

County of Maui Water
Supply

BOARD OF WATER SUPPLY

COUNTY OF MAUI

REGULAR BOARD MEETING

Held at the Kahului Shopping Center, Kaahumanu Avenue,

Kahului, Maui, Hawaii, commencing at 9:00 a.m. on

March 20, 2003.

REPORTED BY: LYNANN NICELY, RPR/RMR/CSR #354

IWADO COURT REPORTERS, INC.

A P P E A R A N C E S

BOARD MEMBERS:

Mike Nobriga, Chairman

Clark Hashimoto, Vice Chairman

Kent Hiranaga

Ginnie Parsons

Jonathan A. Starr

Adolph Helm

STAFF PRESENT:

George Tengan, Director

Ed Kushi, Corporation Counsel

Cathy Howard, Board Secretary

IWADO COURT REPORTERS, INC.

CHAIRMAN NOBRIGA: Call the Board of Water

Supply regular board meeting to order at 9 o'clock.

We're at Kahului Shopping Center at Unit 29.. Unit

rented by the County of Maui for an official County of

Maui place of residence.

In attendance at today's meeting is Kent

Hiranaga, board member; board member Jonathan Starr;

board member Clark Hashimoto; board member Adolph

Helm. Mrs. Adolph Helm in the audience; we thank her

for coming today. Chair Michael Nobriga. Board member Ginnie Parsons will arrive momentarily; she called to say she will be a little late. Also in attendance is our board secretary, Cathy Howard; director George Tengan; administrative specialist, Jacky Takakura; our illustrious counsel, Dr. Edward Kushi, Jr.

Is there any oral testimony at this time?

Hearing none, we'll move to written testimony.

We'll move to IV, Director's Reports. Director

03-04, Update on Upcountry Lead and Copper Rule

Compliance. Mr. Tengan.

MR. TENGAN: Mr. Chair, we do have a report to the board on where we are with the lead and copper rule compliance.

CHAIRMAN NOBRIGA: Mr. Tengan, the court reporter has a hard time hearing you.

MR. TENGAN: Mr. Chair, we do have a staff report on where we are on the lead and copper rule. Last night we had a meeting with the community at Hannibal Tavares Center and that was attended by about

20 people, I would estimate. It went along fairly well, noncontroversial, but yet the community is not satisfied that, you know, we are adding additives to the water. And the community has formed a committee on their own to look at the issue and to see how it can be resolved and how eventually they can get it to a point where the department wouldn't be required to put any additives in the water.

I will let Jacky say a few words on this because she has been handling this issue for the department and she has been doing a good job. She's

made many contacts with state officials, the EPA, and also some university professors. So she has been a great resource.

MS. TAKAKURA: Good morning, everyone.

Actually, I counted last night there was almost 50 people at the meeting.

The first thing is we're still using the zinc orthophosphate, the calgon C-9, at two and a half parts per million. We are going to stop using it.

When we asked the Department of Health Safe Drinking

Water branch if we could stop using it, they did say

yes, if we use something else. We must use some sort of chemical additive for treatment to control the lead. So we're going to switch to phosphoric acid, which is actually a component of the C-9. So this next product is basically the same thing but without the zinc. And we're hoping that that will put us in compliance with the lead and copper rule and also alleviate some of the things that our customers are reporting.

The phosphoric acid hasn't come yet to Maui.

It's expected to arrive on March 21st. What I had

told our customers when I sent out the letter informing them of the change was the expected start date would be March 24th, which is next Monday. Now, this is a soft date because now there is a lot of other things going on, and security, so there might be a change in the start date. If we do change the date, I'll be sending out press releases to the radios and to the newspapers.

We have been working with the Department of Health, Maui District Health Office, in working with

the customers who have reported reactions and they're helping us from the medical perspective and they will continue to work with us on that.

The community group is made up of approximately six or seven people, all from Upcountry, and what they're looking at is going to the EPA for perhaps a grant. It's been referred to as an unsolicited grant. And they would be looking at removing the lead from customers' homes. It seems like a logical way to deal with lead, get rid of it, although it is coming out to be a little bit more

complicated than it seems because one thing they are going to have to do is sample a lot of homes and then look at exactly where the lead is, is it in the faucet, is it just in the pipes underneath the sinks, or is it actually in the walls. And so it's going to be a big job.

