

# **WATER, INFRASTRUCTURE, AND TRANSPORTATION COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**June 15, 2020**

**Council Chamber, 8<sup>th</sup> Floor, and  
Online via BlueJeans Link**

**CONVENE:** 1:31 p.m.

**PRESENT:** Councilmember Yuki Lei K. Sugimura, Chair  
Councilmember Alice L. Lee, Vice-Chair  
Councilmember Riki Hokama  
Councilmember Tasha Kama  
Councilmember Kelly Takaya King (1:56 p.m.)  
Councilmember Michael J. Molina  
Councilmember Tamara Paltin  
Councilmember Keani N.W. Rawlins-Fernandez  
Councilmember Shane M. Sinenci

**STAFF:** Richard Mitchell, Legislative Attorney  
Lesley Milner, Legislative Analyst  
Laksmi Abraham, Legislative Analyst (trainee)  
Rayna Yap, Committee Secretary

Kate Griffiths, Executive Assistant to Councilmember  
Kelly Takaya King  
Christi Keliikoa, Executive Assistant to Councilmember Tamara  
Paltin  
Lois Whitney, Executive Assistant to Councilmember  
Tasha Kama

**ADMIN.:** Scott Teruya, Director, Department of Finance (WIT-96)  
May Anne Alibin, Deputy Director, Department of Finance  
(WIT-96)  
Jeffrey Pearson, Director, Department of Water Supply (WIT-25)  
Eva Blumenstein, Water Resources and Planning Program  
Manager, Department of Water Supply (WIT-25)  
Jennifer Oana, Deputy Corporation Counsel, Department of the  
Corporation Counsel

**OTHERS:** Kaneloa Kamaunu (WIT-25)  
Lucienne de Naie (WIT-25)  
Carol Kamekona (WIT-25)  
Clare Apana (WIT-25)  
Ke`eaumoku Kapu (WIT-25)

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

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CHAIR SUGIMURA: . . . *(gavel)* . . . Good afternoon, everybody. Welcome to the Water, Infrastructure, and Transportation Committee. . . . *(inaudible)* . . . can you hear me? Okay. Tasha's here. Riki Hokama, Kelly King...

COUNCILMEMBER KAMA: Sorry, I couldn't find my mute button.

CHAIR SUGIMURA: Oh. Hi, Tasha. Mike Molina.

COUNCILMEMBER MOLINA: Aloha and good afternoon, Chair.

CHAIR SUGIMURA: Good afternoon. Tamara Paltin from Lahaina.

COUNCILMEMBER PALTIN: Aloha 'auinala, Chair.

CHAIR SUGIMURA: Aloha. Keani Rawlins-Fernandez, I don't see her on yet. And Shane Sinenci from Hana is here. Hi, Shane.

COUNCILMEMBER SINENCI: Aloha from Hana. Aloha.

CHAIR SUGIMURA: Aloha. So we have quorum, Members. We can conduct this meeting. Two...I have two items on my agenda. And from the Administration, Scott Teruya, he's online already, he'll be joining us. Jeff Pearson is going to be joining us about two o'clock. Eva Blumenstein is online, I saw her earlier. Jennifer Oana is from Corp. Counsel. Jennifer, are you here, Corp. Counsel?

MS. OANA: Good afternoon, Chair.

CHAIR SUGIMURA: Oh, you're here?

MS. OANA: I'm here.

CHAIR SUGIMURA: Okay.

MS. OANA: Good afternoon.

CHAIR SUGIMURA: Okay. Oh, very good. Hi, Jen. I see Keani just logged on, too. I saw Keani. And Committee Staff, I...

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha, Chair.

CHAIR SUGIMURA: Aloha. Oh, there you are, Keani, hello. . . . *(inaudible)* . . . is Laks Abraham; and Lesley Milner; Rayna Yap; and Richard Mitchell, Legislative Attorney. And I have two agenda items on my agenda which is WIT-96, Countywide

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System and Online Invoicing and Online Payment; as well as the Maui Island Plan, our last aquifer which is Lahaina, West Maui. So those are the two items on my agenda. We have testifiers here, Laks?

MS. ABRAHAM: Chair, we currently have one person signed up to testify.

CHAIR SUGIMURA: Okay. Very good. So everyone's welcome to testify via phone or video conferencing or also written testimony to the Committee. I guess that person who signed on has our code to sign on. And you're limited to the two items on the agenda. You may testify for three minutes with up to one minute to conclude. When testifying, state your name, name of your organization you may be representing, and if you're a paid lobbyist, please inform the Committee. And, also, viewers can see this on Channel 53, *Akaku*. And may I remind everyone to please be patient as we continue to navigate this new platform. I'd like to proceed with public testimony. Laks?

**. . . BEGIN PUBLIC TESTIMONY . . .**

MS. ABRAHAM: Aloha, Chair. The first testifier is Kaneloa Kamaunu from Aha Moku. Please unmute yourself and provide your testimony.

MR. KAMAUNU: Aloha mai kākou. Kaneloa Kamaunu from Waihe'e. So, as I looked at the update, you know, we were involved in this, I don't know how many years ago. And it still fails to address one of the most important things is how you going to supply with all the construction that's coming up, especially on the south side of this island, and also we just got informed of another development coming up in the Waiehu area. And looking at the studies, how do you expect to fulfill the water needs when one right now according to the Water Department your system isn't functional. We have pumps that are down, people are being asked to ration their water, and yet we are still imposing developments that require water, especially concerning the south side. Since according to the plan, the Central area is provided by basically Na Wai `Eha, and that water's being also sent to the south side. So, . . . *(inaudible)* . . . the reality of the plan that they put together. As I was previously when they brought this forward I don't know how many years, this thing hasn't been brought forward. And also as Kanaka Maoli, and one that testified as kuleana, been recognized by this Council several times as kuleana. And being involved with the Na Wai `Eha case, even though I'm not with the Hui o Na Wai `Eha, that case was based on my participation also as kuleana from Waihe'e. And so, you know, I feel that we not given the respect as a people that actually have a vested water right. We are seemed to be put at the end of the discussion when actually we should be at the forefront. Aha Moku also is a legislative act under 212 which imposes that resources that are protected by use improperly or can and may improperly use the resource, the consultation with the Aha Moku needs to be made, and since the water, a lot of the water is for the use on the south side is from this area as Wailuku Moku Chair, for the Water Committee, I just imperative that the County sits down with us prior to implementing or agreeing to the update. 'Cause there's a lot of stuff that's, that, you know, really doesn't work out. Lack of a better word, I think it's incompetence on the County's side. That they don't take into view

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the proper concerns. They list it there, but they don't address it. Thank you.

CHAIR SUGIMURA: Members, anybody have questions? I just got a text that we're not on *Akaku*. One moment, hold your questions. Rayna?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, you are. Chair, you are on *Akaku*.

CHAIR SUGIMURA: Oh, really?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR SUGIMURA: Somebody texted me saying we're not. Okay, thank you. Thank you, thank you, Keani. Anybody have questions, please?

COUNCILMEMBER SINENCI: Chair?

CHAIR SUGIMURA: Oh. Sure Shane; and then next, Tasha Kama.

COUNCILMEMBER SINENCI: Thank you, Chair. And mahalo, Mr. Kamaunu, for being here and representing Aha Moku o Wailuku. So, it looks like when we're considering water rights, I know that the DHHL has input into how much they need for Hawaiian homesteads. Is there any policies as far as kuleana rights to water?

COUNCILMEMBER KAMA: Yeah.

MR. KAMAUNU: I would say yes. That's already been recognized even in the CWRM, we actually have priority. And this is an area that I fought for as part of the Na Wai `Eha case. My whole thing was the kuleana rights, which is rights that already vested. Rights that are already implemented. I know the County doesn't recognize the Kingdom of Hawaii, but whether or not they do, it's still a right that I have that is still derived from the Kingdom. And so, whether or not you count the Kingdom whatever, those things already been implemented and we have the rights through that which is, you know, like for me, I'm still traditional. My land is still under kalo. I haven't \_\_\_\_\_ the property with, you know, for real estate purposes. Our property still as was from the beginning and so, you know, basically we live the law of the kuleana. Whether or not the western or this Committee or this venue has provided how much, I didn't see it. I've never seen amounts placed but right now what I have is sufficient and that's what I want to maintain. There is no set record of how much we can take. Or even according to the permit, they only ask you what you have at this time. But even on the State permit, it doesn't regulate us 'cause it states even though if I don't apply for the permit, my rights don't change. So, if you want to know about what the rightful amount is, then that would have to go back to what it was originally, which would take us back to the Kingdom when it was first asserted. Hopefully that answers your question.

COUNCILMEMBER SINENCI: Yes, it does. Thank you for that information. Mahalo, Chair. Thank you.

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CHAIR SUGIMURA: Thank you. Tasha Kama is next, and before that, Rayna, can you check with *Akaku*? There's not any reception on parts of Maui. I still got another text saying they're...

MS. YAP: Will do.

CHAIR SUGIMURA: Oh, meetings are...our meeting is no video. I wonder if there's audio. Can you check with *Akaku*, Rayna? Thank you. Proceed, Tasha, with your question.

COUNCILMEMBER KAMA: Thank you. Thank you, Kaneloa, for coming again. So, I just wanted to ask a clarifying question. You said in your testimony that...and I just want to quote because that's the only words I got, that there was incompetence on the County's side. Could you clarify that, what did you mean by that please?

MR. KAMAUNU: Because, you know, the time . . . when you look at the plan, it doesn't address, and it doesn't give, I believe . . .

MS. MILNER: I'm sorry to interrupt, just one second. We have someone who's sharing their screen --

UNIDENTIFIED SPEAKER: Oh.

MS. MILNER: --if you could stop doing that. You're logged in as guest. If you don't stop sharing your screen, we're going to have to drop you from the meeting and you...yeah. If you could stop sharing your screen, that would be great.

CHAIR SUGIMURA: Oh.

COUNCILMEMBER KAMA: Drop them already.

VICE-CHAIR LEE: Delete them already, drop them.

MS. MILNER: I'm going to drop you from the meeting, please call back in.

CHAIR SUGIMURA: Thank you.

MS. MILNER: I apologize for the interruption of your testimony.

CHAIR SUGIMURA: Okay. Tasha?

COUNCILMEMBER KAMA: Kaneloa, can you begin again please?

MR. KAMAUNU: Sure --

COUNCILMEMBER KAMA: Thank you.

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MR. KAMAUNU: --you know, when we first met with the...on this plan, there were a lot of questions and a lot of those questions still haven't been addressed, still haven't been answered. I mean, to have a plan that's still being a work in process for how many years and still falls short, you know, 'cause you guys have all this problems with the water system right now with it being down, with difficulty of getting the amount of water 'cause the pumps aren't working. And then you want to make a plan on...I think part of it \_\_\_\_\_ was talking about creating water. And yet, a lot of the things that are implemented basically doesn't allow water to be...how can I say...want to be...go back to the aquifer. You look at a lot of developments, you have cement, you have asphalt which interfere with the precipitation and, you know, reentering into the aquifer. So, I don't know how you expect to give out water to new expansions such as places like the Grand Wailea with their 100-something rooms coming up, and I believe here in Waiehu another 121 residential homes. I don't understand how can you...it cannot be...can be considered incompetent if you're building another structure that can't support it. Especially for water. You're looking...you can't tap into the aquifer because the lens is at its breaking point. Even USGA said that too several years ago. We're just at the brink, and then now you want to come to surface water. And then again, you know, that is, you know, that is a not something that's...how can I say, I want to say that it's...so, it's a resource that's, you know, it's not ongoing forever, I should say this, there's things in nature that you cannot control for it to be present all the time at a certain point. And so, they have to . . . *(inaudible)* . . .incompetent because when I addressed the Aha with the Mayor and suggested that with all the rainfall that we've been having over the years, why didn't the Water Department put in some kind of catchment law with these buildings that are coming up should have some kind of catchment to catch all the rainfall. But yet, according to them, the report was the Department didn't want to. Why? I don't understand. I mean, that's a resource that was plentiful. There was a lot of rain coming down within the last several years, but they did nothing to incorporate that and they still don't.

COUNCILMEMBER KAMA: Okay.

MR. KAMAUNU: And they still don't believe in that --

COUNCILMEMBER KAMA: Okay.

MR. KAMAUNU: --so, to me that's incompetence. I mean if you just don't care, there's other ways to implement, but which they don't. So, for me, I see incompetence.

COUNCILMEMBER KAMA: Thank you, Kaneloa. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Anybody else have questions? Seeing none, thank you very much for testifying.

MR. KAMAUNU: You're welcome.

CHAIR SUGIMURA: Thank you. Next testifier.

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MS. ABRAHAM: Our next testifier is identified as FM. F as in Frank, M as in Mary, followed by phone number ending in 0147. FM, please unmute yourself, identify yourself, and provide your testimony.

MS. MILNER: FM, I'm going to unmute you in case you're having problems with that. Okay, not hearing any testimony, I'm going to mute you again.

CHAIR SUGIMURA: Thank you. Next testifier.

MS. ABRAHAM: Chair, our next testifier is phone number ending in 0147, followed by Lucienne de Naie. Zero one four seven, please unmute yourself and identify yourself and provide your testimony.

MS. MILNER: It looks like we've lost connection.

CHAIR SUGIMURA: Okay.

MS. ABRAHAM: Okay, our next testifier is Lucienne de Naie, followed by Carol Kamekona. Please unmute yourself and provide your testimony.

