

**WATER AND INFRASTRUCTURE COMMITTEE**  
Council of the County of Maui

**MINUTES**

**November 17, 2025**

**Online Only via Teams**

**CONVENE:** 1:34 p.m.

**PRESENT:** Councilmember Tom Cook, Chair  
Councilmember Yuki Lei K. Sugimura, Vice-Chair  
Councilmember Gabe Johnson, Member  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Nohelani U‘u-Hodgins, Member (left at 2:16 p.m., returned at 2:49 p.m., left at 3:48 p.m.)

**EXCUSED:** Councilmember Keani N.W. Rawlins-Fernandez, Member

**STAFF:** Keone Hurdle, Legislative Analyst  
Jarret Pascual, Legislative Analyst  
Carla Nakata, Legislative Attorney  
Lori Ann Tengan, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk  
Ryan Martins, Council Ambassador

Residency Area Office:

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office  
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office  
Buddy Almeida, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office  
Chaelin Ryu Council Aide, South Maui Residency Area Office  
Angela Lucero, Executive Assistant, West Maui Residency Area Office

**ADMIN.:** Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel (All)  
John Stufflebean, Director, Department of Water Supply (All)  
James Jensen, Engineering Program Manager, Department of Water Supply (All)

**OTHERS:** Barry Usagawa, Program Administrator, Water Resources Division, Honolulu Board of Water Supply (Item WAI-19)  
The Royal House of Hawai‘i (Item WAI-19)  
Jasee Law (All)  
Kai Nishiki (Item 1(5))  
Tom Croly (Item 1(5))  
(23) additional attendees

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**PRESS:**       *Akakū: Maui Community Television, Inc.*

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CHAIR COOK:     ...*(gavel)*... Will the Water and Infrastructure Committee of November 17th, 2025, please come to order. The time is 1:34 p.m. May I ask that all participants keep all noisemaking devices quiet. I'm your Chair, Tom Cook. Members, per the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workplace with you today, exclusive of minors. I would also like to ask the department representatives who have joined online to please also turn on your cameras when it's your time to speak. Now, I'd like to introduce the Committee Members. Vice-Chair Yuki Sugimura, good afternoon.

VICE-CHAIR SUGIMURA: Good afternoon, Chair. Looking forward to a productive meeting. I love the...I love the contents of the discussion.

CHAIR COOK: Councilmember Gabe Johnson, good afternoon.

COUNCILMEMBER JOHNSON: Good afternoon, Chair, Councilmembers, community members. There's no testifiers here at the Lāna'i District Office, and I'm alone in my workspace and ready to work. Thank you.

CHAIR COOK: And Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Good afternoon, Chair. I'm here in my workspace alone, except for a minor feline who's sleeping on the windowsill.

CHAIR COOK: And Member Tamara Paltin, good afternoon.

CHAIR PALTIN: Good afternoon. Aloha 'auinalā, and Lonoikamakahiki.

CHAIR COOK:       And Councilmember Keani Rawlins-Fernandez is excused. Councilmember Shane Sinenci, good afternoon, sir.

COUNCILMEMBER SINENCI: Hey, aloha and Lonoikamakahiki. Sorry, I...my tardiness. I'm just dropping off of a meeting. Here by myself, I'm here at my home office, and no testifiers in Hāna, Chair.

CHAIR COOK: And good afternoon, Councilmember Nohelani U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Aloha, Chair. Currently, I'm alone in my personal vehicle, but in about 24 minutes, I'll have one minor, and about 34 minutes, I'll have two minors. Thank you.

CHAIR COOK: Thank you. From the Department of Water Supply, we have Director John Stufflebean. Is John online?

MR. STUFFLEBEAN: Good afternoon, Chair. I'm here. Thank you.

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CHAIR COOK: Good afternoon. Welcome. And James Jensen, Engineering Program Manager, is in the house.

MR. JENSEN: Mahalo, Chair.

CHAIR COOK: From Corporation Counsel, we have Deputy Corporation Counsel Caleb Rowe.

MR. ROWE: Good afternoon, Chair.

CHAIR COOK: From the City and County of Honolulu Board of Water Supply, we want to welcome Barry Usagawa.

MR. USAGAWA: Hello, everybody.

CHAIR COOK: From One World One Water, LLC, in the after...later in the day, we'll have Christin Reynolds. Members, without objection, I would like to designate Mr. Usagawa and Ms. Reynolds as resource persons under Rule 18(A) of the Rules of the Council due to their expertise in today's subject-matter.

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you. And from our OCS Committee Staff, we have Keone Hurdle, Jarret Pascual, Lori Ann Tengan, Carla Nakata, and Jean Pokipala. And I want to say how much we appreciate you all at OCS. Please see the last page of our agenda for information on the meeting connectivity. Good afternoon, everyone. Today, we have two items on today's agenda. WAI-19 relates to an intergovernmental agreement for the Wai Maoli: Freshwater Initiative. WAI-1(5) relates to the Department of Water Supply's methodology for calculating domestic water supply. Members, if there's no objections, I would like to take testimony after receiving opening comments on WAI-8...WAI-19 and WAI-1(5).

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members. Let's begin.

**ITEM 19: BILL 160 (2025), AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR THE WAI MAOLI: FRESH WATER INITIATIVE**

CHAIR COOK: Members, Bill 160 (2025), authorizes the Mayor to enter into an intergovernmental agreement with the state and other County water departments for the Wai Maoli: Freshwater Initiative, a collaborative effort to strengthen Hawai'i's long-term water security. This initiative represents a Statewide collaboration to secure Hawai'i's freshwater future through a one-water approach, an integrated method of managing water resources across freshwater, stormwater, and wastewater systems to

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ensure long-term resilience for both communities and ecosystems. The proposed memorandum of agreement, attached as Exhibit 1, outlines commitments among participating agencies to coordinate on planning, resource management, and climate adaptation efforts. It also provides for joint working groups, shared funding opportunities, and consensus-based decision-making, while maintaining each...each jurisdiction's autonomy and fiscal responsibility. This measure reflects the County's ongoing commitment to sustainable water management, intergovernmental collaboration, and climate resilience. At this time, Director Stufflebean or Mr. Jensen, would you like to provide any opening comments?

MR. STUFFLEBEAN: Sure. Good aft...yes, Chair. This is John Stufflebean. Yes, I'm very pleased to bring this forward to Council. We've been involved with the...with the Freshwater Institute in kind of its previous manifestation since I've been here, and it really is a wonderful opportunity to both take advantage of the expertise that they bring to the table, as well as an opportunity to partner with the other counties and the State as we work on these goals together in kind of the unique way that it has to happen in Hawai'i, right? So, this really...it's...it's is a really wonderful group. I've been to one of their meetings in that kind of their previous way...previous way they were formed, and I think it's really important that we...that we have the opportunity to...to network with this organization. And it also ties perfectly into the new initiative the County's taking called One Water, which is basically taking a look at...at water--not in individual silos, but as...as a kind of integrated way, looking at both potable water and nonpotable, and stormwater, and recycled water, and wastewater, and...and all these things together, which is the way it should be done, of course. So, and I...at this point, I'll see if any...either one of the resources also has an opening statement, but, you know, be glad to answer any questions that you have. Thank you.

CHAIR COOK: Thank you. Members, we also sent correspondence to Corporation Counsel on whether the memorandum of understanding places a financial obligation on the County. You may find a copy of Corp. Counsel's response under Granicus attachment number 6. Deputy Corporation Counsel Rowe, would you like to briefly go over your legal opinion?

MR. ROWE: Yes. Thank you, Chair. So, we were primarily asked, in responding to whether or not this even needed to come before Council as an intergovernmental agreement. We...working with the Department, we had kind of determined that it was a good idea to, out of an abundance of caution, because it does specifically make reference to certain things that the County has to do. It does subsequently say that this doesn't place any obligations of any financing on the County. So, those were a little bit conflicting with one another. However, in order for there to be additional projects that go on, there will be funding that's likely going to be coming through, at which point we will be sending subsequent requests for approvals of those. But in order to really even generate those projects that were...are going to require the money, it's going to require Staff time to...to be involved. So, we thought just in abundance of caution, we should bring this to...to the Council.

CHAIR COOK: Okay. So, in general, Corp. Counsel's supportive of this?

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MR. ROWE: Yes, we're supportive.

CHAIR COOK: Okay. Thank you. At this time, would Mr. Usagawa like to make any opening comments?

MR. USAGAWA: Hey, good afternoon, Chair and Members. Yeah, Barry Usagawa, Honolulu Board of Water Supply. I was a freshwater councilmember since the inception in 2013, and been working on trying to make Hawai'i's water resilient to climate change through reuse, conservation, and storage, and capturing stormwater. And working together to...Statewide, because we have all...very similar issues on each...in each County, we can learn from each other, we can support each other as we try to become more resilient. So, we certainly support Maui's participation in the Freshwater Initiatives, and be happy to answer any questions you may have. Thank you very much.

CHAIR COOK: Thank you very much, sir. Thank you for joining us. We'll have some questions after we have public testimony. So...so, Members...do we have any testifiers?

MR. PASCUAL: Yes, Chair. We have one testifier signed up.

CHAIR COOK: Okay. I'll go ahead and read the testifier stuff.

MR. STUFFLEBEAN: Chair? I don't know if Christin wanted...if the other resource might...might have wanted to make an opening statement as well.

CHAIR COOK: I don't believe she's available yet.

MR. HURDLE: Yeah, Chair. She's not online at the moment.

MR. STUFFLEBEAN: . . .*(inaudible)*. . . Oh, I'm sorry.

CHAIR COOK: She is?

MR. HURDLE: No.

MR. STUFFLEBEAN: Sorry about that.

CHAIR COOK: Okay. No, thank you, Director. Okay. Anyone wishing to testify, please sign up in the lobby, join the online meeting, or call in the phone number noted on today's agenda. For online testifiers, please click the raise-your-hand button. For those calling in, please follow the prompts via phone, star-5 to raise and lower your hand, and star-6 to mute and unmute. Please ensure your name on Microsoft Teams appears as the name you prefer to be referred to, or as anonymous if you wish to testify anonymously. If you are in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Written testimony will continue to be accepted, and can be submitted via eComment at [mauicounty.us/agendas](http://mauicounty.us/agendas). Staff will enable your microphone and video when it is your

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turn to testify. Oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. You can view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). Decorum will be maintained throughout the meeting. Breaching decorum includes anything that disrupts the orderly management of the meeting. Violating of decorum may result in your removal from the meeting. At this time, I'd like to open public testimony for WAI-19. Staff, please call the first testifier.

MR. PASCUAL: Thank you, Chair. The first testifier is The Royal House of Hawai'i on Teams.

**. . . OPEN PUBLIC TESTIMONY FOR WAI-19 . . .**

THE ROYAL HOUSE OF HAWAII: Aloha. This is The Royal House of Hawai'i, an allodial land tenant and descendant under Hewahewa Nui. And I just...so for any of the projects, how are these projects being approved or allowed, number one? Because as you guys should know, with your guys' qualifications, I guess you guys say...or can I see the qualifications you guys get for...for being resource people? Because my wai...my rights...as for my water rights, as...and my...for my water laws of the Kingdom of Hawai'i under Kamehameha III, my rights and my laws have been violated...with the water laws, have been violated for over 100 years already, and still nothing has even changed or bettered at all even. And what are your guys' qualifications? Because none of you guys are konohikis. I'm factually...I'm factually sure you guys...none of you guys is konohikis, and can produce the correct accolades and qualifications to be making these decisions. Because it's still violating my water...the Kingdom's water laws. And...and what about the health of everybody? Because those...having those plants affects a lot of people's health. Like it's really bad. Like...I don't know. I mean...yeah. Eh, ask the...ask the people and me how...how they do it, girl. If they can, we can. Okay? Okay. And this...and call the descendants of the royal patents because all Hawai'i is royal patented, as you guys should know, yeah? Correct me if I wrong. Thank you.

CHAIR COOK: Thank you. Staff, any other testifiers?

MR. PASCUAL: Thank you, Chair. That's all the individuals signed up to testify. If anyone in the audience...oh, I do see Kai Nishiki with her hand raised. Give me one second to promote her. Okay. Chair, I believe the next testifier is Kai Nishiki.

MS. NISHIKI: Aloha, Chair. I just wanted to double-check if I can provide testimony after the presentations on both items.

CHAIR COOK: Yes...yes, you can.

MS. NISHIKI: I...I tried to ask in the chat, but it was disabled, so kala mai.

CHAIR COOK: Yes, you can.

MS. NISHIKI: Thank you. I will do that.

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MR. PASCUAL: Oh, apologies, Kai. We're actually on testimony for the first item if you wanted to testify on that.

MS. NISHIKI: Oh, just for the second item. Thank you.