And one thing we need to make clear is that even if all lead were to be removed, it's still up to the EPA and the Department of Health, Safe Drinking Water Branch, to say whether or not this additive is required. They could still require it.

One thing that might happen would be that if we are in compliance with the lead and copper rule, we can reduce the amount of the additive. And the way it works is every six months you do the round of sampling. If you're in compliance, you could probably reduce the amount of the additive by a quarter part per million. Then you do six months later, you do the round of sampling. If you're still in compliance, you could reduce it down a bit, until you get to that point where you're starting to see the lead levels rise a little bit, you find that balance.

So we may not be able to ever stop using treatment according to the EPA and the Safe Drinking Water Branch, but we may be able to reduce it down so that it is a very, very small amount.

The Department of Water Supply -- we're not an active part of this community group although we are providing them with the information that they need and just some background information. Any questions?

MR. HASHIMOTO: Are the other counties using

C-9?

MS. TAKAKURA: The Big Island is using C-9 in some of their systems and I know that it didn't work in some places, but I do believe they are using it in some other places.

When I was on the Big Island earlier this month, I was talking to the engineer at the Big Island Volcanos National Park. They use a catchment system, so it's rainfall just like we use in the Upcountry water system. And it's very acidic because it's the volcano, so it has acid rain. The PH is about 4.5 to 5, with neutral being 7. They do treat the water,

they filter it, they use soda ash to balance it, and then they add the corrosion control chemical so that it's less corrosive. They were using C-9 and they have just recently switched to the phosphoric acid in the last couple of months and it is working for them and they haven't had any problems with it. The reason they switched was purely economical because the phosphoric acid is cheaper. So that's one place that I know is using phosphoric acid.

MR. HASHIMOTO: Were they getting any complaints from their customers?

MS. TAKAKURA: No complaints at all, no, none.

CHAIRMAN NOBRIGA: Mr. Starr.

MR. STARR: I wanted to compliment you on the way you're handling it and I think that you've diffused a lot of the tension and concern.

I was a little bit concerned the other day when I saw a Viewpoint in the Maui News by Kika Bukoski and he seemed to state that the problem is the use of surface water Upcountry and he seemed to be saying that Upcountry should switch over to well water. And, you know, apart from being a very

expensive proposition, I don't think that's a good solution. So just from a PR point of view, it might be good to plan some tours of the treatment plants and show the community how great they are because I think they are one of our real success stories and accomplishments.

MS. TAKAKURA: Two things on that. The first is that Kika Bukoski did show up last night and he has gone over the rule and he's got a pretty good understanding of how complicated this really is. And

the reason he brought up changing the source water is because when you're in violation of the lead and copper rule, the rule gives you four options. The first one is treatment, which is what we're doing. The second one is changing source, and I think that's why he's looking at a different kind of water for Upcountry, being ground water.

Yeah, I agree, he hasn't addressed the cost issue and that's something that would need to be discussed. But I believe that's why he is looking at well water is because the second option after

treatment is changing the source. The third option is public education, which must be used in conjunction with something else; you can't just do education by itself. And the fourth option is changing lead service laterals, which is not an issue here on Maui.

The second issue is tours of the treatment facilities. We're not doing those any more because of the security threat. I agree with you, I wish we would, but we just can't right now with things being so uncertain.

CHAIRMAN NOBRIGA: Ms. Parsons?

MS. PARSONS: That was basically what I was going to say, Jacky. I think that the groundwater we have to start looking at especially for the Kula/Upcountry area that we can't reach even with Pookela online. And there are some other sources up there, Jonathan, that maybe even HC&S has artesian wells that we could swap out or do something with. But there is no other -- from what I can understand last night, even if we took care of all the lead and copper problems in the homes and schools and businesses, we would still have to keep the C-9 or

phosphate or whatever additive we have in the water system. It never goes away now. It may drop off significantly, but it will always be in there.

