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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

June 5, 2025

Mr. John Stufflebean, Director
Department of Water Supply
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Stufflebean:

**SUBJECT: BILL 56 (2025), AMENDING SECTION 14.10.010,
MAUI COUNTY CODE, TO ESTABLISH NEW WATER
RATES FOR PRESERVATION AND RESTORATION
OF NATIVE SPECIES HABITATS (WAI-8)**

Thank you for participating in the Council's Water and Infrastructure Committee's discussion on June 4, 2025, relating to Bill 56.

May I please request your response to the following:

1. Please define "native Hawaiian species habitat."
2. Would your Department support consulting with the Department of 'Ōiwi Resources in evaluating the criteria for native Hawaiian species habitat preservation or restoration areas? Please explain.
3. Why are preservation consumers limited to nonprofits and community land trusts? Does the Department support allowing privately-owned properties to qualify for the preservation rates if their activities are consistent with preservation goals? Would water use for cultural practices qualify for the proposed rates?
4. Why is eligibility limited to certain State land use or County zoning districts? Why are County Open Space Districts eligible and not the County Agricultural District? Would conservation uses conducted on Agricultural-zoned lands be eligible under the current proposal?

If an area has been historically used as a native Hawaiian species habitat, could the area qualify for the preservation rates? Please explain.

5. What is the Department's rationale for limiting the preservation rates to County consumers? Has there been any discussion on extending access to non-County water purveyors? Please explain.
6. Can an applicant apply for more than one meter? If yes, how would that affect rate eligibility or associated fees?
7. How will the Department evaluate best management practices as part of the annual application review? Will guidance be issued to help applicants understand the qualifications?
8. Will the preservation rates be structured as fixed rates or tiered rates? Please explain.
9. Please provide a copy of the proposed preservation rates and illustrate how it compares to existing agricultural and general water consumer rates for Fiscal Year 2026.
10. How much of the water service costs for preservation properties are currently subsidized through county, state, or federal grants?
11. How will the Department distinguish between water used for preservation or restoration purposes and domestic consumption when both occur on the same property?
12. Can a parcel be divided to allow a portion of the parcel for farming and the other portion for preservation? Why or why not?
13. Would the Department consider preservation uses eligible for the rates even if initial water usage is high due to early-stage reforestation or replanting efforts?
14. Is the Department's Fiscal Division solely responsible for site inspections and rate eligibility determinations? Please explain.

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May I further request you transmit your response to wai.committee@mauicounty.us by **June 12, 2025**. To ensure efficient processing, please include WAI-8 in the subject line.

Should you have any questions, please contact me or the Committee staff (Keone J. Hurdle at ext. 7659, or Lori Ann M. Tengan at ext. 7147).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Cook".

TOM COOK, Chair
Water and Infrastructure Committee

wai:ltr:008aws02:kjh

cc: Mayor Richard T. Bissen, Jr.
Caleb Rowe, Deputy Corporation Counsel

WAI Committee

From: WAI Committee
Sent: Thursday, June 5, 2025 3:15 PM
To: John Stufflebean
Cc: Michelle L. Santos; Ezekiel I. Kalua; Caleb P. Rowe
Subject: BILL 56 (2025), AMENDING SECTION 14.10.010, MAUI COUNTY CODE, TO ESTABLISH
NEW WATER RATES FOR PRESERVATION AND RESTORATION OF NATIVE SPECIES
HABITATS
Attachments: 008aws02.pdf
Importance: High