MS. DE NAIE: Mahalo, this is Lucienne de Naie, and I did send in some written testimony earlier this morning and a couple of maps for your consideration. I'm representing the Sierra Club Maui group here today. We just suggest that the plan use the updated sustainable yield guidelines that are provided in the updated water resource protection plan from 2019. And our reasons why is this plan's supposed to last 20 years, and it's using the 2008 water resource protection plan data. The data has really changed by about, I don't know 60-some million gallons a day, 67 million gallons a day predicted less water available in the updated plan. And those are based on more current figures and current studies. The 2008 maps that are in the plan and the figures that are referred to in the plan as sustainable yields for different aquifers were based on studies done in like 2004, 2006, so they're getting aged. I think you could probably have staff do a, you know, find and replace with this data. It probably would take some work but if you're going to have a 20-year plan, you should have the latest data to work with. This has the most effect in East Maui. The two East Maui aquifer sections, Ko'olau and Hana would each have adjustments. One would be 23 million gallons less sustainable yield per day and one would be 44 million gallons. That includes Hana Town. So, I know these are not the areas of greatest demand, but there are thoughts of going to East Maui to satisfy water demands of other areas, so it would be good to get the accurate information and base any kind of drought planning on these revised figures. And then quickly to the Lahaina sector, you know, it...all the report is based on 2014 reporting figures because they had to start somewhere when they were starting this report. And a lot of things have changed since then and it's just not clear how all of the flexibilities' going to be built in like it seems to me from reading the Lahaina sector that what's going to happen is if the County's proposed new wells do not pan out, they're just going to turn to Honokohau Stream for more water, and there's others who have a different vision for Honokohau Stream and it's really not discussed how that's going to work out. So, there are wells that have good

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capacity in Kapalua that are privately owned. And at one time the County had thought about maybe making an offer to take over that system, and I just think something like that should be under discussion in this report because we're looking at alternatives. It's like if Plan A doesn't work, what is Plan B? And if Plan A is going to, you know, drill wells, if they don't work, Plan B is Honokohau Stream, but Plan B comes with a lot of downside. If we're trying to grow food, Honokohau was the breadbasket of this island. It was where a lot of food was grown and don't the people who want to grow food there deserve the water? So, just some food for thought, there are some things that really need to be, I think, addressed in here and also 2014 and those times we didn't see the tug of war over water that we have in Launiupoko and Kauaula Valley. It's gotten to where violence is taking place there against some of the local families and water planning can't solve social ills, but we can't just plan that water can be exploited and we don't talk anybody in the valley and see what that means to them. I'm kind of making Kaneloa's point again. It's like, there's a very active community there in Kauaula Valley, they're actively trying to grow food and have been for years and years before it was fashionable, and they just deserve to have voices in this finalization of the plan. Mahalo.

CHAIR SUGIMURA: Thank you, Lucienne. Tasha Kama has a question.

COUNCILMEMBER KAMA: Thank you, Chair. Well, Lucienne, early on in your testimony you stated that you had sent over some materials or some maps to the Committee and so, Chair, I didn't...I don't have it on Granicus, did --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KAMA: --we not get it?

MS. DE NAIE: My apologies, it was just this morning when I sent them over --

COUNCILMEMBER KAMA: Oh.

MS. DE NAIE: --maybe about 10 o'clock or 10:30.

CHAIR SUGIMURA: Oh, that's why.

COUNCILMEMBER KAMA: Oh, I see. Oh yeah, it's...okay.

MS. DE NAIE: Yeah, there are two maps --

COUNCILMEMBER KAMA: Oh.

MS. DE NAIE: --which, you know, one is from the 2008 Water Resources Protection Plan, and one from the 2019 update. But probably your Staff can rustle those up.

CHAIR SUGIMURA: Yeah, so maybe you could resend it. Oh, I see Rayna.



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MS. DE NAIE: Oh, okay.

CHAIR SUGIMURA: Hi, Rayna.

MS. DE NAIE: So, Rayna, should I send it to, resend it to WAI [sic] Committee?

MS. YAP: No, we have it currently in Granicus if the Members would just refresh your Granicus --

CHAIR SUGIMURA: Oh, okay.

MS. YAP: --it'll open.

COUNCILMEMBER KAMA: Okay.

CHAIR SUGIMURA: Thank you.

MS. YAP: Thank you.

COUNCILMEMBER KAMA: Okay.

MS. DE NAIE: Thank you so much, Ms. Yap. That's appreciated.

COUNCILMEMBER KAMA: And then --

MS. YAP: Thank you.

COUNCILMEMBER KAMA: --the second...thank you, Chair. And the second thing is, Lucienne, are you able to stay and be a resource, Chair, for when we talk on the issue?

MS. DE NAIE: Oh, yeah, I think, God willing that my internet doesn't --

COUNCILMEMBER KAMA: God willing.

MS. DE NAIE: --go down. . . . *(laughter)* . . .

COUNCILMEMBER KAMA: Lucienne, God is always willing.

MS. DE NAIE: Yes, you notice I'm not using my video. I'm saving every bit of bandwidth so hopefully yes. Yes, I'd be happy...

COUNCILMEMBER KAMA: Thank you.

MS. DE NAIE: Yeah, sure.

COUNCILMEMBER KAMA: Thank you, Chair.

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CHAIR SUGIMURA: Okay.

MS. DE NAIE: All right. Bye, bye.

CHAIR SUGIMURA: Thank you. Welcome, Kelly King. I see Kelly joined the meeting. Hi, thank you.

COUNCILMEMBER KING: Good afternoon.

CHAIR SUGIMURA: Anybody else have questions? Hi. Okay, next testifier.

MS. ABRAHAM: Our next testifier is Carol Kamekona, followed by Claire Apana. Please unmute yourself and provide your testimony. Carol Kamekona?

MS. KAMEKONA: Unmute?

MS. ABRAHAM: Carol, oh, I think you got it.

MS. KAMEKONA: Hello, can you hear me?

CHAIR SUGIMURA: Yeah, we can hear you.

MS. KAMEKONA: Aloha, my name is Carol Lee Kamekona. The current Water Use and Development Plan before you is based upon water data from 2014 Water Commission reports. Within the last couple years, I am aware of couple lo'i kalo patches that have been planted. Also, with the current pandemic of COVID-19 that has affected many of our local residents, there has been an uptick of family gardens planted for self-sustainability. Six years is a long time. Much can happen as is evidenced with COVID-19 in just three months. The Water Use and Development Plan assumes past averages can be utilized to determine future averages. I beg to differ. Past averages should be used as a guideline in determining future averages, not an absolute. Therefore, I am requesting this body to acquire an updated report on water data usage, et cetera, to be more in sync with our current situation due to COVID-19. I would also suggest a water budget be determined for standardization. Mahalo for the opportunity to address my concerns.

CHAIR SUGIMURA: Thank you. Anyone have questions? Tamara Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Kamekona. I just wanted to clarify when you're talking about updated numbers, like, you're not talking about updated numbers of the level of water that's currently being used, but more so of what is needed for stream flow and like that? Because I think right now we're not using that much in the resort areas in comparison to what we've historically used.

MS. KAMEKONA: That is correct.

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CHAIR SUGIMURA: Okay.

MS. KAMEKONA: Because of the situation of COVID, resorts have not been using as much. However, there are many farmers and residents that have already started building raised gardens, kalo patches and stuff. So, although it hasn't equaled out the amount of usage between resorts and families, I still think that an update needs to be brought forward.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR SUGIMURA: Thank you. Anyone else have questions? Ms. Kama, you have your hand up? Okay, Tasha Kama. Your...

COUNCILMEMBER KAMA: . . . *(inaudible)* . . . Okay, so, thank you for being here Carol Lee. So, I have a question, you know when you talk about the amount of water, the uptake, or the usage, are you talking about domestic water or ag water?

MS. KAMEKONA: It would be all. All waters that are being regulated, determined, agriculture, domestic...

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KAMA: Okay. Okay, thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Anyone else have questions? Seeing none, thank you very much. Next testifier, Claire Apana. Claire Apana?

MS. MILNER: Claire, I think you're muted and I can't unmute you from this side because you muted yourself. Claire, you're still muted.

MS. APANA: Am I okay now?

CHAIR SUGIMURA: Yes.

MS. MILNER: There you are.

MS. APANA: Okay, sorry about that. Good afternoon again. First of all, I just want to support what Kaneloa Kamaunu said. He's been trying to get this point across for so many years and it is so important for our sustainability that the kalo farmers have their water as they supposed to. So, that just my first point. My second point is I hope that you took to heart my last testimony that I actually have been doing this testimony for several years that the water use plan must be made so that we will have objective and measurement to move towards. And third, I'd like to say that I turned in a plan last time, which was an ordinance that was passed in 2008 and I think I hoped that you looked at and take some of the ideas. It was written really for South Maui, and I think that really South Maui needs to have a plan. They use so much more water than all of Kahului and Wailuku. You know, we have some...we have more

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people in our area and we use less water and I think that it's time for South Maui to start really having a plan to decrease their usage. And then third, I'd like to say, are we ever going to try to plan to not have to give water from Iao to South Maui, Makena, Wailea? You know, is there a plan to make that so that everybody will be more efficient such as reusing the R-1 water for watering landscaping? You know, many of the hotels do not reuse water, and I believe that they should. They're taking our water from Iao and stressing the aquifer when what really needs to happen is better water conservation and reuse. So, thank you very much for allowing me to say that today.

CHAIR SUGIMURA: Thank you. Anyone have questions for Ms. Apana?

COUNCILMEMBER KAMA: I do.

CHAIR SUGIMURA: Oh, Ms. Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, Claire --

MS. APANA: Yes?

COUNCILMEMBER KAMA: --that plan that you said you had written, you had submitted years ago --

MS. APANA: I submitted it...

COUNCILMEMBER KAMA: --who has that plan?

MS. APANA: I submitted it at the last testimony for Wailuku.

COUNCILMEMBER KAMA: You know what, I may have gotten it, I'm not sure. But could you resend?

MS. APANA: Sure, it's in the 2008 --

COUNCILMEMBER KAMA: Okay.

MS. APANA: --minutes of the Water Committee.

COUNCILMEMBER KAMA: Okay.

MS. APANA: Yeah.

COUNCILMEMBER KAMA: I'd like to read that.

MS. APANA: I would be happy to resend it.

COUNCILMEMBER KAMA: Thank you.

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MS. APANA: It's a --

CHAIR SUGIMURA: Thank you.

MS. APANA: --really good place to start.

COUNCILMEMBER KAMA: Thank you, Chair.

MS. APANA: Thank you.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KAMA: Thank you, Claire.

CHAIR SUGIMURA: Anyone else?

MS. APANA: Mahalo.

CHAIR SUGIMURA: Thank you, Ms. Apana, for your . . .

MS. APANA: Do you mute me or do I have to do it?

CHAIR SUGIMURA: You . . . you're muted.

MS. APANA: Does your web master unmute me? Does she mute me?

CHAIR SUGIMURA: You're muted but I can still hear you.

MS. APANA: Okay.

CHAIR SUGIMURA: Okay.

MS. APANA: Got it.

CHAIR SUGIMURA: Next testifier.

MS. ABRAHAM: Our next testifier is Ke`eaumoku Kapu. Please unmute yourself and identify what organization you represent and provide your testimony.

COUNCILMEMBER PALTIN: Can he also unmute his video if he wants to? Thank you.

MS. MILNER: It shows you're unmuted but we can barely, barely hear you.

MR. KAPU: Okay, how's that?

MS. ABRAHAM: Still very quiet.

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CHAIR SUGIMURA: Ke`eaumoku, can't hear you.

MR. KAPU: Hi.

CHAIR SUGIMURA: Oh, I can hear you now.

MR. KAPU: Okay --

CHAIR SUGIMURA: I can see you.

MR. KAPU: --you got me?

CHAIR SUGIMURA: Okay.

MR. KAPU: I got my . . . *(inaudible)* . . .

CHAIR SUGIMURA: Can't hear you, Ke`eaumoku.

COUNCILMEMBER KING: Try turning your volume up.

MR. KAPU: I did. I am all the way up. Hi.

MS. ABRAHAM: We can hear you now.

MR. KAPU: Hello. Got it?

CHAIR SUGIMURA: Okay.

MR. KAPU: Okay.

CHAIR SUGIMURA: Can't hear you, Ke`eaumoku.

MR. KAPU: . . . *(inaudible)* . . . all the way.

CHAIR SUGIMURA: That's all the way?

MR. KAPU: Yeah, it's up all the way.

MS. MILNER: Did you set your phone down on something? It's possible it might be sitting on the microphone.

MR. KAPU: So, how's that?

MS. ABRAHAM: Good.

CHAIR SUGIMURA: Okay, try it.

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MR. KAPU: Yeah, I must have very bad service. How's that?

COUNCILMEMBER KAMA: Try pick 'em up and hold 'em.

MR. KAPU: I am walking around now.

CHAIR SUGIMURA: Oh, get better reception.

MR. KAPU: How is this?

COUNCILMEMBER KAMA: I can hear better --

CHAIR SUGIMURA: You're video is off.

COUNCILMEMBER KAMA: --but there's no video.

MR. KAPU: No video.

COUNCILMEMBER KAMA: Okay now --

CHAIR SUGIMURA: Okay now.

COUNCILMEMBER KAMA: --you good.

COUNCILMEMBER PALTIN: I think outside is better maybe.

MR. KAPU: Okay. Can you hear me?

COUNCILMEMBER PALTIN: Yeah.

COUNCILMEMBER KAMA: Yes.

MR. KAPU: Okay. Hi, once again. Mahalo for allowing me to testify. My whole issue with this whole water management is where I live in Kauaula Valley, it's not a water management area. So, basically it's run by a public utility company, private watershed. But when the County looks at the overall view of water usage, I don't know where I fall in that area because my valley is not . . . *(inaudible)* . . . determined by a public utility company. And the prior battles that I've been facing the past 17 years as everybody knows. Now that I have established a claim through . . . *(inaudible)* . . . where does that put me in the . . . *(inaudible)* . . . I am responsible to manage four acres of land. I filed my application for water use permit just . . . *(inaudible)* . . . that I have kuleana water rights now and the assessment that was done by the County that the Westside only has a total of seven to eight acres of kalo cultivation, I don't know where that number comes from because where we live in Kauaula Valley, I can more assure that there's probably pretty close to seven or eight acres of land where I live only. . . . *(inaudible)* . . . below me, the \_\_\_\_\_ family that live below them. Definitely, a question pertaining to how many . . . *(inaudible)* . . . of

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Kauaula Valley, I think that's where the contention comes from on who makes that clear determination water uses when it, or like my family use are not only . . . *(inaudible)* . . . So, the numbers kind of raises an alarm for me 'cause when I filed my water use application with the Commission on Water Resource Management and they have us on file, but when you look at the prior management water today, I really don't know where . . . *(inaudible)* . . . type of water wars that . . . *(inaudible)* . . . title . . . *(inaudible)* . . . talks about the pertinent use of the titles. Specifically talks about . . . *(inaudible)* . . . so, I just kind of cautious as pertaining to coming from and if the County . . . *(inaudible)* . . . go over a plan once . . . *(inaudible)* . . .