And it is a serious issue Upcountry. And I e-mailed this last week, we discussed it. We are a different environment here in Hawaii than they were on the Mainland. We're a totally different environment. And our UV is stronger, it breaks down materials -- and our salt factors break down materials that in other parts of the country we don't have the same

problems with. And the soil is so mineral rich, even what's in the soil tends to break things down. So there may be factors that they have never looked at that are here in Hawaii that we can't even comprehend because there has been no studies.

The other suggestion is, too, it's such a minute group that we have to deal with that has this problem, is to do a one-on-one study and I think that's what we've been planning on doing and get some information on maybe where the causes are coming from. I know myself as a homeowner that if I have a problem

from my meter to my house, I want to know about it and

I want to fix it and I think other people feel the

same way.

CHAIRMAN NOBRIGA: Mr. Starr.

MR. STARR: Yeah, it's my hope that the

phosphoric acid will not affect people's skin and if

that is the case -- there may still be a perceived

problem. I mean, I think all of us would like our

water to not have any outside chemicals in it. But if

it doesn't affect someone's skin or hurt them in any

way, then it's not a problem. I mean, no one has

brought up the fact that there are a lot of other

chemicals that are added to the water in the treatment

process. But since they don't cause any harm, you

know, other than possibly mixing the zinc

orthophosphate, it's not an issue. So hopefully with

the change over, the real problem, which is people who

are serious and do have a skin problem, will go away,

then it's a moot point.

CHAIRMAN NOBRIGA: Thank you, Mr. Starr.

Would there be a possibility of doing virtual tours of

the treatment facilities? How would we go about even

looking in that -- through our website and probably
would have to do a contract with somebody, but maybe
in the next budget cycle we might want to look at --

MS. TAKAKURA: I know some of our staff have
attended vulnerability assessment workshops sponsored
by American Waterworks Association. I'll ask them if
that's something that the other water utilities do.
We can look into that, definitely.

CHAIRMAN NOBRIGA: Because it would appear to
me that the affected areas are kind of high end on the

literacy of computers. I don't know what else -- how
else to put it. Ms. Parsons. I'm not done, but --

MS. PARSONS: I was just going to say even
when I attended the meeting last year on security,
even pictures and photos they weren't suggesting that
we even provide to the media. And I kind of think
that's probably just so that people can't figure out
exactly where it is or what it is in the case of a
terroristic issue.

CHAIRMAN NOBRIGA: Good point. Now, there is
talk about changing the source. Outside of the

Pookela well, which I know the board -- I don't think the board has ever taken an action of the urgency that we feel in getting that site online. So outside of Pookela well coming online, the Lower Kula Punawai project, what is actually next in the department's thinking for the area?

MS. TAKAKURA: Are you talk about groundwater?

CHAIRMAN NOBRIGA: Specific to the source, changing source, okay, I know we have two big projects on the books right now, one is the Pookela well, the next step would be to get partnership and finance the

Lower Kula Punawai Reservoir.

MR. TENGAN: I guess one obvious thing is to get the Hamakua Poko wells online, too. But I think the original plan was to use the Hamakua Poko or the H-Poko wells for the Central Maui system.

I've talked to the mayor about linking the systems, the Central Maui system with the Upcountry system, so that if need be, we could -- and if the source was available, we could pump water from the Central system up to the Upcountry system.

One thing we haven't discussed with the DOH is

the possibility of blending surface water with groundwater. You know, that might be enough to control the corrosivity of the water and prevent lead from leaching into the system.

As far as other sources are concerned, we are in talks with a private developer for the drilling of a well. We also have had discussions with the State Division of Water and Land Development. They're looking for sites to put in another well to support the state projects, so that's -- and besides the East

Maui project, that's basically what we're looking at
right now.

CHAIRMAN NOBRIGA: Thank you. Any further
questions? Mr. Helm.

MR. HELM: One last input. You know, I guess
there needs to be a financial assessment of what works
and what's practical. I guess if we're looking at the
customer and it seems like there is a minority group
that are actually impacted by this, and I don't know
whether it's more feasible to look at what kind of
subsidies could be provided to actually go

rehabilitate their lines, you know, downstream of the meter, and I don't know whether that's possible, but maybe financially that might be another alternative which might be cheaper.