MR. PASCUAL: Got it. Thank you. Chair, I can proceed with the final call if you'd like. So, if anyone is in the audience or on Teams that would like to testify, please come up to the mic and be...oh.

MR. LAW: Jarret, I thought you forgot about me, man. Jasee Law from Upcountry and Waiakoa. And I just wanted...this...this is kind of exciting, Mister...Luna Ho'omalua Cook, that you're doing this. I appreciate you putting this through your Committee, and I'm sure a whole lot of other people do, and you're going to make a lot of brownie points for this one.

CHAIR COOK: Any questions for the testifier? Seeing none. Staff?

MR. PASCUAL: Thank you, Chair. So, this is the last call for oral testimony. Please come up to the podium or raise your hand on teams if you would like to testify. The countdown is three...two...one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there are no more individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY FOR WAI-19 . . .**

CHAIR COOK: As a reminder, written testimony will continue to be accepted into the record. Members, I'm proposing two rounds of three-minute questions per Member. Are there any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Okay. Thank you, Members. Let's begin. Member Sugimura?

VICE-CHAIR SUGIMURA: This is very exciting. Appreciate this, because I think, as the...the chair, which is Mr. Uesugi (*phonetic*), I think, Uesugi, for this Freshwater Initiative is...will bring the whole County...all the counties in the State of Hawai'i together, and...to work on this project. And I think this is like well overdue. So, Mr. Uei...Usagawa, sorry about that, did City and County of Honolulu receive an award for this One Water approach?

MR. USAGAWA: I'm sorry, did you say we --

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VICE-CHAIR SUGIMURA: Yeah. Did...

MR. USAGAWA: -- received an award?

VICE-CHAIR SUGIMURA: Yeah, did you? You did, right?

MR. USAGAWA: Yeah.

VICE-CHAIR SUGIMURA: Okay.

MR. USAGAWA: Yes.

VICE-CHAIR SUGIMURA: So, tell me a little bit about what you're doing, because it sounds like it's something that we'll all end up doing to...to follow your lead.

MR. USAGAWA: Thank you for your question. In, I think it was 2022, '23, something like that, we...we received a...an outstanding public sector award from the...the one...the U.S. Water Alliance at their One Water Summit in Milwaukee. And it...the...the...the award was just to recognize the legislation that we...we passed an...we...we promoted and got an ordinance passed, which institutionalized collaboration among city agencies here to work on climate adaptation projects together. The thinking there was that climate adaptation, climate resilience is so difficult that the only way that we could address that is to work together. And by requiring it in an ordinance, we...we...we ensure that that effort will continue across city administrations. And so, they just recognized us for that. Yeah, we've been...we've been working on reuse projects for...like I've been here for like 40 years, been working on recycled water conservation, stormwater capture and reuse, and...and now it has folded into climate adaptation and sea level rise. I think there's a lot to learn. Every island has something that we can learn from, and we can all learn together. So, you know, it's...it just makes sense to talk story in a safe place, so...

VICE-CHAIR SUGIMURA: And so, your ordinance that you passed is working then. It opened those, it --

MR. USAGAWA: It's working.

VICE-CHAIR SUGIMURA: -- took away the silos.

MR. USAGAWA: Yeah. There is...you know, we're...we're...we're siloed for a reason because we've got to focus on our safe drinking water, and our stormwater, and our wastewater treatment. But we miss those areas around the edges where, if we work together, you know, we can...we can partner and contribute our...our resources towards, say like recycled water, and stormwater capture, rain barrel for conservation. You know, there's a lot of opportunities that perhaps get missed if...if...if we don't see the bigger picture, and see where our...where our responsibilities can overlap, and...and become more resilient that way. So, it's...it's...it's been...it's been productive so far.

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VICE-CHAIR SUGIMURA: Very good. So, I guess, Director, do you think that we need to also support this effort . . .*(timer sounds)*. . . and pass some kind of ordinance, or similarly? Maybe my next question then.

CHAIR COOK: Okay.

VICE-CHAIR SUGIMURA: I heard the buzzer.

CHAIR COOK: Thank you. Councilmember Johnson, your first round of questions.

COUNCILMEMBER JOHNSON: Sure. Thank you, Chair. Well, first off, thank you, Director Usagawa, and everyone who's joined us today. This is really interesting work. My first question is about the number of members that Maui County will be allowed to have. It...is it the... *(pause)* hello?

CHAIR COOK: Member Johnson, you froze for a minute. You want to start over?

COUNCILMEMBER JOHNSON: Okay. Can you hear me now?

CHAIR COOK: Yes.

COUNCILMEMBER JOHNSON: Okay. Sorry about that. I'll...I'll just cut to the question. How many members are allowed on this for Maui County? Is that two members allowed?

MR. STUFFLEBEAN: Yeah. So, I can answer that, Chair. So, basically, it's each...each agency is a member. So, it isn't really a person.

COUNCILMEMBER JOHNSON: Okay.

MR. STUFFLEBEAN: Each agency is a member, right.

COUNCILMEMBER JOHNSON: All right. Sorry. Thanks for that. So, two agencies are allowed for Maui County. Is that correct then?

MR. STUFFLEBEAN: No. The...the agency would be Maui...would be Maui County. So, we're...you know, we're the...

COUNCILMEMBER JOHNSON: Oh.

MR. STUFFLEBEAN: Yeah.

COUNCILMEMBER JOHNSON: Okay. I got you. All right. Then my second question is, commitment number two. It says there should be shared funding for a long-term coordinator. That is...is that the discussion you guys had with Corporation Counsel on what would be required financially for Maui County? Would that...maybe we would...and how would that work? Would each entity pay a year's salary, or how do

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they share funding for a long-term coordinator? Maybe Director Stufflebean can...I don't know who.

MR. STUFFLEBEAN: Right. So, that...that would be something that we would come back to the Council for. But yeah, the idea would be it would be shared equitably among the various members, yes.

COUNCILMEMBER JOHNSON: Okay. So, you're...once this comes into effect...because there's so many other folks involved in this, once it comes Maui County's turn, that's when you would come before for a budget amendment, Director? Is that what you...the process you're imagining?

MR. STUFFLEBEAN: Yes.

COUNCILMEMBER JOHNSON: Okay. All right. That was my questions. Thank you so much. Thank you, Chair.

CHAIR COOK: Thank you. Chair Lee, any questions?

COUNCILMEMBER LEE: Thank you. I have no questions.

CHAIR COOK: Member Paltin, any questions for our resource?

CHAIR PALTIN: Thank you. I think my question might be for Director Stufflebean or Mr. Jensen. It says that with this specific MOU that there's no money allocated, but there may be a future one that allocates it. Does...would that require a budget amendment, or do you have like reserves with which to cover those expenses?

CHAIR COOK: Director?

MR. STUFFLEBEAN: Yeah. Yeah. So, it...it would depend on the amount, but I mean, we certainly do have some...some money that would be available for that if needed, for sure. And, you know, we don't anticipate that being very much. I mean the idea is, this is really about a collaborative effort working together. But if...you know, if...if some...beyond...if there's Staff time...if there's something beyond Staff time that's needed, then we would look toward our...our reserve funds, for sure. And if we have some money, it could be available for that.

CHAIR PALTIN: So, you don't anticipate any budget amendment between now and the end of the year?

MR. STUFFLEBEAN: No. Probably not before the end of the year, no.

CHAIR PALTIN: And then would it be written into next...next fiscal year's budget, if anything, or...or we wouldn't know until they let us know how much?

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MR. STUFFLEBEAN: Right. That would be...it would depend on the timing of that, right? We would...but we do want to make sure that we can cover, you know, our share of the...of the cost, but it will be quite...it will be minimal. Yeah, we can...we...certainly, as we're putting together the budget for next year, we definitely want to include participation in this organi...in this agency if this is approved.

CHAIR PALTIN: And then any information that comes out of this partnership, how...how would it be made available to the public, or the Council, or what? Or is it not necessary for the public to know?

CHAIR COOK: Director?

MR. STUFFLEBEAN: Well, everything's, of course, would be completely transparent in terms of the...what's going on with the...with the organization, so...

CHAIR PALTIN: Okay. There's...is there a website for the organization or something?

CHAIR COOK: Director, or Mr. --

MR. STUFFLEBEAN: Yeah.

CHAIR COOK: -- Usagawa.

MR. STUFFLEBEAN: Yeah. I can have Barry answer that.

MR. USAGAWA: We do not have a...we don't...we do not have, or currently have a website. The...the actions that we work on are...like I've been working on projects for Honolulu County, so it's in conservation or reuse. But we do have our own departmental websites, and, you know, that may be something to consider, just a...an update on...on progress. But it would be up to the directors.

CHAIR PALTIN: Okay. So, Mr. Usagawa, you don't really share out information to the general public about what you are doing with the various counties and the Department of Water Supplies [sic]? . . .(timer sounds). . .

CHAIR COOK: Mr. Usagawa?

MR. USAGAWA: Sure. It is to be determined, but in the...in the first ten years that we've been doing the Freshwater Initiative, there was a...an annual...there was an end of...end of...there's a final report that is available on the website on our accomplishments over the ten years. So, you know, they did use...it was led by the Hawai'i Community Foundation, so the...the freshwater blueprint is on the website, as well as our accomplish...accomplishments that were summarized in the annual report.

CHAIR PALTIN: Okay. Thank you so much.

MR. STUFFLEBEAN: And Chair, I can add that...oh.

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CHAIR PALTIN: Go ahead.

MR. STUFFLEBEAN: I'm sorry, Chair. Can I add something?

CHAIR COOK: Director?

MR. STUFFLEBEAN: Yeah. Just for general information, you know, we've just hired a...it's like a PIO, but it's an education person for our Department, and she just started a few weeks ago. And so, we are, you know, putting a lot...you know, our intention is to put even more on our website, and make sure that words get out. So, if anything significant comes out...as significant things come out from the Freshwater Initiative, my intention would be to put it on the website so everybody can see.

CHAIR PALTIN: Thank you.

CHAIR COOK: Thank you. Member Sinenci, you have some questions? *(pause)*

COUNCILMEMBER SINENCI: Mahalo, Chair. I'm...I'm just looking at the MOU right now. Could we...for Director Usagawa, is...is the...the One Water approach, is there a, like a mission statement for...I see it as it's italicized, *The One Water Approach*. If you can summarize it?

CHAIR COOK: Mr. Usagawa?

MR. USAGAWA: I should know that by heart. But let's see, let me...we have a website, and it's...it's onewaterhonolulu.org, O-R-G. Our mission...our vision statement is collaborating for a thriving and climate-resilient O'ahu. So, it's just...because we started the One Water effort on Honolulu, so it's...it's pertains to Honolulu. But...and the mission is...statements, let's see, where...is the mission of One Water Honolulu is to champion cost-effective and climate-resilient infrastructure services and natural systems for the people, culture, and sustainability of O'ahu through integration, and innovation, and planning, implementation and maintenance. So, that's our mission.

COUNCILMEMBER SINENCI: Oh, got it. So, it's more, as far...more CIP projects to deal with...with water infrastructure? I mean, would the...I guess my question...I would preface my question, the...the Committee on Water Resource Management would still make water decisions as water that's within the public trust, and this would just be more for CIP projects for municipal...water for municipal uses?

CHAIR COOK: It's either the Director or Mr. Usagawa.

MR. USAGAWA: Thank you for your question. I'm...I'm a...I'm a program administrator, not a director. But...but our conservation...so I've been working on these...our watershed management plans for several decades, and they certainly include infrastructure, but they also include opportunities for watershed management, forestry management, stream restoration. Because if you conserve water, you don't pump it, yeah, then...then

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what do you do with the water? Well, it can be...you know, we've restored two streams here in a little bit, right, in Makaha and Waianae, to the point where...and we leased lands to a community group called Mōhala I Ka Wai, and they opened lo'i that...below Kane'aki Heiau on Board of Water land. . . .(timer sounds). . . We also restored some stream flow in Kaupuni Stream in Waianae, and if you heard of Ka'ala Farm, they're able to open more lo'i because of that. Whether they come from the One Water effort or it's just our watershed management plans that we are...are working with each of the...of the moku communities on how we can conserve water, diversify our water system, and protect the environment, and...and the forestry health, and ultimately, watershed health is our goal. Those are...are projects that we...we've been...that I've been working on and helping. Whether or not they rise to the level of...of the...of this Freshwater Initiative that's, you know, up...up to the...the body, but we certainly have a number of examples where...you know, where we've worked with the community to try to...to get that get that hap...to...to help them restore and manage, you know, all the way to fishponds and...and polluted runoff from...you know, into Maunaloa Bay. You know, it just...so this goes...is very broad. We take a holistic view of the watershed using...applying the ahupua'a concept of mauka to makai connections and cultural values. And so, we've...we've been working in...in several areas on...on those initiatives, so...