CHAIR SUGIMURA: Mister...

MR. KAPU: And, like I said, now that...yeah.

CHAIR SUGIMURA: Ke`eaumoku, it's three minutes. Can you wrap up?

MR. KAPU: I just wanted that placed on the record as pertaining to . . . *(inaudible)* . . . for especially the Westside when you talk about seven to . . . *(inaudible)* . . . acres of taro cultivation, there's a lot more than that. So, I mahalo you for allowing . . . *(inaudible)* . . .

CHAIR SUGIMURA: Thank you. Anyone have questions for Mr. Ke`eaumoku Kapu? I...oh, Tasha. That's Tasha. Tasha Kama, I think your hand is up.

COUNCILMEMBER KAMA: Yes, it was. Thank you, Chair. So, Ke`eaumoku, I'm sorry but, you know, I couldn't...I could barely hear you coming in and out. I told my staff to take good notes, I got two other staff people listening, they could hardly hear. But I...but what I heard I think was important enough that if you could take the time to just kind of like write it out or bullet it out because I think I want to know what it is that you were trying to communicate to us and I think it was important, and I don't want to miss anything, you know, as we go through this plan that we have today. So, if you wouldn't mind to just write it out and just send it to the Committee Staff just so we can make sure that we have a, we got, I got the message at least it was clear, and I don't want to miss anything about that. So, if you could, and Chair. Thank you.

CHAIR SUGIMURA: Thank you. Anyone have any other questions? I...yeah, seeing none...oh, Tamara Paltin.

COUNCILMEMBER PALTIN: Thanks, Chair. Thanks, Ke`eaumoku, for being here. I thought that I heard that you said that you don't feel that you fit in for Kauaula and maybe Kahoma/Kanaha, those streams into the Water Use and Development Plan? Is that correct what we heard?

MR. KAPU: Yeah, yeah because it's not a water management area . . . *(inaudible)* . . .

COUNCILMEMBER PALTIN: You mean...



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MR. KAPU: The Commission on Water Resource . . . *(inaudible)* . . .

COUNCILMEMBER PALTIN: You mean, not a surface water or groundwater management area?

MR. KAPU: No, it's not a surface . . . so, basically, it's public utility company, yeah, so it's . . . *(inaudible)* . . . watershed. I talk about not fitting into the water management of this area . . . *(inaudible)* . . . in Kahoma or Kauaula . . . *(inaudible)* . . . priority list . . . *(inaudible)* . . .

COUNCILMEMBER PALTIN: I can't really hear what you're saying, but is it that you said you don't feel like the kalo growers are on the priority list for water use?

MR. KAPU: Yeah.

COUNCILMEMBER PALTIN: Okay.

MR. KAPU: Yeah, because we're not part of the management, the State water management.

COUNCILMEMBER PALTIN: Okay.

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

COUNCILMEMBER PALTIN: Thank you for clarifying that.

CHAIR SUGIMURA: Okay, any other questions?

COUNCILMEMBER KAMA: Chair, one more.

CHAIR SUGIMURA: Tasha Kama?

COUNCILMEMBER KAMA: Okay, thank you, Chair. So, thank you, Tamara, for clarifying that so that I could actually understand what Kamoku [*sic*] was saying. But, so, if you don't feel like you...there's a good fit for you all down there and I'm going to hopefully somebody's going to hear what you have to say but and if you can, you can write it, what would be a good fit? If you don't feel like you fit, what does a good fit look like?

MR. KAPU: First of all, I think the State needs to recognize Kahoma, Kauaula, the West Maui region as part of a management area, but we're...but this area is a private watershed run by a public utility company. So, if that's the case, then where do we go when we give recommendation when it's not run by --

COUNCILMEMBER KAMA: Okay.

MR. KAPU: --someone like the State. The overall watchdog to make sure that kalo growers on the Westside are getting their fair say on the management of those water resources.

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COUNCILMEMBER KAMA: Okay. Okay.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KAMA: Okay, I got it.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Ke`eaumoku.

CHAIR SUGIMURA: Thank you very much. Thank you, Ke`eaumoku.

MR. KAPU: Yeah. Thank you.

CHAIR SUGIMURA: So, maybe you'll submit something to us in writing so we can have it?  
Is that what you said?

MR. KAPU: Yes, I will.

CHAIR SUGIMURA: Okay, thank you. Oh, here's...Keani has a question for you. Hold on.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. As all the Councilmembers  
tried their best to --

CHAIR SUGIMURA: Hear.

COUNCILMEMBER RAWLINS-FERNANDEZ: --make sure that the message is clear. Mahalo, Mr. Kapu, for your testimony. So, what I'm hearing is that the West Maui would like to submit for designation of groundwater management area and maybe surface water? The entire island of Molokai is a groundwater management area, and the only area in the State that is a surface water management area is Na Wai `Eha. So, those are two ways of, to try to get better management for the public which you, you know, identified. I also understood that you said that there is in this plan there's a inaccurate number of lo'i in Kauaula Valley and your concern is about how management would be enforced and to ensure that kalo growers are getting adequate amount of water. Okay, and then because it's a public utility, they're also, they also would be managed by the Public Utility Commission in addition to CWRM, the Commission on Water Resource Management. Okay, so I think that was all the points that I got. Okay.

MR. KAPU: Yes, mahalo.

CHAIR SUGIMURA: Okay.

MR. KAPU: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Kapu. Mahalo, Chair.

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CHAIR SUGIMURA: Very good. Thank you. Any more testifiers? Laks?

MS. ABRAHAM: Chair...

CHAIR SUGIMURA: Thank you, Ke`eaumoku.

MR. KAPU: Thank you.

MS. ABRAHAM: Chair, we have no more further testifiers on the list. If anyone is waiting to testify who has not been called, please unmute yourself and identify yourself now.

CHAIR SUGIMURA: Okay. Seeing none then, Members, with your permission, I'm going to close public testimony.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you.

**. . . END PUBLIC TESTIMONY . . .**

**ITEM WIT-96: COUNTYWIDE SYSTEM FOR ONLINE INVOICING AND ONLINE PAYMENT** (20-302)

CHAIR SUGIMURA: So at this time I'm going to start with our meeting. So the first item on the agenda is WIT-96, which is Countywide System for Online Invoicing and Online Payment. And this communication is an attempt...during the COVID-19 pandemic as you saw where we are very cautious about submitting and receiving and paying with our regular system, that I wanted us to look at online invoicing and online payments. So, that was the genesis for why I did this item and today we have with us Mr. Teruya and then we also...I saw May Anne Alibin also on the line. So, Finance Department, and I think Sandy Baz was but I think Scott Teruya is going to be taking the lead on this. So, is Scott there? Oh, there's Scott. Thanks, thank you, Mr. Teruya.

MR. TERUYA: Good afternoon, Chair and Members. Are you able to hear me okay?

CHAIR SUGIMURA: Yes, we can hear you.

MR. TERUYA: Okay, so we...I, myself and Deputy Alibin is on the call. I'm not sure if mister...I believe Mr. Baz has another appointment meeting going on right now, but if he joins then I can always defer to him. But thank you very much for your time this afternoon to address the matter, Chair. Since taking off as in June...January...June. January of '19 I kind of mentioned, and I might have mentioned to the, to you all, a lot of the long-term or mid-term goals that I had coming into Administration. One of them was to promote more web services between departments, one of which was to integrate the bill notification and payment options either via kiosk, online, or mobile

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phone. For some time in the first year, we were looking at, you know, we installed the SSTs for the kiosk in Safeway for DMV, and we were looking at ways of putting Real Property Tax on that kiosk as well. You know, some time went by and then all of a sudden we got this thing called COVID and then people were on lockdown. So, one of the things that we're looking at doing is, you know, right now currently, you can receive your real property assessment notice and your tax bill by e-mail if you choose to subscribe for it, and you always have the ability to make your tax payment online via the [www.mauipropertytax.com](http://www.mauipropertytax.com). You can always pay your car registration renewal online or the self-service kiosk. You can pay your water, your refuse bill online through a separate website. Although these are great alternative services, I'm hopeful that we can enhance this service by having a single portal or platinum payment platform. So, recently we converted most of our departments onto a single payment platform, point in pay, I mean, yeah, I think it's with iNovah. And we're exploring ways with the vendor on how to best move forward with a customer experience at the forefront. So, my hope even moving forward is not only to use the kiosk but to have more online and connectivity via mobile device to get your notifications and more ways for the County to have your various bills customized, more for the taxpayer on how they want to pay their bills. Whether it's...I'm not going to say what it is, but whether it's weekly, monthly, biannual, either online via a kiosk or mobile phone. These are the things that we're trying to explore both for the County's efficiencies as well as the taxpayer experience. So, I can assure you we've already been looking. Things are changing by the month. Technology is getting better and we're finding better ways to do things so we definitely don't want to operate in various locations of silos of departments, going to this website, going to that website to pay bills. So, we're trying to integrate it into one web service that you can go and identify all of your bills and hopefully pay for it in one transaction should you choose to. And whether or not you want monthly or whatever type of payments, those would be options for you to partake in should you choose to. So, as I'd mentioned, we're still working at it. We want to roll it out, but like I said, we want to make sure that whatever we roll out is tested well and they'll be good customer experience. So, May-Anne Alibin is also on the call. May-Anne, do you want to add anything that I might have missed out?

CHAIR SUGIMURA: Ms. Alibin?

MS. ALIBIN: Hi, good afternoon, Chair --

CHAIR SUGIMURA: Oh, hi.

MS. ALIBIN: --and Members. None at this point but I'm here in case you have a technical question.

CHAIR SUGIMURA: Okay, thank you. I just want to thank the Administration. I put this item in because of the...what prompted it was the concern of people not being able to or not wanting to pay their bills face to face and the concern about the spread of COVID or Coronavirus through, you know, paper transmission. And, of course, the bigger thing is how can we save money for the County by not having to mail things or do things in maybe traditional ways, and possibly, you know, cut down on some of the

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manpower that we normally would in the old traditional ways. I want to thank Staff for putting together a spreadsheet. So, if you look on, in Granicus there's a spreadsheet that Laks Abraham and Lesley put together that basically talks about every single service, every single department and how the payment is made. And as well as if you went through all of that, you could go online and see what the County is doing. I want to also commend the County in being sensitive to the COVID-19 and not charging some of the fees that you normally would understanding that things would be delayed because of the COVID-19. And, of course, there's that big payment box outside of the County building now that you can come in and pay your water bill. I think Scott and Michelle and the crew basically worked on putting that payment box outside which if the County building opens, you probably are going to get rid of that payment box but I see people using it. So, it was a good idea. Members, at this time, I'll take questions from you and I just want you to know that the Department will take questions from you and I won't, I'm going to defer this and ask the Department to come back. And if you could give us a fair amount of time that you could start working on this. I know that you all are focusing on COVID-19 or the Coronavirus pandemic, which I'm grateful for that. But I think this is important also, so Department, can you tell me like how many months do you think you'd need to work on this? Or weeks? Or...Mr. Teruya?

MR. TERUYA: Thank you for that question. Let me defer to the Deputy at this time. I know she's been working pretty actively with our vendor. So...although we can't commit to a guarantee time, but we are definitely working at it, you can be assured that we're trying to implement this as soon as possible. So, Deputy Alibin, you want to respond to that?

MS. ALIBIN: Hi, Chair. Yes, so, right now we have a...we've actually put it in different phases. So, for our Phase I, we are getting the Real Property Tax and Solid Waste Refuse on this bill pay platform. We have a scheduled demo this week and from after this demo is completed, it's just kind of like they've already did the file integration and then so we're just looking at the look and feel of that website. The vendor stated that it might take depending on our response on some of the questions that they're going to have and the testing on how well it's going to be, will take about four weeks to be on...to go live. And the second phase that we're looking at is for Water Supply. We have submitted a request for legal services to Corporation Counsel a few weeks ago because there's some ongoing discussion regarding utility flat rate versus the convenience. So, as soon as we have that settled, then we should be able to move Water as well.

CHAIR SUGIMURA: Okay.

MR. TERUYA: Chair, if I may, Chair?

CHAIR SUGIMURA: Yes, Mr. Teruya?

MR. TERUYA: You know once this pandemic is, you know, settles, the question for the Council in future budgeting should be considering whether or not this Council would

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like to budget for maybe covering some convenience fee or not. There...we do show good numbers and people using it, utilizing this system, but there is a cost to it. I know traditionally we charge this convenience fees for online and it's free to come in or mail it, but there should be a question or a discussion whether or not we should reverse that role into being a real service fee for coming into County government and using our services and having it be free for you to utilize a virtual option, I guess. I mean, that should be also discussed among the Councilmembers as to what we should be paying for as far as convenience fees. So, just put that out there for the Councilmembers to consider maybe the next budget. Thank you, Chair.

CHAIR SUGIMURA: So, Mr. Teruya, convenience fees are fees that the --

COUNCILMEMBER KAMA: Credit card.

CHAIR SUGIMURA: --yeah, credit card and different options, right?

COUNCILMEMBER KAMA: Debit.

CHAIR SUGIMURA: So, you're saying for us to look at that to see if we would cover that to encourage more people to utilize that service? Is that right?

MR. TERUYA: Yes, Chair. And the reason why I say that it makes County much more efficient. It's one less transpositional error that possibly may be avoided by having them doing the transaction directly into the system. It's one less piece of mail for a clerk to open and possibly -- not that we make mistakes, but, you know, it can happen. Things can get missed in the mail. So, you know, it is another way for consideration moving forward on how we do business. That's all I'm saying, Chair.

CHAIR SUGIMURA: Okay.

MR. TERUYA: Because once you enter it, the coupon online, it's almost seamless. That there's nobody that needs to take part in it, so there is some levels of efficiencies by doing this process as well. Thank you, Chair.

CHAIR SUGIMURA: Okay. Very good. Thank you. Anybody have questions for Mr. Teruya or Ms. Alibin? Tasha Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, you know on the spreadsheet it says there's a column for the type of bill, and there's a column for the online payment. And so, most of the County services are online payment except for the bus pass, except to do your bike registration, your dog registration, and for park permits, and for landfill fees...well that makes sense, you pay cash for it. But what...why is it that you've chosen not to do some of these online like the dog license and the permit fees and things like that?