CHAIRMAN NOBRIGA: Thank you, Mr. Helm.

Ms. Parsons, you have the floor.

MS. PARSONS: Just two questions. Mr. Tengan, when do you expect Pookela well to be online and what are the next steps for it, first?

MR. TENGAN: We're working on the design contract right now with the consultant that did the

original well, the exploratory well. We hope to close that contract within the next couple weeks or so.

From there, we'll go out to bid. That will take another 30 to 45 days, I would think, or maybe even up to 60 days. And a year and a half following that -- I would think that ideally it would be like two years from now. And if we can push the project, maybe optimistically a year and a half.

MS. PARSONS: The other thing you mentioned you're working with developers to put some type of system in. Do you need to or have we set standards,

county standards so that we don't run into another
Maui Ranch Acres Estate so that they're up to our
standards when these wells come online?

MR. TENGAN: Oh, no, this would be just for
the development of a source and not a water system.

MS. PARSONS: But what I'm asking is are you
setting a standard?

MR. TENGAN: We do have construction standards
that we go by.

MS. PARSONS: Well, I guess maybe I want to

clarify that. Do you need to -- do you need to set a standard for any wells that come online now as a result of developers deciding that they are going to drill their own wells? Do you need to set standards up to county standards in order to sign off on them?

MR. TENGAN: These developers know that the wells have to be constructed to our standards before, you know, in order for us to consider accepting the wells.

MS. PARSONS: Do we want to -- I guess what I'm saying is if they are going to put them online, do

we want to accept them? And if so, should there be some kind of rule that says -- I already know that in order to accept them, they have to be up to our county standards, but maybe we need to go a little bit further and I know we're not dealing with private well systems any more under the board, but maybe from the department's standpoint of just making it, you know, a full carpet on everybody that they have to be developed up to county standards from this point forward so that you don't run into this private well system where somebody has six or seven lots and

decides they are going to drill a well and he can
drill it anywhere he wants to because he can get the
permit from the state.

CHAIRMAN NOBRIGA: Ms. Parsons, I believe you
answered your own question. You did answer your own
question. It involves rule making. Under present
conditions where rule making authority has not been
specified, that would be the next step.

MR. TENGAN: Yeah, I believe you're talking
about a private water system and my understanding is
that we don't have any jurisdiction over these systems

now.

CHAIRMAN NOBRIGA: Mr. Starr.

MR. STARR: Yeah. Who is the developer, where is the subdivision that they intend to supply water to within the well, and where are they thinking of putting the new well?

MR. TENGAN: I would rather not say that now because the site itself hasn't been determined, but they are looking at developing land -- some property up in the Pukalani area.

MR. STARR: Is that Maui Land & Pine with the,
what is it, Five Trees by Kekaulike?

MR. TENGAN: I guess that's the area they're
looking at. But as far as the exact well site, that
hasn't been determined yet and we haven't come to
agreement as to the site.

MR. STARR: Are they looking to put the well
at Pookela or are they looking to put it more toward
Pukalani?

MR. TENGAN: I believe it's more toward
towards Pukalani.

CHAIRMAN NOBRIGA: Mr. Helm.

MR. HELM: No, I don't have anything.

CHAIRMAN NOBRIGA: Is that it? Oh,

Ms. Takakura.

MR. TAKITANI: I just have two things. In response to Adolph's comment, I am working with staff at council services on looking at what kind of resources are available for loans or grants to people to change out plumbing. We've been looking at U.S. Department of Agriculture, similar to Maui Ranch Estates, and possibly HUD, just to see what options,

because there are things out there. So we're doing that research.

The second thing is that we do have another public information meeting scheduled for probably the end of May or beginning of June. We're going to wait until we start using the phosphoric acid and we take the round of sampling and get the results to see if it's effective or not and we're going to have another public meeting at that time.

CHAIRMAN NOBRIGA: Thank you. If there is no objections, communication is filed.

