

WATER AND INFRASTRUCTURE COMMITTEE

Council of the County of Maui

MINUTES

September 30, 2019

Council Chamber, 8th Floor

CONVENE: 1:36 p.m.

PRESENT: Councilmember Alice L. Lee, Chair
Councilmember Tamara Paltin, Vice-Chair (in 1:44 p.m.)
Councilmember Riki Hokama
Councilmember Tasha Kama
Councilmember Michael J. Molina
Councilmember Keani N.W. Rawlins-Fernandez
Councilmember Shane M. Sinenci

NON-VOTING MEMBERS:

Councilmember Yuki Lei K. Sugimura (in 1:37 p.m., out 3:48 p.m.)

STAFF: Wesley Crile, Legislative Analyst
Rayna Yap, Committee Secretary
Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

(Seated in the Gallery):

Dianne Shimizu, Executive Assistant to Councilmember Alice L. Lee
Gina Flammer, Executive Assistant to Councilmember Shane M. Sinenci
Don Atay, Executive Assistant to Councilmember Shane M. Sinenci

ADMIN.: Jeffrey Pearson, Director, Department of Water Supply
Eva Blumenstein, Planning Program Manager, Department of Water Supply
Jennifer Oana, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Noelani Ahia (WAI-37)
Mike Williams, President, Maui Tomorrow Foundation (WAI-37)
Lucienne de Naie, Vice Chair, Sierra Club of Hawaii (WAI-37 and WAI-56)

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Kaniloa Kamaunu, Chair, Aha Moku o Wailuku (WAI-37 and
WAI-56)

Clare Apana (WAI-37)

Jasee Law

(2) additional attendees

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

CHAIR LEE: . . .*(gavel)*. . . Good afternoon, everyone. Will the Water and Infrastructure Committee meeting of Monday, September 30th please come to order. It is now 1:33 p.m. Please silence all cell phones and other noise-making devices. And now, for introductions, I want to continue on what I was...in the language I was speaking this morning, which is Russian.

UNIDENTIFIED SPEAKER: Jasee's here.

CHAIR LEE: Is Jasee Law here, no? There he is, okay, he's out there. Okay. Dobry den. Dobry den is Russian for good afternoon. Mr. Shane Sinenci, dobry den.

COUNCILMEMBER SINENCI: Dobry den, Chair.

CHAIR LEE: Thank you. Mr. Molina.

COUNCILMEMBER MOLINA: Good afternoon, Madam Chair. And I appreciate your charm and talent, especially in the area of languages.

CHAIR LEE: Well, thank you. Meeting adjourned, that's all I needed to hear today. Okay. Vice-Chair Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinala and--I don't know if I even should even attempt it--doby [*sic*] den, Chair.

CHAIR LEE: Close, close, dobry den, dobry den. And Mr. Hokama --

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: --good afternoon. Ms. Tasha Kama.

COUNCILMEMBER KAMA: Dobry den --

CHAIR LEE: Oh --

COUNCILMEMBER KAMA: --Chair.

CHAIR LEE: --thank you, thank you. Wow, we can all go traveling to Russia. We know one phrase. Okay. Is there anybody else coming? No? If not, we will proceed with the

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people we have. We have a quorum. I believe Ms. Kelly King and Ms. Tamara coming soon. All right. Committee Staff includes Wesley Croulé. His name is Crile. I thought I'd just put a twist, if, you know, if people in Russia say Croulé. So, Wes, Legislative Analyst, Crile. And then our Committee Secretary is Rayna Yap. From the Department of Water Supply, we have our Director, Jeff Pearson; and our Planning Program Manager, Eva Blumenstein. And from the Department of Corporation Counsel, Jennifer Oana.

MS. OANA: Good afternoon, Chair.

CHAIR LEE: Good afternoon. So, if there are no objections, I would like to proceed with public testimony.

COUNCILMEMBERS: No objections.

CHAIR LEE: Thank you. For individuals testifying in the Chamber...oh, by the way, do we have anybody signed up to testify?

MR. CRILE: Three.

CHAIR LEE: Three. Okay. Please sign up at the desk in the lobby. If testifying from one of the remote testimony sites, please sign up with District Office Staff. Testimony will be limited to the items on the agenda today. Testifiers may testify on each item for three minutes with up to one minute to conclude. When testifying, please state your name and the name of any organization you may be representing. If you are a paid lobbyist, please inform the Committee. We have established a connection to and will receive testimony from the District Offices. Before we call the first person to the podium, I just want to let everybody know that we're going to have a series, Eva, of what six presentations?

MS. BLUMENSTEIN: That's the plan, yes.

CHAIR LEE: Yeah. Okay. Just so in...you know that if...that we're not going to rush this through. We're going to take it little by little so that everybody has a chance to absorb it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Okay. Yes, Ms. Keani Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Are we having a six...a series of six presentations? Is that based on the six different districts or how is that --

CHAIR LEE: Go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: --formatted?

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MS. BLUMENSTEIN: We could combine two of the districts. So, the six would be including this, which is Part II, the overall. So, six aquifer sectors but we combine two of them.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair.

CHAIR LEE: All right. Okay. Staff, please call the first testifier to the podium.

MR. CRILE: Our first testifier is Noelani Ahia, testifying on WAI-37, to be followed by Mike William [sic].

CHAIR LEE: And coming down to the floor is Member Yuki Lei Sugimura. Thank you for joining us.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR LEE: Hi. Good afternoon. Could you please --

MS. AHIA: Aloha.

CHAIR LEE: --state your name again?

MS. AHIA: Yes, I'm Noelani Ahia.

CHAIR LEE: Hi.

MS. AHIA: Thank you, Council, for being here today. I just wanted to comment on this Maui Island Water Use and Development Plan. It's one thing in particular about it and not as the inclusion of the Ka Paakai case. So, I wanted to mahalo you folks, the folks who wrote that in to this new plan, because it's really primary to the protection of our waiwai, our ka mea Hawaii, and our kanaka maoli. So, I just wanted to ask you folks if you can find a way to create a mechanism for enforcement. Right now, it's a little bit lip service in the way it's written, and I would like to see more teeth so that the Ka Paakai legal standard can be upheld and can be enforced with some regularity and consistency. So, what I really wanted to talk about in terms of Ka Paakai is its importance for protecting kanaka maoli rights, as well as our ka mea Hawaii or what Westerners would call resource. I was told by a kupuna not to call it resource because resource implies commodification. And from a Hawaiian worldview, our aina and our wai was never to be commodified. It is an ancestor and it is relational. We have pilina to it. So, I just wanted to draw you a little diagram. So, I'm a healthcare practitioner. So, every time I come here, I'm always speaking from the perspective of the health and well-being of our people and our lahui and our aina. So, in Chinese medicine, when we diagnose, we look at terms and things of...in...we look at things in terms of excess or deficiency. So, if we have...if this is homeostasis, if this is normal, regular, and healthy, what happened after the overthrow was settler colonialism, which is the

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system that destroys an indigenous people and replaces it with the settler state's own image. What happened is the ka mea Hawaii for the kanaka maoli started to fall below the line. So, every time our water is taken, we end up down here. We can't farm kalo anymore. Every time our iwi are desecrated, we come down here further. When our land was stolen, we come down here further. When we're dispossessed from our land, that's this one. When we have a forced assimilation and we're forced to not speak our language, and we're forced to stop being kanaka, we come down here. And so, over the past 126, almost 127 years, kanaka keep ending up down here. And what happens is the folks who come in from the settler state because of their wealth, end up up here, and they're able to purchase water, they are able to purchase land. And so, what happens is we're not pono anymore. We've come really, really far from pono. And so, the Ka Paakai case was set up to enforce a constitutionally-protected right that kanaka maoli already have under Article XII, Section 7. So, what I'm asking is, you know, if people who are writing the laws and enforcing the laws don't understand the --

CHAIR LEE: Wait --

MS. AHIA: --power dynamics...

CHAIR LEE: --excuse me one second. Could you turn the sound back on --

MS. AHIA: Hello.

CHAIR LEE: --and the light off?

MS. AHIA: Okay. How do I do that?

CHAIR LEE: Oh no, no, I'm not asking you, I'm asking --

MS. AHIA: Oh --

CHAIR LEE: --our --

MS. AHIA: --sorry.

CHAIR LEE: --Staff here.

MS. AHIA: Aloha.

CHAIR LEE: Can you...

MS. AHIA: Is it working?

CHAIR LEE: Is the sound...

MS. AHIA: Can you hear me?

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CHAIR LEE: Yeah. Okay.

MS. AHIA: Okay. Okay. E kala mai. I thought, did I break it? So, what we're looking at is an inequality in the power dynamics of what happens with our ka waiwai, with our wealth, with our ka mea Hawaii. So, what I'm trying to illustrate here is that if the folks who make the laws and the folks who enforce the laws don't understand this dynamic, it's really difficult for them to put any of their own mana behind making sure that we start to switch this and that we start to come back to pono so that we have balance, so that our resources are protected, our ka waiwai and our ka mea Hawaii are protected. He alii ka aina, he kaua ke kanaka. Mahalo.

CHAIR LEE: Thank you very much. Are...oh, we have a question for you. Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair.

MS. AHIA: E kala mai.

COUNCILMEMBER SINENCI: Thank you, Ms. Ahia, for...nice seeing you. Can you...the Ka Paakai case, is that an actual case?

MS. AHIA: It's an actual case. It's become set as the precedence. And it was a case that was about Ka Paakai and the protection and the gathering rights that kanaka maoli have in Article XII, Section...is this on? Yeah?

CHAIR LEE: Yeah.

COUNCILMEMBER KAMA: Yeah.

COUNCILMEMBER SINENCI: Yeah.

MS. AHIA: Okay. Article XII, Section 7 of the Constitution, the Hawaii State Constitution by the way. So, this is something that is protected under the law. But unfortunately for kanaka, it's rarely enforced. So, what happens is we have to go put our bodies on the line and face the settler state violence in order to get these rights that are already protected by law taken seriously. So, I've been at the Mauna for the past three months. I'm the co-founder of the Medic Healer [sic] Hui up there, and I haven't had a day off in three months. So, excuse me, I'm a little bit tired. But the reason that these laws are in place is so that we don't have to do that. But if the laws aren't being enforced, we're forced to do things like civil disobedience and literally put our bodies on the line and put the bodies of our kupuna on the line. So, that's really the fundamental reason why these things have to be taken more seriously by government and lawmakers and enforcement. Thank you.

CHAIR LEE: Yes?

COUNCILMEMBER SINENCI: This isn't the Kauai salt ponds?

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MS. AHIA: No --

COUNCILMEMBER SINENCI: Oh --

MS. AHIA: --that's --

COUNCILMEMBER SINENCI: --that's something else.

MS. AHIA: --the...that's --

COUNCILMEMBER SINENCI: Okay.

MS. AHIA: --Hanapepe right now. That's something different that's happening in real time where the same...it's the same thing whether it's iwi kupuna, Mauna Kea, Hanapepe, Kaena, Kahuku, Na Wai Eha, it's all the same issue, and it really comes down from settler colonialism, and that the settler state's idea that they can control and continue to oppress so that they can build wealth.

COUNCILMEMBER SINENCI: Thank you.

MS. AHIA: Yeah.

COUNCILMEMBER SINENCI: Mahalo.

MS. AHIA: Mahalo.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR LEE: Thank you. Are there any questions? Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Ahia. Mahalo --

MS. AHIA: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: --for your testimony.

MS. AHIA: Mahalo ia oe.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the framework that you're referring to is the three-part framework, yeah?

MS. AHIA: I think --

COUNCILMEMBER RAWLINS-FERNANDEZ: And --

MS. AHIA: --so.

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COUNCILMEMBER RAWLINS-FERNANDEZ: --so in summary it states that, one, the State and its agencies are obligated to protect the reasonable exercise of customarily and traditionally exercised rights of Native Hawaiians to the extent feasible; two, agencies are obligated to make an assessment independent of the developer or applicant of impacts on customary and traditional practices of Native Hawaiians; and three, the independent assessment must include the three factors, A, B, and C, listed above, otherwise known as the Ka Paakai framework. That's the framework you're --

MS. AHIA: Ae.

COUNCILMEMBER RAWLINS-FERNANDEZ: --referring --

MS. AHIA: Ae.

COUNCILMEMBER RAWLINS-FERNANDEZ: --to. And this case was Ka Paakai O Ka Aina versus The Land Use Commission in 2000?

MS. AHIA: Ae.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

MS. AHIA: Mahalo ia oe.

CHAIR LEE: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: Thank you very much. Any more questions? Yes, Ms. Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Sorry I was a little late. But I just...were you testifying on the second item?

MS. AHIA: Yes.

VICE-CHAIR PALTIN: And did you read through it, the plan?

MS. AHIA: To be honest, I only skimmed that part 'cause I just got back from the Mauna.

VICE-CHAIR PALTIN: Because of all her knowledge of the things she said, I feel like would it be okay to designate her a resource and, you know, if she provides feedback on the plan like to get the solutions that she testified about?

CHAIR LEE: Well, maybe we should give her some rest since she just got back from the Big Island. We're going to have six meetings on this, yeah. So, at any time, she can come back and participate.

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MS. AHIA: But --

CHAIR LEE: You're...

MS. AHIA: --I can and will find time 'cause it's...

CHAIR LEE: Okay.

MS. AHIA: I'm really passionate about taking care of this ka mea Hawaii.

CHAIR LEE: Well, thank you. Thank you.

MS. AHIA: Mahalo.

VICE-CHAIR PALTIN: 'Cause I agree with what she said but I don't know what I should do as the solution to that inside...in...of...in the plan. And so, I would welcome any advice on how to make the plan match the balancing of the things, the water.

MS. AHIA: Ae.

VICE-CHAIR PALTIN: So, I'm glad that there's going to be five more meetings though.

CHAIR LEE: Yeah.

MS. AHIA: Yeah, mahalo.

CHAIR LEE: So, we have one more question. Ms. Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, thank you for being here this afternoon.
So --

MS. AHIA: Mahalo --

COUNCILMEMBER KAMA: --my --

MS. AHIA: --ia oe.

COUNCILMEMBER KAMA: --question is, so does the plan address a solution for enforcement?

MS. AHIA: It only says that it...there has to be this assessment, but it doesn't talk about what happens in the assessment, who's doing the assessment, what the results of the assessment will garner, and then if the assessment is such that Ka Paakai applies or that people's traditional and customary rights are going to be violated by the plan, then what is the course of action?

COUNCILMEMBER KAMA: Right.

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MS. AHIA: And so, those are just a few things that would have to be put into the document in order to create, in a sense, enforcement.

COUNCILMEMBER KAMA: Thank you. So, Chair, when we do come back, could we have a deeper discussion on this issue as opposed to just bringing it as a part of one of the...is that possible --

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: --to --

CHAIR LEE: Let me ask --

COUNCILMEMBER KAMA: --. . .*(inaudible)*. . .?

CHAIR LEE: --Eva. When would it be appropriate to start having this discussion?

MS. BLUMENSTEIN: Well...thanks, Chair. I will address some of this today because the Ka Paakai analysis, the framework and how...what our suggested approach is is discussed in this Part II. And so, maybe we should get into detail 'cause I'm having two or three slides that specifically address this approach, and what we propose to do in terms of --

CHAIR LEE: Okay.

MS. BLUMENSTEIN: --the assessment --

CHAIR LEE: Would you like to --

MS. BLUMENSTEIN: --and mitigating action.

CHAIR LEE: --stay and...

MS. AHIA: Unfortunately, I have to go to work --

CHAIR LEE: Oh, okay.

MS. AHIA: --but I can...I will watch the recording on the, whatever that thing is called, it's on the computer.

CHAIR LEE: Okay.

MS. AHIA: The live stream, thank you.

CHAIR LEE: Okay. Are there any more --

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MS. AHIA: Maybe I need a --

CHAIR LEE: --questions?

