. HILINANDA: That's what the County does with their meetings if you get on the list, right.

MR. STARR: So write to the Board and ask and you will be put on the list.

MR. HILINANDA: And my recommendation will be what Jonathan just said is bend over a little bit more to reach out to people that maybe don't have access as readily for whatever reason to all of the different avenues.

MR. STARR: So please, write to the Board and you'll be added to the list. Anybody who wants to be added on is welcome.

MR. GRANTHAM: David, what is your website again?

MR. CRADDICK: "Mauiwater.org."

MR. GRANTHAM: And can you contact the Board on the website?

MR. CRADDICK: When you say contact the Board, you mean with e-mail? Yes, you can. If that's it, thank you very much.

MS. KAHIAMOE: Will you bring your supervisor next meeting?

MR. CRADDICK: Next meeting will be the Board, and they are the supervisors.

(The deposition concluded at 9:30 p.m.)

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