CHAIR SUGIMURA: Mr. Teruya or Ms. Alibin.

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MR. TERUYA: Thank you, Chair. These are things are probably not in the first phase. I wouldn't be opposed to it because it's not like you couldn't make those purchases and go in and pick up your bus pass. So, these are things that are doable. Maybe not in the immediate near future, but I can defer that to the Deputy to maybe explain some of those items. But it's nothing...something that we cannot do. So, I mean...I'd actually prefer more people to make online payments for you to get a stub to go pick it up. That's just less people handling cash for our sake. So, that is minimizing risk as well. So, Deputy Alibin, do you have any comment to that?

MS. ALIBIN: Yes, Chair. So, I'm going to have to explore regarding the dog registration and licensing, but as far as the parks permit, the...what it is is they're currently have a contract with ACTIVENet, which serves their backend system and it also has a point of sale system. I believe Parks had issued recently a professional services RFP I would say last month to kind of look for a consultant that will assist the Department in drafting the specifications to renew their permitting software. And so once that is done, I...and I believe that the contract with ACTIVENet expires, you know, within a year. So, they are looking into doing either upgrading or changing the park system, park permit software. So, once that is done, then we would be able to offer online payment or also over the counter payment using credit card. For the golf course, it's the same issue is with regards to their backend reservation system, but they are over the counter, they do accept credit cards and it's been implemented for several years now.

CHAIR SUGIMURA: Oh, very good.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR SUGIMURA: So...

COUNCILMEMBER KAMA: Thank you, Ms. Alibin.

CHAIR SUGIMURA: Very good. So, I can see everything's in motion and it's just a matter of timing. Anyone else have a question? I really appreciate this, all the work that you've done, Ms. Alibin and Mr. Teruya. I'm actually impressed. So...oh, I'm sorry. I didn't see you, Tamara. Tamara has a question.

COUNCILMEMBER PALTIN: Thank you. Yeah, thank you, Chair Sugimura, this is real timely for me because my daughter was asking me this morning about her...if the Police stopped her and her bicycle wasn't registered --

CHAIR SUGIMURA: Oh.

COUNCILMEMBER PALTIN: --and I just was wondering like it only says in person or in mail and like now that it's COVID times, like, how would we do that, register all the kids' bikes? I mean, if it...if we just got them bikes say, you know, and we never registered it before? Or are we free pass like the safety inspection? Is there a, what you call, a grace period right now --

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CHAIR SUGIMURA: Grace period.

COUNCILMEMBER KAMA: Grace period.

COUNCILMEMBER PALTIN: --with everyone out of work?

CHAIR SUGIMURA: Mr. Teruya or Ms. Alibin?

MR. TERUYA: I'm sure there is a grace period for that. I don't have a direct answer for you, but we definitely can get an answer for you.

COUNCILMEMBER PALTIN: Okay, cool. And did you know how much it costs per bicycle or moped or...my daughter doesn't have a moped but I know some folks.

MR. TERUYA: I...Chair, I don't have that off-hand but we can get that information back to the Members. Thank you.

COUNCILMEMBER PALTIN: Thank you. Thanks, guys.

UNIDENTIFIED SPEAKER: Chair, I just had a...

COUNCILMEMBER PALTIN: I think Member Molina had a question too. And...

CHAIR SUGIMURA: Oh okay, so, before that I'll tell you that the fees are permanent registration fee is \$15 and a replacement tag is \$2. So...

COUNCILMEMBER PALTIN: Is that the bike? Bicycle?

CHAIR SUGIMURA: For bicycle, yeah.

COUNCILMEMBER PALTIN: Oh, okay.

COUNCILMEMBER KAMA: What's the fine?

CHAIR SUGIMURA: Yeah. Okay, and then we'll get back to you about how to do it, right? Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Chair. Good afternoon, Mr. Teruya, and thank you for bringing up the topic of the convenience fee. That was going to be one of my questions so I think it's a worthy discussion. And if the next Council decides on a fee, I think it has to be a number that potentially doesn't scare off people from using the system. My question is that I have now was based on a comment made earlier by Chairman Sugimura about this system cutting down on the use of employee time, you know, doing these transactions in the traditional way. Were there any collective bargaining issues for implementing this type of system and were, I guess employee job descriptions retranscribed [*sic*] being that you have now an online system and whether



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it assigned different types of duties or new duties? So, basically I'm asking any concerns from the union?

CHAIR SUGIMURA: Mr. Teruya, or...

MR. TERUYA: Chair?

CHAIR SUGIMURA: Thank you.

MR. TERUYA: Yeah, I'll start. This is not nothing to replace our employees, we are not cutting down staff. I'm certain that this moving forward it will minimize the need to get more cashiers, but we are trying to get more efficient in trying to do our work so that they can do other duties as well. So, that...I'll stay with that. And, Deputy, I'm not sure if you have any comment to it.

MS. ALIBIN: Chair, the only consultation that we've done is the addition of the revenue manager position and we want to thank the Council for providing that additional position for us in this current Fiscal Year. And the bargaining unit, union didn't have any comment at this time.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER MOLINA: Okay, great. Thanks.

CHAIR SUGIMURA: Thank you very much.

COUNCILMEMBER MOLINA: Thank you very much. Thank you, Chair.

CHAIR SUGIMURA: Good question. Any other questions, Members?

COUNCILMEMBER SINENCI: Chair?

CHAIR SUGIMURA: You might want to...

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR SUGIMURA: Oh, here. I can't see all of you.

COUNCILMEMBER KING: Chair. I have a question, but I think Mr. Sinenci was first. He's had his hand up for a little bit here.

CHAIR SUGIMURA: Okay, so, Mr. Sinenci and Keani also, and then Kelly.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR SUGIMURA: Mr. Sinenci?

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

CHAIR SUGIMURA: I can't see all of you, so.

COUNCILMEMBER SINENCI: Real quick of the Director, I know he mentioned prior that we would, Department would make some concessions for kupuna specific during this pandemic if they're not able to pay into the system. Have...has there been a problem with kupuna accessing the online or paying on time?

CHAIR SUGIMURA: Mr. Teruya, did you hear?

MR. TERUYA: I haven't...honestly, I haven't had any comments yet, so I'll defer to Ms. Alibin at this time.

MS. ALIBIN: Chair, the only discussion that we had, we were actually approached by Kaunoa Senior Services recently. They want to provide an alternative for our kupunas in making payments for any services that they are, they're providing at the Kaunoa Senior Service. So, we had given them a demo last week so we're just pending for the department's decision on their transition to our Countywide cashiering system.

COUNCILMEMBER SINENCI: Just a follow up, Ms. Alibin, would that...can that demo be shared with maybe some other caregivers as well?

CHAIR SUGIMURA: Ms. Alibin?

MS. ALIBIN: Chair, sorry, I couldn't hear that. The question is if we can share that to who?

COUNCILMEMBER SINENCI: Maybe with other caregivers? Other centers?

MS. ALIBIN: That are County facilities or is non-County facility?

COUNCILMEMBER SINENCI: Both.

MS. ALIBIN: We...because the system is actually our, it's our iNovah cashiering system, I have to...I'm not quite sure as far as providing that information to public.

COUNCILMEMBER SINENCI: Oh, okay.

MS. ALIBIN: But if it's in the test environment, I don't see why not as long as it doesn't have any confidential information. But that's something that we'll need to double check with Corporation Counsel.

COUNCILMEMBER SINENCI: Mahalo, Ms. Alibin. Mahalo, Chair.

CHAIR SUGIMURA: Thank you. Keani Rawlins and then Ms. King.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Member King had her hand up

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before me.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KING: Thank you.

CHAIR SUGIMURA: Ms. King?

COUNCILMEMBER KING: Yeah.

CHAIR SUGIMURA: Sorry, I can't see you so I'm just kind of going by what I hear.

COUNCILMEMBER KING: . . . *(inaudible)* . . . I think Riki had his hand up.

CHAIR SUGIMURA: Oh, Riki too?

COUNCILMEMBER KING: I just wanted to double check with Mr. Teruya that I heard you correctly because some of the questions got me confused, but you're talking about flipping the idea of paying more if you pay online and actually having you pay a fee for walking in because there's a live person standing there that we have to pay for. Is that the idea?

MR. TERUYA: Thank you. Chair, and thank you for the question, Ms. King. And I'm just throwing it out there. I'm not saying that's what we should be doing but I think --

COUNCILMEMBER KING: No, no, I know.

MR. TERUYA: --you know...

COUNCILMEMBER KING: Yeah, I just wanted to make sure I got that concept correct because my question to you is about the charges that we would incur from the credit card companies, you know, when you do things online. Did you do a study to figure out if we'd be paying more if we had to pay 3 percent or maybe we negotiate down to 2 percent of every payment to a credit card company or if we would actually be saving money because we could negotiate a good deal with the credit card company?

MR. TERUYA: Chair, I haven't done any study. But, you know, as you go through contracts, you can negotiate those things as well. I think moving forward if that was the will that we would reverse the thought of how we do business. I'm certain that would be in consideration in your RFP is going out to your providers, and your provide us with what type of fee that you could give the County knowing that most people would go towards this type of transaction. Credit card fees are one thing, there's always another fee for debit or an e-check. So, those would be fixed amounts as well so I know in the past we've used some type of e-check which is not a percentage of the amount, it's a flat fee. So, there're different ways of doing business, but I think just throwing out those ideas to you guys will give you an idea of how we want to move forward knowing that this COVID is before us and not...appear to go away anytime

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soon. So, just throwing it out there for the Council consideration.

COUNCILMEMBER KING: Yeah, no, I appreciate that and I like the idea, I just want to make sure that what we're doing is kind of having...going in with an idea of what that figure would have to be in order to save money so that we don't, you know, rush toward something that looks a lot more efficient but in the end costs us more. So as long as we're looking at all of those, you know, what those fees are and how they compare with having a live body there. But I like that, I like the idea. I always liked the idea of doing stuff online but of course now we're trying to encourage everybody to support local so that's one of our issues is we don't want everyone buying everything from Mainland corporations online otherwise our local businesses suffer so there's that balance of online versus local. Anyway, thank you, Chair.

CHAIR SUGIMURA: Thank you. And then, Keani Rawlins and then Mr. Hokama.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yes. Mahalo, Director and Deputy Director, for this work and a step in the...a better direction for more efficiency. I completely support this. I would also support the doing away of online convenience fees to encourage more people to use the online platform. I love technology as you know and embrace it and I think the convenience of it would, as you said, it would help us. Just, you know, utilize our manpower in a more efficient way. Mahalo, Chair.

CHAIR SUGIMURA: Thank you. Good, then we'll have this discussion during Budget, right, Keani? Convenience fees.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, hopefully we'll have that discussion before Budget so that we're already prepared for what we need to do when we start Budget session. Mahalo, Chair.

CHAIR SUGIMURA: Okay, great. Mr. Hokama?

COUNCILMEMBER HOKAMA: Hi, thanks. So, Director, if you have discrepancies, how is...what is the plan to address discrepancies on the billing or the invoicing? You just refer them to a number and say call this clerk?

CHAIR SUGIMURA: Mr. Teruya?

MR. TERUYA: I'm not sure if Ms. Alibin want to address that one right now.

CHAIR SUGIMURA: Ms. Alibin?

MS. ALIBIN: Chair, so, currently if a customer has some, you know, found some discrepancy on what was actually charged on their credit card bill, for the most part they would contact our office so for Real Property Tax as an example, and we would...depending on the type of discrepancy, we would try to research if we could. But if not, we would refer them to the...our point and pay vendor which is our credit card servicing

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company and if they're not able to resolve it, then we would work directly with point and pay until the issue has . . . *(inaudible)* . . .

CHAIR SUGIMURA: Okay.

COUNCILMEMBER HOKAMA: Okay, no, I support the Department's move. I mean, you know, this is something we've been moving on for years, Chair, so I would say regardless of the COVID, this is still the right thing to do in moving forward for the Department. So, I support the Director's efforts. I would also say, the County has a lot of negotiating power. So, I don't have a problem paying for a convenience fee for a service I'm getting that needs to be paid for because I'm getting a benefit. So, I don't have a problem paying our fair share. But I would say, I don't know why the County with our short-term portfolio wouldn't go out for a cash credit service proposal and have the financial institutions or the banks . . . *(inaudible)* . . . hey, you want the County's cash, you do credit card, you selling one credit card, you promote your credit card. Well, we can work out a deal where we expect certain price for certain \_\_\_\_\_ transactions, and we expect a certain price for credit card transactions. And that can be negotiated with the right people at the table, Chair. So, I think, Mr. Teruya, there's some opportunity and while I'm with my Budget Chair with technology, we talked about this earlier in Ms. King's Committee, Chair Sugimura, but we still have geographic and bandwidth imbalances in the County. So, not everybody has fair access to technology and innovation, and we just got to remember that. We have areas of difficulty in the County. Thank you.

CHAIR SUGIMURA: That's a...that's so true. Anybody else have any questions or comments? So, I have one last one. So, we just went to the landfill on Kamehameha Day, thank you for being open. So, how would you handle that tipping fee? I guess maybe that's a question for Ms. Alibin or Mr. Teruya, or refer to DEM. But how would you do that? 'Cause that's all cash, I think, driving through and dumping trash?

MR. TERUYA: Thank you, Chair. And I don't see a big challenge moving forward. We don't have it available now but I don't see how we couldn't move that to a mobile device type of pay like you would do at any other website with a pay system. You get your receipt, the QR code, you can go right to them up front and just let them know it was already paid for. I don't see that as a big issue moving forward and I think that as we talk about these ways, if people move to a more mobile device type of notification, for example Real Property Tax. Right now, you can get e-mailed your notice and your tax bill. By moving to those type of platforms, you're already saving the County money. So, if maybe you sign up for electronic processing of getting your notice, maybe only you will get maybe a free service charge to do it online, credit card convenience fee. Because you're actually saving us the price of printing the notice, the envelope and postage. So, that may already be enough grounds to receive a special service. So, these are different things that we can talk about moving forward, Chair. But --

CHAIR SUGIMURA: Okay.

MR. TERUYA: --there are efficiencies for us saving money on printing and mailing as well.

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Thank you, Chair.