MS. AHIA: --nap to...

CHAIR LEE: Yes, Ms. Kama?

COUNCILMEMBER KAMA: So, are we going to at least allow her to be a resource?

CHAIR LEE: She can whenever she comes back.

COUNCILMEMBER KAMA: Okay.

CHAIR LEE: All right.

COUNCILMEMBER KAMA: Okay.

MS. AHIA: Mahalo, Chair.

COUNCILMEMBER KAMA: I'm good.

CHAIR LEE: Okay.

COUNCILMEMBER KAMA: Thank you.

MS. AHIA: Mahalo.

COUNCILMEMBER KAMA: Thank you.

CHAIR LEE: Yes?

MS. AHIA: Mahalo ia oe.

CHAIR LEE: All right. Any more questions? And we will touch upon this. Yes?

MS. YAP: Chair, I just want to let Ms. Ahia know that our live streaming has been...they're having technical difficulties with it today. So, if you're wanting to watch this meeting, you'd have to go live on *Akaku*, on channel 53 I believe it is.

MS. AHIA: Okay. I can do that.

MS. YAP: Thank you.

MS. AHIA: Mahalo. Mahalo --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh --

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MS. AHIA: --Chair.

COUNCILMEMBER RAWLINS-FERNANDEZ: --I have question.

CHAIR LEE: Yes, Ms. --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, not for Ms. Ahia.

CHAIR LEE: --Rawlins --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo --

CHAIR LEE: --Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: --Ms. Ahia. Just for Ms. Yap. Will the recording of this be available at a later date though?

MS. YAP: Yes, yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. But the live stream itself is not working but the recording will be available --

MS. YAP: That is correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: --at a later --

MS. YAP: Chivo --

COUNCILMEMBER RAWLINS-FERNANDEZ: --time.

MS. YAP: --confirmed that this afternoon.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo.

MS. YAP: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then, Chair, a quick question I guess for clarification on...for Ms. Blumenstein. So, we're having a total of six meetings. So, this is the second meeting you said. So, there'll be four meetings after this meeting?

MS. BLUMENSTEIN: I guess it's...depends how we count, but...so we have...I assumed we're going to have another five meetings to address six aquifer sectors because we've combined --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

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MS. BLUMENSTEIN: --two of them.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo. Mahalo, Chair.

CHAIR LEE: And more if needed. Okay. Our next testifier?

MR. CRILE: Next testifier is Mike Williams, testifying on behalf of Maui Tomorrow for WAI-37, to be followed by Lucienne de Naie.

CHAIR LEE: Good afternoon, Mike. Thank you for coming here.

MR. WILLIAMS: Aloha, Chair. Aloha, Committee Members. I'm President of Maui Tomorrow Foundation and testifying on behalf of the organization today. Thank you. We're very pleased that you're going to take the time to review this plan, and I think the thrust of what our written comments are and what I'd like to convey you today is that you need to make it a detailed plan and not just a set of goals and platitudes. And I'll give you three examples. For example, the ways in which you can increase the supply of potable water or preserve the supply of potable water, one, by really planning for conservation of water use, not just setting a goal but coming up with a detailed plan as to how that's going to happen. Another way is to increase the use of recycled wastewater and expand that as far as you can to landscaping golf courses, agriculture. Every gallon of recycled water that can replace potable water is a gallon of potable water saved. And then finally, the...I think the biggest opportunity the County has is to...in one way or another, get public control of the EMI water distribution system and modernize it. Because right now, the estimate is that we lose about 25 percent of all the water that's diverted from those East Maui streams is lost through leakage and evaporation. And if we had a modern system of pipes and controls, you could reduce that close to zero, and that would save millions of gallons of water a day. The Board of Water Supply, as I'm sure you know, has a temporary investigation group underway right now to look at ways the public could control that probably as a public water utility. But all of that should be addressed in this plan. This is supposed to be a 15-year plan for the way water is going to be used here on Maui, and it needs to be much more detail than you have now. When...and as I say, we have submitted written testimony on this and we'll be back for all of the other sessions if we can. Thank you.

CHAIR LEE: Of course, you're always welcome back. Are there any questions? If not, thank you for coming.

MR. WILLIAMS: Thank you.

CHAIR LEE: Next testifier?

MR. CRILE: Our next testifier is Lucienne de Naie, testifying on behalf of Sierra Club, to be followed by Kaniloa Kamaunu.

CHAIR LEE: Good afternoon, Lucienne.

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MS. de NAIE: Good afternoon, Chair Lee and Committee Members. I am testifying on two matters actually. I'm testifying on the item number 56, the Intergovernmental Agreement with USGS. Please, please, please do whatever you can to keep these agreements going and get the data you need. We'd be lost without these studies that USGS has provided us. We'd be kind of sailing on a big sea without much information about the tides, the winds, or any of the other natural phenomena that are happening there. I'm sure there's not a lot of debate but of course, there's always the competition for resources. This is a good investment in our future. We are...we had at one time a robust series of gauges all over Maui. I think we had about a 100 gauges on Maui. Now, we're down to I don't know, we have three in East Maui and a few scattered in other places around the island, but we're going on information that was gathered in the '60s and '70s now, but we need current information because as our weather pattern shift, we've got to know what's been happening the last five years and the next five years. So, please support this. Is it okay to go on or...

CHAIR LEE: Yes.

MS. de NAIE: Okay.

CHAIR LEE: Go ahead.

MS. de NAIE: Sorry. I didn't know if we needed to switch to the remote offices...

CHAIR LEE: No, no, no, it's...we're just having...our phones are haunted.

MS. de NAIE: Oh, okay. Well, may the kupunas smile upon us here. We mean no harm. The second thing I wanted to address was WAI-37, this is the Water Use and Development Plan. I have read the plan and I have read its predecessor from 2009, and its predecessor before that. I've read all of the drafts going all the way back to I don't know, 2004, 2005, and attended most of the advisory meetings and watched it unfold. I'm submitting comments on behalf of Sierra Club. They were mailed to the WAI Staff. So, you'll have a chance to look them over. We submitted comments earlier as well for the August meeting. And we reiterate the main points so that we really need to get clear on what's public and what's private especially with our ag water, whether water is coming from wells or streams, it should be clearly delineated in the plan so we can check in and see if that's what we're doing. We need to manage our water, our resources as one water. This was also recommended in the Board of Water Supply's report that we have differing departments that are responsible for resources that are actually useful if they're put together. And that's a whole topic I could speak to for a long time. We also really need to look at our community base mauka-makai watershed management. And this goes back to Ka Paakai, if we really want to be honoring the traditional and customary practices that are part of these watersheds, West Maui, East Maui, Na Wai Eha, we need to have the people who live there have some say in how the management plans are put together. Our current system does not provide for this. We have large landowners managing watersheds. They're wonderful people. They're doing a great job, but the watersheds do not go down to the sea and do not include the people who live there. And then the last thing

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that we wanted to add to our comments, and this goes back to Ka Paakai as well, is that the proposal in the plan to drill wells in Haiku does not take into consideration the fact that these wells will have a profound impact on the discharge of freshwater at the shoreline. And any person who fishes or farms at that shoreline, and there are many 'cause we hear from them, will find one day that their limu is gone, that their fisheries have collapsed, and this has not even been considered in this plan. I have read both EISs that were produced for the plan in the past. They were not...they did not pay attention to these impacts. And in essence, this is a very expensive plan to take water from an aquifer area where people are already hurting for water and send it to where there's money. So, sorry my time is up but I could go on and on, and I did write why Sierra Club opposed this plan and actually took it to court and got a consent decree. So, thank you for your time and happy to answer any questions if you have them.

CHAIR LEE: Are there any questions? Ms. Paltin?

VICE-CHAIR PALTIN: So, you're saying this plan as it is, you guys oppose it?

MS. de NAIE: Yeah, everybody in Haiku opposes it. I give seven reasons in my statement. I mean first of all, nobody knows how much water is in Haiku. There have never been any in-depth studies. There was a monitor well that we sued to get put in. It was used for a few years, and then not used by the County. We don't know why. There's just...in fact, the whole consent decree was very misrepresented in this Water Use and Development Plan. It was clearly laid out in the 2009 version. We don't know why it was misrepresented. It asked really for the information to be gathered that would allow a good decision to be made.

VICE-CHAIR PALTIN: And in the previous one where you said differing departments that deal with the water, what departments besides Water?

MS. de NAIE: Environmental Management deals with the wastewater, the R-1 wastewater. And so, that is like a little separate division of Environmental --

VICE-CHAIR PALTIN: Okay.

MS. de NAIE: --Management.

VICE-CHAIR PALTIN: So, Water and DEM.

MS. de NAIE: Yeah.

VICE-CHAIR PALTIN: Is there another one?

MS. de NAIE: And then stormwater as well.

VICE-CHAIR PALTIN: So --

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MS. de NAIE: It...

VICE-CHAIR PALTIN: --Public Works.

MS. de NAIE: Well, either Public Works or DEM, I'm not sure who is dealing with that.

VICE-CHAIR PALTIN: I think --

MS. de NAIE: And then...

VICE-CHAIR PALTIN: --MS4 is Public --

MS. de NAIE: Yeah.

VICE-CHAIR PALTIN: --Works.

MS. de NAIE: And then you have the Water Department [sic] that's dealing with the potable water and the ag water. You know, in Honolulu, they're all combined together and they're planned together. And the funding stream is seen as related to one another and --

VICE-CHAIR PALTIN: So, everything --

MS. de NAIE: --you know...

VICE-CHAIR PALTIN: --to do with water is just all together?

MS. de NAIE: Yeah, yeah --

VICE-CHAIR PALTIN: Okay. So, that --

MS. de NAIE: --yeah.

VICE-CHAIR PALTIN: --means managed as one water like all the waters --

MS. de NAIE: Yeah.

VICE-CHAIR PALTIN: --under one...

MS. de NAIE: No, the treating of wastewater is, that's Environmental Management 'cause that's a different purview. But the R-1 department is separate from the treating, and they've always had their own like staff person and their own like, you know, planning, and so forth and so on.

VICE-CHAIR PALTIN: Okay. Thank you.

MS. de NAIE: You're welcome.

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CHAIR LEE: Mr. Sinenci, then Mr. Molina.

COUNCILMEMBER SINENCI: Thank you, Chair. Thank you, Lucienne, for being here. In, I believe it was stated in strategy five that there's plans to do ten wells in Haiku.

MS. de NAIE: That's what we're referring to, the strategy five.

COUNCILMEMBER SINENCI: Have there been already areas to pick out these or are they on County property?

MS. de NAIE: No, the County...that's one of the downsides, the County has no property to drill these wells. So, they'll need to partner with A&B, and A&B has a memorandum with the County that they get to, you know, work out a deal where they get certain amount of source credits for providing the land. It's a business decision. But once again, you see A&B will jump to the head of the line in terms of who gets water from where just like they did with their three developments in Haiku. They found more stream water that could be put into the County treatment plant. So, while local families waited 20 years for a meter, their 3 developments all got meters, and all those lots were sold. And it's just not fair and it doesn't comport with the principles that are in our Water Use and Development Plan for equity in distribution of water.

COUNCILMEMBER SINENCI: Thank you. Thank you, Chair.

CHAIR LEE: Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good afternoon, Lucienne. Just for clarification regarding the monitor wells, do you recall what year it was placed?

MS. de NAIE: The Hogback Well was as a result of the settlement from the first lawsuit on the East Maui wells, and I believe it was drilled in the 1990s.

COUNCILMEMBER MOLINA: Wow.

MS. de NAIE: There was a court order from Judge Mossman that it should be drilled and that it should follow a particular protocol that was going to be guided by the US Geological Service [*sic*]. For whatever reason, the County did not follow that protocol. They just had it drilled in a different way. And so, the information that USGS was hoping to gather from the well was not available because it...the kind of protocol for drilling was not followed.

COUNCILMEMBER MOLINA: Okay. Thank you for that. We'll follow up with the Department for a status report on that.

MS. de NAIE: Yeah, I could give you the well number and everything. I'm sure your staff from DWS would have it as well.

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COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Madam Chair.

CHAIR LEE: Any other question? Yes --

COUNCILMEMBER SUGIMURA: Sorry.

CHAIR LEE: --Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, if other Members are done with their questions. Thank you. So, you mentioned the consent decree. Could you give us a brief description and details?

MS. de NAIE: Yeah, yes. Well, in 2000, the...or 2001, an EIS, a supplemental EIS was issued for what's called the EM Plan, and that was at that point it was eight wells to be drilled in East Maui and two wells in the Paia Aquifer that already existed. Sierra Club and allies, 3 or 4 other groups, sued saying the EIS was inadequate in part because it didn't address impacts on local fisheries, streams, local well owners who are all...there's like 30 wells downstream, and, you know, none of them have large pumpages. So, it ended up that Mayor Arakawa reached out to Sierra Club and allies when he came into office and he suggested a settlement, and a settlement agreement resulted in this consent decree from 2003. It is signed by the County and then the parties who challenged the EIS. And basically, it redefined this EM Plan. It didn't deal with wells to serve the Upcountry system. It dealt with wells to take water to South Maui and Central Maui. And the terms of the settlement were pretty simple. It said that if the County was going to pursue, the County agreed to drop the project, and if it was going to resume it, they would do a series of studies and cost benefit analyses, which were completely missing from an EIS. It's one of the few EISs I've read for a Public Works project that did not have a cost benefit analysis in it. And that these would need to be done, that there will need to be a new test well drilled in an area that was suitable to both sides and data from it collected so we could know what was going on with our aquifer. We heard nothing for about ten years, and then all of a sudden we got a notice under a different Director of Water Department [sic] that the consent decree was kind of old and outdated, and they were just going to go ahead and drill a well next to the Dowling Well and call that the test well, but that isn't the area that needed to be tested. We already have a well there that we could know what's going on. We needed to test further east. And so, it just ended up in two more court cases, which the County lost, and which cost Sierra Club and allies a lot of money like probably \$30,000, and it's just a very sad thing to try to get useful information for what's a huge change in a place that no well is pumping a large amount. The Dowling Well pumps about less than a million gallons a day, and we're going to go from that to pumping 10 million gallons, you know, a day, sometime in the future. That's a big, big jump.

COUNCILMEMBER SUGIMURA: So, the test well was never done?

MS. de NAIE: The test well was done, the Hogback Well was done but it...they reported on it for about four, five years. I don't know if they had problems or whatever. There's

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really not a lot of information posted on it. And then the second test well, no, it was never done.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR LEE: Any more questions? If not, thank you very much.

MS. de NAIE: Thank you.

CHAIR LEE: Do we have another testifier?

MR. CRILE: Next testifier is Kaniloa Kamaunu, testifying as Chair of Aha Moku o Wailuku.

MS. YAP: Chair?

CHAIR LEE: Yes.

MS. YAP: While he's coming down, *Akaku* just called, and they said that their channel 53, they do stream live. So, if anyone wanted to watch the...this meeting right now, they can go on akaku.org. Go to their channel 53, and they're streaming it live.

CHAIR LEE: Now? Okay.

MS. YAP: Yeah.

CHAIR LEE: Shall we go back to the beginning? I'm just kidding. Aloha. Thank you for coming.

