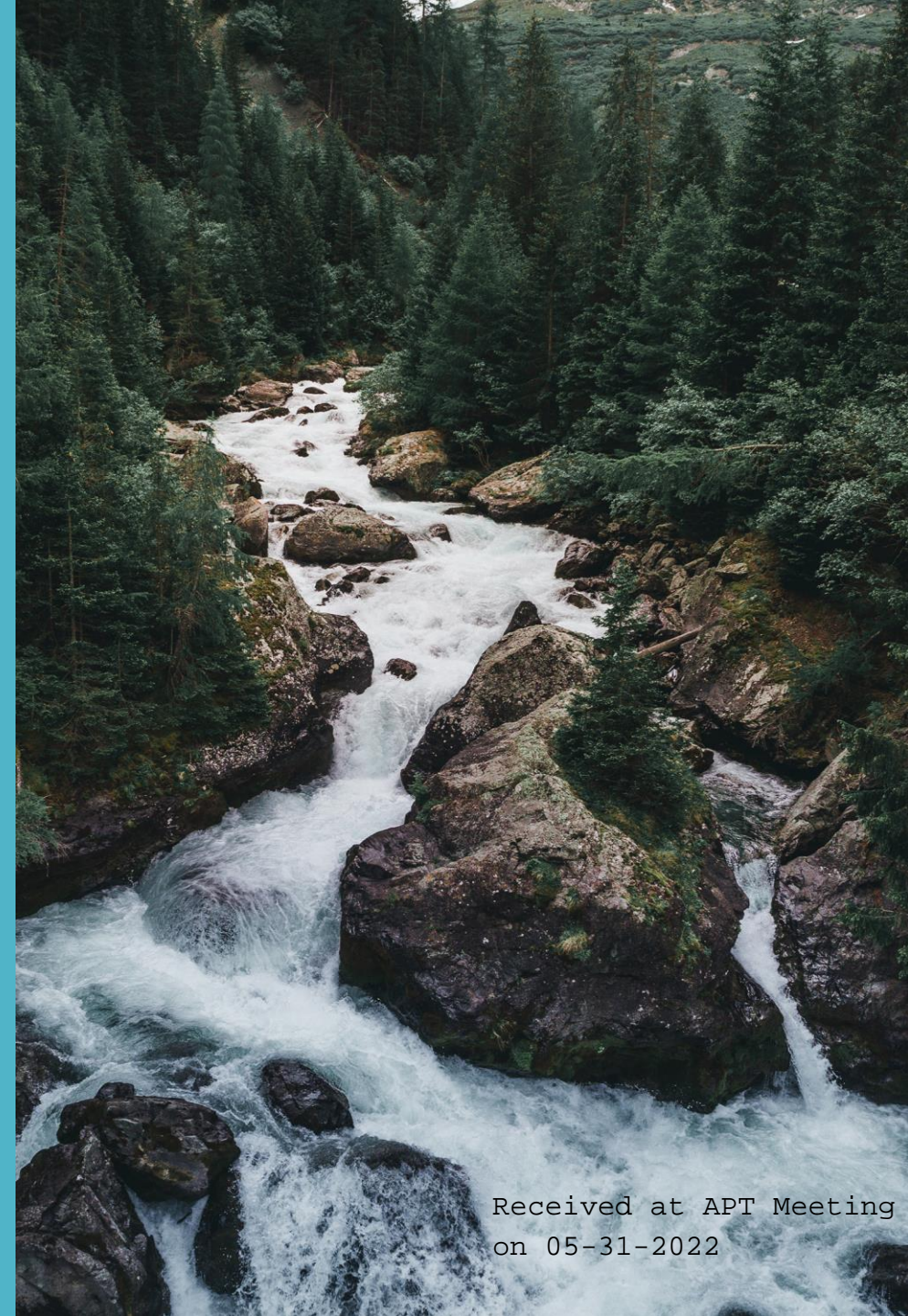


E 'Ola I Ka Wai

East Maui Community Water Authority
and Community Board

APT Committee 5/31

Received at APT Meeting
on 05-31-2022



Review: An Uncertain Future



Not enough water for farmers and ranchers during drought periods

Cannot fulfill Upcountry water meter list due to lack of water availability

DWS cannot take the full amount under EMI agreement due to lack of water

The current leaseholder has no plans to upgrade the system, per EIS

Anticipate that current water rates will increase with new lease agreement

The current leaseholders have 50% interests, EMI and Mahi Pono

Mahi Pono's sole investor is the Canadian Public Sector Pension Investment Fund

A 50 year lease of Maui County's water resources will be controlled by a foreign and for-profit investor entity

Maui County has a once-in-a-lifetime chance to apply for the long-term lease through an intergovernmental agreement

Why a County Managed System

As a County Administrative Agency, the Water Authority can:

1. Receive Federal funding that private companies cannot.
2. The Council approves all intergovernmental agreements.
3. The Council reviews Engineering reports, business models, and financing studies.
4. The Council approves the annual operational budget, water allocation agreements, sets rates, and retains approval authority of any legal actions.

Water Authority Board Duties

1. Review and Approve Watershed Management Plan
2. Comply with existing CWRM instream flow standards, and State and Federal regulations, including DLNR and Army Corp of Engineers.
3. Hold Community meetings.
4. Review Long-term Capital Improvement Plans.
5. Review Annual Maintenance Plans.
6. Review Annual Budget, and funding plans.
7. Review water allocation and provide recommendations.
8. Provide an annual evaluation of the Administrator to the Mayor and Council.

Q: What are the estimated costs for the creation of the Water Authority? Member Molina

The first step to implementing the water authority is to hire an administrator. This cost would be the position salary, fringe benefits, office space, and equipment. Plus, board secretary or assistant.

Ongoing Costs include:

1. Systems operations: Maintenance and Staffing, to be funded through water rate revenues.
2. Long-term systems upgrades, to be funded by public and private grants and financing mechanisms.