COUNCILMEMBER SINENCI: Mahalo, Administrator Usagawa. It sounds very familiar to our newly-formed County...Maui County department. Thank you.

CHAIR COOK: Thank you. Member U'u-Hodgins, questions?

VICE-CHAIR U'U-HODGINS: Thank you, Chair. Right now, I have no questions.

CHAIR COOK: Okay. Thank you. So, is there a need for a second round of questions? Okay. Would the Director or anybody like to make...well, Chair will make kind of a statement. This is exciting because basically...I mean, especially in my district in South Maui, which is very arid, but we have, right now, a lot of R-1 water. We have flooding, which gives the opportunity for capt...capture and reuse. We have flooding potential to recharge the aquifer. And so, it sounds like this group is a really good resource to talk story and share experiences. So, I'm excited to see the Water...Department of Water Supply connecting with the other departments on the other islands. So, Mr. Jensen or Director, any closing comments?

MR. STUFFLEBEAN: Yeah, Chair. Yeah, I mean, you summarized it well. I mean, this is not really about, you know, a project, although projects could come out of this. This is about helping us to have a better understanding that's kind of a foundation for everything we do, whether it's how we operate the watershed grants that, you know, are in our various programs, and helping us to get an understanding of what other counties are doing, lessons learned from other places, working together. So, again, this is really just the...the value of networking with similar organizations to help us do things in a...in a smarter way. Thank you.

CHAIR COOK: Thank you, Director. Mr. Usagawa, do you have any closing comments?

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MR. USAGAWA: I have no other comments, Chair.

CHAIR COOK: Thank you very much for joining us today, sir.

MR. USAGAWA: Happy to help.

CHAIR COOK: Okay. Seeing no further discussion, we'll move on to decision-making. The Chair would like to entertain a motion to recommend passage of Bill 160 (2025), on first reading, incorporating any nonsubstantive revisions for clarity, consistency, or style. So moved by Member Sugimura --

VICE-CHAIR SUGIMURA: Second by Sinenci.

CHAIR COOK: -- seconded by Member Sinenci to recommend passage of Bill 160 (2025) on first reading. Members, any further discussion? Seeing no further discussion, all in favor, please raise your hand and say "aye."

COUNCILMEMBERS: Aye.

MR. HURDLE: Chair, that's six "ayes," zero "noes." Two excused...

VICE-CHAIR U'U-HODGINS: Aye.

MR. HURDLE: Oh.

VICE-CHAIR SUGIMURA: Oh, Nohe.

CHAIR COOK: Seven.

MR. HURDLE: Seven "ayes," zero "noes," one excused, Member Rawlins-Fernandez. Motion passes.

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**VOTE:**       **AYES:**   **Chair Cook, Vice-Chair Sugimura, and Councilmembers Johnson, Lee, Paltin, Sinenci, and U‘u-Hodgins.**

**NOES:**    **None.**

**ABSTAIN:**   **None.**

**ABSENT:**    **None.**

**EXC.:**    **Member Rawlins-Fernandez.**

**MOTION CARRIED.**

**ACTION:**    **Recommending FIRST READING of Bill 160, CD1 (2025)**

CHAIR COOK: Thank you, Members. This will move on to the full Council for full Council’s consideration. And let’s take a two-minute recess.

VICE-CHAIR SUGIMURA: Okay.

CHAIR COOK: . . .*(gavel)*. . .

**RECESS:**       **2:10 p.m.**

**RECONVENE:**   **2:16 p.m.**

CHAIR COOK: . . .*(gavel)*. . . Okay. Members, welcome back.

**ITEM 1(5):       DISCUSSION ON THE DEPARTMENT OF WATER SUPPLY’S  
                          METHODOLOGY FOR CALCULATING DOMESTIC WATER  
                          DEMAND**

CHAIR COOK: Okay. Now, to continue. Members, WAI-1(5) relates to the implementation of Section 2 of the Ordinance 5759 (2025), on the methodology of calculating domestic water demand, effective January 1st, 2026. Chief Engineer James Jensen, PE, will present on the equivalent single dwelling methodology, ESD. The presentation will cover how the Department may calculate water source development credits, the data and analytical framework supporting the new system, and the coordination with ongoing conservation planning efforts. This methodology also supports the department’s Fiscal Year 2027 budget planning and potential updates to impact fees. You may find Mr. Jensen’s presentation under Granicus attachment number 1. At this time, Director Stufflebean or Mr. Jensen, would you like to provide any opening comments?

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MR. STUFFLEBEAN: Hey, good afternoon. Yeah, I'll just turn it right over to...to Chief Engineer Jensen. Thank you.

MR. JENSEN: All right. Mahalo, Chair. Mahalo, Director. Aloha, Members of the Committee. My name is James Jensen, I'm the Chief Engineer for the Department of Water Supply. And is it okay to...Chair, to just...we'll just dive right in?

CHAIR COOK: Yeah. Staff, we're going to do testimony after the presentation. Yes, Mr. Jensen, please proceed.

MR. JENSEN: Okay. Mahalo. So, the...the purpose of this presentation is to give an overview of the Department's response to the passage of Ordinance 5759, where the Department received clear instruction from Council to focus on daily demand as the means of assessing impact fees, which are in turn related to approval of applications for new water service. So, as we all know, DWS currently uses fixture units to determine meter size, which then equates to development impact fees. Over the years, this approach has led to kind of a lot of consternation and frustration for the public, and for Staff alike. And we'll...we'll...I'll share information on...on really why that is kind of as we go through this. I don't want to focus on the past practice, but it's really...a lot of the consternation and struggle with the current process is really geared around what we call ancillary fixtures, and we'll talk more about what we mean by that. So, Ordinance 5759 was introduced to just ensure that we look at daily demand, right, and focus on that. And then, gosh, I think it was about a year ago, we were having this conversation about making the shift. And at that time, I had kind of given the feedback that the Department was...it wasn't in our crosshairs to address immediately, but this was something that Director Stufflebean and I, both as having come from outside of the organization, was something that had raised an eyebrow with us, and we were contemplating kind of, you know, what...what a shift could look like. And...but...but what Ordinance 5759 did was, it gave us a deadline. So, it allowed us to put our heads down, have...have a priority established. It's a meaningful priority, and a goal to...to work toward. And I do want to thank the Council for, through its discussion last year, giving us until January 1st of 2026 because, as we'll see, we have...it's...there's a lot of upfront work to create what we believe will be a much simpler process for folks instead of the...the current methodology, which kind of requires all of that work every single time. So, we're looking to simplify the process, and this is how we're going to do it. The Hunter's Curve is what the current infamous fixture unit methodology is based on. And it's an old concept, I think originating in the '30s or '40s, really geared towards designing plumbing systems for...for buildings. And it's got kind of some fundamental incompatibilities with the way we use it. And one of the...probably the...the...the prime incompatibility is what's called congestion of use. So, the Hunter's Curve method assumes that for every additional...you know, as you pile up fixtures in a building, you know, the probability of use of that fixture kind of does go down. But there's an assumption that there is a probability of use for all of those fixtures at any time. So, it...it really works well for worst-case design in a congregational setting, like...like church, right? You would design your plumbing system for after mass or for the...the MACC, right? You would design your plumbing for between...between acts, right? There's...there's a...there's a period of really focused, kind of scheduled use. But in the residential setting, and even

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for most nonresidential settings, that use is significantly more random than the...the Hunter's Curve predicts. So, there are some other methodologies that are still fixture-based that...that...that you could use, that are more geared towards empirical study and probability, that...that are...would come across as significantly less conservative. So, the...the Hunter's method is...is very conservative, and that's kind of...that's...that's the primary issue with...with that method. And then when we're doing fixture units, someone gets to a maxed out 5/8s, and we're arguing over, you know, a double-headed faucet, or a double-headed showerhead or, you know, two sinks in a bathroom when, you know, in a his-and-her situation in a bathroom, someone might be showering, and someone might be brushing their teeth. But you really...you know, there's...there's certain combinations where...where there's really not an extra use that's going to happen just because there's an extra fixture. So, the unit demand principle is a methodology where we seek to establish a standard of usage from which we can measure all other uses. And we'll...we'll talk a little more about what I mean by that here in the next slide. So, I just wanted to give a quick overview of impact fee systems of other islands. So, the...the Honolulu Board of Water Supply, they actually do sell fixtures on a...on a per fixture basis. The County of Hawai'i, their fees are based on meter size, or a specific charge per lot, dwelling unit, or equivalent unit, kind of whichever is greatest. And Kaua'i Water, their fees are based on a combination of meter size, subdivision lots, multi-family unit count, et cetera. So, we do see, while the unit demand methodology is...is very common throughout the industry on the mainland, we do have agencies here in the islands that...that have it somewhat adopted anyways because...based on looking at how many dwelling units are in this project, how many...or equivalent units, or multi-family units like the Big Island and...and Kaua'i use. So, the...the shift we're making is, I would say...I don't want to say it's better than Big Island or Kaua'i, but it's not without precedent in the islands, and it's not without precedent within the industry by any means. So, let's talk more about the unit demand principle, right? So, our goal is--sorry, I hate reading straight from the slides--but it's to identify a unit of usage from which all of the uses can be measured and/or approximated, right? So, we're...I do want to continue to stress that we're...we are approximating, right? We're not looking to be super precise. The goal is to be generally accurate. So, we want to be...we want to be within...within the right target, we want to simplify the process. And when we talk about being accurate but not precise, I'd like to just go over...this is my favorite bullseye chart that I've used over the years whenever we're talking about accuracy versus precision. So, you know, everybody wants to be the bottom right, right? You're...you're super accurate, you're super precise, just nailing it every time. We...we deal in reality, we don't deal in ideal conditions. So, for us, the...the bottom left chart would be...would be...still be great, right? High accuracy, maybe low precision, but always in a good ballpark. And I would even say for...for us, right, when you're talking about a bullseye, you're approaching the center. So, you're always approaching that center, right? But if you look at the...the upper left bullseye chart, just pretend that anything that's above...above the middle of that chart is...is over the...the target usage. And then anything below the...the center of that chart is below the average usage, right? You can have...if you have one user who's a little bit over and one user who's a little bit under, they...they converge toward the average. So, in my opinion, even being in the upper left would be, I think, a pretty positive outcome. So, when we talk about where the current process...like where does the current process lie

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in one of these charts? Upper left at best, probably missing the chart in a lot of respects. And the reason that is is because of what we call ancillary fixtures. And these are fixtures that on our current methodology, they lead to a prediction of increased demand, but they're really more geared towards shifting usage within a home. So, for example, if you've got two sinks in a bathroom, odds are that that second sink is not going to be used in addition to the first sink, and the shower, and the toilet, right? Or a...a quarter bathroom in a garage, or a wash basin in a garage, if you are wrenching on your car in the garage, and you're going to wash your hands or use the toilet, you're just going to do it in the garage rather than going inside. So, that usage is...it's simply happening in a different location. That...those ancillary fixtures do not drive higher levels of...of...or higher expectations of occupancy and concurrent usage of water. The focusing on...on demand also, with this principle, helps us strengthen the link between daily usage and the cost of source development. So, towards the end of this presentation, we'll have some really important discussion about what to expect for the FY '27 budget. And the...best of all, the...the focus on daily demand, especially after we adopt the FY '27 budget, hopefully, will make meter size much less important. And we'll...we'll talk about why that is when we go through some of the fee calculation examples. So, the new system, I'd like to introduce everyone to the equivalent single dwelling. We call it an ESD. It's...it's commonly referred to in the industry as an equivalent dwelling unit or EDU, but I like to be different, so I'm calling it an equivalent single dwelling. So, what is it? It's a fixed unit of daily water usage. How much is it? It's 300 gallons a day. So, why...why do we think this, right? So, looking at empirical meter data, and looking at per...per capita usage, we look at, okay, how much...how much water can...can a person be expected to use in a day at home? And by looking at all these different things, we kind of honed in on 300 gallons a day for the...for the target equivalent dwelling. And I think on the next slide, we'll talk about what constitutes an equivalent dwelling, or kind of what is the model...the model residence look like for that. But in looking at kind of how much water an individual would use in any given day, you know, we looked at things like dishwashers, you know, hand washing of dishes, laundry per person per day, showers, brushing teeth, toilet usage, hand washing, and of course, most importantly, you know, human consumption. We just look at all those things and, you know, just establish a reasonable expectation of how much water a person would use. And again, this is a target, not looking to predict each individual's exact usage. So, developing the equivalent dwelling, or this unit demand, we looked at 19 combinations of beds and baths ranging from like a one-bed, one-bath 'ohana up to your seven-bed, seven-bath McMansion situation. And just as those combinations of beds and baths increase, we're...we're approximating what kind of occupancy could you expect to see, and what kind of concurrent water use could you expect to see based on those occupancies? And the...so, the...the occupancy creates a correlation to...to daily usage, and we'll see...see below, at the bottom of this slide, how we do that. And then based on that...based on those occupancy targets, we look at what kind of concurrent use could we expect to try to correlate that concurrent use to the occupancy. So, where we landed on all of this was that an equivalent single dwelling is four to six occupants living in a four-bed, two-bath home. And then this...this picture here is just kind of...you know, kind of an off-the-shelf equivalent single dwelling that you'd expect to see. You know, it's...it's...it's nothing...it's nothing major. It's a pretty...pretty modest house. And the...the...the ESD itself includes those underlying habitation assumptions I mentioned earlier about, you