MR. KAMAUNU: Aloha mai kakou. Kaniloa Kamaunu kou inoa, mokupuni o Maui, moku o Wailuku, ahupuaa Waihee. When Na Wai Eha case came up in the early 2000s, they came looking for kuleana information of the area. So, being that I was one of the few that still live on the kuleana and still practice the kalo growing, I was one of those. And as I got involved in it, I realized what the legacy was, and that's when I became active in pursuing the rights of the kuleana. I come...since then, I've come to this body and some of them that...some of those that are still here in this body remember me coming forward and professing my right as a kuleana. Kuleana is superior to the laws of this land because it is regulated by the Kingdom of Hawaii. It was passed down to me from my kupuna, whose lands I still cultivate in kalo. There's many opportunities to change that and to do business on my property but I kept it because that's what it was there for, and what it stood for, and that was the law of the day, which I promote continuously. So, I do kalo as the love pursues me to do, and I receive my water because of that action. I fought the State and the County to be recognized as having superior rights to the water that was given to me by my kupuna, which was instituted in 1839 through the Bill of Rights of the Kingdom of Hawaii, which was legislated in the 1840, which then recognized three groups of kanaka that had rights. One, the moi as the government and the fiduciary system. Also, then you have the alii, who were the royals, who were the House of Nobles. Then you have the

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makaainana, who became the House of Representatives. So, as a still living body of that embodiment of the government of the Kingdom of Hawaii, the representatives, the House of Representatives still stand and has not fallen. Though our moi is gone, and though our aliis may not exist, but inside the remnants of the heirs, we as a representation of the Kingdom of Hawaii through the House of Nobles, we...I still claim my rights as was given to me back then and still stands today. You can look at your laws, 60 percent of your HRS's run into Kingdom laws. They're based off the Kingdom laws such as HRS 7-1, which is from the Kingdom, which is Section 34, Subsection 1477, the Miscellaneous Rights of the People, saying that all waters, right-of-ways, waterways free to all. So, the thing is, and if you--and I know I have a few minutes--if you go and you look at Mr. Abercrombie's 2009 statement of testimony that he gives to...in his Federal...I mean as his Senate capacity in the hearing of the Akaka Bill, he states that the lands that were gifted to America to the Republic of Hawaii was 1.8 million acres, and those lands were considered worthless. That was the reason why they gave them those lands. The lands that you are in control of is 1.8 million acres, not 4 million. So, you need to regulate yourselves on that 1.8 million acres, find out exactly where they are because that's where your authority lies. As far as it comes down to the water and all other resources outside of that perimeter, their...your claims cannot be validated. So, dealing with the waters, you really actually have no say, that is why EMI, East Maui Irrigation, and Wailuku Water still stand in the mountains.

CHAIR LEE: Okay. Can you conclude please?

MR. KAMAUNU: So, I had the two, yeah, I was...

CHAIR LEE: Oh, you have --

MR. KAMAUNU: I...

CHAIR LEE: --two? Okay.

MR. KAMAUNU: Yeah. And so, I'll...

CHAIR LEE: Are you going to talk about the --

MR. KAMAUNU: I'll talk about...so as far --

CHAIR LEE: --agreement?

MR. KAMAUNU: --as the regulating the water and continue to monitoring, I have no problem with that. USGS has done a good job and I agree with a lot of findings. It's sad that this Department does not follow them, that's why we're in the situation we are today with the problems we're having with the water system in the control of this government. As far as the second one, I protest that the claims of the Department that they sat down with the Aha Moku about this item, I remember that meeting. I was there and I stated the same thing then that this is...there is no public trust. But

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anyway, there was no agreement with us and the County. None of the Aha Moku representatives that came into the Trask Building that evening and sat down with Eva agreed with this plan. Because first and foremost, kanaka are left out, the rights of the kanaka, the rights of kuleana all left out. The plan does not incorporate us. It takes us out of the equation. All these plans and all these things need to come to the people who have an actual right to these resources or ka mea as was said by Uncle. But we're not being dealt with, we're being left out of equation 'cause everyone is afraid of us because they think that we're going take and we're not going to share. In the history of Hawaii, we have shared with the world. If you look at our record, we never denied anyone of being able to live a fruitful life. That is not in our heritage. That is not in our legacy. We do not promote economics. We promote the rights of individuals and people. You guys need to research who we are. Though we did the economics, it wasn't to the price of where people would lose things. All people had food. You know, I had a discussion with my older cousin, and she said, you know, we don't want to go back to the Kingdom 'cause it was corrupt. So, I said okay, I'll take that, let's compare. If we look at what the United States has given us in return, we are...we have no food, we starve, we're homeless, our health has declined drastically. Our education from one of the most educated countries the world, we have come down to nothing. So, let's look what we had in the Kingdom. Everyone had one house. Everyone ate. We was the most educated country in the world. And our health until the Europeans came, we didn't have health issues. So, you tell me, who should be governing? Who should be governing? I'm kanaka. I'm kuleana. I fight for my rights where these are things people feel uncomfortable with. You know, I do not come here with any animosity but I come here to speak the truth. I am friends with many of these people here. I have no contention individually, but with the process I do because it does injure me and those of my family. Mahalo.

CHAIR LEE: Thank you. Are there any questions? Yes, Ms. Paltin, and Mr. Sinenci?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Kamaunu, for coming and saying those things. I wanted to ask a question on the WAI-37 one. And I agree with all the things you were saying about, but in the context of this item, do you think it's possible that this version of it can be fixed into something that looks like you want to see? Or do you think that it's more better to start from scratch and like you do a version and we do a version, and we compare them and see where we can...

MR. KAMAUNU: I think the problem is economics is first, and I think that should always be last because then you get to the root of the problem, is servicing the people. Governance according to the Kingdom of Hawaii was created for the betterment of people to help them. A lot of these plans always incorporate the business first, and those...anything that gets lesser that has no economic value, gets seen as last. And that's why...I mean you just have to look 'cause many years as the USGS has been putting out their recommendations and what they've been putting out, a lot of times, this body has not taken those recommendations into consideration. You can just look at the system itself. So, my thing is if economics is number one, then this is broken because you're not caring for the rest of the people.

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VICE-CHAIR PALTIN: So, like for...I just wanted to clarify if this is what you're saying, the County no more land out Haiku for example, and so they have to drill wells on supposedly A&B's land. And so then A&B goes to the front but you...that's like economics of it, but you would be more okay if the County or whoever is drilling the well and it's a public trust and it's going to be equity around not A&B goes to the front of the line, is that kind of --

MR. KAMAUNU: Well, I...

VICE-CHAIR PALTIN: --what you mean?

MR. KAMAUNU: You know, and again, yeah, I mean the whole, I think even when the community came out and they did a community plan, all those things were kind of considered but yet the County failed to listen to them and started doing their own thing just...so I don't understand...my only thing is I would rather just trash it and start over again and have all the parties come together and work as a unit, compared to just only certain people. Because when they actually had this meeting, when they started this plan, they told us that they had a meeting with stakeholders. So, I asked Eva to clarify what is a stakeholder. Because if you call this a public trust, that means you cannot have people with more rights than others because it's supposed to be under the governance of the people and entrusted by the government officials to adequately supply all needs, yeah, first, which would be to see who has the most important needs of all. But, you know, I mean that's why my problem with this when they came to talk to us, the already had in their mind who they was going to service first, which is wrong. So, I mean, you know, your Maui Island Plan never got looked at. The water plan basically was all about servicing businesses and how they could finagle to build places like Wailea and shift water from one area to the next. That's why we oppose this. So, I mean I don't know what the answer is as far whether...I mean I'm...

VICE-CHAIR PALTIN: Like if you was in my position, you would just try to make it more equity like amongst everybody or --

MR. KAMAUNU: Yeah, I --

VICE-CHAIR PALTIN: --you would just be like...

MR. KAMAUNU: --think you have to look at the people as a whole. Everybody should be looked at as a whole. That way you get, you know what I mean, it's about people, and that's my thing. This...a lot of the stuff that is being done is not about people, it's about making money. And, you know, I think when...I mean I understand making money. I understand that people have to survive and do these things but not at the cost that others have to suffer. Because if you look at our system, you do, you have homeless. You have people who cannot even feed their kids. Why is that happening in a civilized society? That should never exist. But any case --

VICE-CHAIR PALTIN: Yeah.

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MR. KAMAUNU: --it's so, I, you know, it...

VICE-CHAIR PALTIN: The lady at the HCPO will say the same thing about equity and people first like with the climate change, then more...you got to make sure there is equity of water, everybody have enough water to drink to live kind of thing.

MR. KAMAUNU: Yeah, you know what I mean, I, you know, I have nothing against other people, other foreigners living here. My thing is but this doesn't address the people, it addresses individual, you know, agendas, which to me is wrong. This body is supposed to be the embodiment of representing the people from the areas you are in. And so, that means everybody we just join in the same pot whether you're rich, poor, homeless, you know, all should be considered as one, one people not all separated because of interest. That's, you know, I mean what it...this can...if it can be fixed, I don't know, you know what I mean, I just --

CHAIR LEE: Ms. Paltin --

MR. KAMAUNU: --know it...

CHAIR LEE: --do you have any more questions?

VICE-CHAIR PALTIN: Thank you. My questions I think was answered as --

CHAIR LEE: Okay.

VICE-CHAIR PALTIN: --much as possible could be.

CHAIR LEE: Okay.

MR. KAMAUNU: Sorry.

CHAIR LEE: Thank you. Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Mahalo, Kaniloa, for being here. So, you don't see anything in this report about kuleana rights, kuleana lands?

MR. KAMAUNU: Well, I was never interviewed as kuleana. And being one that was actually in the case, you know what I mean, it...they brought us in as, you know, a group, and they just basically told us their plan. There was really no kukakuka. There was no really discussion about, you know, how we get implemented. And, you know, we weren't approached. And, you know, as far as I'm concerned, I've been recognized in this Chamber as kuleana, as having superior rights. I was also recognized by the State, the Commission on Water Resource. I was recognized on that level too. And yet, they don't bring us to the table as that person or as with that concern, you know. So, that is my, you know, so no, we have not.

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COUNCILMEMBER SINENCI: Mahalo.

MR. KAMAUNU: Aole, yeah.

COUNCILMEMBER SINENCI: Thank --

CHAIR LEE: Okay.

COUNCILMEMBER SINENCI: --you.

CHAIR LEE: Thank you. Are there any more questions? Yes, Ms. Kama?

COUNCILMEMBER KAMA: Just one question, Kaniloa. So, if you got an invitation to come to the table, will you come?

MR. KAMAUNU: I always come.

COUNCILMEMBER KAMA: Okay. So, I would like that extended to him if it's possible. I'd like to get them to see if we can do that, Madam Chair?

CHAIR LEE: Excuse me, can you define that?

COUNCILMEMBER KAMA: To be able to have him sit down with all the people in Water. And he's right, I mean . . . *(inaudible)* . . . on water, we're not talking to him, it doesn't make sense. So, I'd like to be able to urge our Department of Water Supply, if possible, to reach out to him whenever possible or all the time, or I don't know, but do something because it will be so much more helpful if he was on the same team, and they could be able to work things out so that when we get here, we're all in the same team, we're all on the same page, and we can say this is a good product because the input from the community was there.

CHAIR LEE: Okay. And that is why he and everyone is welcome to come back to every single session that we have. And right now, we're really early in the process. We're all learning together. This is like our second meeting, and we have five more to go. So, we're not even at the point of decision-making at all. So, you're always welcome to --

MR. KAMAUNU: Yeah.

CHAIR LEE: --come back.

MR. KAMAUNU: Yeah.

CHAIR LEE: And we'll always welcome to...everybody is...to ask you questions and you ask us questions. Okay?

MR. KAMAUNU: Yeah.

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CHAIR LEE: All right.

COUNCILMEMBER KAMA: But I'd like to get him a seat someplace so that he's closer to where the action is going on. Thank you, Chair.

CHAIR LEE: All right.

COUNCILMEMBER KAMA: Thank you, Kaniloa.

MR. KAMAUNU: Mahalo.

CHAIR LEE: Thank you. Wes, do we have any more testifiers?

MR. CRILE: Yeah, next testifier is Clare Apana.

CHAIR LEE: Okay. Anybody else wishing to testify, please sign up now if you can. Thank you.

MS. APANA: Good afternoon.

CHAIR LEE: Good afternoon.

MS. APANA: Can you hear me? Okay. Good afternoon. It was difficult for me to get through the documents to see which document we're talking about today, but I saw that in the plan for today, section two of the Water Use and Development Plan is Ka Paakai, and that will be presented. I read the...what was going to be presented. And the greatest thing that I see is it's wonderful, it's tremendous to have it recognized that this right and this process is there, but how is it implemented? For my...for example, I've been speaking about this particular subject for years in this Council, and it has never been addressed. And so, Chair, I really appreciate that we can come back and come back, and come back for years as you've seen me, but where is that little bridge that makes it actionable? Where does the action take place? I really appreciate Councilmember Kama's comment. I have watched Kaniloa Kamaunu speak for water and kuleana water for like 10, 11 years, and always we're fighting. We deserve a seat at the table. We don't need to be a checkbox. I've met with the Aha Moku, and yeah, okay, they said these things but we're not going to implement not one of them. There's no place in this plan where we're saying we will move from where we are now, where we're possibly not following the law to a place where we can say that yes, we are considering Ka Paakai, we are looking at the outcomes, and we are putting the kanaka people, the cultural practitioners, the kuleana water users and owners, the water users into this plan that that is missing. So, I can...you've checked...I've been checked off for 11 years, and I'm still here but I don't want to keep doing this. Please put Mr. Kamaunu on. I brought you something here. This is the Water Conservation Ordinance that was proposed by the Water Resources Commission...Committee in 2008. I think it would be great to say that one of the things that this plan should have is an adoption of this very thing, this ordinance, which deals with how you're going to conserve, what will happen, and I...is that the end of my time or the warning?

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CHAIR LEE: You can take a minute to conclude please.

MS. APANA: Okay. The reason that I feel it's so important is because as you know that the water that comes from where I live in Wailuku is still being sent out to South Maui, to Wailea, and Makena, and there's no plan to stop doing that. When I'm in the brownout, they're watering their lawns in the arid place where there shouldn't be...there isn't that surface water. So, I think that we need to look at who is really affected by the way this plan is made, and maybe that was what was agreed upon back in 1980, but today, it's 2019. That plan is illegal. You cannot take water that far from Kingdom law to the Reppun case in 1980. You cannot take water that far and use it and be making money, charging for it even if it's only for transmission, you cannot be doing that, it's not lawful. So, how can we take that plan and make it actionable so that these things come out are the rights of cultural practitioner and Ka Paakai, the rights of Mr. Kamaunu who's in an entirely different category as a practitioner and under law. And I say these laws, many of them come from the Kingdom and have come to be in the HRS system. So, how can you make it work so it's actually working and we're not having lip service, really. I've come 11 years. I'm still here. Please don't make me do that more.

CHAIR LEE: Okay. Are there any questions? Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Apana. Mahalo for your testimony.

MS. APANA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: The...your testimony that you're lifting up, was that your written testimony? Was that submitted electronically or --

MS. APANA: No...

COUNCILMEMBER RAWLINS-FERNANDEZ: --is that going to be --

MS. APANA: I brought --

COUNCILMEMBER RAWLINS-FERNANDEZ: --distributed --

MS. APANA: --these --

COUNCILMEMBER RAWLINS-FERNANDEZ: --copies?

MS. APANA: --copies --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. APANA: --to be handed out to you so that at the...there's what, three more meetings?

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CHAIR LEE: Five.

MS. APANA: Five more meetings, that maybe at the next meeting, I can come and you will have had a chance to look at what I'm proposing here as an actionable step. Thank you very much.

UNIDENTIFIED SPEAKER: All right.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for writing that up. Mahalo, Chair.

CHAIR LEE: Are there any questions? If not, thank you very much --

MS. APANA: Thank you.

CHAIR LEE: --for coming.

MS. APANA: Thank you.

CHAIR LEE: Mr. Law? Anybody else wishing to testify? Okay. You're going to be the last one.

MR. LAW: My name is Jasee Law from Kula. I want to first...I was wondering how come the picture over there doesn't have any wai on the County seal? I guess maybe Mr. Molina can figure that out when he talks about that stuff pretty soon, tomorrow. So, stay tuned everybody. Thank you, everybody, for being here. Thank you, Madam Chair. When I first got here, I was...first thing that I was interested in was checking out the water supply system. So, yeah, here it is, six years later, I'm finally getting into it. And thank you for all the Councilmembers that are not voting Members that are here today, I especially appreciate that, and especially thank you for your Staff members. You didn't introduce them, but I'm starting to get familiar with them and hopefully...