CHAIR SUGIMURA: Thank you very much. I really appreciate this. Members, any more last questions? I'm going to...seeing none, I'm going to defer this and based upon what Ms. Alibin said with iNovah and the phases, so phase one, Real Property Tax, Trash, and if we brought this back during the summer sometime. Maybe, Ms. Alibin, you can talk to us and tell us when would be a good time. You could give us an update for this. So, I'm going to defer this and bring it back. And I really appreciate all that you have done already and I think COVID-19 is a perfect timing for us to move forward and make sure that this does happen in many different ways and many different levels. Ms. Lee, I didn't ask you if you had a question, I'm sorry.

VICE-CHAIR LEE: No, I don't have any questions, Madam Chair. It's so interesting that I've been captivated by this discussion. Thank you.

CHAIR SUGIMURA: Oh, very good. Very good. Okay, Members, I'm going to defer this item and we'll bring it back sometime during the summer. I'll talk to the Department to see when they'll be ready to give us an update and I appreciate your focus on this even in the midst of, you know, COVID-19. I think it goes hand in hand but I think you have bigger challenges ahead of you. So, appreciate that. I'm going to defer this, Members.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

**ACTION:            DEFER PENDING FURTHER DISCUSSION.**

CHAIR SUGIMURA: And now I'm going to take the next item which is the Maui Island Water Use and Development Plan. Do you need a break? You need a short break? Yeah? Break? Okay. So, it is now 2:52. I am going to break 'til 3:05. So, we'll see you back here at 3:05. Thank you. Thank you very much, May-Anne, and thank you very much, Mr. Teruya. Good job. I'm impressed. Thank you. We'll take a break.

MS. ALIBIN: Thank you, Chair.

CHAIR SUGIMURA: . . . *(gavel)* . . .

**RECESS:        2:52 p.m.**

**RECONVENE:    3:07 p.m.**

**ITEM WIT-25: MAUI ISLAND WATER USE AND DEVELOPMENT PLAN (CC 19-162)**

CHAIR SUGIMURA: . . . *(gavel)* . . . Okay. Meeting is now called back to order. Welcome to the Water, Infrastructure, and Transportation Committee and the next item and the last item we have on the agenda is a follow up with the last aquifer for the Maui Island Water Use and Development Plan, WIT-25. I think most of the testifiers were testifying

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regarding this. So, I look forward to hearing from Eva Blumenstein. And Jeff Pearson is here, you want to give some opening comments before we turn it over to Eva?

MR. PEARSON: Sure. Good afternoon, Jeff Pearson, Director of the Department of Water Supply. As Chair said, we're on our last chapter here. I'm kind of excited that we're getting this far. Thank you, Chair, for keeping and moving this along. We're going to be finished way before the end of the year, which I know that you extended this but I'm sure there's going to be more discussion. So, yeah, Eva just has ten slides here and I don't know...it's up to you, of course, Chair, how you want to do it. If you want to have questions during the slides or after, I'll let you determine that. We're willing to go either way of course --

CHAIR SUGIMURA: Yeah, thank you.

MR. PEARSON: --and we'll move forward and see where we get.

CHAIR SUGIMURA: Okay.

MR. PEARSON: Thank you.

CHAIR SUGIMURA: Thank you. Eva, do you want to do your presentation and then we'll take questions from the Members?

MS. BLUMENSTEIN: Thank you. Can you hear me now?

CHAIR SUGIMURA: I can hear you.

MS. BLUMENSTEIN (*PowerPoint Presentation*): Okay, I'm going to share my screen. Okay.

CHAIR SUGIMURA: Very good.

MS. BLUMENSTEIN: Can you see it?

CHAIR SUGIMURA: Yes.

MS. BLUMENSTEIN: Okay, last chapter, Chapter 19, Lahaina Aquifer Sector. Just similar brief overview as the other chapters. The key issues for this region, the community here was equally concerned as East Maui and Central Maui on restoration and protection of stream flow, supporting Native Hawaiian rights, traditional customary practices. Watershed protection as a strategy to augment or improve water resources, not just to develop water resources for...to meet demand. And the impact that has on streams, nearshore environments, and understanding of the available ground and surface water resource in the region. And the impact of changes that that has resource availability in the long-term, from climate change and development of resources. Impacts from droughts, adapting growth to...in the built environment to the regional water resource conditions and to integrate water conservation and use of alternative resources that being recycled water, storm water, that kind of thing. So,

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this region...okay, so, the draft plan that you have that we submitted in March of last year had incorporated all the events meaning issues that pertained to water resources up to the point when we submitted to the Board of Water Supply. So, for West Maui at that point there were no instream flow standards established yet for the Westside. The approach we took instead, we consulted with the community on different approach and scenarios and we know that once IFS were established or at least assessment done then that would affect the strategies. And at that point in time there was also no CWRM water resource protection plan adopted yet, so we had the sustainable yield that were established in the older version, 2008, which I heard one of the testifiers point out as well. So, as we put together or presenting probably at the next meeting, the addendum of these different revisions for each region, for West Maui it means we're incorporating those instream flow standards that now have been established by CWRM for Ukumehame, Olowalu, Launiupoko, Kauaula, Kahoma, and Kanaha Streams. And for the remaining streams, Honolua, Honokohau, and Honokowai, there have been assessments done for those streams but there are still no IFS established. And these numbers do affect strategies. I'll explain a little what that means too. Sustainable yield revisions do not...did not change for the Westside. They remain the same as in the previous Water Resource Protection Plan, so that does not affect our proposed strategies for this area. Groundwater resources, a brief overview. Sustainable yield, the amount of groundwater that can be sustainably withdrawn without negative impact to the aquifers is 34 million gallons a day. A relatively small portion of that has actually been developed or is currently pumped. The table below there you can see the name of the different aquifer systems running north to south and the pumpages in million gallons a day, and then you can see the percentage pumped of sustainable yield, so about 18 percent total.

COUNCILMEMBER SINENCI: Chair? Can you maximize the screen or...right now it's showing --

MS. BLUMENSTEIN: Okay.

COUNCILMEMBER SINENCI: --... *(inaudible)*...

CHAIR SUGIMURA: Is it too small?

MS. BLUMENSTEIN: Is that better?

CHAIR SUGIMURA: Looks the same. Oh, there. Can you see it, Shane?

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

CHAIR SUGIMURA: Thank you. There, there's a block on your...that's blocking part of your graph. Oh there, gone. Thank you.

MS. BLUMENSTEIN: I have to move it out of the way so I can see the screen. Projected climate change impact for this area, there've been I think we talked about the last meeting too, there've been a couple of models done specifically for Maui and the



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impact that has on groundwater recharge. For this area the...so, there's two different models with two different approaches and sometimes the results don't really agree, come to the same conclusion. In this area, those models do agree upon impact on recharge only for Ukumehame Aquifer, where...which is a very dry area already and where recharge is projected to decrease at end of century climate projections. Overall, reduced rainfall so that means decreased groundwater recharge. The other issue important, of course, here is the recycled water disposal needs, the impact of underground injection wells versus other disposal options. The map on the right, you can also see the wells, the municipal wells in blue and red, the large dots. So, there's the blue is the County's and the red ones are private wells. You can see the growth boundaries established in the Maui Island Plan, and the thick red line is the community plan boundary, which in this case actually coincides with the aquifer sector. Surface water resources, we're looking at available water resources, meaning for surface water is how much flow is available in the streams during different conditions, average rainfall, drought conditions, and now, of course, we have to look at, what does that mean in terms of how much water will remain in the streams to meet instream needs for kalo, lo'i, and other instream needs, and those are set by the IFS that are now underway. Climate change impacts, same thing, reduced rainfall, diminishing stream flow, but that also means storm intensities which means stream flow can be more variable and unstable, like flashy conditions. So, if you have very turbid conditions, for example, that can be a problem if you want to use surface water for potable needs and feed it into a treatment plant. And most of the water uses that demand is concentrated, of course, in the dry, coastal zone. This is generally a really wet area, but, you know, we have the water resources mauka and the built environment and population is centered around along the dry coast. So, at the time we did the plan, the inventory diversions, or those that were reported diversions are summarized in the table there. Not all reporters, or, not all diverters or groundwater well owners do report, so it's sort of like the best data available. But roughly 20 million gallons a day of surface water is diverted. None of that is transported out of the region. It all stays within the Lahaina Aquifer Sector. The map shows the Department's two water treatment plants, Mahinahina to the north, and Lahaina to the south. It shows the constructed ditches and the perennial streams, the ones that flow year-round in dark blue and non-perennial streams in light blue. Okay, projected growth and demand, so we present this in many different forms to CWRM how it's required to be presented by different use classes, et cetera, by State water codes, so this is now sort of simplified from the second to the last table of each chapter. We break down demand by potable and non-potable, and supply the same way. First by one year increments and then by five year increments. So, during the planning period for this plan, which is 20 years through 2035, you can see the broken down potable, non-potable demand totaling about 34 million gallons a day by year 2035. And those supply breakdown shows where, approximately where...what resources are proposed to meet that demand. So, when we looked at...so, we had a little better data available now in beginning of 2020 because there were assessments done. CWRM did both investigations to establish instream flow standards and there was also a waste complaint with some very specific assessment of reported surface water uses. So, that did impact total demand. We sort of had a mystery 4 million gallons a day that we couldn't figure out where it was coming from or rather, we knew it was diverted but we

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didn't know what the end use was. So, now with better data, we can see that total demand will be a little less. We think it's now projecting total demand to 31 MGD and that's primarily a decrease in non-potable irrigation used and a little bit increase in non-potable ag use. So, when we present the addendum, you can see the total demand has come down roughly three and a half million gallons a day. Part of this supply strategies is surface waters and groundwater, but also includes recycled, R-1 water, and conservation. The map on the right you can see the general service areas of the Department and the private owned municipal water companies in the area from Kapalua Water Company down to Olowalu in the south. There's Ukumehame as well, but those were not designated as a public water system at the time. I don't think they are still. Okay, strategies, so, water resource management and conservation are the important here as in the other sectors. Continue the County's financial support for watershed management. Here is primarily West Maui Mountains Watershed Partnership or Mauna Kahalawai Partnership that they're called now, the Pu'u Kukui Water Preserve, and The Nature Conservancy that does an amazing management effort in the mauka priority watersheds of West Maui. So, just continued funding of their efforts would ensure that we have continued groundwater recharge and stream flow for drinking water and non-potable purposes. So, that's a very wise investment. Strategy number two, support local initiatives that seek mauka to makai traditional ahupua'a management. We have Ridge to Reef Initiative that's a really nice role model for the Westside where most of the County and State funding for active watershed management is in the mauka watersheds. That includes the fencing off areas for ungulates, feral pigs, and such and invasive weed. There's that gap of the medium to coastal area that's still, of course, sustains the watershed as a whole. So, there're lessons learned from the past to how to implement ahupua'a management strategies to improve the natural ecosystem and provide for traditional and customary uses. So, that would kind of supplement the management of the mauka lands. The third strategy, undertaking a comprehensive study of Maui Land and Pine former Pioneer Mill and Lahainaluna ditches. In the abbreviation is the agricultural water use and development update. So, with water conservation is not just for the municipal and the private systems, it really impacts ag and other non-potable irrigation demand as well. So, we municipal providers, we have to do a water audit, it's like a data driven analysis of water flows through the water system from source to the end point.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

MS. BLUMENSTEIN: So, we can determine --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair there's a big grey square box in the screen.

CHAIR SUGIMURA: Eva, there's a...

COUNCILMEMBER RAWLINS-FERNANDEZ: Ms. Blumenstein --

MS. BLUMENSTEIN: Yeah?

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COUNCILMEMBER RAWLINS-FERNANDEZ: --is there a way that you can get that big grey box out of the way? Oh there you go.

CHAIR SUGIMURA: There, it's gone.

COUNCILMEMBER RAWLINS-FERNANDEZ: Thank you.

MS. BLUMENSTEIN: There's a big grey box?

CHAIR SUGIMURA: It's gone.

MS. BLUMENSTEIN: Okay. I don't know what that was. So, for the Maui Land and Pine Honokohau Ditch and the Lahainaluna Ditch, it continues all the way through Launiupoko, we assume that there are water losses and inefficiencies in those old plantation ditch systems that hasn't really been quantified. But we can assume it's something similar to the EMI system. So, an assessment would be done through the Agricultural Water Use and Development Plan Update would identify whether that is a wise investment or not. That, of course, needs to include State Department of Ag and the private purveyors. I want to give credit on the photo too, that's from Pu'u Kukui and their hardworking staff building fence. Key water source strategies, conventional meaning . . . (*inaudible*) . . . groundwater or surface water development. To meet the objectives in the Maui Island Plan and to provide for population growth we know that this area's going to grow pretty heavily based on the population growth based projections. Basal groundwater is the reliable source to meet projected demand. Maintaining a good buffer to sustainable yields. As you saw, there's a fairly small portion of the groundwater in the region developed to date, but there is still...oops, sorry. There is still important to distribute future development and pumpage to the different aquifer systems so that not one is over-pumped versus the other. So, that should rely on...

COUNCILMEMBER PALTIN: Your grey box is back.

CHAIR SUGIMURA: It disappeared.

MS. BLUMENSTEIN: What's up with that? Okay.

MS. MILNER: If I can just --

MS. BLUMENSTEIN: Sorry about that.

MS. MILNER: --interject for a moment, Eva, I think what's happening is if you pull another program up in front, we don't see the other program but we see the grey box where that program is. I think that's what's happening.