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know, kitchen use, dishwasher use, laundry, those kinds of things. And because those underlying habitation assumptions are baked in to the equivalent dwelling, this is what's going to allow us to...to not care so much about fixtures. And it's also why it'll be important that we compute ESDs per dwelling, right? Because, you know, the...the current methodology we use, if you...if you build a first, second, and an 'ohana on one property, those...those fixtures just pile up. And then they get combined into what the...the current fixture worksheet spits out as a...as a instantaneous flow rate, and thereby a meter size. Whereas this...this methodology builds in those non...the...it builds in those kind of shared uses that are in...in a home. So, that...that's why it'll be...that's why it's important that an ESD...the number of ESDs for a particular dwelling be computed on an individual basis. So, this slide here is just kind of to describe our development of a predictive equation. So, this is...this is how we will compute an equivalent single dwelling for any particular residence. So, without going through kind of what...what the equation is, this was developed numerically by...and I'll...I'll try to--hopefully don't put anybody to sleep while trying to explain this--and I hope this makes sense. It's a little tricky to describe, but what we did was we looked at...we looked at target...we developed two targets. One target was based on daily usage, and one, which was, of course, based on an...an expectation of occupancy. And the second target was targeting concurrent use. So, by...we...we took these...we took these targets, and then through kind of guess and check, we ran these calculations for the different combinations of bedrooms and bathrooms. And for the...for...in...in aggregate, and this is just a combination of the daily usage results and the concurrent usage results, the...the ESD equation was equal to the target values 10 percent of the time. It was within .1 percent of both target values 80 percent of the time, and it was within .2 of the target values all the time. And below that is kind of what that bullseye chart would look like with the...the...the center being spot on, and then every ring going outward being a tenth of an ESD off. The middle column is just a comparison of how the equation fared against the daily usage results. So, a little over 40 percent of the time, it was equal; 95 percent of the time, it was in point...within .1; and then it was always within .2. And then to the far right was concurrent use results. So, we were almost equal 50 percent of the time; within .1, 90 percent of the time; and within 0.2, 100 percent of the time. So, if we go back to the left-hand chart in...in aggregate, we were equal to both targets 10 percent of the time, but we were equal to one or the other in many of those outputs. You can see we're at 40 percent on the daily and almost 50 percent on concurrent. So, the...the 10 percent on the aggregate might sound low, but we were usually hitting one of those targets. *(pause)* So, the key result of the new system is process simplification. So, how will this process be simpler? So, you know, by doing all of this...doing all this nerdy stuff in the background, this...the way that it should change the experience for our customers is that we say, hey, we just want to count bedrooms and bathrooms, and we're not going to worry about ancillary fixtures. So, the...by just focusing on beds and baths is super simple for an architect to put that on the plan, super simple for our staff to look at. And we don't...you know, we...we don't get into arm wrestling over that one fixture that puts you...puts you over the limit and triggers new...you know, triggers an upgrade, and more money. And we don't have the...you know, we don't have that risk of...you know, of a fixture being missed. You know, plumbing plans are...you know, they're not the easiest thing to look at. You can get a little cross-eyed. So, just focusing on beds and baths, just...it just makes it simpler. And to be honest, beds and baths

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are a far superior predictor of daily usage than fixtures. And then the predictive equation that we developed to compute ESDs, our...our staff is already looking at current applications they're processing, and running it through the calculator to kind of see how it goes. And yeah, it's...it's very fast, very simple. Another element that makes this process simpler is to standardize...standardize meter sizing to a degree of accuracy that is...or a degree of precision that is much lower than the fixture-based methodology. So, you know, with fixtures, you end up with...you know, you could have, you know, those...those extra ancillary fixtures that don't really equate to additional usage, and you get penalized, and you get kind of pressured into maybe reducing those fixtures. Or if you're in a situation where you can't really afford to make that upgrade, then...then you kind of end up having to back down, even though what you're asking to do probably wouldn't result in...in more impact to the system. Whereas if you are adding more potential for human habitation, that's really where the impact is, and that's where we need to focus. So, looking at standardized meter sizing, this was that balance between...because we do need our meters to measure accurately. If...if they...you know, if...if we're trying to shove too much water through a meter, we get high velocity, we start to get...you know, you can start to get that air bubble formation. And then the...the way these meters work, they're ultrasonic, they use what's called transit time technology. And when you get bubbles, or you get...you get nonlaminar flow at these really high velocities, they start to clip, and they start to read zero. So, it is important that we have...you know, we do need to make sure that these things are...are...are reading accurately. So, we have this standardized meter sizing table that we're going to be putting forward, which is 2.5 ESDs in a 5/8ths meter, which is...that's...you know, if you were to have a four-bed, two-bath first, and then a pair of one-bed, one-bath 'ohanas plus an allowance for outdoor irrigation, that would be 2.5 ESDs. If you're...you know, if you're on a 3/4-inch meter, then we can measure 3-1/2 ESDs worth of flow through that thing...again, based on...based on the probability of concurrent use in addition to that daily usage. And that's, you know, a four-bed, two-bath primary, a four-bed, two-bath 'ohana...no, a four-bed, two-bath second, a one-bed, one-bath 'ohana, and...and an allowance for outdoor use. And then a one-inch is six ESDs, right? We know that as that diameter gets bigger, you can start to really push...push more water through these things. And that just...you know, at that point, there's a lot of different combinations that...that could add up to that six ESDs. And looking at the...the...the source fee of a 5/8ths meter, and that we're approximating that 2.5 ESDs is suitable to that meter size, we kind of back in to what the cost of an ESD is, which is the...the current source fee on a 5/8ths meter of \$5,789 divided by 2.5 ESDs, which equates to a cost per ESD of \$2,316. And that will be important for some of these upcoming slides when we talk about impact fees. So, let's talk about our customers' experience. So, we'll go through the different types of applications that we typically see, and how we expect this process to affect those customers. So, for single-family residential, we're going to focus on bedroom and bathroom counts. I know I kind of went through this a couple slides ago, but they'll be summarized on a plan. Our staff will confirm them. We expect there to be significantly fewer headaches. We know that when we start this process, even though our staff is kind of getting their feet wet with changing how they look at plans, and kind of beta testing this program, we're not going to be out the chutes perfect. There will be growing pains, and...and a learning curve for...for the designers and...and for our Staff as we just...you know, we've been on fixtures for so long. We're

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just going to all have to adapt together. Overall, I expect everyone's experience to...to be vastly superior than to the fixture unit situation. But there will be...you know, we're going to sprint as fast as we can, and we're going to stumble along the way, but we'll get up and keep running. And one thing I wanted to mention here is, you know, we're...we're going to be looking at bedrooms and bathrooms, and rooms that are designed like bedrooms will count as bedrooms. So, you know, we'll...we'll pretty much just follow the Department of Health's mantra on...on that topic, which is, if it can...it's a little loose, but it's basically if a room can be reasonably assumed to be for sleeping, it will be a bedroom. So, that...that approach is...is already in place for how the State looks at septic systems, so we're happy to...to borrow that technique from them. So, the approval process for single-family residential will be that we...we will confirm that a proposal is within the total ESDs of a meter size. So, we still do have those kinds of limitations, but we don't have that hang up over the...the ancillary fixtures. So, you know, for the rest of the current fiscal year, new...you know, if we issue a new meter, then that customer will pay the full impact fee, and they'll be entitled to all 2.5 ESDs until FY '27. We'll talk more about how that's going to change with the FY '27 budget. .5 ESDs will be assumed for outdoor water use, and then the expectation is that most existing meters will be able to add an 'ohana without issue. That...that won't be the case for everyone. It's really going to depend on how many ancillary fixtures somebody has. So, if you have, you know, multiple dwellings on a 5/8ths meter, you know, it's possible that you might compute to have three ESDs. That...that would probably be because you don't have any ancillary fixtures, right? These are all...you could have three bed...well, multiple three-bed, one-bath homes. You don't have wash basins in the garage, or toilets in the garage. You don't have those...you don't have anything that would penalize you under the current methodology. So, in that kind of a situation, you...there's a good chance that you won't get that immediate term benefit from this system. But our...our observation and experience is that ancillary fixtures drive a lot of the issues we have. So, this...this system will shift away from...from worrying about those ancillary fixtures. Let's talk now about multi-family. So, ESD computations will be the same as single family because again, we're looking at each dwelling unit. It's not...not mentioned here, but the way that we would expect it to play out, and we'll be including this in, you know, submittal...submittal instructions for consultants and applicants, but a...an apartment project can provide a summary table on their cover page that says, hey, you know, type A is a one-bed, one-bath, and we've got 20 of those in this project; type B is a two-bed, one-bath, we got 20 of those; and type C is two-bed, two-bath, and we got 20 of those. So, with that information from the applicant, we can quickly compute their ESDs because we can just compute what is it for a one/one, and multiply it by how many they have, and do that for each unit type. And the outdoor usage will be separately estimated, and then that'll be included and...you know, converted to ESDs and included. So, because the water usage in a multi-family setting is...it is different than in a single-family setting, this...we were able to standardize meter sizing a little differently. And what we did here was, we used the International Association of Plumbing and Mechanical Officials water demand calculator. And we basically ran models of different multi-family projects from, you know, 5 units to 20 units to 50, 100, 150, 200, 300...just ran a bunch of different multi-family unit counts. And just using what that model floor plan would be, developed a curve that we were able to...to use to create this table of standard meter sizing. So,

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what we got was that a one-inch meter would serve up to 16 ESDs; an inch-and-a-half up to 60; a two inch up to 120; and a three inch up to 240. And then, you know, because this is, again, looking for a target, looking to reduce the amount of work needed to be done from application to application, if a...if an applicant and their consultant want to do their own custom calculation to size the meter, we would invite them to go ahead and use that water demand calculator, just because, you know, if you're...if you're on the cusp of a meter size, you know, there...there's a decent chance that maybe you can do your own calculation. But you don't have to do that. You can just use a standardized table, and be good to go. One thing I wanted to say as a little side note about that water demand calculator is, we're working with IAPMO now. We're participating in their study to develop a nonresidential version of their calculator. We don't have the permissions in place yet to do it, but our goal is to allow them to outfit some of our...our buildings, because those are certain use types, so that they can gather...gather empirical data on how water is used in those buildings. And they're...this is kind of a nationwide study as they develop this new version of the calculator for nonresidential uses. So, this part's important. So, existing multi-family meters are going to be entitled to ESDs, right? Because they're already connected to the system, they've already paid their impact fees. So, what are they entitled to? And our position is going to be that they...they'll be entitled to ESDs that are either commensurate with their current approved use, or equal to the FY '26 source fee divided by that number, 2,316, whichever of those two is greater, right? So, if you've...if you built something, right, legally, it was approved, and it's actually more than...than what...what water right was paid for, that's okay. We're not...there's no claw backs. We're not going back to say, hey, you're...you know, you've...you've got to come back, and...and...and come clean, and true up on your source fees. We're not doing that. And conversely, if someone appears to have a few ESDs left in their rights, then they would...they would still be entitled to those. So, some example ESD allocations is that an inch-and-a-half meter, their source fees are worth 15 ESDs; four-inch meters, 103 ESDs; and an eight-inch meter is 410 ESDs. So, I wanted to take a second here, and this is...this is just a lucky example. So, we know that this system is not going to be perfect. We do believe that it's a far superior system to what we have now, and that it is going to be a much better predictor of use. But we have...we have a project over on West Side, where it's a reconstruction of a 60-unit townhome project that was lost in the fire, and they're all one-bed, one-bath units. And if we use our current design guidelines, which is 560 gallons a day for a multi-family unit, regardless of bed and bath count, then that 60-unit townhome project would be expected to use 32,000 gallons a day. Well, if we use the...this new system, then each one-bed, one-bath unit would compute to be .5 ESDs. And if there are 60 of those units, then that is a 30 ESD project. And if we're saying that one ESD is 300 gallons per day, then a 30 ESD development would use...we...we would target 9,000 gallons a day as the use. Looking at their pre-fire average usage on that meter, it was 8,900 gallons a day. So, it's...it's a lucky shot that we happened to...to see that one, but, you know, it is in the right order of magnitude, right? The...the...this equation predicted the...at least the correct order of magnitude of what their usage actually is. Looking at now nonresidential. So, you know, nonresidential is tricky because there are not really predictive...you can't predict the...the use. You have to...you have to look at each...you have to look at all the different types of nonresidential use, and then maybe you can individually start to create