CHAIR LEE: I did actually. This is Wes Crile, and this is Rayna Yap.

MR. LAW: Thank you, guys. Aloha.

CHAIR LEE: Thank you. I guess we have no questions. Anybody else to testify? If not, any objections to closing testimony?

COUNCILMEMBERS: No objections.

CHAIR LEE: No? So ordered. And then do we have any from the District Offices? No? Okay.

. . .END OF PUBLIC TESTIMONY. . .

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CHAIR LEE: All right. Let's get down to business.

ITEM WAI-56: INTERGOVERNMENTAL AGREEMENT WITH U.S. GEOLOGICAL SURVEY FOR COOPERATIVE WATER RESOURCE MONITORING PROGRAM (CC 19-375)

CHAIR LEE: We have our first item is pretty routine. This is to approve a Intergovernmental Agreement, and--let's see--WAI-56, the proposed bill authorizes the continuation of the cooperative water-resource monitoring program, during the period of October 1, 2019 to September 30, 2020. The total cost of the agreement is \$130,690, of which 91,440 will be contributed by the County Department of Water Supply, and \$39,250 will be contributed by the USGS. So, Mr. Pearson or Ms. Blumenstein, do you have any comments on the bill?

MR. PEARSON: Thank you, Chair, and thank you, Members of the Committee. Jeff Pearson, Director of Water Supply. I'm going to pretty much turn over the microphone for the rest of the time to our Division Head for Water Resources and Planning, Eva Blumenstein, and she's the expert on both of the items that are up today.

CHAIR LEE: Ms. Blumenstein?

MS. BLUMENSTEIN: Thank you, Chair. Yeah, we're requesting the...this body to continue allocating the funds for our ongoing water resource monitoring programs. We've been funding US Geological Survey for almost two decades now to monitor key streams and aquifers so we can see the trends and changes, water levels, chlorides, stream flows, et cetera, as well as the key rainfall gauge on Maui, and two of those resources are on Molokai. I just provided one simple map so you have some idea of where the deep monitor wells and stream gauges are. It's important for not just for us but for the Commission on Water Resource Management and other decision makers to have the longevity, have the historic data. So, if we have an interruption in data, meaning if we're not funding USGS to do it, that'll be really detrimental to knowing what's the status of our water resources are. So, we appreciate that. Thank you.

CHAIR LEE: Any questions for Ms. Blumenstein? Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you. Is any of the stations on private property?

MS. BLUMENSTEIN: Yes, several.

COUNCILMEMBER HOKAMA: So, what is the connection, you're only monitoring what is under County Water...Department of Water Supply source areas?

MS. BLUMENSTEIN: We select areas to monitor for aquifers that are highly developed, highly used, or have some history of rising water level...declining water levels and rising chlorides, or stream resources where we are a diverter. But in the case of Molokai, Halawa Stream for example, that we fund because that's one of the...it's the

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oldest stream flow in a natural, undisturbed area record. So, it's more like a baseline for other stream flow data collection. So, it's a...and then we look at them in context of what other like CWRM fund, what they prioritize, and it has changed a little bit over the years but these are key areas that we are interested in.

COUNCILMEMBER HOKAMA: No, no, I support the work you folks do. I think it's critical. I just say we should be monitoring all watersheds in the County since water in a simplistic form is a trust source, we should be watching water as a County resource Countywide. So, I don't care if Lanai goes under a private water company. The groundwater itself is still a trust element for the islands. So, why wouldn't we be monitoring all watersheds in the County?

MS. BLUMENSTEIN: Well, it will be more an equation of the USGS resources, staff resource, the CWRM priorities and our funds and resources as well. So, we have expanded the program over the years. We are...we added another proposed stream gauge for the west side this year. And in 2021, we're coming in and requesting a second stream flow for Molokai. But there's hundreds of streams out there and aquifers. So, we, we're still trying to prioritize and select where our...

COUNCILMEMBER HOKAMA: Yeah, but again yeah, you know, forgive my hardheadedness, but, you know, for Lanai, it's basically one aquifer on whole island. Okay. So, you know, and maybe making it simplistic but we cannot afford to screw Lanai by not monitoring its one major aquifer 'cause everything lives and dies with that aquifer on our island. So, yes, we have a private landowner but they serve a public purpose. So, there is still a governmental requirement to ensure compliance, regulatory review, and health and safety regulations. So, you know, my...I don't have a problem if we use General Fund. I understand we don't have a County system on Lanai but we still have a jurisdictional responsibility regarding aquifers Countywide. Thank you, Chair.

CHAIR LEE: Any other questions? If not, the Chair will entertain a motion to pass the bill, and this is a bill again for an ordinance authorizing the Mayor of the County of Maui to enter into an Intergovernmental Agreement with the U.S. Geological Survey, Pacific Islands Water Science Center, U.S. Department of Interior, cooperative water resource monitoring program; and that this bill be passed on first reading and be ordered to print; and the communication be filed.

COUNCILMEMBER KAMA: So moved.

COUNCILMEMBER HOKAMA: Second.

CHAIR LEE: It's been moved by Member Kama, seconded by Member Hokama. Any discussion? Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chair, I just wanted to ask you, have we already placed the monies in the Budget?

CHAIR LEE: I would assume so.

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COUNCILMEMBER HOKAMA: I...well, I'm just asking for confirmation --

CHAIR LEE: Yeah, we can check.

COUNCILMEMBER HOKAMA: --if it's already --

CHAIR LEE: Yes.

COUNCILMEMBER HOKAMA: --budgeted.

CHAIR LEE: Do you know if the money is already in the Budget?

MS. BLUMENSTEIN: It's in our FY '20 Budget, yes.

CHAIR LEE: Okay.

COUNCILMEMBER HOKAMA: Okay.

COUNCILMEMBER SINENCI: Chair?

CHAIR LEE: Any other questions? Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Just for clarification, this would...the funding would be coming out of the DWS fund?

COUNCILMEMBER HOKAMA: Right.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR LEE: Any other questions? Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, all of the groundwater monitoring stations, the stream flow monitoring, and the rainfall monitoring that's listed in the documents that you provided is all the monitoring stations for the Department or only the monitoring stations that are funded by this program or this funding?

MS. BLUMENSTEIN: It...these are the stations and including the graph, which is for Kualapuu, that the Department is jointly funding with USGS. There are additional aquifers and streams that are monitored and funded by Commission on Water Resource Management.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Monitored by the State, not by us, or funded by the State and monitored by us?

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MS. BLUMENSTEIN: USGS are doing most of them, monitoring both in terms of stream flow, but many of those are funded by the State CWRM. These are the ones that are funded through the Water Department [sic].

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, Member Hokama's idea of having one or a proposal to have one on Lanai, and funded by the County and not through this program, is something that would be feasible for the Department to do?

MS. BLUMENSTEIN: I believe the CWRM started a monitoring program for groundwater levels on Lanai, and that would probably be the appropriate body to do it. If...to them, it doesn't matter if it's public or private water systems. The...it's more in terms of risk to aquifer withdrawals, et cetera. So, I think that would be the appropriate body.

CHAIR LEE: Mr. Pearson?

MR. PEARSON: Thank you. What's discussed here is as far as the wells go are deep monitoring wells. They, you know, they go through the potable and to the saltwater, and they can monitor the transition zone. Water Commission spends about \$600,000 a year on also this type of monitoring, and I don't know what the exact percentage that the Commission...I mean that the USGS spends, but of course, it's a ratio. And besides that, the existing wells that are out there, the regular wells that we use for drinking, they're required to report to the State Water Commission, and that's another form of monitoring information. It's not the Cadillac, which is the deep wells, the deep monitor wells, but there are still other forms of monitoring of the groundwater that's done throughout the State, mostly under the Commission.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Director Pearson. Mahalo, Chair.

CHAIR LEE: Thank you. Any other questions? If not, all those in favor of the motion say "aye."

COUNCILMEMBERS: Aye.

CHAIR LEE: Opposed, "nay." Motion carries. Thank you.

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**VOTE: AYES: Chair Lee, Vice-Chair Paltin, and Councilmembers
 Hokama, Kama, Molina, Rawlins-Fernandez, and
 Sinenci.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: Recommending FIRST READING of proposed bill and
 FILING of communication.**

CHAIR LEE: All right. Let's move on to the next item. Eva, are you ready?

MS. BLUMENSTEIN: Thank you, Chair. Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, before the presentation begins, could we get the last written testimony from Ms. Apana that wasn't distributed? Okay. Mahalo.

CHAIR LEE: And what's the other one? Okay.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

CHAIR LEE: Okay.

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

CHAIR LEE: All right.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, there's _____ --

CHAIR LEE: We will take --

COUNCILMEMBER RAWLINS-FERNANDEZ: --enough copies.

CHAIR LEE: --a short recess.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, no...I mean no need. I mean I --

CHAIR LEE: Well...

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COUNCILMEMBER RAWLINS-FERNANDEZ: --guess I can wait. I can wait until we take our --

CHAIR LEE: Break.

COUNCILMEMBER RAWLINS-FERNANDEZ: --break, our regular --

CHAIR LEE: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --break, yeah. Mahalo --

COUNCILMEMBER KAMA: But --

COUNCILMEMBER RAWLINS-FERNANDEZ: --Chair.

COUNCILMEMBER KAMA: --we should do it now.

CHAIR LEE: Decide, let's not quibble over...

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR LEE: You want --

COUNCILMEMBER RAWLINS-FERNANDEZ: All right --

CHAIR LEE: --the copies --

COUNCILMEMBER RAWLINS-FERNANDEZ: --Chair, we'll --

CHAIR LEE: --now or --

COUNCILMEMBER RAWLINS-FERNANDEZ: --take --

CHAIR LEE: --later?

COUNCILMEMBER RAWLINS-FERNANDEZ: --a quick ten-minute break --

CHAIR LEE: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --if there's no --

CHAIR LEE: No --

COUNCILMEMBER RAWLINS-FERNANDEZ: --objections.

CHAIR LEE: --objections, let's take a ten-minute recess.

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COUNCILMEMBER KAMA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. Mahalo.

CHAIR LEE: Recess. . . .*(gavel)*. . .

RECESS: 2:42 p.m.

RECONVENE: 2:56 p.m.

ITEM WAI-37: MAUI ISLAND WATER USE AND DEVELOPMENT PLAN (CC 19-162)

CHAIR LEE: . . .*(gavel)*. . . Will the WAI meeting please reconvene. All right. At our first meeting on August 19th, the Department of Water Supply presented an overview of the plan and explained its purpose. Ms. Blumenstein's PowerPoint presentation summarized Part I of the plan. Okay. So, this afternoon as you heard, we will receive a presentation on Part II. But please remember if you have any questions from the first presentation or this presentation or all future presentation, please be sure to collect them and present your questions to us at any of the meetings because we want to...you to be current, kept current as much as possible. So, for today's presentation, first I would like to call upon Mr. Pearson, the Director, and then he will ask Ms. Blumenstein to begin her presentation. Mr. Pearson?

MR. PEARSON: Thank you, Chair. Yeah, I was just going to kind of reiterate that it was discussed a little bit earlier but again, this is...there's no decision-making today of course, and this is kind of the second general overview, and as you can see the outline. So, I'm going to have...I think you all have copies of the PowerPoint presentation. I asked Eva not to hit on every word that's on the screen. So, for you, I know you all are wise enough. You can read it on your own and of course, if have questions either during or after. So, I'll turn it over to Eva again and she'll follow through the PowerPoint presentation. Thanks, Eva.

MS. BLUMENSTEIN (*PowerPoint Presentation*): Thank you. Yeah, so that as Chair mentioned, the intro at last meeting was kind of the technical approach, and this Part II will look at the issues that pertain to all regions island-wide. A lot of these constraints issues and water supply, qualities, sustainability issues do not apply for individual regions but they can be addressed as a whole, and that includes the Ka Paakai analysis in that assessment. So, I'm going to address, and I will not speak to every word on every slide but just keep that in mind that these are island-wide policies and strategies, and we're getting into Part III from next meeting on where those are site specific regional source development strategies. So, this is much more like policies. So, as the first testifier clearly explained to you, now you have a background of what Ka Paakai analysis is, that it originated with the complaint, Ka Paakai O Ka Aina versus The Land Use Commission back in 2000, where the court established that State agencies in proposed uses was really applicable to land then need to identify whether those land use or what resource impacts may have, negative

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or positive impact on Native Hawaiian traditional and customary uses and rights. So, this chart on the bottom is just the sort of a what we saw as being a process. When we started the...this round of the Water Use and Development Plan, the Commission on Water Resource Management informed us that Ka Paakai analysis should be considered already at the plan stage even though normally you develop a water resource on the site specific basis and these are our regional strategies. It would be good to have that comprehensive overview and CWRM, State Water Commission are still looking at how to...there isn't an established process of how to do this yet. So, this was kind of our best stab at where do we start. And we had already initiated reaching out to the community to start a similar process, and it sort of just became our Ka Paakai analysis. So, we interpreted it as the burden is on County agencies as well. And normally, this process been conducted with land use plans and policies and they're site specific land use applications. So, for the Water Use and Development Plan, we're looking at regional resource issues, aquifers, streams, watersheds, and those then inform site specific strategy such as well development at X elevation, X million gallons a day. And so, the end of this chart, the result when you have a site specific application, you would need to have an additional assessment done. That may be through the EA or the EIS or somewhere in that process when you have site specific information to do a Ka Paakai analysis at that stage. But that said, we still did this on overall regional basis. And the Appendix 10 in the plan is a, sort of like a preliminary assessment of what those strategies could...to the extent they could impact Native Hawaiian rights exercised in the area if the area was identified. And...

CHAIR LEE: Eva, if I could interrupt you for a second, yeah, everybody seems to be eager to find out what the mitigated actions or mitigative actions are going to be, and not spend too much time on the academic part of it, you know. But maybe you can, as we go through these pages, you can talk about actual, you know, what is the actual action going to be? And maybe examples of that.

MS. BLUMENSTEIN: So, that will be the matrix I just mentioned. That gives you the mitigating action is in the final column of that matrix, and...

CHAIR LEE: Yeah, I know. I see that but can you give us an example as we go --

MS. BLUMENSTEIN: Oh...

CHAIR LEE: --through, you know.

MS. BLUMENSTEIN: Yeah, so most of these are going to be for the source development strategies that we're talking about in the regional plans. But we can look at first, watershed aquifer protection, which we're coming to and looking at water resource --

CHAIR LEE: Okay.

MS. BLUMENSTEIN: --protection --

CHAIR LEE: Okay.

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MS. BLUMENSTEIN: --strategies, where some of those potential impacts could be...if you fence an area for ungulate control, are you now impeding access for traditional hunting practice in that area for example. So, even though this policy may just say make sure that you continuously fund watershed protection in critical watersheds, when you're looking at the specific grant or specific critical watershed area, you may look...you may need to look at that more carefully. Have you consulted with the local community and the traditional and customary practices right there? And are those hunting needs satisfied?

CHAIR LEE: Okay. Ms. Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, when you...when the Department does their consultation, what does that look like? Does that mean you come to a meeting and I'm going to talk with you, and we're going to exchange ideas and we're going to implement some of your...what does that look like, Chair?

CHAIR LEE: That's not for me. It's for Eva.

MS. BLUMENSTEIN: Thank you. So, before we started the proper Ka Paakai analysis, we did reach out to Aha Moku o Maui--and I think it was referred in testimonies--to solicit with the expert, the water experts for each moku. And building on that, what we wanted to do, we tried to set up a second meeting. We did meet with some individual moku and other kamaaina experts to gather, and part of this Ka Paakai analysis is reaching out to the organizations and entities and experts that we could identify, which doesn't mean that that is the final list. That's sort of the start of the consultation process.