MS. BLUMENSTEIN: Oh, that's what it is. I won't touch anything. So, basal groundwater development that would be throughout Launiupoko, Honokowai, and Honolua Aquifers. No development in Honokohau Aquifer, keeping that pristine. And the plan

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goes kind of into detail how we think that would be distributed. Not project specific, but what's the burden on the Department of Water Supply versus private purveyors. And that's of course correlates to strategy number five, smart source development, this pretty much means that base groundwater development on hydrologic data. There's been USGS studies done for these aquifer systems so we know...we have some guidance on how to optimize distribution of wells and to make sure that we don't have saltwater intrusion. So, even though there's still...the Honokowai Aquifer is currently pumped at about half sustainable yield, so there may be more convenient to drill additional wells where planned growth is versus going out to different aquifer systems like Honolua. But it's probably worthwhile to distribute pumpage into these nearby aquifer systems to make sure that you don't concentrate pumpage within one aquifer. Strategy six, that's sort of self-fulfilling, I guess. The community's concern were for adequate mauka to makai stream flow, and in order to establish IFS, then CWRM and other parties need to have gauges in those streams so they know what the natural stream flow is or to enforce an IFS once they're established. So, there is already a gauge on its way to be installed at Kanaha Stream, and multiple other gauges have been established by CWRM temporary and permanent ones for this specific purpose. Seven, seasonal use of surface water. So, of course this strategy was written before IFS, but it's...it jives with the established IFS in a way because most of the streams have sufficient water during normal conditions or when you're not in drought to meet the instream and off-stream needs. But then you're going to have those dry summer months or long-term droughts where the instream needs the water the most because you're gonna be...you have hot conditions to meet the needs of the kalo, lo'i. So, you want to have sufficient groundwater developed to get you through these drought periods, but you want to be able to rely on surface water when it's plentiful in the winter because that's still going to be your cheapest, clean supply for potable needs. So, it's sort of a balance of not one or the other, but to increase reliability by having sufficient groundwater developed. The eighth is interconnecting the Department's subsystem Napili and Lahaina for, again, better reliability to back up each other in various situations and also having more formal contingency or like \_\_\_\_ agreements between the different purveyors in the region where that makes sense depending on infrastructure and sources, et cetera. But that can help you through an emergency, a drought or just for backup and increased reliability generally in the region. So, that includes the Department, the private purveyors, and DHHL. Okay, the last strategies are alternative water sources. So, recycled or stormwater. We think that a lot of the non-potable needs that's either currently served by potable water or surface water can be offset by R-1, future R-1. Obviously this is sort of the end result of actually increased water use, you're gonna have more recycled water available too. So, to expand the R-1 infrastructure so we can offset potable water to the maximum extent possible. That may include the planned projects of course that Department of Environmental Management have, it could include part of the DHHL develop...Honokowai Development. One of the issues with the R-1 water currently is high chlorides so it is assumed that R-1 for ag or landscaping irrigation will have to be blended to some extent with surface water or other higher quality water. CWRM defined multiple opportunities for stormwater reuse, not just stormwater management to prevent runoff into the ocean, but reuse of stormwater for non-potable uses, irrigation or ag. And one of those projects were Kahoma Stream flood control to where

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you could potentially apply that stormwater for ag uses to the north. So, that's something that could be looked at closer, costs and parties, constraints were identified in the report by CWRM. So, that would be Department of Public Works primarily to be the lead agency for that. Okay, just a summary. So, all the recommendations, the strategies it's over a 20 year period. The intent here is to provide the guidance for land use and capital improvement program budgeting. So, over this period those...the scoping and the site specific costs are refined in capital improvement projects or other refined plans. Conservation can really offset some of demand for the Westside but it cannot replace investments. We're still looking at \$40 million for the Department at least over the, over this period just to develop groundwater. So, greatest burden on the Department of Water Supply, but it's also some of this is going to be met by other State and County agencies. Okay, that's that.

CHAIR SUGIMURA: Is that the end, Eva?

MS. BLUMENSTEIN: That's the end.

CHAIR SUGIMURA: Oh, okay. Thank you very much. Members, at this time, anybody have questions? Seeing none...

COUNCILMEMBER MOLINA: Chair?

CHAIR SUGIMURA: Oh, okay. Tamara...

COUNCILMEMBER RAWLINS-FERNANDEZ: I see Member Molina and I see Member Paltin and --

CHAIR SUGIMURA: Okay. I don't even see . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: --maybe Ms. Blumenstein would like to stop sharing, then we can see everyone.

CHAIR SUGIMURA: Yeah, then we can see the Members. Eva, can you take your screen down maybe for...unless if there's a question that comes up regarding that? Okay, now I can see everybody and I can see Eva. Okay, so who had a hands up first? I didn't see. Mr. Molina?

COUNCILMEMBER MOLINA: Okay, yeah, thank you, Chair. Good afternoon, Ms. Blumenstein. Just quick question on Page 8 with regards to installing a gauge at Kanaha Stream to collect stream flow data. What is that process about and is the cost paid for by a grant?

MS. BLUMENSTEIN: Thank you for that question. The installation of the gauge is paid through our Water Resources Monitoring Program so it was already funded for FY '20, so that is the same program that funds deep well monitoring in Iao, Waikamoi Stream monitoring, Halawa Stream on Molokai, that's the program that the \_\_\_\_\_ USGS installation.

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COUNCILMEMBER MOLINA: Okay, and then my last question on Page 9, exploring Kahoma Stream Flood Project to collect and convey stormwater for ag use. Can you explain what the process is about? I'm just curious.

MS. BLUMENSTEIN: Yeah, so, CWRM did the, an appraisal of the stormwater reclamation options on Maui and statewide. One of their recommendations was the Kahoma Stream flood control. Where the existing stormwater drainage channel parallels Lahainaluna Road would be used, an existing retention basin to utilize that stormwater for agriculture irrigation instead of to the ocean when the conditions are right, so you could offset some of the surface water that would be used for ag in this case. So, back then if the cost estimate was \$11.3 million, in 2012, dollars I believe. So, it would be, have to be further scoped and refined. But it...I don't think that this has, to my knowledge, it hasn't been looked at closer since. So it's something that should be investigated to offset surface water use for ag.

COUNCILMEMBER MOLINA: Okay, all right. Thank you for those responses. Thank you, Chair.

CHAIR SUGIMURA: Thank you, Mr. Molina. Anybody else have questions? Mr. Sinenci?

COUNCILMEMBER SINENCI: I think Member Paltin had her hand up before I did.

CHAIR SUGIMURA: Okay, I don't even see her. So, Member Paltin, are you there?

COUNCILMEMBER PALTIN: Thank you. I was having trouble with the unmute.

CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER PALTIN: Thank you, Member Sinenci. I just wanted to preface my questions and just say that I really appreciate Ms. Blumenstein and her hard work and presentation. I understand the difficulty of all the moving variables, the State, the public, the County, and the County kind of not having the same kind of jurisdiction but being tasked with making this plan. So, please don't take any of my questions the wrong way. I very much appreciate your hard work. I guess my first question is would West Maui getting a surface water or groundwater designation for the management area affect this Water Use and Development Plan in any way?

CHAIR SUGIMURA: Ms. Blumenstein?

MS. BLUMENSTEIN: Thank you. I don't know if I know the answer to that. I think it could, once you designate an area it's sort of like the designated water resource. Any development of that will come to a halt as you know. You know, you would have...if it's a groundwater management area now you would, if you're an existing user you're going to have to apply for and justify your existing water use before any new use would be considered. So, it would be very difficult to develop groundwater in a designated aquifer because you're going to have to review all the existing uses first.

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Similarly to the designated surface water management area.

COUNCILMEMBER PALTIN: Okay, okay. And then it kind of seemed a little bit to me like the R-1 reuse on the first page of your presentation wasn't necessarily looked at as a resource. Is it being looked at the R-1 water as a water resource?

MS. BLUMENSTEIN: Yes, so we cannot categorize recycled water, desal, stormwater capture as alternative water resources. So --

COUNCILMEMBER PALTIN: Oh, okay.

MS. BLUMENSTEIN: --they're just categorized differently, but yes, so we assume that R-1 will be used as a resource to meet portions of demand.

COUNCILMEMBER PALTIN: Okay, just was clarifying that. And then, you know the streams that you mentioned or, I guess, it was aquifer systems. But then you kind of were talking about streams as well.

MS. BLUMENSTEIN: Yeah, so I did an overview of...see I can go back to my slide...the slide four, if you see it on your screen there, is an overview of the groundwater resources and slide nine is surface water resources.

COUNCILMEMBER PALTIN: . . . *(inaudible)* . . .

MS. BLUMENSTEIN: So, that's sort of summarizing surface water streams or surface water resources in the area.

COUNCILMEMBER PALTIN: Okay, sorry, I...now looking at the question I had it didn't correlate to the data I had. I interpreted it wrong. Sorry. I'll yield my time right now. I had a mistake in what I was looking at on the slide. Sorry.

CHAIR SUGIMURA: Okay, thank you. Next, Mr. Sinenci then Mr. Hokama.

COUNCILMEMBER SINENCI: Thank you, Chair. Just a couple of quick questions. So, a couple testifiers had made mention about an older study going back to 2008 and using this old data. Is there a way to...is there more recent data that could be included in this report?

CHAIR SUGIMURA: Ms. Blumenstein?

MS. BLUMENSTEIN: Yeah, so if...I know Lucienne de Naie was referring to the 2008 Water Resources Protection Plan, so that established sustainable yield at the time when we published this, this plan. Twenty nineteen there was an update to the Water Resources Protection Plan that revised sustainable yield for many aquifers. Not for this region though, so it did not impact strategies. The addendum that we are proposing still gives you a summary of what those revisions in sustainable yield are by 2019. In no case on Maui island, though, does it impact the strategies because they

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were really...the revisions were primarily to the Honopou area, the Koolau Aquifer sector where there's very limited source development proposed.

COUNCILMEMBER SINENCI: Was there any major factors that showed the difference upwards of 23 million gallons a day? The difference?

MS. BLUMENSTEIN: Well, so, every time CWRM updates the sustainable yield or the whole plan, I mean they have better scientific data available, there were multiple USGS studies done. So, one...every time you have more data you get better results, I guess. I don't recall exactly for those aquifer systems where they were revised downward except I believe that they were...I mean, you generally assess the sustainable yield, if you had a range of values you set sustainable yield or CWRM establishes at the very low end of that range. For the 2008 sustainable yield, there was no range so they had just like a middle figure. Now in the update, there was a range of values and so they revised sustainable yield to that very lowest number in that range if that makes sense.

COUNCILMEMBER SINENCI: Thank you for that. And then my second questions was, you know, your slide on diverse water usage, the data, does instream flow...do you take into account for aquifer rejuvenation and generation?

MS. BLUMENSTEIN: I can't...I'm sorry, I'm not sure I understand the question and in...

COUNCILMEMBER SINENCI: You had a slide on instream surface water and keeping instream flow. Is aquifer rejuvenation part of that data? I mean, do you account for the rejuvenation of aquifers for instream flow?

MS. BLUMENSTEIN: Well, so, the Commission on Resource Management establishes instream flow standards, how much water needs to remain in the stream. The source of the stream flow is generally the high level aquifers, not the basal aquifers where we pump out and develop our wells, but the high level aquifers in the mauka watersheds. So, if you are establishing IFS or instream flow standards, that would have some impact, you're getting more stream flow in the stream that may impact the underlying aquifer, the...that relationship varies. You can have a gaining stream where you have the underlying aquifer recharging the stream; or vice versa, you can have a losing stream where the stream flow is recharging the aquifer. So that's kind of the complex relationship. So that varies for different streams and for individual parts of a stream even. So they're interconnected. I mean, I couldn't tell you what the number is, the ratio for instream. I don't know that.

COUNCILMEMBER SINENCI: Okay, thank you for that clarification. Thank you, Chair.

CHAIR SUGIMURA: Thank you, Mr. Sinenci. Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you. So, Department, yeah, thank you. And maybe you can guide me to where I may find some of this information. What I'm looking for and I have biases because, you know, I get a lot of the old water use plans in my brain, is there somewhere that you have a allocation table and maybe by percentages?



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'Cause that is...would be helpful for me, please, Department. The gallons, the amounts, I'm not so hung up on that, depending on the weather those things will fluctuate regularly. So, I'm more concerned about the percentages than the gallons. And then if there is a priority listing of how you folks going to either recommend allocation tables or priorities, whether it's going to be by potable, non-potable, artisan versus surface, specialty considerations, inflow streams, or coastal zone management areas, or CWRM water management designations. I bring this up because these are the things to me will help me make a decision. Because at the end of the day there's not enough water. I want to make sure we're clear on who gets the water. And on the Lanai Plan is very clear, the resident gets the water first and foremost. Agriculture came second, the hotels came third, conservation and all others came last. So, we know who we're going to cut on Lanai if there's a lack of water and we're going to need to make hard decisions. I need to understand if we're going to follow this Countywide approach or we're going to use something different for Maui and it's going to be more regional. I cannot support regional. I need to know how we're going to do this allocations and where is that presentation that we can look at please. Thank you.

MS. BLUMENSTEIN: Thank you. Yeah, so, for each aquifer sector, it's the second to the last table. So, for Lahaina it's Page 88, table 19-39, the selected demand scenario. So, that breaks down the demand by use type, domestic data, municipal private, and department private, the non-potable, irrigation non-potable, agriculture non-potable, and allocates the supply to meet that demand. So, it breaks down...

COUNCILMEMBER HOKAMA: I would...yeah, so, you, Eva, excuse me, but I want to know if we got it down even...broken down even better than that. Under agriculture, I want to know how much is for regular general agriculture, how much is for diversified, if there's a specialty component for specialty crops, how much is that. I don't just want to know . . . *(inaudible)* . . . municipal. I want to know what makes up the municipal water. How much of that is the residential. How much of that is agriculture. How much is the business component taking. How much is the resort and hotels taking. I need it by categories and classifications so that I can make choices on who I'm going to decide to restrict water if there's a need to restrict.

MS. BLUMENSTEIN: Yeah, so, the breakdown domestic versus municipal, there are breakdowns and maybe I can find the table too for...the building classes which breaks down into commercial, industrial, et cetera, that is not how we presented to CWRM in that detail for the 2035 demand, but you can see what the anticipated uses are. I'll find the table. So, it's not...I mean, the plan does not allocate water to a specific project, it is broken down by the table, the second to last table for each aquifer sector as you can see. Because it's a 20-year plan, it's really not tied to individual projects but rather what aquifer sector should supply potable municipal versus non-potable irrigation. Let me just see if I have a better breakdown. Table 19-35 on Page 62 gives you little more breakdown of demand, industrial, ag, irrigation, et cetera. But it doesn't break down the different type of ag. I mean, we have tried to define the different types of ag in the agricultural demand projections like how we break down the existing use by crops. But A, because there wasn't the Maui Island Plan or the community plan or any State plan did not project an increase in agriculture on the

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Westside, so we don't have an official source to say that this is how much this ag versus this ag would increase, so we, you know, we don't want to make something up without having a reputable source for it. However, I see that that kind of details for ag should be addressed in the Agriculture Water Use and Development Plan that specifically focuses on 20-year demand for ag only. And we don't have....