Going to Other Business, Item A, Approval of
Resolution. Motion is in order to accept Resolution
Number 2-2003.

MR. HASHIMOTO: So moved.

CHAIRMAN NOBRIGA: Moved by Mr. Hashimoto.

Seconded by Ms. Parsons.

Board of Water Supply, County of Maui,
Resolution No. 2-2003. Whereas Adolph M. Helm of
Hoolehua, Molokai, was appointed to the Board of Water
Supply of the County of Maui on April 1st, 1998, and

his term will expire on March 31, 2003.

Whereas the said Adolph M. Helm served as Vice
Chairperson of the Board of Water Supply from April 1,
1999 to March 31, 2000.

Whereas during his term on the Board of Water
Supply, he served as Co-Chairperson of the Public and
Government Relations Committee.

Whereas the said Adolph M. Helm has
unselfishly and with dedication devoted, without
compensation, his time and energy into matters dealing
with the Board of Water Supply, all in the interests

of the people of the County of Maui.

Whereas during the time of his service as a Board Member, he has contributed generously of his knowledge and skills to make business and policy decisions for the board that would influence its direction and operation for the years ahead.

Whereas his interest in this Board and the Department has been greatly appreciated by his fellow board members, now therefore be it resolved by the Board of Water Supply of the County of Maui that it does here by congratulate, commend, and thank, major

mahalos, to the said Adolph M. Helm for his five years of faithful and outstanding service he has rendered as a member of the Board of Water Supply. And be it further resolved that the members of this board extend to Adolph M. Helm our sincere aloha and best wishes for his continued success and much happiness in his future endeavors.

And be it further resolved that a certified copy of this resolution be transmitted to the said Adolph M. Helm and to the Maui County Mayor and Council.

Approved as to form and legality by Edward S.

Kushi, Jr., Deputy Corporation Counsel.

Members, roll call vote. Clark Hashimoto.

MR. HASHIMOTO: Aye.

CHAIRMAN NOBRIGA: Adolph Helm.

MR. HELM: Aye.

CHAIRMAN NOBRIGA: Kent Hiranaga.

MR. HIRANAGA: Aye.

CHAIRMAN NOBRIGA: Mike Nobriga. Aye.

Virginia Parsons.

MS. PARSON: Aye.

CHAIRMAN NOBRIGA: Jonathan A. Starr.

MR. STARR: Aye.

CHAIRMAN NOBRIGA: Michael P. Victorino,

excused. Congratulations. Mr. Helm, you have the
floor.

MR. HELM: I didn't prepare anything, but I
think at this point it's better to speak from the
heart. I would like to say mahalo, thank you very
much, and I would like to say if I reflect back from
day one and to where we're at right now in terms of my

growth, I think it was a very rewarding experience and a very learning one. I think I've grown over the period of years in regards to understanding the process.

I appreciate very much the staff and their support and their contributions to the County of Maui. I appreciate that very much.

I just want to say good luck to the rest of the board members and good luck to our new director, George Tengan. Mahalo. And I would just like to leave with this note that we are blessed with the

opportunity to make a difference and I know that

you'll do the best job that you can do and I

appreciate all of your support and thank you.

CHAIRMAN NOBRIGA: Motion is in order to

accept Resolution No. 3-2003.

MR. HASHIMOTO: So moved.

CHAIRMAN NOBRIGA: Moved by Mr. Hashimoto.

Seconded by Ms. Parsons. Board of Water Supply County

of Maui Resolution No. 3-2003.

Whereas Jonathan A. Starr of Kipahulu, Maui,

was appointed to serve out the unexpired term of

another board member of the Board of Water Supply of the County of Maui on April 1st, 1999, his term will expire on March 31, 2003.

Whereas the said Jonathan A. Starr served as Chairperson of the Operations Review Committee.

Whereas the said Jonathan A. Starr has unselfishly and with dedication devoted, without compensation, his time and energy into matters dealing with the Board of Water Supply, all in of the interests of the people of the County of Maui.

Whereas during his time of service as a board member, he has contributed generously of his knowledge and skills to make business and policy decisions for the board that will influence its direction and operation for the years ahead.