COUNCILMEMBER KAMA: So, that's where maybe Mr. Kaniloa would be able to fit into this consultation. And was he ever consulted?

MS. BLUMENSTEIN: Does he have...

COUNCILMEMBER KAMA: Was Mr. Kamaunu ever consulted in this?

MS. BLUMENSTEIN: Oh, yes.

COUNCILMEMBER KAMA: Okay.

MS. BLUMENSTEIN: He is in fact one of the few that did provide information back in the Ka Paakai analysis --

COUNCILMEMBER KAMA: Okay.

MS. BLUMENSTEIN: --so.

CHAIR LEE: Ms. Paltin?

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VICE-CHAIR PALTIN: I just was wondering, you know, on your previous slide like how it says you go through the process and the result is always mitigative actions or mitigated development or site specific applications, is that accurate? Like is it ever decided that the impact or the development is beyond what is the best thing for the big picture and that it shouldn't proceed, or is it always the water is going to be used for the people that can pay and you're just going to try and mitigate it?

MS. BLUMENSTEIN: So, the short answer is no, it's not...if...so the process is a consultation process in my mind. So, if there's a resource strategy that has negative impacts or potential negative impacts have been identified and there are no mitigating actions that really seem relevant that's going to help, it doesn't mean that that strategy should proceed then. But again, that site specific analysis needs to be done when you know what you're talking about, this individual region, this stream diversion, in this area. So, what we're talking about today, the island-wide strategies, it's...we don't really drill into those site specific details.

VICE-CHAIR PALTIN: And this presentation that we have on the Granicus, that's the full report or is it just the slideshow version? Is there like more reading --

MS. BLUMENSTEIN: The --

VICE-CHAIR PALTIN: --that we're supposed to be doing besides this?

MS. BLUMENSTEIN: --Chapter 10 through 11 in the Water Use and Development Plan is the...that is the Ka Paakai analysis with the Appendix 10. So, this is just a summary.

VICE-CHAIR PALTIN: Slide --

MS. BLUMENSTEIN: Yeah.

VICE-CHAIR PALTIN: --show.

MS. BLUMENSTEIN: Yeah.

VICE-CHAIR PALTIN: Okay. Thank --

MS. BLUMENSTEIN: Yeah.

VICE-CHAIR PALTIN: --you.

MS. BLUMENSTEIN: Yeah. And I was asked to keep it very brief, so.

CHAIR LEE: One more thing, Eva, like your first presentation was about I don't know, 10 pages, but it was a summary of 140 pages, similar to this, yeah.

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MS. BLUMENSTEIN: I'm challenged at keeping it down...brief but I'm trying my best here. Okay. So, I just want to conclude that, you know, what this was done a preliminary assessment isn't the end result. This is sort of where we see it as the beginning of a consultation process that's dynamic, and then it's continued because we did not get a lot of feedback and responses. So, that kind of needs to evolve. And we also assumed that CWRM will come out with some formal process. It may be what we proposed to go through the Aha Moku formal process or maybe a different one but...so I mentioned this, so this is the resource strategies, it's not site specific. So, we have to look at it closer when those are identified whether that is a CIP program or a watershed protection project or whatnot. Those implementation...implementing those strategies may be...could also be a regulatory change. It may not be a source development project. So, the vehicle, the mechanism to do that could be the Environmental Assessment or the development permits.

CHAIR LEE: Eva, move closer to the mic please.

MS. BLUMENSTEIN: So, we addressed water supply sustainability and water quality in this chapter because there are issues and uncertainties that pertain to water supply island-wide, they're not specific to any region. Those are lack of hydraulic data where we may not have the stream flow or hydrologic studies of aquifers to have, be confident in the information. A lot of these are related to climate change. How do we address climate change even if this is on a 20-year timeframe though the issues, the uncertainties, or the...with decrease in rainfall, we assume we're going to have decreased stream flows. Recharge in some critical areas are anticipated to change. So, we have some good data for Maui for the long-term, and even though those are from 2070 on, we do address these already in 20-year strategies. Land uses that can contaminate water...groundwater or surface water, that applies island-wide. Those are not specific to region. So, strategies that we address here are again island-wide water quality concerns. Watershed protection also, invasive plants, animal species, we address those as a...in a comprehensive strategy here. So, providing resource adequacy means not just having enough water but adequate quantity and quality of water for different type of needs, potable, non-potable irrigation uses. So, we are getting the details of available water resources, groundwater, surface water, and projected demand for each aquifer sector, but we're looking at it because ground and surface water are interconnected. They also are shared somewhat between hydrologic units and community plan both in the executive summary and here. I'll give you just a snapshot of what those overall water resources are and what our projected demand scenario is. So, it does...it...so you look at this, it's clear you have sufficient resource yield, the orange column there, to meet island-wide demand. But when you look closer at each aquifer sector, it may not be the type of resource for the proposed use. So, we really have to dig into the specifics for each region for this to be meaningful. So, this is just looking at water resource adequacy --

CHAIR LEE: Okay.

MS. BLUMENSTEIN: --on the island-wide.

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CHAIR LEE: Eva, we have a question.

COUNCILMEMBER KAMA: So --

CHAIR LEE: Ms. --

COUNCILMEMBER KAMA: --what...

MS. BLUMENSTEIN: --Kama?

COUNCILMEMBER KAMA: Thank you, Chair. What do the colors on this thing represent?

MS. BLUMENSTEIN: The first light blue column is future demand, looking at the ultimate build-out scenario. So, we're looking at what if all land use zoning was built out, it's unlikely to happen over 20 years, it's not the selected scenario, but that would mean 931 million gallons a day of demand.

COUNCILMEMBER KAMA: Okay.

MS. BLUMENSTEIN: That was the alternative scenario. The next orange one, 557 million gallons a day, that's the assessed resource yield available ground and surface water available island-wide. The green column is the selected demand scenario that is based on population growth including ag needs, but it doesn't factor in all the build-out, ultimate build-out of all zoning, we didn't think that's feasible in a 20-year period. Then you have a low case and a high case of the same 'cause it's really a range, a projected range. So, between 258 to 269. And the last one just illustrates what if you build out all underlying zoning but you didn't include ag because I think 60 percent or so of zoning is zoned Ag, and a lot of that is unirrigated pasture land, et cetera. So, if you just looked at that as an alternative scenario, it's 144 million gallons a day. So, in those two, the final four scenarios would still be met with the water resources on an island-wide basis.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you.

CHAIR LEE: Ms. Paltin?

MS. BLUMENSTEIN: Oh.

CHAIR LEE: Ms. Paltin?

VICE-CHAIR PALTIN: Thank you. I had a question. Is...so the ultimate build-out based on zoning excluding Ag and including Ag and...versus our assessed resource yield, is that...are you saying that we have more...that we...our resource yield doesn't meet the ultimate build-out demands based on zoning including Ag? We don't have enough water already like...

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MS. BLUMENSTEIN: If we...and there's a lot of detail that goes into this that we have to look on for each region, but if we applied the demand factor for agriculture of 5,000 gallons per day or for diversified ag, and multiplied that by all the Ag zoning, we get a really big number. And...

VICE-CHAIR PALTIN: Oh, so you didn't specialize it in areas that would never be used for farming like the wasteland or the gulches and stuff, you didn't factor that out? It was just the formula?

MS. BLUMENSTEIN: So, looking...when we look at the region specific, then we're looking at more details than the underlying zoning, then we look at specific ag projects or the crops that are actually cultivated there. This is a snapshot just based on the Ag zoning.

VICE-CHAIR PALTIN: Like kind of --

MS. BLUMENSTEIN: So, even if its...

VICE-CHAIR PALTIN: --extrapolating --

MS. BLUMENSTEIN: Yeah.

VICE-CHAIR PALTIN: --a little bit. And then with your projected demand base low and high, would you then be adding on the ultimate build-out based on zoning excluding Ag to that or they're all supposed to be separate?

MS. BLUMENSTEIN: So, those are alternative scenarios. And the selected scenario is the demand based on population growth rate, adding agricultural use, but what I said more specific for existing crops, identified projects, and then there are some additional like the Department of Hawaiian Home Lands, State projects that are...we're looking at in the regional plans. So...

VICE-CHAIR PALTIN: I guess I don't understand how come the first column is so much bigger than the three cases with the high demand and base scenarios like...

MS. BLUMENSTEIN: If you're looking at all underlying zoning, whether that's Residential, Commercial, Ag, and you apply whatever the coefficient or the water duty for that without looking specifically, is this within an Urban Growth area, is this a pasture that's just going to remain in pasture upon the years. And if you're really just looking at from the ultimate build-out, if you're allowed to maximize use and water use on that property, what will that look like? That is the 931. It's...

VICE-CHAIR PALTIN: So, basically, you're making the case why don't do that?

MS. BLUMENSTEIN: Yeah, kind of.

VICE-CHAIR PALTIN: Oh, okay --

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MS. BLUMENSTEIN: So --

VICE-CHAIR PALTIN: --okay.

MS. BLUMENSTEIN: --it's still, you know, looking...so, we don't think that's a feasible scenario because we're looking at a 20-year plan, there's a lot of other factors, you know, uncertainties. So, it's not a likely scenario.

VICE-CHAIR PALTIN: Oh, okay, okay. Like don't do this if that's...thank you.

MS. BLUMENSTEIN: We don't think it's the probable scenario.

CHAIR LEE: Yeah, Eva, I have another question. Okay. So, the improbable scenario is the future demand, right?

MS. BLUMENSTEIN: The improbable scenario?

CHAIR LEE: Yeah.

MS. BLUMENSTEIN: The future demand based on population growth rates and adding specific information for ag, DHHL, State projects, that is the probable selected demand scenario, the 264 MGD.

CHAIR LEE: Okay. I was looking at the first column where it talked about future demand, that's an idea but it's not probable, right?

MS. BLUMENSTEIN: The future demand based on zoning, build-out based on zoning, that is the improbable scenario.

CHAIR LEE: Yeah, improbable. Okay. So, the more likely scenario would be the demand either low or demand high, in between there?

MS. BLUMENSTEIN: Yeah, the green was the selected scenario. That is the one that's used from now on.

CHAIR LEE: So, of the green, is that 263 million gallons --

MS. BLUMENSTEIN: Million --

CHAIR LEE: --a day?

MS. BLUMENSTEIN: --gallons a day, yeah.

CHAIR LEE: Million gallons a day?

MS. BLUMENSTEIN: Yeah.

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CHAIR LEE: And how much...how many millions of gallons a day do we have right now?

MS. BLUMENSTEIN: Looking at groundwater and surface water resources without defining, you know, how that's calculated, it's 557 million gallons a day.

CHAIR LEE: Five hundred fifty-seven, but it's all over the place? It's all in various regions?

MS. BLUMENSTEIN: So, yeah, I would caution at even...and this is something...certain things need to be included in the plan based on the guidance from State's CWRM, et cetera, but I would caution at looking at this really from the island-wide perspective until we look at the region specific 'cause there are water transfers, there are, you know, so much --

CHAIR LEE: Yeah.

MS. BLUMENSTEIN: --interconnectedness --

CHAIR LEE: Because, Eva --

MS. BLUMENSTEIN: --between them.

CHAIR LEE: --on paper we might have 557 million gallons a day, but our actual use is more like 30 million gallons a year?

MS. BLUMENSTEIN: Department only is about 36 --

CHAIR LEE: Thirty-six a year?

MS. BLUMENSTEIN: --but the plan addresses all water uses, purveyors, agriculture, and non-potable irrigation. So, and I want to maybe point that out again that, you know, as we look through these strategies that many of these strategies don't look very favorable for the Department of Water Supply, and that's because this isn't the Department's plan. It is the...it's the Island Plan. So, I'm kind of have to put this hat on the side.

CHAIR LEE: What do you mean the Island Plan? But you...are you including private water --

MS. BLUMENSTEIN: Yes.

CHAIR LEE: --in this as well?

MS. BLUMENSTEIN: Yes.

CHAIR LEE: Oh, it's all mixed up then? Yes, Ms. Kama?

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COUNCILMEMBER KAMA: So, I'm going to assume that at some time in the next couple meetings, we're going to get a similar charts of this within each of the districts, right, so that while we're getting it in totality today, we're going to get it at some future time per district. So, you're actually going to see where all the water is, where the water is not. Is that correct? Thank you.

MS. BLUMENSTEIN: That's correct.

CHAIR LEE: Well, I'd like to see that because I know that we use, what, 33 million gallons a year, and she's talking 268. So, yeah, I sure would like a breakdown of that. Any other questions?

COUNCILMEMBER SUGIMURA: I do.

CHAIR LEE: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: So, I'm like the Chair, Director, trying to figure out how we're going to calculate money now on what projected line for the future we would consider financially sound. Part of this plan you've already come up with a financial component as an appendix or summary of how we're going to be paying for all of this?

MS. BLUMENSTEIN: Thank you. When we're looking at source development strategies, groundwater development, recycled water development, whether it's Department or not, we do provide a lifecycle analysis, 20-year lifecycle analysis. So, capital costs, operation and maintenance, but that should just be used to compare one strategy against another. We do not provide the site specific well X on such land, such elevation, MGD, because that is Capital Improvement Program detail. So, this is really, to guide, you know, the strategy will be to develop surface water for example with groundwater backup to satisfy Upcountry needs. That's the overall strategy, and we assess whether that resource is available, if there is sufficient groundwater or surface water to do that. But the specific details would be in the CIP. So, it's not meaningful to have that specific cost on a 20-year plan because it'd be outdated already in 3, 4 years. So, we do have the cost for the conventional water resource development, groundwater surface water, recycled water development. And a lot of these policy/strategies do not have a price tag on them because they're policies.

COUNCILMEMBER HOKAMA: Yeah, well, you know, we're going to have to change that mentality 'cause things are going to happen faster than we want, and money is going to be what everybody is going to be fighting over, who gets the resource, whether it be Water, whether it be Highways, whether it be...so where's...who's going to get the pot, the limited pot of money to improve their infrastructure especially those by coastline areas, yeah. So, for me, is a maybe the old way I will say, your...a lot of what you shared may work historically but for us in the near future is going to need your philosophy of how you're looking at borrowing, how much you expect the rates to adjust for annual cash increases just to fund your debt service. Those are the kind of things we need to have a sense of how you approaching and looking at your fee structure because it's going to come out of the fees eventually.

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MS. BLUMENSTEIN: And we provide some of those guidance too. But again, I mean the plan, this plan if it was adopted as is, would guide those decisions for a department. This is not the Department's master plan to define, you know, what the development, source development decisions would be over the --

COUNCILMEMBER HOKAMA: My understanding --

MS. BLUMENSTEIN: --next five years.

COUNCILMEMBER HOKAMA: --is you're sharing us your role in the overall Maui Island Plan component. Wastewater will do their plan for the Island Plan component, right? This is just your role in the overall Island Plan implementation.

MS. BLUMENSTEIN: Yeah, it's both. I mean it's a complement to the Maui Island Plan and it also meets the other mandate to the State Water Commission in recommending reservations and management of water resources. So, it's both.

COUNCILMEMBER HOKAMA: For the water use development requirements?

MS. BLUMENSTEIN: Yeah.

COUNCILMEMBER HOKAMA: Okay. I understand what you're saying. I just, and like the Chair though, what we've projected out as total demand versus, you know, the more or less actual use, Chair, is so big in difference. So, it's like our total debt allowance to what we actually are in debt is night and day also 'cause we would never think of going to the ceiling on debt service. Yeah, again, so we just need a sense of how we can make it better, Director, because my thing is, we got to make the community come to terms real fast. It's going to be one expensive bill in the near future for everything on this island, in this County. It's going to be expensive. Okay. People are going to have to start paying more and not get a lot in return in the near future, but it's going to cost us a lot of money on short-term CIPs. Thank you, Chair.

