

WAI Committee

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Sent: Monday, September 30, 2019 8:43 AM
To: WAI Committee
Subject: Testimony from Sierra Club Maui for today's WAI meeting
Attachments: SC-WUDP comments for 93019 WAI.doc

Please find our testimony for todays WAI meet. Mahalo nui

see you there

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Testimony from Sierra Club Maui Group
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Sept 28, 2019

To: Maui County Council Water and Infrastructure Committee (WAI)

Re: WAI- 37 March 2019 Draft: Water Use and Development Plan

Aloha Committee Chair Lee, and Committee members and staff:

We offered General comments for your August 19, 2019 meeting. We still strongly support those comments and ask that the final WUDP reflect these priorities listed again, below (items 1 to 3). We also support the comments offered by the Maui Board of Water Supply on the Draft WUDP.

In addition, we would like to offer comments on the proposed "Strategy #5" in the WUDP. This is the plan to drill up to 10 wells in Ha'iku aquifer and transport up to 10 mgd of groundwater to the Central Maui system to supply future needs for South Maui. All our comments reflect the common goals that DWS presented in earlier WUDP outreach meetings:

" Create an actionable plan that provides water supplies for our diverse water uses."

"Respect the Public Trust doctrine and State Water Code as a foundation for water planning. The Native Hawaiian ahupua'a system and cultural traditions can provide guidance on water stewardship."

"Recognize the complexity and interconnectedness of the hydrologic cycle, groundwater and surface water systems. Use the 'precautionary principle' in water planning, recognizing this era of climate unpredictability. "

- 1) PUBLIC SYSTEMS/PRIVATE SYSTEMS: clearly indicate how much of future potable and non-potable water demand is anticipated to be met by private systems and how much by public systems. The current charts for the very complex Wailuku ASEA are very confusing and the sources of some data are unclear. The ag water use projections for central Maui seem especially unclear, as to what is the location of the projected ag acreage, and source of the irrigation water.
- 2) "ONE WATER": The plan should put forward a goal that the independent County divisions that manage potable water, storm water and reclaimed (R-1) water be brought together under one agency within the next five years. With uncertainties in weather and climate patterns, Maui needs to recognize, in more than words, that all water is interconnected. We need to transition to a water management agency with integrated planning goals, budgeting and resource management for more than just

domestic water supplies. If the WUDP wants to reflect traditional Hawaiian values, this the path to follow. This Policy is also supported in the BWS WDUP comments.

- 3) "GROWING WATER"- FUNDING SUPPORT FOR COMMUNITY-BASED MAUKA-MAKAI WATERSHED MANAGEMENT: Water security depends upon the health of our watershed lands. We need to do more than give lip service to "ahupua'a based" water and watershed management. We support the recommendations of the BWS in their WDUP comments for WUDP chapters 12 &13.
- 4) DRILLING 10 WELLS IN HAIKU AQUIFER TO EXTRACT 10 MGD OF GROUND WATER TO SEND TO SOUTH MAUI WILL LIKELY IMPACT TRADITIONAL HAWAIIAN PRACTICES, yet it is listed as a frontrunner strategy ("Strategy #5") for future Central Maui Service area County water supplies.

Our many Sierra Club Members and supporters in the Ha'iku area are concerned that while the WUDP uses reassuring words about "protection of Traditional Native Hawaiian rights and practices", and "ahupua'a based management of water resources," it also proposes to drill an unprecedented number of high production wells in the Ha'iku aquifer and send the water to arid South Maui without considering the effect that this plan could have on coastal springs and underground flows that are a main source of support for the traditional fisheries and traditional fishers and farmers of the Ha'iku coastal lands.

Sierra Club and allies, with broad community support, have over the years challenged two very inadequate Environmental Impact Statements for the proposed Ha'iku wells (AKA: "EMPlan"). In 2003 Sierra Club and allies entered into a Consent Decree with Maui County that placed sensible conditions on any future EMPlan wells in Ha'iku, for the following reasons.

- 1) No one knows how much water the Ha'iku aquifer truly has, or the impacts of pumping and piping out a large amount of groundwater every day. No test well existed to monitor aquifer conditions. **The DWS and Water Commission are "Guesstimating" that Haiku aquifer, created less than 1 million years ago, has MORE GROUND WATER than 'lao aquifer which is several million years old.**

Geology and hydrology usually work hand in hand. The WUDP says "studies will be done first" but the county has already proposed several "studies" that were completely inadequate.