COUNCILMEMBER HOKAMA: Yeah, appreciate your comments, Eva. And again, yeah, whether it be for let's say the wet side of East Maui, their needs for water regarding cattle production would be greatly different from somebody let's say up Kula who's doing, let's say, cedar lava stone and trying to grow anthuriums. Okay, you got the different kind of crops, different kind of water needs. One would take great, great amounts of water, and one would definitely need with the porous soil different type of irrigation requirements. So, you know, if we're going to do the talk about agriculture, then I think we need to start looking at how we're going to allocate water for agriculture and what type of...what types of agriculture. Especially if we going to need from what I see a rebuilding of a major water transmission program down the future. So...

MS. BLUMENSTEIN: Yes. So, for the...for Westside, the...it is assumed that for kalo lo'i, for taro cultivation, those we have tried to quantify what the consumptive use is. What is used up sort of by that crop. But because taro is dependent on a certain quality and amount of stream flow, the demand for taro is established by the instream flow standards. So, that's not something we dictate or change, obviously. So, it's assumed that IFS protects for and provides for the kalo lo'i and so everything else is the diversified ag, coffee, flowers, et cetera, for the Westside. So, it's kind of bulked into those two categories I guess.

COUNCILMEMBER HOKAMA: Do you have a listing of prioritization? What the Department would be hesitant to reduce water restrictions versus others? I'm assuming that the Department's going to protect residential uses a number one priority for water.

MS. BLUMENSTEIN: In a source shortage, I think I want to defer to Director on our...for shortage policy. If Jeff's still there.

CHAIR SUGIMURA: Yeah. Mr. Pearson?

MR. PEARSON: Yeah, well the basic priorities as you know, Member Hokama, would be the public trust purposes, right. So, for domestic and traditional and customary. And so, there's the \_\_\_\_\_ public trust. So, that would be the one priority that is not just established by us but again is established by CWRM with the instream flows and as Eva said, you know, that's...when they do evaluate instream flow standards, they look at lo'i production and, of course, you know that water returns to the stream. But again, it's the quality of the water going into the lo'i that is going to determine the growth 'cause you can't have the warm water and of course you have to have movement. So, I don't know if I can completely answer your question but domestic use is a priority use, and right now there, you know, with the surface water management area up in Na Wai `Eha, and there right now every month the Water

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Commission is evaluating surface water use not only for Department of Water Supply of course, but for all the other water use permit applications that are out there. And I know that there's been some questions to, you know, our water use. The Department of Water Supply's permit application and request because as you just said, you know, we don't have a...we can give some better numbers, but it's actually too late because when the contested case was last submitting and all the information was there was like 2015. There was some breakdowns of how much water coming out of Iao Treatment Plant is domestic, is hotels. Do you call hotels domestic? I'm not...that's been debatable. Is municipal, is agricultural, is, you know, so forth. So, those numbers aren't strong numbers in stone type of numbers. But I think it would have helped if we would have had better numbers for the deliberations they're doing now.

COUNCILMEMBER HOKAMA: Thank you, Director. Appreciate those comments and, Eva, thank you for your responses. Thank you, Chair. I'm sure other Members have their specific questions. Thank you.

CHAIR SUGIMURA: Thank you, Mr. Hokama. Other Members...oh, Keani and Mr. Molina. Keani?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I also see Pro Tem Kama's hand up --

CHAIR SUGIMURA: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: --after Member Molina.

CHAIR SUGIMURA: I don't even see her on the screen.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, I figured.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, just helping everyone out. Okay, so I have a few questions. So on slide seven it shows the West Maui Mountains Watershed Partnership...and mahalo for your presentation, Ms. Blumenstein. So, I understand that they've changed their name to Mauna Kahalawai --

MS. BLUMENSTEIN: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: --Watershed Partnership. So, will the plan reflect that name change throughout the...is that something that...

MS. BLUMENSTEIN: I would...there's been multiple changes that we are...we were not planning on doing a replace of the names. This...the slide is actually from West Maui Mountains Watershed Partnership at the time. I think we'll have a...my suggestion would be, to have it mentioned in the addendum, you know, that this is something that has changed. I think even Iao Stream was renamed Wailuku River during the

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time. We had time to incorporate that, but like at this point, I would rather recognize upfront the name change rather than changing it throughout the document. That'd be my suggestion.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. I'm happy to hear that there's a plan for that. Okay, and then for the stream gauge, is that like a...is the gauge like a yard stick like how they use in Wailuku River?

MS. BLUMENSTEIN: For Kanaha Stream?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

MS. BLUMENSTEIN: Yes, similar. So, that would be US Geological Survey to install a permanent stream gauge. Actually, there's two gauges to be installed. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And does the County take those numbers? Do they monitor? Is that us?

MS. BLUMENSTEIN: No, USGS will do the...they actually have to do onsite as an annually or semi-annually. So we are, yeah, so the data will be reported live as they do with other stream flow gauges. So we would receive the data and it will be available to the public as well.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. BLUMENSTEIN: So, you...so, we will not maintain or monitor the gauge. We --

COUNCILMEMBER RAWLINS-FERNANDEZ: I knew it.

MS. BLUMENSTEIN: --just paid for that, for the monitoring and installation and the monitoring.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, and USGS will take the numbers annually?

MS. BLUMENSTEIN: Yeah, the contract will be with.....so, there's a...I can't recall now how often they say they have to do the site visits. I mean, it's an ongoing consistent monitoring, but they still have to do site visits, not just for the gauge staying in place but I think to first recalibrate and make sure the equipment is reading correctly. I really don't recall how often that is.

COUNCILMEMBER RAWLINS-FERNANDEZ: It looks like Director Pearson would like to add. Director Pearson?

MR. PEARSON: Yeah, I just want to, yeah. Eva didn't say anything. Eva didn't misspeak, but when you look at that, you go on the USGS website and you can look at that gauge live, and you can get...it's pretty much like almost instantaneous. I mean,

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sounds like you've already looked at these and Iao Stream or Wailuku River had this one that recently they took offline because of the inconsistency in the channel flow. But, yeah, so you've seen them. So, it gives you like maybe five or maybe ten minute intervals of the actual flow in the stream. So, it's pretty cool. It's pretty helpful. So, that's what's going to be planned for the Kanaha Stream also by USGS.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo, Director Pearson. Okay, and then, is the plan that we're updating now from 1990?

MS. BLUMENSTEIN: It is.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh.

MS. BLUMENSTEIN: Certainly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Okay. And then, I know we're behind schedule but will this plan be good to 2035? So 15 years instead of 20?

MS. BLUMENSTEIN: Yeah, so we started the public outreach at the very end of December 2015, in fact. I remember. So, we had the full year of data to base the projections on so that was 2014, and then it didn't really reach...it reached the Board in 2018, and now Council in 2019. So, the timeframe is now shorter so to say, but I think we're going to have to update the plan before that. So, it's not a...the plan should be updated more frequently even though it was this huge gap from the previous plan. So, the intent is that it should be updated more frequently then. We're not waiting 'til 2035.

COUNCILMEMBER RAWLINS-FERNANDEZ: Great, I like that the Department already is planning ahead to ensure that it's updated before 35 years go by. Or, not...30? No, yeah, okay, 30 years. And so, in order to achieve to not be late for the next update, has the Department already made plans on when to start the next update?

MS. BLUMENSTEIN: So, we are embarking on Molokai next, so that will start on FY '21.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

MS. BLUMENSTEIN: I think it would be difficult to juggle and actually we'll be back to Lanai again before hitting Maui island. So, I think a lot of this heavy lifting was done now in this plan, just an enormous amount of data, that now can just be easier updated. So, I mean, between the effort that we did now compare the update should be very different. So, I don't see...I mean, Molokai is going to be a little different because it hasn't been done either since '90, so kind of once that, you know, the major update is done for the three islands, it should be easier for the following updates.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo for that feedback. So, you're thinking that the Molokai Water Use and Development Plan will not take six years?

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MS. BLUMENSTEIN: I hope not.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, that'd be great. I fully support that and would help however I can to make that happen quicker than six years. And during...last question, Chair. During this time, is there any like flexibility for community to, you know, provide feedback or testifiers are concerned with because the plan has taken so long, a lot has changed and so I hear the community saying that in the six years, we're going to be finalizing a plan that's kind of...some data is outdated and, you know, I know Member Sinenci brought this up about the IIFS's being established and it wasn't so much in West Maui but the, you know, Ms. de Naie pointed to East Maui where the instream flow standards were set by CWRM in their 2019 plan.

MS. BLUMENSTEIN: Yeah, so, to answer whether there would be more opportunities for the public to kind of give feedback into the plan as it's implemented, I guess I really think so. Our intent was really to have it broad enough so that you don't have to revise multiple strategies just because the data is outdated. But many of these strategies are supposed to be refined and scoped. You know, we identified the lead agencies. A lot of those are public private partnerships and require some kind of consultation too with different groups. So, as the plan is refined or scoped, these individual projects between not the Water Department but, you know, all the different agencies, there should be plenty room for community input consultation or details about what those specific projects are. And again, I'm going to say that there's a new major effort by CWRM and new IFS are established and maybe there has to be adjustments to the plan over time to perfect that. If there's major data changes that impact supply and demand and strategies, then that can certainly be done.

COUNCILMEMBER RAWLINS-FERNANDEZ: Maybe like addendums to the plan or something?

MS. BLUMENSTEIN: Something similar to what we're --

COUNCILMEMBER RAWLINS-FERNANDEZ: Supplemental --

MS. BLUMENSTEIN: --doing.

COUNCILMEMBER RAWLINS-FERNANDEZ: --information. Yeah. Okay. And then since we are talking about the water code HRS 174C-3, and -63 where the protected public trust purposes such as appurtenant and traditional and customary rights have priority over private and commercial uses, and under public trust uses are domestic uses which include water for individual personal needs and household purposes such as drinking, bathing, heating, cooking, non-commercial gardening and sanitizing. Those would take priority and domestic uses are different from municipal uses, which refer to public water services commercially provided by counties such as ours. I just wanted to read that into the record. Mahalo, Chair.

CHAIR SUGIMURA: Thank you. Anybody else? Ms. King?

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COUNCILMEMBER KING: Yeah, Chair, I think --

CHAIR SUGIMURA: I'm sorry. Also Ms. Tasha.

COUNCILMEMBER KING: --Ms. Kama.

CHAIR SUGIMURA: I didn't see Tasha.

COUNCILMEMBER KING: Yeah, I see her. I think she had her hand up before so I...

CHAIR SUGIMURA: Okay, thank you. Tasha? I don't even see you but please proceed.

COUNCILMEMBER KAMA: I'm okay, oh, okay, okay. Thank you. Thank you. So, I wanted to . . . *(inaudible)* . . . okay so, I wanted to ask a question of Mr. Pearson, what is the difference between a permit and a license?

MR. PEARSON: In the...when areas are designated, that's what I was talking about, Member Hokama was asking the question. That's a water use permit application they call them WUPAs if you're over at the Commission. So, those water use permits are required for any area that's designated. Not only surface water, but it would be groundwater as Na Wai `Eha Aquifer is, the Iao Aquifer is designated. License, I don't know exactly what license we're talking about in this context. Eva?

COUNCILMEMBER KAMA: Water licenses.

MR. PEARSON: Say again?

COUNCILMEMBER KAMA: Water licenses. Okay, but don't...you can answer that later, you can even write it to me if you want because I think there is a difference but we can go look at that. And then the other thing I wanted to talk about is that we've had some testifiers that have come to us in today's \_\_\_\_\_, I don't know if you were listening to them but it's hard to hear Mr. Kapu Ke`eumoku from West Maui but it was very clear that what Mr. Kamaunu was saying from the Waihe`e side of Central Maui that they felt like...I got the impression that they were pretty much dissatisfied with what's...in their relationship to this plan and how they feel like somehow this plan doesn't respond to them. And I wasn't clear to me what they were talking about, so I'm wondering, when you develop these plans, are you consulting with them? Are you talking with them? What kind of fact gathering or what kind of relationships are occurring so that it's clear that everyone who should be incorporated into this plan that their mana`o is in this plan and that they can see that this is where they get to fit. Because one of the things that I heard was they don't fit and the idea of having a water plan is to make sure everybody fits, especially kuleana taro farmers. So, can you explain that to me please?

MS. BLUMENSTEIN: Sure.

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MR. PEARSON: I...

MS. BLUMENSTEIN: I'm sorry. Go ahead.

MR. PEARSON: Well, I was going to start and let you finish anyway, Eva, but I know that a lot of the...if there's appurtenant rights and water from the stream that...again, the Water Commission I think we talked about a little bit, they pretty much have the say or the power and, you know, when it's traditional and customary purposes, they have a right to that use. They still might have to fill out a diversion permit that is required by the State, but they are allowed...because of the traditional customary practices, they are not denied that use through the Water Commission. As far as public input and community . . . *(inaudible)* . . . I'll defer to Eva because she's been going through that for many years and I know she's been putting a huge effort at being inclusive and having everyone at the table. So, Eva, you can kind of give a better detail of what you did with your community outreach please.

MS. BLUMENSTEIN: Thank you. Yeah, so, I feel that, I mean, the Department has we're sort of in a little tricky situation. Obviously I'm an employee of the Water Department but this plan represents all water uses and users and purveyors. So, in our outreach we would reach out to the general public, to different stakeholder groups, to the Aha Moku, and we had at least one good, I thought it was a productive meeting, with all the water experts for each of the 14 moku to really hear what their concerns are and try to, you know, find out like what can be addressed in this plan and what can't. I mean, what is the constraints of this plan and how will this plan guide both Council and County and the Commission. There's certain things that are still concerns but have to be addressed by the State Water Commission and not at a County level because water resources in many aspects are the jurisdiction of CWRM only. So, I hope we have tried to incorporate and document what those concerns are. I don't think that we've been able to resolve all the issues or find solutions, you know, to these, but at least point to them. And, again, I think that we have a good start to continued consultation process. That's not specifically addressed in the Lahaina sector, but in the island-wide strategies of continued consultation with the Aha Moku Advisory Committee and sort of still learning and having the public engaged as these projects and strategies are developed. So, yeah, I mean...I...it's not great to hear, you know, that the Native Hawaiian community, other community members feel that they're still not heard. But I don't feel like this is sort of like the end game, sort of a start to continued consultation and outreach as all of these strategies are going to be developed and implemented over, you know, the next 20 years. But I think a lot of these issues, again, I mean, they lie with CWRM so we can point to them but we can't really resolve them.