Q: What is the relationship between the proposed water authority and the Department of Water Supply? *Member Paltin*

The proposed EMCWA is a separate agency under the County administration. The leases are for access to water in the license areas. The East Maui system is a wholesale regional water catchment and delivery system that provides water to the central valley fields currently in cultivation by Mahi Pono and to their subcontracted users and to the county Kamaole Weir water treatment system.

What are the duties of existing Board of Water Supply (BWS) and the proposed EMCWA Board and is there any relationship between the two?

Answer: The duties of the BWS are to advise the DWS. The duties of the EMCWA Community Board are to review and adopt the watershed management plan and to advise the EMCWA administration. There is no relationship between the two boards.



Q: Is the EMCWA Board a private or public entity?

-Member King

The Board is County Board that follows the Maui County Charter Boards and Commission charter requirements. This is a public board with four seats appointed by the Mayor and seven seats appointed by Council. The EMCWA is a public agency directly under the County administration.

The Council does not have the ability to create public companies or other private or solely community entities. The Water Authority is set up within the existing county structure as provided by the County charter.



Q: Will the Water Authority have precedence over the State, and where does their authority end and the State begins? -

Chair Lee

The EMCWA will operate under the same regulatory structure as the existing lease holder. The proposed charter amendment does not impact CWRM's regulatory authority over setting instream flow standards or the DLNR's regulatory authority.

Q: How do we hold the people accountable if they are not elected and they are just appointed how are we going to hold them accountable? (Chair Lee)

Q: Will they be signing off on eminent domain procedures or lease documents or legal documents? Will it be the county or this authority? (Chair Lee)





No Na Hanauna Nei: A Once in a Generation Opportunity

Our Council Approval will leave it to our Constituents to decide.

This Proposal is our Investment into our Keiki's futures, E 'Ola Ka Lahui Hawaii.....