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predictive programs for them. But if you have...you know, O'Reilly Auto Parts and Outback Steakhouse are both nonresidential uses, and they can both be in a 2,000-square-foot space, and they're going to use completely different amounts of water. So, what we're going to do is say, hey, you know, if you want to use the consumption guidelines that are in the standards, you can do that. That's what they're there for. The consumption guidelines are more of a planning tool that...you know, kind of like the thing that we'll be using as we embark on our master plans for some of our water systems. But when you...when you have a project, and you know what you're going to build, then you can get more...you can get more into the details of what's actually happening. So, we would invite those applicants to...to say, hey, you know, this is the kind of business we run. We're going to have two employees here at a time. The restrooms are not open to the public. We only think we're going to use this much water per day. And then conversely, if it's...you know, if it's a restaurant use, they're going to tell us...they're going to tell us how much water they use. Our staff will review that. And if...if, you know, you've got custom calculations being stamped and signed by a licensed professional, we don't expect...we don't expect it to be worth it to the consultant to, you know, kind of falsify those calculations. Because we're still going to review them, and we're still going to make sure that they pass muster, but it's not really going to be worth it to the consultant to, you know, intentionally put together incorrect calculations. That's...it's just...at least my experience as a consultant was, my license was not worth it to me for one...you know, for one client to kind of tell me how to do my job, right? So, we'll still review it, and we'll still convert that daily usage to ESDs. For meter sizing calculations, yeah, we'll...we'll...there's...if a consultant wants to, they can use American Water Works Association Method 22. There will be, you know, the IAPMO demand calculator for nonresidential. Maybe late...late next year that might come out. So, once that's available, we'll invite folks to use that. There's a lot of different ways to prepare those calculations that are...that would be used for...for sizing the meter. But the...what we intend to do is a consultant designs...you know, does their calculations to size the meter, and then they'll request that meter, and then they'll...they'll pay the fees that are associated with storage and transmission. And this will be...this part of the process will be unlocked with the FY '27 budget when we separate that source fee from the meter fee, and we'll talk about that here in the next slide. Oh wait, we got one more nonresidential slide here. So, in terms of existing meters, they're going to be entitled to ESDs in the same manner as multi-family meters. So, it's really going to be, what is the FY '26 source fee of their meter size? Going to divide that by the cost per ESD. That's how many ESDs they're entitled to. Or, you know, if...if they've actually got more ESDs in use than...than what that calculation gives, then we're going to say, hey, you're grandfathered...you know, you were approved to use that. And again, there's no claw backs. So, implementation. Okay. So, we're...our staff is starting to look at...you know, we're...we're still processing applications under the current methodology, but kind of on the side, we're running those applications through...through the ESD predictive equation, and we're just getting ourselves accustomed to looking at plans in that different way. So, that's all happening now. And, you know, come January 1st, we get this up and running. So, our...our goal is to hit the ground running, I guess, January 2nd, technically. It'd be great if we could roll this out a little sooner because we...there's nothing stopping us from rolling out sooner, other than being prepared. But...but we know that there will be some hiccups, but that's okay. I think as we're...as

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we look at new applications under this new system, it won't...it won't take long to really get...get...get used to it. We already are. It's just, I guess we'll be riding a bike with a slightly different shaped handle. It's a little funky at first, but it won't take long before we're very comfortable. And then with the FY '27 budget, we're going to do the very important action of separating the source fee from the meter size. So, that's...that...that will make...that will be a kind of an upgrade to...to the process that we're excited about. So, that's my segue into FY '27 budget sneak preview of the source component of the water system development fee. So, as I mentioned earlier, you know, one of our goals is to separate that source fee from the other impact fees that are...that are all nested within that...that meter fee. We...we're not committed entirely yet, but the Department is contemplating just eliminating the 5/8ths meter altogether, and adopting the 3/4 as a minimum meter size. And one of the reasons for that is 3/4 inch...a 5/8ths meter is a 3/4-inch meter with an insert. So, it's...you know, we...it's kind of burdensome to have 5/8ths in our yard, so it's really just simplifying things from an operational standpoint. And the...kind of the...the realigning of our...of our impact fees opens the door to this. So, there's not just folks, you know, paying higher fees. So, we're looking at that development fee and the structure, and we'll be proposing changes in the FY '27 budget. And those fees...or the...the...the fee that we're proposing, we're going to be...we're going to develop that by looking at recent source development cost figures as they relate to the quantity of ESDs created. So, this is a preliminary estimate of what that source fee will be. So, the...let me get some...just some cool pictures of a...of a well site development. So, the most recent cost to develop a well is roughly \$18 million. And the source...amount of source provided by that well is .96 million gallons per day. And...which is 3,200 ESDs because we take the .96 MGD and divide by 300 gallons per day. So, the resulting source fee per ESD is the \$18 million figure divided by the 3,200 ESDs, which equals \$5,648 per ESD. And we do...we do understand that this is a 2.44x increase in the per ESD fee. So, here are some sample impact fee calculations. So, I'm just going to go...just going to read through these four. So, if you are building a first house, that this is...okay, so the first one is, you got a 3/4-inch meter, and you're either building your first house, or you're going to build out all the ESDs that we can serve with that meter. The current fee is \$18,884. If you're building your first house, and it's a four-bed, two-bath, which is 1.0 ESDs, and we include the .5 ESD allowance for irrigation, that would be 1.5 ESDs, then your fee would be \$18,293. If you build, you know, the 4/2 first, 4/2 second, a 1/1 'ohana, and have your outdoor irrigation allowance, then your full fee would be \$29,590. For a 300-unit multi-family project on a three-inch meter, and these are all two-bed, two-bath units, and you're using 3,500 gallons per day of irrigation, your current fee is \$279,380. Your new fee will be \$1,566,880, and that is based on those...all those multi-family units and the outdoor irrigation adding up to 251.7 ESDs. If...for a commercial development that is going to use 3,000 gallons per day indoor, 600 gallons per day outdoor on a 3/4-inch meter, the current fee is \$18,884. The new fee will be \$77,605. And then a one-inch irrigation meter using 9,000 gallons per day, the current fee is \$33,356, and the new fee would be \$186,807. So, why is this a better system? So, again, early on, I mentioned that every application with the fixture unit methodology is kind of burdened with...there's...there's...it's burdened with a lot of work to get into the details of design. So, not only is it a lot of work, but it's not particularly accurate, it's definitely not precise. So, what...what makes this system good is that, you know, we've been putting a lot of

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work into this, and all of these goofy things, this is--gosh, I forget this guy's name--Rube Goldberg, I think. So, you have these...these charts where you got these wacky contraptions, and all this crazy engineering stuff that leads to a mechanized, very simple task. So, the hope is that all this work we've put in leads to a very simple front end for the customer. And it's simpler, and in our opinion, it's more accurate. So, the focus on bedrooms and bathrooms is very straightforward. And we can associate additional usage of water to additional human habitation. And that's what bedrooms and bathrooms really do. And it gives us an improved representation of actual use, and it...it allows better space for custom calculations for nonresidential uses. Because this system will be simpler, we expect it to be faster. And part of that is our staff that reviews worksheets, and reviews plumbing plans, the amount of time that they're going to have to spend to review building permit applications will be reduced, which will create space for them to take on more of the nonengineering work from the engineers. So, we can shift work from engineers to administrative staff, and that's because it's going to decrease total work to be performed. And then lastly, the system is going to allow an important correction to our impact fee. So, with...with that, mahalo nui, and I'd like to invite questions. Thank you, Chair.

CHAIR COOK: Thank you, Mr. Jensen. Director Stufflebean, would you like to add anything?

MR. STUFFLEBEAN: Yeah. Thank you, Chair. No, I think James covered it really well. I think...yeah, the key point here is...is that what he...what...what he's...we've come up with is a system that is...that is more accurate, and more equitable, and also significantly streamlines the process. And I think that's really what we're working at, is that we're...we're trying to get through these permits more quickly, and this will enable us, going forward, to...you know, to process them more quickly. And as James said, more of the work can be done with...by administrative staff, freeing our engineers to do engineering work, which is what we really want them to do. So...so, yeah, I'm really, really pleased about the outcome of this, and...and really look forward to implementing it, and...and doing...you know, making it a better process, a more equitable process, you know, for the County. Thanks.

CHAIR COOK: Okay. Chair would like to thank both of you for the presentation. I've discussed this with you a few times over the last few months. I want to recognize all of the work that has gone into this, the research and...really, the deep dive to assessing what our source fees need to be, and how this process could be simplified to the benefit of both the Department and the customers. Staff, do we currently have testifiers?

MR. PASCUAL: Yes, Chair, we have two testifiers. The first testifier is Kai Nishiki, to be followed by Tom Croly. *(pause)*

**. . . OPEN PUBLIC TESTIMONY FOR WAI-1(5) . . .**

MS. NISHIKI: Aloha, Chair and Committee Members. Thank you for that very informative and easy-to-understand presentation. I...I hope that this body will seek a little bit of clarification on if this is...how it correlates to the 2002 water system standards, you

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know. Because in the 2002 water system standards, there...there are estimates for single-family at 600 gallons per unit for the domestic consumption guidelines, and then, you know, it's 560 for multi-family. So, just trying to figure out if it's being proposed that this replaces the 2002 water system standards that DWS currently relies on to estimate water usage. And I really love that the...the data supports the lower water usage because, you know, we've been saying that for a long time, that...that single-family does not need to be utilizing the 600 gallons per day number. And...and then to also clarify for irrigation, if a project is reusing water for irrigation, just how does that...maybe that source impact fee and the water use, like does...is that taken into consideration? And then in addition to that, it would be great for this body to inquire with the Chair when he intends to bring forth the...and...and for you folks to discuss the water conservation enforcement bill. I'm pretty sure that was a direct referral. And in the news recently, it was stated that 1.7 million gallons of water could easily be freed up through water conservation in West Maui. And, you know, that can...that could equal into thousands, literally 8,000 units of multi-family housing the County could already have built, and could approve, and really take care of this roadblocking of housing in West Maui where it is needed the most. So, it would be really great for the Council to really get some of these water questions answered in a more truthful way. Because it really does seem that there's special water math for some places and some people, and then, you know, different kind water math used for other people. So, we really need to stop playing political games, and really have the political will to provide water and get housing built in West Maui. . . .(timer sounds). . . West Maui residents don't want to invest their money, and buy old units in coastal hazard and flood zones. You know, they really want to invest their money in new construction in safe areas, and that's what we want for our workforce. So, I just really encourage this body to crack the whip in...in providing water for housing in West Maui. Mahalo.

CHAIR COOK: Okay. Thank you, Ms. Nishiki. Members, any clarifying questions for the testifier? Seeing none. Next testifier, Staff?

MR. PASCUAL: Thank you, Chair. The next testifier is Tom Croly.

CHAIR COOK: Mr. Croly?

MR. CROLY: Aloha, Committee. Tom Croly. I very much enjoyed this presentation, and I'm kind of engineering type, so I...I stayed with him the whole way on this thing. And what it said to me was, we're now going to use a very practical way of figuring out how much...predicting how much water each new dwelling unit is going to use versus something that made no sense whatsoever in the past, and was based on...on something of everyone turning all their faucets on at one time and saying, will the pipes do this? Which...which we all know was kind of bullshit, right? So, I'm so pleased to...just to see a much more practical thing. But I do have a question. And that is, I look at my own water usage, and my water usage is not driven by how many people I have in the house. For example, as you know, I run a bed and breakfast, and I have three rooms. In the months that I have the least occupancy, I use the most water. Why? Because that's the summertime. And that's when my irrigation is using most of the water. The...the time that I use the very least water is January, February, and March, and that's when

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I'm plumb full. That's when all my guests are here, okay? So, the calculations of how much water is going to be used domestically in a house is...is fine. And I'm fully in support of what's...of what's being presented here. But the .5 calculation for irrigation is probably not very accurate on...on the whole. And something that I might encourage you to take into account would be lot size. Someone who has a 5,000 square foot lot is not going to use near as much irrigation as someone who has a two-acre lot. And then the other part of this that you really have to consider in the big picture is, is it an agricultural lot, okay? Because if it's an agricultural lot, even if the guy's not doing any agriculture, he's required by the County to have a farm plan. And that farm plan is going to use a certain amount of water. So...so, I saw an article recently that was saying in West Maui, the guys who have...don't live in their houses are using the most water. Well, you know what? That's because they're on these agricultural lots up in Kapalua, and they're required by the County to have an agricultural use, and they're using water for that agricultural use. They're not using water inside the house. So, there is this factor that you need to consider in the big picture. And then one more thing, and that is, I was kind of ahead of the curve with all this years ago because I pay attention to what the County is doing, and I upgraded my meter from a 5/8ths-inch meter to a 3/4-inch meter, even though nobody was asking me to. Because I could see that down the road, somebody's going to say, hey, you have more fixtures than you're supposed to have, and...and...and you should upgrade that meter. So, I didn't mind paying the extra \$5,000 and saying, okay, I'm paying my share for water. But what essentially happens in that is, now I get charged every month more . . . *(timer sounds)* . . . for a 3/4-inch water meter than a 5/8ths-inch water meter. And because I have a house and a cottage, I'm using more water in...in...as a whole, so our tiered rates are hitting me again. So, I really think that...that the tiered rates need to take into account the size of the water meter that you are required to have. So, someone who has a small water meter pays, you know, quicker, the tiers go up faster. Someone who's paying for a larger water meter, those tiers wouldn't go up faster because you...that's based on these housing units that...that...that we're talking about. So, I hope that that makes sense. I know that's not really what we're talking about now, but I fully support what the presentation was, and...and the direction they want to go. Thank you, Chair.