CHAIR LEE: Thank you. Sorry, you know, I don't mind going slowly through this phase because, you know, it's important that we grasp the fundamentals. So, if...can you go back to Water Supply Sustainability one more? Sustainability. Okay. But before I get to that, I wanted to ask, I know you...the Department is familiar with rates and fees yeah, which is very important as you know to all of us, but did you look at how much we would save through reuse, and how much we would save through conservation, and how much we would save through plugging leaks, and have you looked at those alternatives?

MS. BLUMENSTEIN: So, yeah, water conservation and alternative water resources like recycled water and stormwater is addressed here. And we are looking at for each...but I'm going to talk a lot about conservation, you know, in terms of what we think our target, what we can meet with indoor/outdoor uses to decrease per capita use. We also put a target for how much source development we can defer, not eliminate but

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defer, by doing conservation. And how much potable water can be offset by maximizing recycled water use instead. So, those are strategies that are again more defined for each region but I'll address some of that here too. But then, yeah, so maybe I'll get to that when we talk about conservation.

CHAIR LEE: Okay. But don't forget, our outlook is different from yours in the sense that as we're going through this, we're thinking how we're going to pay for this, how we're going to pay for this, right? But you not...you're not doing that exactly. I mean what you're doing is looking broadly at strategies and policies. We're trying to solve the problems as you present them, you know. In our minds, we're trying to do that. So, that's why it's important that to know if you took those financial considerations in your, you know, equation because, you know, we need to know that we're not going to rely strictly on rates and fees, or we're going to rely on savings through alternate means of water resources. But getting back to this one, before...we're going to be going shortly into what kinds of resources we have, the amounts of resources that we have in terms of aquifers, et cetera. Now, I know that we're going through, you know, tremendous heat, you know, episode, you know, the change in climate right now. And five years ago, we went through one as well, where, you know, the ocean heated up tremendously. So, when this happens, does it affect our aquifers in terms of capacity? Does that go down or how long does it take to go down when you have these environmental, you know, episodes that we go through from time to time every so many years? So, could you answer that question --

MS. BLUMENSTEIN: Yeah.

CHAIR LEE: --because it was, you know, you can see here that this picture alone is talking about sea level rise and climate change and so forth. So, all the things around us are being affected and dying in a sense, yeah. So, I just wondered how does it affect our water resources?

MS. BLUMENSTEIN: Well, so, what you're referring to when we're looking at, you know, short-term drought history and we generally see pump...you have less rainfall, you have more demand because it's...you're in drought. So, you're going to usually see rising chlorides and lower water levels. When we're looking at 20-year and beyond, we have studies showing us what we think decreased, and recharge and stream flows are going to look like from...we don't have this medium term 2020 through 2050, but we have from 2070 and beyond, where the US Geological Survey in collaboration with UH have quantified the percentage decrease by aquifer system for Maui based on anticipated decreases in rainfall, increase in sea level rise. So, that would impact chloride levels in specific aquifers where other wet areas may be getting wetter 'cause you're going to have different kind of issues. You have more storms so you have more turbidity and sediment issues with stream flow for example. So, those...the numbers are in the plan overall looking at decrease and recharge on just an island-wide basis, about 23 percent from 2070 on, and then those...

CHAIR LEE: Excuse me, did you say our...is...our resources are going to be depleted by 23 percent?

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MS. BLUMENSTEIN: The recharge, the groundwater recharge. So, if you have decreased rainfall, you have less fall capture and water that will infiltrate the soil and reach the aquifers. That natural recharge would decrease by 23 percent on an island-wide basis, if I'm not looking at specific --

CHAIR LEE: Right.

MS. BLUMENSTEIN: --aquifer systems...

CHAIR LEE: Okay. I'm sorry to keep you on that subject so long but, you know, just keep in mind that we're trying to follow along with you but we need to get all the basics down first, yeah, so that we can go probably a little quickly, more quickly in future presentations. Are there any more questions? Yes, Ms. Keani Rawlins --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR LEE: --Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: So, my first question is, can we propose edits, and what would that process look like if we did?

CHAIR LEE: Well, not right now though.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay, and not right now --

CHAIR LEE: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --like, you know, in this process.

MS. BLUMENSTEIN: Are you asking my input?

CHAIR LEE: Well, I'm...I would say yes because, you know, we're in charge of approving this --

COUNCILMEMBER RAWLINS-FERNANDEZ: This is our --

CHAIR LEE: --in the end --

COUNCILMEMBER RAWLINS-FERNANDEZ: --review --

CHAIR LEE: --yeah --

COUNCILMEMBER RAWLINS-FERNANDEZ: --and...

CHAIR LEE: --but --

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR LEE: --we need to have a clear understanding though of what kind of proposals, I mean changes we're going to propose, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right. Like so, I like the point that you made earlier, Chair, about, you know, perhaps we could include a chart here that would be exclusive to County, you know, the amount--let's see where--that you had projected. So, that we as the County, we pump or was 30-million gallons --

CHAIR LEE: Thirty-three.

COUNCILMEMBER RAWLINS-FERNANDEZ: --for the year?

CHAIR LEE: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, like I don't know if that would make sense here but I was just, after you had suggested that idea or discussed that idea, I was thinking that was a good idea. And if it was a good idea, that the Council would like to include it, at what point would we include it, and what would that, you know, ultimately look like in including it as an amendment.

MS. BLUMENSTEIN: Just in terms of the content looking at recharge decrease from climate change, long-term droughts, those are included. There is a table for each aquifer sector not in this chapter. But when we get to each regional aquifer sector, it looks at what is normal climate conditions now, sustainable yield for the aquifer system, what does recharge look like under drought conditions based on climate change. So, the information is provided for each region.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. That answered a different question that I was going to ask. So, mahalo for that response. But the question that I had just asked, so the Chair made a point that Figure 11.2 in the WUDP is all water. So, County, private--I don't know what else would be pumping in water--but that the point that she was making is that we don't pump and distribute 263 million gallons, and that we distribute 33 million gallons per year. And so, if there was like a separate chart that showed County only or maybe a different bar in the graph?

MS. BLUMENSTEIN: Yeah, it would be different in one way because I mean this compares demand to available water resources, and water resources are shared by different purveyors. So, I would have to do it just so, you know, we may pump a portion of Launiupoko Aquifer but then there's two other purveyors that pump some also. So, it would just have to represent the current demand and what the Department anticipate to pump from that particular aquifer sector by 2035, because the plan doesn't really...although it lays out how much we think the Department needs to develop source, it could also be that that source need to be developed by a private purveyor. But I will...I can do my best to incorporate something that illustrates that.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo. Yeah, it was just an idea. You don't have to. I just...I thought the Chair's point was a good idea and --

CHAIR LEE: Maybe you can --

COUNCILMEMBER RAWLINS-FERNANDEZ: --it's a...

CHAIR LEE: --make notes about that but don't be making changes just yet.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, yeah. And then, okay, so you answered my second question about the incorporating sea level rise, climate change. Did it...the--what is it--the assessed resource yield, does it also include the protection of traditional and customary rights and --

MS. BLUMENSTEIN: For --

COUNCILMEMBER RAWLINS-FERNANDEZ: --practices?

MS. BLUMENSTEIN: --each --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, it's broken --

MS. BLUMENSTEIN: --region...

COUNCILMEMBER RAWLINS-FERNANDEZ: --out in each --

MS. BLUMENSTEIN: No --

COUNCILMEMBER RAWLINS-FERNANDEZ: --region?

MS. BLUMENSTEIN: --no.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh.

MS. BLUMENSTEIN: The Matrix 10, Appendix 10, is the matrix that assess all strategies broadly. So, one for the Ka Paakai analysis and the impact on traditional and customary uses. For a specific source development project would be at a later stage when in the Capital Improvement Program, or the EA or the EIS, or the development permit when you have that site specific information. That is the way that it was proposed.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. So, Figure 11.2 on the...that you had on your presentation, so the question was in this where it shows 557 million gallons, did it incorporate in the assessed resource yield sea level rise, climate change, and T&C practices for the 557 when you calculated that total?

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MS. BLUMENSTEIN: The assessed resource yield is sustainable yield, which is established by CWRM --

COUNCILMEMBER RAWLINS-FERNANDEZ: CWRM.

MS. BLUMENSTEIN: --and the discussion of the different constraints, whether that could be climate change or something else, is addressed in each region. This Figure 11.2 is just the status quo I should say, the sustainable yield, assessed surface water flow that we know of today. So, it does not factor in...it doesn't show your range of assumed decrease based on decreased stream flow or decreased recharge in this figure.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, status quo.

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then two more questions, Chair. Section 11.3, I was trying...I read it to see what the ultimate build-out based on zoning including Ag meant, what was that discussion. And you responded to one of, I think it was Member Paltin's questions, calculating 5,000...was it 5,000 gallons per acre for Ag land? Is that calculation anywhere in the WUDP? 'Cause I was thinking it would be in Section 11.3, and it wasn't.

MS. BLUMENSTEIN: The tables that show demand projections and the factor, or the coefficient used, is only in the region specific plans, not in this summary.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, that the details that you responded, your...was in your response to Member Paltin is in the aquifer sections --

MS. BLUMENSTEIN: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: --and not in this --

MS. BLUMENSTEIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --general --

MS. BLUMENSTEIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --area? Okay. And then, okay, I think my last question will be more specific to the area regions, and I guess, it was going to be just if you calculated how much more water we could project if more loi kalo were developed and opened, and if...with permaculture? So, I probably think it's not factored --

MS. BLUMENSTEIN: It's --

COUNCILMEMBER RAWLINS-FERNANDEZ: --in --

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MS. BLUMENSTEIN: --not addressed --

COUNCILMEMBER RAWLINS-FERNANDEZ: --here.

MS. BLUMENSTEIN: --here but yes, when we get to the aquifer sector, it looks at loi kalo as a specific ag with the demands associated with wet kalo use, and then the different diversified ag by different crop, different demand then --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I --

MS. BLUMENSTEIN: --the crops --

COUNCILMEMBER RAWLINS-FERNANDEZ: --meant as a --

MS. BLUMENSTEIN: --with specific...

COUNCILMEMBER RAWLINS-FERNANDEZ: --recharge like because the longer --

MS. BLUMENSTEIN: Oh...

COUNCILMEMBER RAWLINS-FERNANDEZ: --water stays on land, the more the aquifer is recharged, the more water, you know --

MS. BLUMENSTEIN: The impact from the recharge.

COUNCILMEMBER RAWLINS-FERNANDEZ: --percolates down.

MS. BLUMENSTEIN: It is addressed in...when USGS looks at change in land uses over time and assumed that we would have more wet kalo, they did incorporate that as a factor. So, that would increase recharge.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. What --

MS. BLUMENSTEIN: It's --

COUNCILMEMBER RAWLINS-FERNANDEZ: --section --

MS. BLUMENSTEIN: --not...

COUNCILMEMBER RAWLINS-FERNANDEZ: --did you say? I'm sorry.

MS. BLUMENSTEIN: No, so, I'm just saying generally, when...so we're taking the climate projections that US Geological Survey and the UH had developed, and they're looking at rainfall over the next 100 years. They're looking at land use changes over the next 100 years. And when they're looking at land use changes, their assumption is that there would be...that one of the land use assumption is that there would be an increase in kalo, wet kalo, and that would impact recharge positively. So, it's not

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specifically...we have a reference to the study but we don't have that language in the plan.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Blumenstein. Mahalo, Chair.

CHAIR LEE: Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. I wanted to just add to this discussion about when you...if you do come up with a separate chart, can you also include agriculture 'cause it's important to my area, and I just wondered where it fits in all of these charts or the graphs that...

UNIDENTIFIED SPEAKER: Just subtract. Can you just subtract?

COUNCILMEMBER SUGIMURA: Well...

MS. BLUMENSTEIN: Looking at agricultural demand --

COUNCILMEMBER SUGIMURA: Yeah.

MS. BLUMENSTEIN: --projections?

COUNCILMEMBER SUGIMURA: Yeah. So, one includes ag and the others excludes ag, and your projected demand, base case, selected scenario --

MS. BLUMENSTEIN: Yeah, and --

COUNCILMEMBER SUGIMURA: --which we're looking at.

MS. BLUMENSTEIN: --as I said before, I think we shouldn't really pay too much attention to that figure because there is so much more details in the aquifer sector regional plans --

COUNCILMEMBER SUGIMURA: And we'll get it district...

MS. BLUMENSTEIN: --that explain, you know, specifically what crop is this based on, and is...does it include Kula Ag Park or not, and is it, you know, unirrigated pasture or not. So, a lot of the detail more than you want is in those aquifer sectors.

COUNCILMEMBER SUGIMURA: Okay. So, I'll just wait then. I thought if you're going to break it out, I would like to see that.

MS. BLUMENSTEIN: So, not in this chapter.

COUNCILMEMBER SUGIMURA: Yeah. And I know that the testifiers were talking about that maybe not community...enough community outreach was done with specific, you

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know, groups and it...in your...on your Page 145, 'cause I started looking at your list of 30 groups that you've outreached, and I guess it ties to your PowerPoint presentation, but it looks like you did significant outreach to Hawaiian groups. I just want to say that because if anybody was listening, and I don't think the *Akaku* thing is working quite properly, but that you did, it looks like you tried. So, I just wanted to acknowledge that. And I guess if anybody wants, they can come here and look at all these names, which was hard to read on your presentation just because of the background was, you know, kind of busy, but it's there, maybe not perfect but...

MS. BLUMENSTEIN: No, I think we put in a credible effort in reaching out to open public meetings --

COUNCILMEMBER SUGIMURA: Yeah.

MS. BLUMENSTEIN: --stakeholders, the Hawaiian community, farmers, realtors, developers. So, really try but it's, you know, you're always going to have...exclude someone or --

COUNCILMEMBER SUGIMURA: You can't --

MS. BLUMENSTEIN: --you know --

COUNCILMEMBER SUGIMURA: --get everybody.

MS. BLUMENSTEIN: --we only have so many meetings. There were 20 or 25 meetings but there's always going to be voices that have not been heard. So --

COUNCILMEMBER SUGIMURA: Right.

MS. BLUMENSTEIN: --yeah, like I said, this is not the end of the process and especially for the Ka Paakai analysis. I think this is more of the beginning --

COUNCILMEMBER SUGIMURA: Beginning.

MS. BLUMENSTEIN: --of the consultation.

COUNCILMEMBER SUGIMURA: Yeah, so hopefully, people will come. So, you know, they can contribute to the conversation so it would be more diverse. But thank you very much.

CHAIR LEE: Any more questions?

COUNCILMEMBER SUGIMURA: No.

CHAIR LEE: Okay. Eva?

MS. BLUMENSTEIN: Okay.

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CHAIR LEE: You can go to the next page.

MS. BLUMENSTEIN: Let's see. Where am I? Here. Okay. So, for just a...this is sort of how the next chapter is working. These are the island-wide resource strategies, which are more policies in nature than like source development strategies, right, because they apply everywhere. They're not specific to a region. So, for each strategy, you're going to have the issue identified, that meaning like the key issues that the community brought up that was...we heard through the Water Use and Development Plan or through General Plan process; the objectives of the strategy, which would include the General Plan and the Maui Island Plan objectives that pertain to that particular strategy; and the recommended strategy. And for...and the strategies here are divided into these different categories, resource management, conservation. It identify what planning objectives the strategy meets and estimated cost if applicable, and many of these resource strategies doesn't have an, a cost associated with it. The agency or the lead agency or agencies that are suggested, it doesn't mean that this is who is ultimately responsible to implement it, but a lot of these are collaborative efforts with...so we propose some of the agencies that we think should be involved or organizations or entities. And also, the timeframe, short or long-term, many of these are complex multi-year strategies. And some of these are policies that have been brought up by the community or discussed in this body but they have never really been formalized. So, this is kind of like maybe the tool or the forum to formalize them. And I did not include all the 62 or whatever strategies here, and I figure you...if you have questions on specific ones, you know, I'll...I'm here to answer, but I picked out some that are key and needs maybe a little background. And again, I want to emphasize that this is not the Department's strategies only, they apply to all water users, private purveyors, agriculture uses. So, the first category is water resource management and protection. And one of the key strategies there is financial support for continued weed eradication and ungulate control that is done in critical watersheds by watershed partnerships and other organizations. The critical watersheds meaning that the key recharge areas for freshwater supplies were identified by DLNR, and those are the areas that the Department funds but there's a number two strategy is there's certainly a room for a more distributed funding mechanism because a lot of these efforts do provide multiple ecosystem services that maybe water rates is not the right method to fund.