Whereas his interest in the board and the department has been greatly appreciated by his fellow board members. Now, therefore, be it resolved by the Board of Water Supply of the County of Maui that it does hereby congratulate, commend, and thank the said Jonathan A. Starr for the four years of faithful and

outstanding service he has rendered as a member of the

this Board of Water Supply.

And be it further resolved that the members of

the board extend to Jonathan A. Starr sincere aloha

and best wishes for his continued success and much

happiness in his future endeavors.

And be it further resolved that a certified

copy of this resolution be transmitted to the said

Jonathan A. Starr and to the Maui County Mayor and

Council.

Approved as to form and legality by Edward S.

Kushi, Jr., Deputy Corporation Counsel.

Roll call vote. Clark Hashimoto.

MR. HASHIMOTO: Aye.

CHAIRMAN NOBRIGA: Adolph Helm.

MR. HELM: Aye.

CHAIRMAN NOBRIGA: Kent Hiranaga.

MR. HIRANAGA: Aye.

CHAIRMAN NOBRIGA: Mike Nobriga. Aye.

Virginia Parsons.

MS. PARSONS: Aye.

CHAIRMAN NOBRIGA: Jonathan A. Starr.

MR. STARR: Aye.

CHAIRMAN NOBRIGA: Michael P. Victorino,

excused. It has been carried. Thank you.

Mr. Starr, you have the floor.

MR. STARR: Okay. I'll be brief. It's been

an interesting experience. When I got on a board

commission for the very first time, I was -- I used to

call it the commission from hell, it was the Hana

Advisory to the Maui Planning Commission. And we had

a session in the county building for new board members

and I think Brian Moto was giving us a briefing and they gave us a little book. And the main thing that stuck in my mind was both on the book and in Brian Moto's words were "be bold," you know, if you believe something, if you feel something, be bold. And I always tried to do that on the board. And I apologize if I, you know, offended anyone in doing it. My intent was really to just try to do the right thing. And you know, those times when I have forced myself to be bold, those stick out in my mind as the places where, you know, I feel probably some of our greatest

successes came, and I include in that Pookela well because I was oppositioned especially from a former member about putting that well in and, you know, I think that that's really going to save the day Upcountry and quite a few other things.

So I really just want to have the board members who will be continuing and coming on board to keep that in mind. If you feel something is wrong or feel something is right, that you be bold, do it, whatever it takes to do it. Even if it means going out to the press or going out to the outside community

to do it, do what you feel is right, and, you know, we have done a lot. It's been a great experience.

I have nothing but great respect for my other board members. Also for George, I think he's doing a great job. And the staff and Cathy and Jacky and everyone else. We have the best counsel that I've seen on the board right now as well, so thanks Ed.

And just keep going and, you know, two other issues you guys have to deal with, I wish I could participate in the rates and be relentless in getting new sources both for Central and Upcountry, even

getting more water online. And I've been proud to
serve. Thank you.

CHAIRMAN NOBRIGA: Thank you, Jonathan. And
knowing the type of person you are, you are so
emotionally charged and dedicated to the people of
Maui County, I know somehow you will be involved very
much so in those issues that you have outlined as a
member of the audience. From the people, by the
people, and for the people.

We move now to division reports. Mr. Tengan?

MR. TENGAN: Mr. Chair, we have included in the back of the packet reports from the divisions. If there is any questions, you can contact my office or the deputy's office and we'll follow up on that.

CHAIRMAN NOBRIGA: Any questions?

MR. TENGAN: For the board's information, this past week I did the three-month moving average for the chlorides Iao Aquifer. According to the rule, if we exceed certain levels of chloride at more than one of the wellfields, then we would have to implement certain management procedures. I'm happy to report to

the board that occasionally we have exceeded that ceiling at Mokuhanu, but never in any of the other wells, so we're pretty much in compliance with the Iao management rule.

CHAIRMAN NOBRIGA: Thank you, Mr. Tengan.

There being no further business, the meeting stands adjourned.

(Whereupon, the meeting was adjourned at 9:42 a.m.)

"By Water All Things Find Life"

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[\[Back\]](#)