CHAIR COOK: Thank you, Mr. Croly. Members, do you have any clarifying questions for the testifier? Seeing none. Thank you, sir. Staff?

MR. PASCUAL: Chair, I do see one individual making his way to the podium.

MR. LAW: Thank you, Jarret. Oh, and nā limahana. So, in...in honor of King Kalakaua's birthday is the...the Hawaiian word of the day, and it's used in his song, Koni Au. It's wai ali'i, which means cheaply water, royal liquor, or gin.

CHAIR COOK: Okay. No questions.

MR. PASCUAL: So, Chair, I can do a last call for public testimony, if you'd like.

CHAIR COOK: Please do.

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MR. PASCUAL: This is the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you'd like to testify. Here's a countdown...three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR COOK: Members, seeing there are no more individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

**. . . CLOSE PUBLIC TESTIMONY FOR WAI-1(5) . . .**

CHAIR COOK: Thank you. As a reminder, written testimony will continue to be accepted into the record. Members, I now propose two rounds of three-minute questions per Members. Any objections?

COUNCILMEMBERS: No objections.

CHAIR COOK: Okay. Let's begin. Vice-Chair Sugimura?

VICE-CHAIR SUGIMURA: I love it, right? The...the old system was cumbersome. I remember I had this huge meeting when I first started, and they were trying to increase one more fixture allowed for Upcountry. But anyway, I...I'm just wondering, in situations that we heard of, like in West Maui wildfire, there you have generations of people living in their home, which may not necessarily equate to three bedrooms, two baths, but it was many more people. How do you accommodate for that, or does it not matter? Or...or you must have --

CHAIR COOK: Mr. Jensen?

VICE-CHAIR SUGIMURA: -- research on it.

MR. JENSEN: I mean, I would say that in a...in a situation where they have a previously-approved use, assuming that...that everything was permitted, legally-constructed, you know, and permits were finalized [*sic*], all right, that...you know, following the...the...what I mentioned about no claw backs, or, you know, what...what...what entitlement runs with that meter as we shift to this methodology? If...you know, I guess I would say it's a legal, nonconforming interpretation. What they had, as long as it was all approved, they're okay. And we do...you know, we do see that. You know, one thing about, you know, this...this outdoor allocation, right, and there's...there is a balance between how much...how much source are you buying a right for, and how much do you actually use? So, that...the...the...the tiered rates are a mechanism to try to create some downward pressure on that excessive use. But we do know that if someone's building an 'ohana in their backyard, or they're building a larger house that kind of maximizes floor area ratio and site coverage, they're not going to be irrigating outside as much. So, there's...you know, we know there's a trade-off there. This...this system doesn't...it doesn't really recognize that. So, like if someone builds

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more in their backyard and takes away grass, they don't get credit for that outdoor. But that's kind of one of those safety factors of this methodology, where we're...we're comfortable that it will be okay because that outdoor usage will be reduced. So, I'd say in...in kind of those kinds of situations, the outdoor use is kind of just being used indoors instead.

VICE-CHAIR SUGIMURA: Okay. Very good. So, I have to ask this question. What about...so when you...when you have existing plans, you're already doing the calculations for both, right? And will...will people...or when...come January 1, they have to convert, right, to this new system, are you going to have education and training for the engineers, or are they already all on board because of...they're professionals? Or is there something that we need to do, as a County, to bring the public along?

MR. JENSEN: Are you referring to my engineers, or the outside engineers?

VICE-CHAIR SUGIMURA: Oh, the outside engineers, not you.

MR. JENSEN: So...so, yeah, we...that needs to happen. I was hoping to have it on our website already, but we're working on a submittal requirements checklist to help folks understand, okay, what are the submittal requirements, depending on their type of application? We want to get that on the website as soon as we can, tomorrow if we could. And, you know, kind of over the...the last couple of months, I have been meeting with members of the design profession to kind of spitball...you know, get some feedback. So, there's...there's an awareness that we're developing, and we're working with our own staff to get them understanding how, you know, how they'll be affected and how they'll do their jobs day-to-day. But yeah, we do need...we do need to get detailed information on the website about, you know, how this process will look from their side. And we have...we have the information ready to do that, we've just been kind of cleaning it up and making sure it's ready to launch.

VICE-CHAIR SUGIMURA: Fabulous. Thank you.

CHAIR COOK: Member Johnson, you have some questions for the resource?

COUNCILMEMBER JOHNSON: Sure. Thank you, Chair. And first off, I want to thank the Water Department's [sic] for getting their feet wet with these new policies. It's really refreshing to have smart folks on this type of complicated issue, and it gives me hope. So, thank you for that. Allow my puns. So, my first question is, basically, I really like the slide, and Director Stufflebean mentioned a little bit, as well as Mr. Jensen, is that this new process is going to speed us up. And does that...and I think the output that I'd like to hear is, we often hear that the...the permitting process is so long, so burdensome. So, just a straight, direct question. Do you think this new policy is going to increase affordable housing, the processing, the time that it happens?

MR. JENSEN: On...on our end, the processing will be faster because what we're...what we're looking at, we're just looking at things from a simpler perspective. I know that the...you know, there's a...potentially a little stumbling block with what...what we're saying

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the...the impact fee would be for...for a multi-family project, whether it's affordable or market rate. But yeah, on...on our end, the...the processing will be simpler. So, that...that part will be faster when it comes to building permit issuance. I don't think anything will change when it comes to like looking at offsite improvements and, you know, reviewing, you know, construction drawings for offsite improvements. You know, that... . . .(laughing). . . the applicant consternation with our...with our Department related to things outside of the fixture unit worksheet, you know, might be related to, kind of, issues we've had with procedure and staffing levels. But, you know, we're...we're doing pretty --

COUNCILMEMBER JOHNSON: Sure.

MR. JENSEN: -- well with staffing. We're using consultants when we need them. And you know, we're...we're looking at other internal procedures that we're kind of unwinding, or improving along the way, that's all geared towards making things easier. But from a building permit standpoint, yes --

COUNCILMEMBER JOHNSON: Okay.

MR. JENSEN: -- this will be significantly simpler.

COUNCILMEMBER JOHNSON: Great. So, you know, I introduced this bill to...to help solve the problem to help the farmers. Now, can...and I...when you mentioned that meter size, it's really fascinating. Can you speak on the possible changes of the meter size, and what that...that...what that does, besides you just not having . . .(inaudible). . . . .(laughing). . .

MR. JENSEN: I'm sorry, were you referring to the...the comment I made about the...

COUNCILMEMBER JOHNSON: You...you were saying, like you can go...we can go up a size. You might even eliminate the smaller size...meter sizes.

MR. JENSEN: Yeah, so...yeah. So, the...the 5/8ths meter is . . .(timer sounds). . . it's just another...it's...it's kind of a modified version of our 3/4 meter.

COUNCILMEMBER JOHNSON: . . .(inaudible). . . 3/4s . . .(inaudible). . .

MR. JENSEN: So, we have to...yeah, we end up having to have just more bins in the... in the storehouse for these parts. So, you know, in the old days, when we used nutating disc meters, right, there were physical parts inside those meters that would rotate...you know, it's kind of a wobbling...this wobbling nutating disc that over time, becomes less accurate...because it takes more force to...to oscillate it to the same rate. The meters we use now are all ultrasonic, and the lower limit of the 3/4-inch meter is just as accurate as a 5/8ths. So, the need for that smaller meter to capture that lower flow rate just isn't...it's not the same as it was, you know, 20, 30 years ago now that we have the ultrasonics.

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COUNCILMEMBER JOHNSON: Great.

CHAIR COOK: Thank you.

COUNCILMEMBER JOHNSON: Well, I heard my time, and I appreciate all the hard work you guys did on this. I might have a follow-up if it's...if it's not...not answered.

CHAIR COOK: Yeah, we'll...we'll have some time.

COUNCILMEMBER JOHNSON: Thank you, Chair.

CHAIR COOK: Chair Lee, questions?

COUNCILMEMBER LEE: Yes. Thank you. Thank you, Mr. Jensen, for your presentation. So, the bottom line, will this new methodology promote more affordable homes --

CHAIR COOK: Mr. Jensen?

COUNCILMEMBER LEE: -- or not?

MR. JENSEN: I mean, the...I don't...I don't know that it will promote. It's a process improvement. The...the amount of water...you know, looking back to that Lahaina rebuild example, the usage guidelines in our current standards--which we are planning to...to update those--those usage guidelines would have predicted a 32,000 gallon a day use for the 60 townhome project. This methodology would predict 9,000 gallon a day use. So, it's a substantially lower use, I guess, from that...from that standpoint. It will recognize that a multi...that not all multi-family units are the same, so that..you know, the current guideline is the 560 a day, whether it's a one-bed, one-bath, or a two-bed, two-bath. So, this new system will...will see the difference between them. So, unit for unit, it will expect less usage per day.

COUNCILMEMBER LEE: Okay. So...so, it will allow...it actually will allow for more homes to be built, right? Because there'll be more water available?

MR. JENSEN: Well, there won't be more water available, per se, but the...the project would be expected to use less.

COUNCILMEMBER LEE: . . .*(laughter)*. . . You're using less water, but you're not saving it? You know, you're not freeing up potable water? Okay. That's fine. Okay. The...the old method had a max for fixtures that you could buy. You could buy additional fixtures, but there was a max. Is there a max for this new methodology?

MR. JENSEN: Yeah. It's the...depending on the...the meter size. In the single-family setting, it was the 2.5 ESDs on the 5/8ths, and then 3.5 ESDs on the 3/4, and then 6 ESDs on the 1 inch.

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COUNCILMEMBER LEE: Okay. And, you know, the 3/4 meter, isn't that quite a bit more expensive?

MR. JENSEN: Yeah. I think the...the...the impact fee on the 5/8ths is 12,000, and then on the 3/4, I think it's just below 19,000.

COUNCILMEMBER LEE: So, it's from like 12 to 19,000...it's going to go up to 19,000? Is that what you're saying?

MR. JENSEN: Oh, you mean if...if we...right, if we eliminate the...the 5/8ths?

COUNCILMEMBER LEE: Yes.

MR. JENSEN: Yeah. It...the...the example that I went over earlier of the...the first home being built on a 3/4-inch meter was...yeah, it came out to like just over \$18,000. So...so, yeah, if we eliminate the 5/8ths meter, then yeah, that...that entry fee would go up. We...we haven't been looking at adjusting the storage and transmission components of those fees yet. Right now, we're just looking at modifying the source component.

COUNCILMEMBER LEE: Okay. So, could you tell me right now...let's go back to the 5/8ths meter. Right now, with the old methodology, what's the cost for the storage, transmission, and source versus the new methodology? What's the difference in cost again?

MR. JENSEN: Yeah. All in, it's 12,000...12,060 on the 5/8ths, and on the 3/4 it's 18,884.

COUNCILMEMBER LEE: Okay. Thank you. Thank you.

CHAIR COOK: Thank you. Member Paltin, your turn for questions.

CHAIR PALTIN: Thank you. Got to love the acronyms. We got ESD, SFH, MEF (*phonetic*). But I guess my first question is along the same lines as what Tom Croly had said about the lot size determining the outdoor watering. Also...so, you don't currently take into account lot size or location. Like, I mean, living in Nāpili versus living in Lahaina, it...it rains a lot more in Nāpili, but...or say Hāna versus Lahaina, you don't take into account the geographical rainfall in the areas where the lots are, it's just a blanket .5 ESDs?

MR. JENSEN: Right. At the moment, yes.

CHAIR PALTIN: Okay.

MR. JENSEN: Right.

CHAIR PALTIN: Do you envision it being more dialed in in the future?

MR. JENSEN: I mean, it certainly could be. Again, right, initially, we're looking to...to kind of hit...hit the bullseye chart somewhere in general accuracy.