VICE-CHAIR PALTIN: Ms. Chair, can I ask a question?

CHAIR LEE: Sorry. Ms. Paltin?

VICE-CHAIR PALTIN: I just was wondering, you know, like when you talk about the watershed and the aquifers, and like to me based on like the traditional, ecological knowledge, the ohia tree and forest are kind of like a critical component to aquifer recharge, and I know the other islands have significant challenges with rapid ohia death. There's I believe two forms. But is there a section on here that looks at the problems to those types of resources that affect the recharge that haven't been identified yet? Like I think there's a pretty big die-off in Nahiku right of the ohia, but that's not...they're saying it's not identified as rapid ohia death. And so, like, you

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know, just these indicators of what a healthy watershed should be are showing bad indication like is there a section on here for things that, challenges that haven't been yet addressed?

MS. BLUMENSTEIN: Well, the plan doesn't go into depth of the individual...I mean it gives an overview of the organization entities and what their...what they identified as their primary threats and priorities. Through...so the strategy here is now to continue and make sure that financial support is continuous. It's something that those partners can rely upon year after year. So, it's not, you know, varies. And the other one is to further distribute that funding through other means whether that is General Funds or private purveyors.

VICE-CHAIR PALTIN: So, there's --

MS. BLUMENSTEIN: But then --

VICE-CHAIR PALTIN: --not...

MS. BLUMENSTEIN: --so the mechanism to fund that, you know, one of them is the Water Department's [sic] Grant Program. We fund...this year, we funded rapid ohia death coordinators to address specific Maui issues. And you will see a new proposal I guess in the Budget too to address that. But so those details are again, that's the project that is supported by this strategy. The strategy is broad, you know, make sure that you just have this continuous funding for the watershed partners and look at mechanism to diversify that funding.

VICE-CHAIR PALTIN: So, like I mean I don't...I guess to incorporate...I don't see anything that like, you know, something is going wrong, how do we address...like I mean there...these...even if these seem broad, it doesn't encompass like unforeseen threats kind of like something that's going on that's so bad that it's going to cause big trouble, and it's not really identified even within the broad categories.

MS. BLUMENSTEIN: So, well, so grant-funded watershed projects are based on a Watershed Management Plan, and that's the document that would identify those, you know, known --

VICE-CHAIR PALTIN: Unforeseen --

MS. BLUMENSTEIN: --and unforeseen...

VICE-CHAIR PALTIN: --circumstance.

MS. BLUMENSTEIN: Yeah. And say that the grantee, now you have West Maui and you suddenly have a rapid ohia death or some other new threat emerges, then, you know, the grant program is the vehicle to address that. That now you need to either, you know, refocus your funding or you need additional funding to address that on a specific timeframe...

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VICE-CHAIR PALTIN: So, that's --

MS. BLUMENSTEIN: So...

VICE-CHAIR PALTIN: --the known process to --

MS. BLUMENSTEIN: Yeah --

VICE-CHAIR PALTIN: --address --

MS. BLUMENSTEIN: --so that's --

VICE-CHAIR PALTIN: --the unforeseen...

MS. BLUMENSTEIN: --the project again, and this is sort of just make sure that you have that continuous support and that you're not just reliable...rely on water-rate-funded grant projects.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR LEE: Okay.

MS. BLUMENSTEIN: Okay. The case I've talked about one and two. Three, it's something that we heard from testifiers today too, expand watershed protection to incorporate the ahupuaa as a whole and use ahupuaa resource management practices. That is again I mean if you look at the...you have the Table 13, the last table in this chapter, Table 13-1 that summarize all the strategies and proposes the lead agencies. This would be something that the Department of Water Supply is not the lead agency but you may have public-private partnerships, Department of Land and Natural Resources, Maui County, the Aha Moku as the primary entities to address the makai lands where you don't have water-rate-funded watershed protection in critical watersheds. So, that's again, you know, looking at all the uses and responsibilities.

CHAIR LEE: Do you have a question? Mr. Sinenci?

COUNCILMEMBER SINENCI: Chair, I just wanted to make a comment that we had in this year's Budget, we had increased some of the budget for the eradication of the --

UNIDENTIFIED SPEAKER: Miconia.

CHAIR LEE: Fire ants.

COUNCILMEMBER SINENCI: --Miconia --

CHAIR LEE: Oh.

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COUNCILMEMBER SINENCI: --Miconia in East Maui. I just wanted to add that. That was part of the...thank you.

CHAIR LEE: Okay.

MS. BLUMENSTEIN: So, yeah, I wasn't going to go through each strategy and, you know, I think you have read them. So, I will just go through each slide briefly, and you tell me if you have questions on the strategies, if that make sense.

CHAIR LEE: Wait, Eva. Ms. Paltin?

VICE-CHAIR PALTIN: I had a question on the second half. Like when you're talking about protecting these groundwater from contaminants and things like that, is it like building cesspools over the groundwater? It...like is that what you're talking about or like --

MS. BLUMENSTEIN: Are you referring --

VICE-CHAIR PALTIN: --how would you...

MS. BLUMENSTEIN: --to number seven?

VICE-CHAIR PALTIN: Kind of all of them like well-siting criteria, when you talk about that, are you talking about where the well is sited, not digging cesspools in the near vicinity or wellhead...like is there like any kind of strategy about what you can do around in the perimeter of a well? Is that --

MS. BLUMENSTEIN: Yeah, so --

VICE-CHAIR PALTIN: --what you're talking --

MS. BLUMENSTEIN: --the --

VICE-CHAIR PALTIN: --about?

MS. BLUMENSTEIN: --number six and seven go hand-in-hand. Well siting criteria is to site a new well away from contaminating activities. So, that, you know, you protect the new well by making sure that you don't site it smack in the Industrial-zoned area or something like that, or makai of a lot of cesspools. Number seven, those are proactive wellhead protection measures for the wells you have in place. So, you already have the infrastructure there, how do you proactively protect those from getting contaminated? That is by restricting and addressing the land uses that are in that --

VICE-CHAIR PALTIN: And if --

MS. BLUMENSTEIN: --area.

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VICE-CHAIR PALTIN: --it's non-potable, you still want to protect the well or around the well?

MS. BLUMENSTEIN: This addresses potable water only.

VICE-CHAIR PALTIN: Oh, okay. Thank you.

CHAIR LEE: Okay, Eva. Eva, go ahead.

MS. BLUMENSTEIN: So, water quality management, I mean this addresses water quality for groundwater primarily as a potable source of water but surface water as well. The last one there just have an assessment done continuously. It was kind of done as a one-time shot but it's important to have...to know what those activities, potentially contaminating activities are in...as land use changes. So, that was the last strategy. Okay. So, conservation...

COUNCILMEMBER MOLINA: Chair? Sorry, I got a question --

CHAIR LEE: Yes --

COUNCILMEMBER MOLINA: --on that last --

CHAIR LEE: --Mr. --

COUNCILMEMBER MOLINA: --slide --

CHAIR LEE: --Molina?

COUNCILMEMBER MOLINA: --island water resource strategies, number eight, and which is educate the farming community in sustainable farming practices to reduce impact from agricultural practices on water resources. How is the...I know these are very broad objectives, but how is the Department going to do this? I mean to, you know, to educate the farming community, it's going to take monies to get out there and educate the people who do traditional and non-traditional farming practices. How will the Department approach this?

MS. BLUMENSTEIN: So, this will not be the Department as a lead agency. So, for this --

COUNCILMEMBER MOLINA: Okay.

MS. BLUMENSTEIN: --strategy, outreach would be primarily the lead agencies are Soil and Water Conservation Districts, State Department of Ag, and Department of Health. So, the --

COUNCILMEMBER MOLINA: Okay.

MS. BLUMENSTEIN: --Department would have no role in it because this addresses --

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COUNCILMEMBER MOLINA: Okay.

MS. BLUMENSTEIN: --non-potable water uses, agricultural practices. So, we have no expertise in that. I mean we may be part of it, a working group and whatnot, but --

COUNCILMEMBER MOLINA: Okay.

MS. BLUMENSTEIN: --this is sort of just pointing to needs that the community bring up as issues. It's not something that's being done adequately. So, it's --

COUNCILMEMBER MOLINA: Okay.

MS. BLUMENSTEIN: --sort of...

COUNCILMEMBER MOLINA: But the Department would have no involvement in this basically.

MS. BLUMENSTEIN: Very little.

COUNCILMEMBER MOLINA: Okay. All right. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So, I know this Table 13-1 is kind of a summary of the entire island, yeah. So, in looking at the aquifer sectors chapters, are there going to be more details in like the planning objectives? 'Cause it...for the planning objectives, it's kind of just like --

MS. BLUMENSTEIN: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: --protect water resources, and that's like a planning objective.

MS. BLUMENSTEIN: Yeah, planning objectives were addressed actually in Part I, the overall approach. So, how the plan objectives were derived through General Plan and the community plans, and the Water Use and Development Plan meetings sort of how they were established. So, the Table 13-1 really just point to what are those general...what general planning objectives does this specific strategy meet, but it doesn't elaborate more on that particular objective that was addressed in Part I.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. BLUMENSTEIN: But for each strategy too, I mean you have...we did put out the...for each strategy, you have the issue identified, constraints, concerns. The objectives that are General Plan, Maui Island Plan, community plan objectives, other, meaning Water

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Use and Development Plan, and other like stakeholder input. So, it is identified for each strategy within the chapter too but not summarized in Table 13-1.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Yeah, that was my question. So, the strategies will come in the aquifer sectors section?

MS. BLUMENSTEIN: Well, in this chapter as well. So, this is just a summary, but through the meats of Chapter 11, 12, and 13...11 and 12, does elaborate more on each strategy. So, that's why I thought, you know, some of these I really just try to summarize them here but we can go into details where you have questions on a specific strategy.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, these are the strategies but I guess I mean like how you'll achieve the strategies, the plan to achieve --

MS. BLUMENSTEIN: The --

COUNCILMEMBER RAWLINS-FERNANDEZ: --each strategy?

MS. BLUMENSTEIN: --implementation? Yeah, so that's...

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

MS. BLUMENSTEIN: For these ones, it's Chapter 13, just a broad overall. But then for each aquifer sector, we conclude with implementation of strategies for each chapter as well --

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

MS. BLUMENSTEIN: --for each aquifer sector.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Great. Thank you. Mahalo, Chair.

CHAIR LEE: Okay. Eva?

MS. BLUMENSTEIN: Yeah, it's a lot, I know. Okay. I think we've covered that. So, conservation, I mentioned earlier that we do foresee conservation to play a key role in meeting future demand. So, that would be not eliminating source development needs but it can delay source development needs. And you have several tables showing both what the Department does for our conservation program but they are also proposed for what other non-potable users, private purveyors can do. Some of the key strategies are regulatory measures, a conservation ordinance that would address and target the outdoor use. That is what we heard the community wants us to focus on between water rates and outdoor use, and target dry areas and new development. So, there's a lot of not low-hanging fruit, but those are effective measures that doesn't necessarily just apply to the Department system, that could apply to any new development. So, it doesn't matter who the purveyor is. So, comprehensive water

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conservation and including xeriscape regulations too, meaning that you rely more on ambient, natural rainfall rather than trying to convert the microclimate to look at something else. That saves water. It's more easy maintenance, a lot of benefits of doing that.

CHAIR LEE: How come Makena uses so much?

MS. BLUMENSTEIN: Because it's not xeriscaping.

CHAIR LEE: Because it's what?

MS. BLUMENSTEIN: So, the...I wanted to illustrate here, you have the rainfall isohyets or the average rainfall for the different districts of the island. And you show...it shows the average water use for single-family meters in those districts, and you can see that it's not directly related to rainfall. It's related to patterns, right, to water use patterns. So, that's why you have about the same amount of rainfall in Kahului and Makena but the average water use is quite different. So, and a lot of that is outdoor use. So --

CHAIR LEE: And why --

MS. BLUMENSTEIN: --this is the...

CHAIR LEE: --why?

MS. BLUMENSTEIN: Because you don't have climate appropriate landscaping or irrigation measures. So, you...if you have plans that cannot rely on ambient rainfall at all, they need an excessive amount of irrigation water. But if you substitute that with something that is...that can rely on the natural rainfall area, it can be beautiful xeriscape --

CHAIR LEE: So, based on --

MS. BLUMENSTEIN: --landscaping...

CHAIR LEE: --water rates, Makena subsidizes Wailuku? After so --

MS. BLUMENSTEIN: Well, they pay --

CHAIR LEE: --many --

MS. BLUMENSTEIN: --more --

CHAIR LEE: --thousand --

MS. BLUMENSTEIN: --for that.

CHAIR LEE: --gallons, they pay way more, right?

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MS. BLUMENSTEIN: They use more so there's more revenue, but there's a lot of potable water that could be offset for other potable needs, and you could reduce that what is truly a non-potable demand, irrigation.

CHAIR LEE: Okay.

MS. BLUMENSTEIN: So, that's...

CHAIR LEE: I will --

MS. BLUMENSTEIN: That will be a --

CHAIR LEE: --talk to the --

MS. BLUMENSTEIN: --big...

CHAIR LEE: --South Maui representative to take care of that. Okay.

MS. BLUMENSTEIN: Okay. Ag use and conservation is a big one too. And you'll see a lot of those strategies is really not the Department's programs, or lead agency. But same thing, what we're hearing from the community is to provide more technical assistance to focus on more climate adapted crops. Because again, you can offset, you know, that potable water is being used for non-potable needs. A lot of that burden we're putting on Department of Ag 'cause they are developing the agriculture Water Use and Development Plan. So, that's when you can look at climate specific crops. There's softwares [sic] and technical assistance through different organizations to help retrofit or for new farm developments to utilize that. Part of it is also having efficient irrigation, not spray irrigation if you can do drip and such. You have any questions on this or should I --

CHAIR LEE: No.

MS. BLUMENSTEIN: --go to the next?

CHAIR LEE: Keep pushing 'cause we're almost at --

MS. BLUMENSTEIN: Okay.

CHAIR LEE: --the end.

MS. BLUMENSTEIN: Yeah. Conventional water source is then development of ground and surface water sources, not recycled or other alternative water sources. And this get kind of lengthy and complex when you're getting into the meat of the strategies, but these are policies or ideas that have been discussed I know in this body too, and this is more a way to formalize them. For example, to make sure that we have the USGS hydrogeological studies done for areas where we don't have good information on

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recharge or how much groundwater or surface water is available before you develop new sources. And that should not just apply to Department of Water Supply but any new well or surface water development but still maintaining groundwater well within sustainable yield as the cornerstone to provide for planned growth. That's something else that the community has brought up to not to keep. Even though we know like sustainable yield, meaning the amount that can be sustainably drawn from groundwater is conservatively set, there's no need to bring that up to the upper limit.

CHAIR LEE: Yes, Ms. Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. I had a question on number 41, as well as the picture. Where would we find out what is the proper...how to do proper well siting?

MS. BLUMENSTEIN: So, yeah, it goes back to number 36. Both studies and modeling is a really good tool to put out potential scenarios of well pumping, saying that if we reduce the pumpage over here and we add two new wells there, what's that going to look like, what's going to happen to the water levels and the chloride over 30 years. That's a...