- 2) The County owns no land to construct the wells and would need to partner with A&B, who would then be guaranteed water meters for their projects on their lands, while others in Ha'iku and Upcountry wait in line. (this is what A&B has done in the past with surface waters to supply their "Ag" developments at Ha'iku Hill, Ha'iku Mauka and Ha'iku makai). This does not support equity in water availability
- 3) The wells were first proposed to be drilled around the 700 ft elevation, where a number of private wells had encountered pesticide contamination in the water. The

first two wells of the DWS EMPlan, drilled in Pa'ia aquifer, were contaminated above acceptable levels, but the EIS concluded that contaminants were "non-detectable" because the water was tested at a non-certified lab. Citizens had to take the DWS to court to get proper testing and the installation of a test well to monitor the aquifer, which was drilled incorrectly and is hardly used..

- 4) The 8-10 proposed East Maui wells would be very expensive to construct and maintain, yet the DWS environmental studies offered no cost benefit analyses of the wells in comparison to other options, including far more aggressive substitution of R-1 water or brackish water for potable water used for South Maui resort and residential landscape irrigation. The 2009 WUDP which did include cost benefit analyses of several water source options concluded:

"The Eastward Basal Groundwater strategy is an expensive strategy because of the capital costs associated with the necessary transmission improvements and because energy requirements for pumping would be relatively high because of the elevation of the wells."

*"One specific factor that should be considered is the risk associated with strategies, such as the Eastward Basal Groundwater strategy, that require very large "up front" lump sum capital expenditures that cannot be implemented in phases as demand develops."*⁴⁵

Unlike some of the final candidate resource strategies that can be implemented in phases, the Eastward Basal Groundwater strategy would require a substantial capital investment in water transmission improvements before any water would be produced for the Central system.

- 5) The proposed 8-10 new high production East Maui wells would have impacts on the dozens of existing homeowner wells downslope that local families depend upon for potable water. This impact was not even considered in environmental documents. (at least 30 private domestic wells are used in Ha'iku)
- 6) The 8-10 Haiku DWS wells were then proposed to be relocated to the 1000 ft elevation, below thousands of unsewered residential developments that all depend upon septic systems or cesspools. No other DWS well field is similarly located. Other DWS well fields in Na Wai Eha or West Maui are downslope from undeveloped watershed lands or sewerred residential areas. While the County's two Upcountry wells at 1200 and 1800 ft elevation have acceptable nitrate levels, the longterm chance of nitrate build up from either cesspools or agricultural residuals over the years, could affect one or more of the Haiku wells. The EIS offered no data on this topic.
- 7) The East Maui Water Plan- 8-10 Ha'iku wells sending all their water to Central/South Maui violates the Ha'iku-Paia Community Plan which has a policy that states:

"Ensure adequate supply of groundwater to residents of the region before water is transported to other regions of the island."

Maui County has had 23 years since the Ha'iku-Pa'ia Plan was adopted to ensure an adequate supply of groundwater to Ha'iku residents, but hundreds of local families still wait for a water meter.

8) Ha'iku's streams have been severely dewatered for almost 150 years with the water sent to HC&S fields in Central Maui. They are not currently the subject of any proposed amendment of stream flows or restoration. Many residents depend upon the last remaining natural water resources- coastal springs or springs along stream beds, for irrigation water for kalo or food crops. New wells could impact the underground flows that feed the springs or the streams, removing the last remaining natural water source available to Ha'iku farmers. Recognizing this situation, the Ha'iku-Pa'ia Community plan specifically includes a policy to protect streams:

“Ensure that the development of new water sources does not adversely affect in-stream flows.”

Paragraph 10.1 of the Consent Decree referred to in the WDUP honors the Community Plan and specifies that: “Stream Restoration Shall Be a Component of any East Maui Water Development Plan.” This is not mentioned in the WUDP reference to the East Maui wells. All that is mentioned is that hydrological studies would need to be done to determine if there is a relationship between basal lens ground water and stream flows.

We would ask that the very logical terms of the Consent Degree be fully explained in the 2019 WUDP, as they were in the 2009 Draft WUDP.

Sierra Club Maui firmly supports efforts to achieve greater water security for Maui residents and farmers, but basing long range water planning on strategies that lack essential support data; create water distribution inequality; give only lip service to protection of significant cultural resources, such as fisheries; violate our Community Plans; and commit ratepayers to a very expensive, risky plan based on unsubstantiated water availability is not a sound pathway to our goal.

Thanks for your consideration and your dedicated work,

Sierra Club Maui Group

Lucienne de Naie, Conservation Chair