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CHAIR PALTIN: Okay.

MR. JENSEN: Yeah, it...

CHAIR PALTIN: And then my other question was...like I'm not sure what the Department of Health uses, but if it could be used as a sleeping area. In my neighborhood, what I notice is, a number of the garages are enclosed and used as a bedroom. Is that...the DOH also includes enclosed garages attached to homes as a possible living space? Because that's what it is in my neighborhood.

MR. JENSEN: Yeah, it...it...it comes down to, you know, is there a permit for it? But if there are no windows, it's hard to interpret it as a sleeping room. But the...the DOH's definition does give some guidelines around, hey, it's got to be a certain size, it's got to have a window or, you know, there's certain amounts of electrical outlets in the Building Code that are tied to bedrooms. If it's a converted garage that doesn't have any windows...yeah, even though it's probably being used for sleeping, it...it'd be hard to capture that. If it's a conversion that comes with a building permit application, it's probably got windows, it's probably got a bathroom even, to where it'd be pretty easy just to --

CHAIR PALTIN: Yeah.

MR. JENSEN: -- see it that way.

CHAIR PALTIN: I don't think any of them in my neighborhood are legal, but... And then what you were saying about four to six people per...like I think it was four...four bedroom, three bathroom, that's just your average that you came up from, kind of ground-truthing the numbers. What was the sample size of your ground-truthing?

MR. JENSEN: So, what we did was, we were looking at...we were looking at our per capita usage numbers. That's...that's based on our...it's not looking at individual meters or anything like that, it's just...just Countywide numbers per capita. But looking at what is...what is a reasonable kind of model home to call an...an equivalent dwelling. So, we're looking at...looking at four...four to six people living in the four-bed, two-bath home. You know, it was kind of based on, okay, if you've got two people in the master bedroom, and one person in each extra bedroom, then that was five. So, you end up just trying to...trying to look for a range of probability. So, the...the sample size was just the...the...the Countywide per capita data, but looking at how much water an individual could use . . . *(timer sounds)* . . . in a house was kind of based on, you know, looking at normal...normal practices of...of living in a house, and then comparing that with like EPA nationwide data for indoor and outdoor use. So, I think we...we were at like 53 or 54 gallons a day per person, and then looking at, okay, if there's four to six people, let's stay on the high end of that, just to be...you know, just to have a factor of safety there, which was like maybe 315 gallons per day for...for that...for that four-bed, two-bath. So, we just stuck with...you know, chose 300 instead of, you know, 315 or 285.

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CHAIR PALTIN: Okay. I...I just would say that we're...we're not really too...maybe we are, but not...I mean, we have...I...I would imagine we have more multi-generational families than in the continent, as well as, you know, more year-round gardening than on the continent. But if the numbers are working out for you, great. I'll come around for the second round because I did hear the bell.

CHAIR COOK: Thank you. Okay. Member Rawlins-Fernandez is excused. Councilmember Sinenci, questions?

COUNCILMEMBER SINENCI: Yeah. Mahalo, Chair. And mahalo for the presentation. I...I did hear that we're...we're not going to go with the fixture counts, but with the number of rooms. Did you mean bedrooms? Because our bedrooms determine if...if they have like a closet or something, or just the number of rooms in the household?

MR. JENSEN: Yeah, it's just bedrooms and bathrooms. So, yeah, not...not like a great room, or a front room, or a family room.

COUNCILMEMBER SINENCI: Like...like space...right. Oh, okay. Thank you for that clarification. And then you mentioned that the new rates would possibly roll out for next budget session?

MR. JENSEN: Right. So, for FY '27 budget, the Department's intention is to update the...the source fee from...for our impact fees, and then also to separate it out from being kind of nested with those other impact fees in the meter size fee.

COUNCILMEMBER SINENCI: Oh, okay. And...but it's not going to roll out until the...the new rates are in, or did the Department want to roll...roll it out at the end...by the end of the year?

MR. JENSEN: No, the...the...the goal was to have that be a part of the FY '27 budget ordinance.

COUNCILMEMBER SINENCI: Oh, okay. All right. Okay. Thank you for that clarification. Thank you, Chair.

CHAIR COOK: Thank you, Member. So, for Chair's first questions...and this kind of follows up. So, basically, this isn't...it's on bedrooms and bathrooms averages. So, the number of people in the house, which is really hard to define, isn't necessarily come into play.

MR. JENSEN: Right. So, again, we're...you know, we're looking for that...we're looking for that box that the...the goal is to be...be generally accurate, without worrying about intense precision.

CHAIR COOK: Thank you. It seems like that was part of the challenge with the fixture count, was trying to be like...dial in every single potential usage, and it not necessarily relate to reality. . . .(laughing). . .

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MR. JENSEN: Yes.

CHAIR COOK: Okay. I'm sorry. Member U'u-Hodgins, questions? I didn't see you on the screen. Staff, is she with us?

COUNCILMEMBER U'U-HODGINS: Hi, Chair. Thank you. Yeah, can you hear me now?

CHAIR COOK: I can hear you now.

COUNCILMEMBER U'U-HODGINS: I've just been listening and following along. I guess my one question is to Mr. Jensen. They're ready to roll out, but they're going to wait until January 1st to do so. Do you need anything from us before you roll out, or are you guys good to go on Jan. 1?

CHAIR COOK: Mr. Jensen?

COUNCILMEMBER U'U-HODGINS: Advertising budget to let people know that their costs are going to rise, anything we can do to help?

MR. JENSEN: No, I...I think...I think we're in good shape to just keep our heads down, and get this thing to launch come January 1st.

MR. STUFFLEBEAN: So...

COUNCILMEMBER U'U-HODGINS: Okay.

MR. STUFFLEBEAN: Chair? James, can you explain?

CHAIR COOK: Director? Director?

MR. STUFFLEBEAN: Yeah. James, can you please explain like what...if...what would happen on January 1st? And then if our budget proposals are accepted, what would happen on July 1st? Because those are different things. If you could kind of go through that --

COUNCILMEMBER U'U-HODGINS: Thank you.

MR. STUFFLEBEAN: -- I think it would be helpful.

CHAIR COOK: Thank you, Director.

COUNCILMEMBER U'U-HODGINS: Okay. Thank you.

CHAIR COOK: James?

MR. JENSEN: Thank you for the question, Director Stufflebean.

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

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MR. JENSEN: So, the...right. Come January 1st, we will be looking at plans differently, and approving building permit applications from a different perspective. Because we don't have the source fee separate from the rest of the meter fees at this time...you know, first application comes in, you know, new house on a...on a vacant lot, 5/8ths meter, they'll...they'll...you know, we'll...we'll look at their equivalent dwellings, confirm they're good to go. Even if they're only doing 1.7 ESDs, they'll pay their complete fees, they'll be entitled to 2.5 ESDs, which would mean that they could come back later and build an 'ohana that would compute, you know, fractionally. They...they would have the rights to come in and do that without paying additional fees. The goal with the budget ordinance...with our...with our restructuring of our impact fees will be that come July 1st, we can sell fractional ESDs, and those will just be completely separate from meter size. So, that opens the door to a lot of new...you know, a lot of potential for refinement of the process moving forward. But initially speaking, it's...folks...folks pay their full fees for the...for this six-month kind of no man's land, and then come July 1st, we can...we can sell fractional ESDs.

COUNCILMEMBER U'U-HODGINS: Thank you for that. Does [sic] Upcountry also going to have the opportunity to purchase fractional ESDs come July 1?

VICE-CHAIR SUGIMURA: No.

MR. JENSEN: So, the...the Upcountry wait...the priority list is based on available water. So, as we...you know, there will be... . . .(timer sounds). . . there will be, you know, folks Upcountry that as they convert to this system, if they have a lot of ancillary fixtures, they may be able to build something. If they need...if...if they actually need additional daily water supply, I think that they'll be subject to the...the wait list. We have to...we have to clear the wait list before we can issue new demand Upcountry.

VICE-CHAIR SUGIMURA: So interesting.

COUNCILMEMBER U'U-HODGINS: Okay. Thank you. And I heard the bell. Thank you, Chair.

CHAIR COOK: Members...Member Sugimura, second round of questions?

VICE-CHAIR SUGIMURA: I'm fine.

CHAIR COOK: No questions. Member Johnson, any questions?

COUNCILMEMBER JOHNSON: Okay. Real quick, I just wanted to know in regards to...one of your slides, Mr. Jensen, mentioned that irrigation of your lawn is...is a big...a big water usage. Does that...how does that come into factor on irrigation of your lawn?

MR. JENSEN: I'm...I'm sorry, Member Johnson. Can you re...can you ask that question again, please?

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COUNCILMEMBER JOHNSON: Like the math that goes...there...there was one slide that said, it's like .5 of this will go towards your irrigation of...of your lawns. So, why choose that number, first off? I always thought that the irrigation is a big use of your water. Is that...can you explain that number?

CHAIR COOK: Member [sic] Jensen?

MR. JENSEN: Yeah, got it. So, you know, when we look at that current usage guideline of the 600 gallons a day that's in our current standards, that's...that's kind of loosely based around 400 gallons a day indoor, 200 gallons a day outdoor, to get to the 600. And again, it's...it's just looking at, you know, trying to...trying to predict that daily usage. Looking at the...you know, looking at the per capita data of actual usage on Maui, we...you know, that number is more like 450 a day. So, that's where the...you know, the ESD being 300, you know, that...so that's where the 300 of that 450 is, and then the outdoor would be 150 of that. So, that's where we've...that's where --

COUNCILMEMBER JOHNSON: Okay.

MR. JENSEN: -- the...the .5 ESD for outdoor came from.

COUNCILMEMBER JOHNSON: I got you now.

MR. STUFFLEBEAN: Chair?

COUNCILMEMBER JOHNSON: Okay. Thanks for clarifying that.

MR. STUFFLEBEAN: And Chair, can I just clarify that? So...so, what we're wrestling with here is...is the need to keep this simple and fast, as opposed to getting more and more into details for every different situation. So, what James has come up with is what we think is a good, as he said, for hitting the average. I mean, we could...you know, we could always get more detailed. Like you'd say, you know, how many square feet of lawn do you have? How many people are living...these kinds of things. We're trying not to go there to the extent possible, again, because we want to be...we want to be able to do this quickly. Now, it may be that we say...you know, we talked about...or maybe at some point, we say .5 is good up to a certain lot size. And then if you get bigger than that, maybe we have to relook at that. Because, you know, we recognize that that is a big water user, when you especially get these big lots. So, that's something we're certainly considering. But again, just always try to keep in mind, and we're trying to keep this simple and fast, and still as equitable as we can. Thanks.

COUNCILMEMBER JOHNSON: Those are great reasons to...to come up with that number, and that explanation. Thank you, Director. I have no further questions. Thank you, Chair.

CHAIR COOK: Chair Lee?

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COUNCILMEMBER LEE: Thank you. Mr. Jensen, I was just wondering if you're working with the Housing Department? Because we have this new program called the 'Ohana Assistance Program, whereby people could...could use what you're doing, you know, immediately. And I...I can't see where they'll be adding to...to watering...irrigation of lawns. It'll just be the 'ohana unit. So, I think this...your program would fit perfectly with what Housing is doing. And, you know, I hope you work with them because there are a lot of people who have signed up for the program, and are waiting for permits and everything else...probably water as well. Have you...have you contacted the water...I mean the Housing Department?

CHAIR COOK: Mr. Jensen?

MR. JENSEN: So, yeah. We've been working with Housing, not on...not on that program yet. Our focus has been on the...the impact fee change that we see coming, and how that's going to affect affordable housing projects, and potentially, you know, the Affordable Housing Fund. So, that...that's where the conversations are with Housing at the moment. But yeah, I...I won't be surprised if we segue into conversations around that...the 'Ohana program.

COUNCILMEMBER LEE: Okay. I hope you do. Thank you.

CHAIR COOK: Member Paltin, additional questions?

CHAIR PALTIN: Thank you. I...I believe the pre-fire usage in Lahaina was 5.06 million gallons a day, but they said the reliable capacity was about 4.12. Does this new method of calculating lower the...the...would it lower the pre-fire usage? And then I guess to the testifier's point, would it change for an ESD or SFH to be estimated at 600 gallons a day, and a multi-family at 560 gallons a day, the new methodology of calculation?

CHAIR COOK: Mr. Jensen?

MR. JENSEN: So, the...the...the pre-fire number of the 5.06 was...that is actual demand, which is based on output of treatment plants, wells, and stuff like that. So, this...this methodology will change the way...or it's...it's going to modify the way we are predicting what new uses we'll use. But the...

CHAIR PALTIN: 5.06 was actual usage.

MR. JENSEN: Correct.

CHAIR PALTIN: And if you were to apply that to your new model, would it come out within .2 or so? Like your new model of calculation for the existing, is it...what we had was 5.06?