VICE-CHAIR PALTIN: Is there like a published best management practices of how to site wells like should they be close together, should they be far apart, and like that?

MS. BLUMENSTEIN: There isn't a formal guidance on spacing between wells. I wish there was but there isn't one. So, what the Department does, we rely a lot of those modeling efforts, again, USGS. I mean it's big bucks to do this but to run different pump scenarios and different sites what...how it looks, but then you're still going to have a private purveyor or other wells that, you know, we try to incorporate into that model. But it...but we talk about optimize spacing and withdrawals between everyone is...it...if the...this body says that using those models should guide pumpage for...throughout aquifers to...so we can meet planned growth and ensure the sustainability of that aquifer, that would --

VICE-CHAIR PALTIN: So --

MS. BLUMENSTEIN: --really help to rely on those models.

VICE-CHAIR PALTIN: --not really an exact science, it's just modeling.

MS. BLUMENSTEIN: It is, yeah.

VICE-CHAIR PALTIN: Oh, and then for the picture, like the first one has...it looks like the well is not pumping brackish water, and the second one it is pumping brackish water. And it kind of looks like if your well is pumping brackish water, it kind of negatively affects the whole aquifer because it like pulls up more seawater. Is that what --

MS. BLUMENSTEIN: Yeah --

VICE-CHAIR PALTIN: --the picture --

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MS. BLUMENSTEIN: --that's --

VICE-CHAIR PALTIN: --is saying?

MS. BLUMENSTEIN: --part of the strategy 41. So, promote well siting and optimize spacing and withdrawals. So, again, you use both models, and then we have the live information from the resource monitoring that you just generously agreed to fund earlier today. So, we know what's happening with water levels and chlorides throughout the aquifers with different pump scenarios to avoid that over-withdrawal, where... 'cause once you start up-coning, you're really withdrawing too much in one site. You know, you damage the aquifer. So, this is really... even though you have sustainable yield sets... gives you a number, but it doesn't tell you how to optimize and distribute that pumpage. So, that's what 41, that the goal is to avoid picture number two.

VICE-CHAIR PALTIN: But don't they regularly use brackish wells for non-potable uses or...

MS. BLUMENSTEIN: Well, so that's a separate thing. There's aquifers that are brackish in nature. Kahului Aquifer for example, has pretty... or Kamaole Aquifer I guess --

VICE-CHAIR PALTIN: Lanai.

MS. BLUMENSTEIN: --that... so where the primary water uses are for irrigation purposes throughout the aquifer. It's not that it was over-pumped, it's just low --

VICE-CHAIR PALTIN: That's how --

MS. BLUMENSTEIN: --level --

VICE-CHAIR PALTIN: --it looks is --

MS. BLUMENSTEIN: --closer to the --

VICE-CHAIR PALTIN: --brackish.

MS. BLUMENSTEIN: --coast, you're always going to have more brackish water.

VICE-CHAIR PALTIN: But... and so that doesn't affect the entire aquifer that it's pumping the water from if it's a brackish aquifer, negatively?

MS. BLUMENSTEIN: I'm sorry, what's the question?

VICE-CHAIR PALTIN: Like if you're pumping a brackish aquifer for non-potable purposes, it doesn't negatively affect the aquifer 'cause the whole thing is brackish?

MS. BLUMENSTEIN: Correct.

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VICE-CHAIR PALTIN: But if --

MS. BLUMENSTEIN: Or --

VICE-CHAIR PALTIN: --it's...

MS. BLUMENSTEIN: --you may have an aquifer that is more brackish closer to the coast, generally, the thinner the aquifer, you know, the shallower the aquifer, you're going to have more brackish water towards the coast. So, yeah, in theory, if you put in a giant well and pumped you're, you know, drawing more of that into the well, but no, it doesn't mean that if you're pumping brackish water for irrigation at a responsible level, that wouldn't damage the aquifer further makau, where--makau, did I say that?--mauka.

VICE-CHAIR PALTIN: Mauka.

MS. BLUMENSTEIN: I'm getting tired.

CHAIR LEE: Okay.

MS. BLUMENSTEIN: Yeah.

VICE-CHAIR PALTIN: Okay. So, it just depends, and then they can tell if the whole aquifer is supposed to be brackish or if it's coning, the expert folks?

MS. BLUMENSTEIN: Well, we know what the water quality and the water level baseline is. So, you want to see whether that changes, you know, if you have your water levels rising, your chloride levels rising, that tells you something about the trends. So, that's the monitoring wells, right? But the groundwater modeling is putting like fictitious rate scenarios, what happens if we put the well here, and we distribute this pumpage over here.

VICE-CHAIR PALTIN: Okay. I think I get it. So, like you never actually get the water out of the monitoring wells, it's to see what the baseline is supposed to be?

CHAIR LEE: Yeah. Okay.

MS. BLUMENSTEIN: Yeah.

CHAIR LEE: Just a quick question before I call on Ms. Rawlins-Fernandez. Eva, did you jump numbers on purpose?

MS. BLUMENSTEIN: Yes.

CHAIR LEE: Okay. Okay. I'm watching you, you know. There's 1,044 pages in this report, and how many people you have in your Division besides you?

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MS. BLUMENSTEIN: Well, we're nine including me but we were...three of us working on this.

CHAIR LEE: So, three of you to --

MS. BLUMENSTEIN: . . .*(inaudible)*. . .

CHAIR LEE: --implement all this? Okay. You're very good. I hope you're well-paid. Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Good job, Chair, the way to keep an eye on it. Okay. So, on...in...so in this table, Table 13-1, I see that you have a timeframe for the use, and it's a one or two. One is short-term, one to five years. Two is long-term, 5 to 20 years. And my question is, of all the ones, which is the short-term implementation items, do you have a prioritized list or expect to make one? There's a couple that I see that, you know, we could look to implement like, you know, this year or next year, like item 17 and 19, with the aggressive tiered rate structure based on audit and rate study, and grey water incentives. So, like those could be something that, you know, we as a Council can look at, you know, right away.

MS. BLUMENSTEIN: Yes and no. I mean I...so some of the projects and programs are already implemented or partly implemented. And I see this as being similar to the Maui Island Plan implementation where, you know, sort of like the implementation phase is a matrix of some format with prioritized strategies and more specific timeframes, and the lead agencies identified. I mean these are proposed but we assume that as these projects evolve and are, you know, scoped out, that those lead agencies or entities are going to change somewhat and the timeframe may vary. So, that should be a...to me, that should be sort of like that implementation phase two where the suggestions are tracked over the next 20 years.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. BLUMENSTEIN: Some...

COUNCILMEMBER RAWLINS-FERNANDEZ: And...

MS. BLUMENSTEIN: So, some of them are ready to go.

COUNCILMEMBER RAWLINS-FERNANDEZ: Great.

MS. BLUMENSTEIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes, yes, I like that. I...with the Molokai Community Plan, we're the first plan to prioritize our implementation items more than just a one and a two. And I thought that was really smart planning, and I'd love to see us do that with this plan. So, if they're ready to go, we're ready to go. Mahalo.

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CHAIR LEE: Okay. Eva, you just have few more pages.

MS. BLUMENSTEIN: Yes. Okay. Well, there is a lot of content--thank you again, a cocktail too, please--I don't have to really go through the specifics here. I mean I highlighted the ones that I thought are pertinent that warrant some discussion, but I can also just kind of wait for...if you have specific concerns or questions on them. Conventional water source development is the meat of the plan to...how to meet future demand over 20 years. And a lot of that is groundwater and to some extent surface water use. And these are more policies than the actual source development strategies then. So, for example, this one is already being implemented, 48, encourage Commission on Water Resource Management to prioritize establishing instream flow standards for diverted streams with potential conflicting uses. Well, they took that to heart, ____ I think they had the first one in Kona three, four years ago, and that's what they are doing. So, some of these strategies are policies that we're recommending to CWRM or other agencies too, and they wanted to know in fact what should they prioritize. Some of these projects add raw water storage to increase reliable supply once IFS are established. That is a policy but it's also dependent on additional information such as ditch flow analysis. Now, we have IFS established for some areas but we don't have a analysis of how much water is actually in the ditch and, you know, how can that be diverted during droughts and non-drought conditions. So, we need that data first before we can size a reservoir for example. So, some of these projects are long, multi-year projects, but it's establishing the policy that this is the direction we want to go. Number 55 was something also brought up by the community. The County agricultural parks is a efficient way to focus non-potable uses in...where you have the infrastructure already than have it all over the place, and then having more of the technical assistance and the improvements to infrastructure in the...in those locations. Kula Ag Park is one but it could be throughout all the regions. Alternative water source then is anything that's not groundwater and surface water. That's recycled water, stormwater capture, rainfall catchment. And most of these strategies are for Department of Environmental Management or the State, or even Public Works. So, that what we heard before it's really one water. There's a lot of benefits to incorporate strategies between the different departments even if it's just to work in closer collaboration so that we can look at more creative funding opportunities and how to offset potable water use when you can use R-1 or an alternative non-potable or less valuable source for irrigation uses. Even small things as incentive for rainwater catchment systems, just rain barrels, small projects that we're doing that it all...it's all different components to offset that potable water use.

CHAIR LEE: Okay. We have a questions. Ms. Paltin?

VICE-CHAIR PALTIN: Just quick one, I'm not sure what DWSRF is.

MS. BLUMENSTEIN: I'm sorry?

VICE-CHAIR PALTIN: On number 57, if you could say the acronym of...for...

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MS. BLUMENSTEIN: Oh, sorry, yeah, that's Maui Department of Water Supply and Maui Department of Environmental Management.

VICE-CHAIR PALTIN: Oh, I meant the --

MS. BLUMENSTEIN: Oh --

VICE-CHAIR PALTIN: --sorry --

MS. BLUMENSTEIN: --oh --

VICE-CHAIR PALTIN: --the DWS --

MS. BLUMENSTEIN: --oh sorry --

VICE-CHAIR PALTIN: --RF one.

MS. BLUMENSTEIN: --Drinking Water State Revolving Funding [sic]. Yeah, this is also...

VICE-CHAIR PALTIN: Oh, okay.

MS. BLUMENSTEIN: We have all --

VICE-CHAIR PALTIN: Thank you.

MS. BLUMENSTEIN: --this at the end. Yeah, so State Revolving Funds can be used not just for potable water development but it can actually be used for recycled water infrastructure as well.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR LEE: Yes?

COUNCILMEMBER RAWLINS-FERNANDEZ: On Page 241, that acronym is not defined.

MS. BLUMENSTEIN: Oops.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, maybe that one can be included.

MS. BLUMENSTEIN: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: I think DW...yeah. Mahalo. That's all.

CHAIR LEE: Are there any further questions? Any final comments before we close this meeting?

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MS. BLUMENSTEIN: No, you're going to be so tired of me after all these meetings here. But yeah, so I just want to reiterate, you know, the implementing actions, these are...a lot of these multi-year, you know, refining the scope and defining what the implementing agencies are, and then also like Member Rawlins-Fernandez said, I mean maybe even prioritizing them, but they are not mutually exclusive. I mean a lot of these are just policies that can...that the community and other bodies have looked at having done, and this is more of the document where they are formalized.

CHAIR LEE: Well, this is certainly an ambitious, you know, plan. That's why...and there's nine people...I mean, you know, nine people to implement it, so.

MS. BLUMENSTEIN: No, only two of us actually --

CHAIR LEE: Good luck.

MS. BLUMENSTEIN: --the other ones are doing other things.

CHAIR LEE: Eva, are you Norwegian?

MS. BLUMENSTEIN: The accent is Swedish.

CHAIR LEE: Okay. So, how do you say good afternoon?

MS. BLUMENSTEIN: Oh. God eftermiddag.

CHAIR LEE: Wait, wait. Try the first word. G...what?

MS. BLUMENSTEIN: God, G-O-D --

CHAIR LEE: G-O-D --

MS. BLUMENSTEIN: --Eftermiddag, E-F-T-E-R-M --

CHAIR LEE: --E --

MS. BLUMENSTEIN: --I-D-D-A --

CHAIR LEE: --F --

MS. BLUMENSTEIN: --G.

CHAIR LEE: --T-E-R --

MS. BLUMENSTEIN: M-I-D-D-A-G.

CHAIR LEE: --M-I-D-D --

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MS. BLUMENSTEIN: A-G.

CHAIR LEE: --A --

MS. BLUMENSTEIN: Eftermiddag.

CHAIR LEE: --G. Guf middag [sic].

MS. BLUMENSTEIN: God eftermiddag.

CHAIR LEE: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: After --

MS. BLUMENSTEIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --mid-day.

CHAIR LEE: I have --

COUNCILMEMBER RAWLINS-FERNANDEZ: It's like --

CHAIR LEE: --to...

COUNCILMEMBER RAWLINS-FERNANDEZ: --after mid-day.

CHAIR LEE: Oh, okay. I have to practice that. Any further comments or questions? If not, we're going to defer this --

COUNCILMEMBERS: No objections.

CHAIR LEE: --matter.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR LEE: And we'll see you next time, and you'll take us through the next chapter, Part III --

COUNCILMEMBER RAWLINS-FERNANDEZ: I do --

CHAIR LEE: --right?

COUNCILMEMBER RAWLINS-FERNANDEZ: --have a quick question?

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CHAIR LEE: Yes, Ms. Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: So, on your first slide, I'm so sorry, everybody, it said like...so the first meeting or the first presentation, the second presentation that we're on, the third, do you have an outline of what all six presentations will include like what sections each presentation will include so that I know which sections to be prepared to have questions for?

MS. BLUMENSTEIN: You're saying you want to have it before the next meeting, which aquifer sector we address first or just how...

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, so Part I, Part II, Part III, or at...

MS. BLUMENSTEIN: Yeah, so the next round is just Part III of the plan. So, it will start...it just starts on Chapter 14. So, Chapter 14 is Wailuku Aquifer sector, and then 15 is Central Aquifer sector. So, I envision we're doing them just in order starting --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. BLUMENSTEIN: --with 14, 15, on.

COUNCILMEMBER RAWLINS-FERNANDEZ: And then you said you're going to combine two aquifer sectors together?

MS. BLUMENSTEIN: Yeah, Koolau and Hana I had proposed --

COUNCILMEMBER RAWLINS-FERNANDEZ: Koolau --

MS. BLUMENSTEIN: --to combine.

COUNCILMEMBER RAWLINS-FERNANDEZ: --and Hana. Okay. All right.

CHAIR LEE: Any other questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: That's it. Mahalo.

CHAIR LEE: Mr. Pearson?

MR. PEARSON: I would like to say tack så ____ to Eva for her hard work today and in the --

COUNCILMEMBER RAWLINS-FERNANDEZ: Tack så --

MR. PEARSON: --past.

COUNCILMEMBER RAWLINS-FERNANDEZ: --mycket.

MR. PEARSON: Tack så ____, that means thank you.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Mycket.

MR. PEARSON: Mycket. Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: I lived --

MR. PEARSON: I'm only--

COUNCILMEMBER RAWLINS-FERNANDEZ: --in Sweden.

MR. PEARSON: --half-Swedish.

CHAIR LEE: Oh --

COUNCILMEMBER RAWLINS-FERNANDEZ: Tack --

CHAIR LEE: --okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: --så mycket.

CHAIR LEE: Very good. All this international flavor. Okay. This meeting is in recess...I mean this matter is deferred, I'm sorry. . . .(gavel). . .

ADJOURN: 4:19 p.m.

APPROVED:



ALICE L. LEE, Chair
Water and Infrastructure Committee

wai:min:190930:acqp

Transcribed by: Ann Carmel Q. Pugh

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CERTIFICATE

I, Ann Carmel Q. Pugh, hereby certify that 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 14th day of October, 2019, in Kihei, Hawaii



Ann Carmel Q. Pugh