MR. JENSEN: I mean, if...gosh. That... . . .(laughing). . .

CHAIR PALTIN: Most of it was not conforming --

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MR. JENSEN: That's a tough question to answer.

CHAIR PALTIN: -- or illegal.

MR. JENSEN: Yeah.

CHAIR PALTIN: Most of them were illegal, so you couldn't get an accurate figure?

MR. JENSEN: Yeah. I mean, it's...it's hard to say. If we went through and just computed...you know, computed ESDs for every single thing that was out there, just because not...not knowing the...yeah, not knowing how many...how many homes are out there, how that would compute against the...the...the 5 MGD? Yeah, I don't know.

CHAIR PALTIN: It'd be a lot of calculations.

MR. JENSEN: That would be tough. Yeah.

CHAIR PALTIN: Because we'd have to go back into everybody's --

MR. JENSEN: Yeah.

CHAIR PALTIN: -- account. But...so a single-family home would still be estimated to utilize 600 gallons per day?

MR. JENSEN: Well...so, there was the...the question asked by the testifier about modifying the usage guidelines, and we've been talking about that because that...that 600 a day is...is less, right? The data shows that it's less, and that's what's led to some...to some of these numbers we've been talking about today. So, we do expect to modify those usage guidelines. You know, to...to some degree, you know, those usage...

CHAIR PALTIN: Like I have six people in my...five people in my household, and we only use 230 gallons a day.

MR. JENSEN: Yeah. So, the...the usage guideline is...is really geared towards, you know, bigger picture planning.. You know, like when you don't have a project yet, and you're just saying, I got this acreage, and we can fit maybe this many houses, you want to...you want to make sure you're overestimating a little bit. You don't want to be spot on. You got to have a...you want to have a factor . . .(timer sounds). . . of safety in there.

CHAIR PALTIN: Cushion. Yeah.

MR. JENSEN: But...but yeah, the...the...the usage guidelines will be revised kind of based on the analysis that went into this program.

CHAIR PALTIN: I...I did see Director Stufflebean turn on his camera. I don't know if he wanted to add anything?

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CHAIR COOK: Director Stufflebean?

MR. STUFFLEBEAN: So, I was...I was just going to say that...yeah. So, in terms of...if we're in a situation where there's additional source available above the peak demand, then this new method will allow us to look at how many homes and uses we could approve differently, and likely be able to approve additional uses because we're not...we're not using an overly conservative prediction. I would say that. And the other thing I just...at some point, I would like James to cover is after July 1st, if our...if our plan is approved, then there wouldn't really be a difference between a 5/8ths...what they would have paid for 5/8ths and 3/4s. I think that's important to...but I didn't want to leave an impression that because of this elimination of the 5/8ths-inch meter, that costs are going to go up after July 1st. It's going to be based on a different method after that. James, can you just clarify that, please?

MR. JENSEN: Yeah, John. I mean, we...we just haven't really gotten into the weeds on that yet. You know, the...because right now we're only looking at modifying the source fee. So, yeah. To...to issue a 3/4-inch meter on 1 ESD or, you know, 1.5 ESDs as a kind of a first build, yeah, it...it wouldn't be...yeah, it wouldn't be difficult to kind of index that against the \$12,000 fee for the 5/8ths meter. I think that that would probably involve kind of linking storage and transmission to ESDs also, or it...it...it would take a little bit of a revamping of those other development fee components, which we haven't looked at yet.

MR. STUFFLEBEAN: And also--I'm sorry, Chair, if this is going too far out of line--but I just want to clarify that the new method, I think, in many cases will enable a second dwelling to be built without upsizing the meter. Because...and I think that's an important thing that will facilitate this, you know, additional infill with the second dwelling. I think that's an...that...that really kind of...I think that's kind of a big deal because one of the barriers now is the...is the...that second dwelling often causes an upsized meter, which is difficult. So, yeah, I just want to make that point. Thanks.

CHAIR COOK: Thank you, Director. Member Sinenci, question? *(pause)*

COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah, just following the conversations. So, even if you went beyond your allotted of 300...300 gallons a day, would that affect your...is it...is it being calculated within the...the group of the target area, or is it per household?

MR. STUFFLEBEAN: It's on a per household basis. You know, once you have your...once you have your right to use the water, then really, it's the tiers and the rates that would...that would encourage you to be efficient in the water use. And we're not going to go back and say, you know, you had approval for this much, and you're using more, therefore you have to pay more source fee. That's...simply it's the tiers then that enforce that...that...you know, the water conservation --

COUNCILMEMBER SINENCI: So...

MR. STUFFLEBEAN: -- of that. Yeah.

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COUNCILMEMBER SINENCI: So, you would have some leeway, like if you...if you did go over the allotted 300 gallons a day, or below?

MR. STUFFLEBEAN: Right. Yeah, that's...that's not going to be enforced, that's simply our best estimate as to what your average use would be. And again, the usage is...is then encouraged...conservation is encouraged by the tiered rate system.

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you, Chair.

CHAIR COOK: Member U'u-Hodgins?

MR. HURDLE: Chair, she's not online.

CHAIR COOK: Okay. So, Chair has a question. The...when you say fractional...being able to buy a fractional meter, if you have a 3/4-inch meter which allows you to have three units, and you...which you could build...I'm looking at that, I don't know if I got that one right. If you build a four-bedroom, two-bath house, and...so that's not the total use, you're only using a fraction of your...your meter, and that's all you're building, would you pay a percentage of the source fee? And then when you go back to get another building permit, and you're going to use potentially the balance of that amount, then you would pay the balance of your source fee? I'm not clar...I'm not saying this accurately, but I hope you get what I'm...the drift of what I'm saying. Mr. Jensen?

MR. JENSEN: Yeah. So, between January 1st and June 30th, you would pay the entire development fee, and then even if you only built 1.5 ESDs on your...on your new service, you'd pay the full fee, you are vested in your full 2-1/2 ESDs, you can come back later and build that extra one in the future. Regarding the sale of...you know, post-July 1st, that source fee...because it's going to be separated, that fee can change on a fractional basis, so you only pay for the amount of source you need. And being able to go fractional is important because if...if you're going to build a one-bed, one-bath 'ohana, that only computes to .5 ESDs. And if you're going to build a five-bed, three-bath, or a five-bed, four-bath, maybe you're in 1.3. You know, you're somewhere in...in that fractional area. So, not having to sell an integer of...of ESDs is...is good, that's what allows this whole range to work. Yeah, I hope...hope that answers the question.

CHAIR COOK: No, no, that did. And so, just sort of close it up. You...after July 1st, when it's...the fees are adjusted, you would pay basically .5 if you're building an 'ohana, and then if you came in for a building permit, that would be the trigger for...if you're going to build more, you get a permit for a house, a five-bedroom, three-bedroom [sic] house, then you would be assessed that appropriate fee?

MR. JENSEN: Correct.

CHAIR COOK: Oh, that's huge. Okay.

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MR. STUFFLEBEAN: Right. And Chair, if I could just add, assuming Council approves our recommended budget on that.

CHAIR COOK: Well, that's...no, that's understood. I mean, we need...so...

MR. STUFFLEBEAN: . . .*(laughing)*. . . Yeah, that...that requires Council action to make that change. But, you know, our...but to me, the big advantage of this after July 1st is, you're only paying for the...for the ESDs that you really need--very, very specifically--instead of this...like James was saying, kind of this stepwise function that we current have...currently have now. Thanks.

CHAIR COOK: And so, the...the...yeah, we'll wrestle with that during budget, but we've...so, Members, any other clarifying questions? Member Paltin?

CHAIR PALTIN: We only seem to be talking about residential, we didn't cover the nonresidential. Would hotels be...fall under the nonresidential category?

MR. JENSEN: Yeah. So...you know...

CHAIR PALTIN: And then, I guess, if it...it does, we did legislation to address it mostly, to me, because of the customer or consumer complaints that we were having about the fixture count in building new houses. Was there complaints about the old method for nonresidential, like when they were doing it? Did the fixture count for nonresidential, was it accurate, or precise? Or like, was there a problem in nonresidential that was perceived or real?

MR. JENSEN: Good question. So, we would hear about it from consultants. It was not...

CHAIR PALTIN: And like...

MR. JENSEN: You know, because we didn't have the mom and pops dealing with it, it...it was not presented as significant of an issue on...on nonresidential. But it is still not...it's not predictive.

CHAIR PALTIN: I mean, from your example...from O'Reilly's, to like Outback, to Grand Wailea, it...it definitely varies a lot. And...and on the continent, or other counties, is there a nonresidential methodology that is more accurate or precise?

MR. JENSEN: So, another good question. So, you know, one of the reasons why I...I chose ESD is because, you know, I...I was a consultant in California, and I worked with the County of Sonoma. And the Sonoma County Water Agency, they use ESDs, and they would convert nonresidential use...usage to ESDs. It's in a similar fashion. And when I was at...in June, I attended the AWWA annual conference in Denver. And, you know, we were kind of...at that stage, we were trying to make a decision on, okay, we've...we've looked at what our options are, and, okay, now we got to pick one. And going to that conference was key because I was able to talk shop with a lot of folks in...in the industry. And the...the equivalent dwelling methodology came up a lot with its...because it's like,

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you know, the ESD for us is to gallons per day, like a mile is to feet, right? It's a unit of measurement, and you can convert other uses into ESDs. So, it's really...just kind of fits lots of different ways of...of, you know, trying to measure the impacts of development. So, you know, the...the fixtures don't predict, they really...they're just not predictive. When we're looking at nonresidential use, like a hotel, we can use the guidelines, or we can have...the applicant can have a consultant stamp and sign custom...you know, here's how much water we're actually going to use. Then we're just going to divide that daily number by 300, and we're going to multiply that by the per ESD fee, and that's what they'll pay. So, I...you know, I'll say the fee seems like...the fee increase seems like it will be a lot, right? Because it's a...it's a significant change. But if...if a big hotel comes in and says, hey, we want to build this hotel here, and we need a million gallons a day to do it, their source fee should be \$18 million because that's what we just...we just looked at, right? So...so, it's...it's...and, you know, that...that daily usage would convert to ESDs, would multiply by the source fee, and you would get to that commensurate amount of money. So, yeah, it's...it's very versatile. It's a very...yeah, very, very practical process.

CHAIR PALTIN: I wasn't aware you came from Sonoma. You might know our good friend, Supervisor James Gore?

MR. JENSEN: Not personally --

CHAIR PALTIN: Oh.

MR. JENSEN: -- but I've met him a few times.

CHAIR PALTIN: Okay. That's...it'll be interesting as it gets more dialed-in to specific industries in the nonresidential sector. Because like you said, there is a very wide range. But thank you for your work so far. I think this is long overdue.

CHAIR COOK: Members, any other questions? Seeing none. I just want to thank the Director and Mr. Jensen for your work. This...the simplicity and the...and the...the ability to understand this is great. I think people will have shellshock from the increased source fees. My...my perspective on that as the Chair of Water and Infrastructure is, I've talked to a lot of people in the past, and Maui's source fees have been under...underfunded. It's really expensive to develop new source. We need water, and that's what it's going to take. And hopefully, that'll also be part of the conservation is, people will recognize water's expensive and they won't waste it. But thank you for all this work, and keep in touch with what you need so that the Council can continue to collaborate with you so that we can continue to build the homes we need for our local people. So, any closing comments or ideas? Seeing none.

MR. JENSEN: Chair, could I ask one question?

CHAIR COOK: You totally may.

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MR. JENSEN: We're kind of deviating from the format here, but I just have to ask. Member Sinenci, are you actually at your Hāna office? Because I saw you here this morning at 11:30. Did you get into a phone booth or something, or what happened?

COUNCILMEMBER SINENCI: No, I'm at my County rental. . . .*(laughing)*. . .

CHAIR COOK: All right. Okay. Members, this concludes today's Water...

MR. HURDLE: Chair?

CHAIR COOK: Yes?

MR. HURDLE: Could you defer the item first?

CHAIR COOK: Yeah. Members, if there are no objections, the Chair would like to defer this item.

COUNCILMEMBERS: No objections.

CHAIR COOK: Thank you, Members.

COUNCILMEMBER JOHNSON: No objections.

**ACTION: DEFER pending further discussion.**

CHAIR COOK: Members, this concludes today's Water and Infrastructure Committee meeting. Thank you everyone for being here, and a great meeting. The time is now 4:06 p.m., the meeting is now adjourned. . . .*(gavel)*. . .

**ADJOURN: 4:06 p.m.**

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Transcribed by: Daniel Schoenbeck

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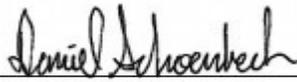
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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 44 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 2nd day of December 2025, in Wailuku, Hawai'i



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Daniel Schoenbeck