COUNCILMEMBER KAMA: Okay, so what I heard you say was that there are things that can be done and there are things that can't be done. And some of the things that can't be done is because that the jurisdiction belongs to CWRM and not necessarily County?

MS. BLUMENSTEIN: Some of them that will be true for setting instream flow standards, for example. In other situations is the County doesn't have jurisdiction over private



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purveyors and the conflict may be with the community and a private purveyor. So, I think the plan provides some guidance of for example, we talked about optimizing groundwater pumpage, sort of like a fair playing field. But still we don't have the Department, the County doesn't have the authority and jurisdiction to over the private purveyors. But the plan can at least lay out what are those preferred strategies would be. Should it be groundwater development to meet the demand of future projects in that area? It can do that. So, I think, you know, the discussions are there but, yeah. I hear there's still concerns.

COUNCILMEMBER KAMA: Okay, so my concern is that the issue that these testifiers bring to us, they don't go away. You know, it's not like it was here yesterday or the year before. I mean, this is like hundreds of years of stuff and at some point in time, we got to figure out how to deal with it. Irregardless whose jurisdiction it is, the land is in our County, and the people live in our County, and they pay taxes in our County. So, my sense is at some point in time, we got to take care of this and just not kick the can down the road. But hopefully that this plan as we continue to massage it would be able to do just that. So, thank you, Chair. Thank you, Mr. Pearson. Thank you, Eva.

CHAIR SUGIMURA: Thank you. Thank you very much. So, Ms. King and Mr. Molina.

COUNCILMEMBER MOLINA: Chair, point of order.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER MOLINA: I'm sorry if I . . . I didn't . . . I heard earlier that when you had asked Members if they questions you called my name and Member Kama and then had her hand up and I think Member Rawlins-Fernandez verified that as well. So, I don't know. Maybe I didn't hear right, if I guess Member King had her hand up as well.

CHAIR SUGIMURA: You know, I will tell you that I can't see all of you.

COUNCILMEMBER KING: Yeah, Chair, no I think that...I think Mr. Molina did have his hand up a while ago --

COUNCILMEMBER MOLINA: Okay.

COUNCILMEMBER KING: --I don't recall...

CHAIR SUGIMURA: Okay. That's fine. Mr. Molina, then Ms. King. Thank you very much.

COUNCILMEMBER MOLINA: Thank you, Member King. And, Madam Chair, maybe as a suggestion, for those Members you cannot see, maybe just call out their names or at least whoever you cannot see just tell them, you know, call you out so that way at least, you know, you're notified in advance --

CHAIR SUGIMURA: Good idea.

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COUNCILMEMBER MOLINA: --by audio yeah. Okay.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER MOLINA: And I just have one question and just for Ms. Blumenstein or Director Pearson, you can chime in. This relates to the testimony from Ms. de Naie, she mentioned that there was no discussion of the County possibly utilizing a portion of the existing private Kapalua wells to help augment the County system to meet future water demands in the, on the Westside of Maui especially as it relates to affordable housing. Can you tell us if you are aware of any discussions had take place or hadn't and if not, why? Because I think that's a very viable alternative instead of just taking more straws into the proverbial drink by, you know, creating more wells, why not, you know, negotiate with the landowners to use existing wells to help, you know, augment our County system. Can I get some comment from you?

MR. PEARSON: Eva, I don't know what you know about those wells but one of my lives in the past I worked at Kapalua and you're right, there's a third well. Right now there's two existing wells that they use. Each is capable of pumping a million gallons a day. They're pumping...well last when I left the usage was about a half a million gallons a day and they still alternate the two wells. So, the third well has been drilled in case, but there's no electricity, there's no pump and motor at that third well. I don't know if they're that willing to negotiate to sell that. I haven't really approached them specifically on that topic, but I sure can. I mean, we're working with them on other issues right now, you know, land issues with an existing well we're trying to finalize and develop, so, you know, I have a open channel with Paul Subrata at Maui Land and Pine. So, but I'm...I don't feel that they're going to be too willing to give it up but it's sure worth a try. I will follow up on that, Member Molina.

COUNCILMEMBER MOLINA: Okay, yeah, thank you, Mr. Director. Appreciate that very much. Thank you, Madam Chair.

CHAIR SUGIMURA: Very good. Sorry about that, Mr. Molina. About your place of, in order. Ms. King?

COUNCILMEMBER KING: Okay, thank you. Is there anybody else who needs to talk?

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

COUNCILMEMBER KING: Okay. So, I have a couple things. One is I do still have concerns from the testifiers about the inventory for kalo, 'cause it sounds like maybe there needs to be another inventory done on the Westside for how much kalo is being grown. They don't seem to feel like we've quantified everything that's happening over there. So, I don't know if there's a way to do that into this plan before we finalize it so that everyone's comfortable that we know, you know, we know the amount of acreage? Ms. Blumenstein?

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MS. BLUMENSTEIN: Chair?

CHAIR SUGIMURA: Ms. Blumenstein?

MS. BLUMENSTEIN: Yeah, so, through the plan or the published...when this plan was published, we did rely on a couple of different sources to inventory or to try to assess the amount of kalo cultivation. They were both the Office of Hawaiian Affairs' kuleana parcels, and then the 2015 Statewide Ag Land Use Baseline that had broken down by crops including taro, and the 1989 State Water Declarations, that is kind of a declaration of what kind of crop you have and how much. So, between those two, so there were there a couple of different place in the plan so it's more than 7.7 acres or what the testifier was referring to. But still that said, you know, there wasn't a available ready database on where, with that info. Now through the IFS assessments and CWRM staff have done real thorough investigations, there is better data available that we're incorporating from those IFS assessments that have all the land awards and kalo cultivation for each parcel. So, again, that can give a better summary of, for one, watershed \_\_\_\_ aquifer system, what the acreage of existing kalo lo'i is.

COUNCILMEMBER KING: So, are you talking about needing to still do that? Or do you think that you've done that? Because what I heard was a concern from people who are involved with kalo...

MS. BLUMENSTEIN: Yeah. Yeah, so, I think there is additional info in the plan already on the sources at the time, but the addendum incorporates the 2018 IFS assessments that have a more thorough list. So, they're not very different but we can use that better data now to have a more --

COUNCILMEMBER KING: Okay.

MS. BLUMENSTEIN: --correct acreage.

COUNCILMEMBER KING: Okay, and the...thank you for that. And then I just wanted to address the idea of recycled water because I know you're looking at that as an alternate source, and I just wonder if you folks are doing any integration of your plan with Wastewater and the potential for recycled water from that system, those systems to be able to put on irrigation and, you know, agriculture use. There's a lot that we're not doing with it that we could be doing if we weren't injecting it into the ocean. So, are you working with Wastewater at all? Is there a quantifiable amount of potential recycled water that you could add into the mix on any of these plans but, you know...

MR. PEARSON: I can answer that, Eva, and then of course you can --

CHAIR SUGIMURA: Mr. Pearson.

MR. PEARSON: --... *(inaudible)* ... details if so. But the answer, general answer to your question is yes, we are working with the DEM. What's been going on and actually Water Commission when they were evaluating the IIFS for the streams especially in

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Honokohau, Honokowai, and Honolua, they realized that, you know, the of course Maui Land and Pine is different from Honokohau, DHHL has lands up there that they're using, MLP has reservoirs and lands, of course, it's their diversion ditch. And I think, and then of course, Department of Water Supply has our hands in there. So, you know, that group we're all trying to get something done where we can utilize R-1 water for ag use as Eva said earlier, mix it. There hasn't been a huge move forward with that large group, but we've met I think twice, it was like a public meeting in Lahaina side and all those players were there. And again give CWRM credit because they really don't have to put any of \_\_\_\_ together, but it helps the whole system because if they promote an IIFS that reduces the amount that can be diverted, of course, you can offset that with R-1 water to still meet the demands of ag. So, that's been out there and of course you know that the DEM is going to have to not inject someday, so they're...they have water they're ready to get rid of. They just have to find a place to use it. I know just recently they're getting close to purchase of that lower reservoir that's above their treatment plant. I think it's 300 foot elevation or something and I know they've been having talks with MLP so things are moving and I think you may have heard me say, I try to say it loudly that when there's a...this is ag water but when there's R-1 water that clearly will take the place of the use of the potable water that we're using, that Water Supply should put not just an effort but some money towards that because it's, you know, it's development of source more or less because we're reducing our needs for that water by using R-1 water. I've said that in the past.

COUNCILMEMBER KING: Okay. Well I think, you know, looking at it as a combined effort with DEM might take a little bit of pressure off of you, you know, your Department personally but I just...it would be nice to see at some point a quantifiable amount of water that we could get from that system that is not put into this plan right now because I think that's...there's so much potential there and this Council has been, has shown that they're willing to start putting money into that, you know, expanding of recycled water. But we don't really see in the Water Use and Development Plan. So, I'm just, you know, hoping that we're working together on that and opening up those kinds of new sources that will actually benefit us on that side too and not using that water and putting it into the oceans. Thank you, Chair, those are my burning questions. Thank you.

CHAIR SUGIMURA: Very good discussion. Anyone else? Ms. Lee?

COUNCILMEMBER PALTIN: I had a...oh.

VICE-CHAIR LEE: I just have a, I have a question for Eva. Eva, are you sure that the plan was last approved, Water Use and Development Plan in 1990?

MS. BLUMENSTEIN: The last adopted one, there was a revision I think dated 1991. So, 1990 or 1991 is the last Water Use and Development Plan that was approved by CWRM. There was a portion of Water Use and Development Plan update for the Department's Central District only that was approved...adopted by ordinance in 2009, I believe, by Council, but it was rejected by CWRM. So, the 1990/'91 is the last official

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one we have approved by CWRM.

VICE-CHAIR LEE: Yeah, 'cause my recollection is that when I was on the Council in the '90s that CWRM rejected the plan because it was all regions or no regions at that time. And the only one that was rejected was Lanai. So, that's why I was questioning that, the year. But I'll double-check it myself 'cause I remember spending a lot of time on the Water Use and Development Plan only to have it rejected. Thank you.

CHAIR SUGIMURA: Okay, Members, I can't see all of you, so anybody have a question? Oh, Mr. Pearson has a...

MR. PEARSON: I just want to...thank you. Thank you, Chair. I just want to share that Department of Water Supply has been going to the Commission intermittently to share the work that they've done and Water Commission is well aware. This plan is not going to be the first time they see it, you know, they're well aware of it and they appreciate the efforts and the quality of the work. So, anything can happen but I...at least I know that the Commission has been pleased with what they've seen in the past when Eva has presented this plan to them.

CHAIR SUGIMURA: Very good.

COUNCILMEMBER PALTIN: Chair, could I ask one more question?

CHAIR SUGIMURA: Yes.

COUNCILMEMBER PALTIN: I just was wondering one of the testifiers I think Ms. Kamekona was saying like in light of the situation that's going on right now with the COVID-19 and...I wouldn't expect that any of the current situation be reflected in the plan because hopefully it's just a temporary type of situation other than hopefully we do become more self-sufficient. But can you tell us how much the difference is in water use for West Maui without the hotels and resorts operating a little bit to Mr. Hokama's question as what is domestic residential use and then with and without the resort use?

CHAIR SUGIMURA: Eva or Mr. Pearson.

MS. BLUMENSTEIN: Director, I have the data somewhere I can dig it up here.

MR. PEARSON: Well, I don't have the numbers in front of me, but I think I'm sure you know, Member Paltin, that Hawaii Water Service in their system serve most of the hotels. Of course, not all of them but a lot of the hotels in the Kaanapali area, you know, the closed hotels. So, that, of course, wouldn't affect the Department of Water Supply's uses. I can work with my division head for the pumps and power and have him do an evaluation of the uses, you know, compare maybe the last two or three years over, you know, month by month. And why don't I do that and then I can --

CHAIR SUGIMURA: Okay.

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MR. PEARSON: --it won't be tomorrow, but I can follow up with some information --

CHAIR SUGIMURA: Okay.

MR. PEARSON: --to help answer the question for Member...

COUNCILMEMBER PALTIN: And then just a follow-up, so, Hawaii Water Service serves most of the hotels, but the County still services the waste from those hotels?

MR. PEARSON: The County of Maui receives the wastewater at the Lahaina Treatment Plant for those, yes.

COUNCILMEMBER PALTIN: Oh. I just was wondering how they calculate the bill because for us residential users, the wastewater and the water bill is calculated by how much water you use and if --

MR. PEARSON: Right.

COUNCILMEMBER PALTIN: --they're on private water I was wondering how their bills were calculated.

MR. PEARSON: You know, I can't help you there but I'm sure they get paid for all the use.

COUNCILMEMBER PALTIN: Okay, thank you. I thought Hawaii Water Service was mostly north like, you know, Montage and Ritz Carlton. I didn't realize they went all the way down to Kaanapali, the Hyatt and whatnot as well.

MR. PEARSON: Actually, the Ritz Carlton is the Kapalua Water, another private one. But it's Ritz Carlton, and then the central, you know, the Hyatt and all those are Hawaii Water Service. I don't know the exact service area, but I know that those hotels in the Lahaina and Kaanapali area...excuse me, excuse me, Kaanapali area are Hawaii Water Service.

COUNCILMEMBER PALTIN: And then Honokowai, all the short-term rentals, is that Department of Water Service Supply?

MR. PEARSON: Correct. Yes, that's the Department of Water Service...Water Supply.

COUNCILMEMBER PALTIN: Okay, so then for the most part a lot of the resort usages in West Maui except for Honokowai and south of that is on private water then?

MR. PEARSON: Correct.

COUNCILMEMBER PALTIN: And are they having the similar problems as the County as to maintaining their systems with the decreased usage?

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MR. PEARSON: I really haven't talked much with Hawaii Water Service or for that matter Kapalua Water Service which is being run by I think Aqua Engineering. So, I can't...I'm sorry, I can't answer that question.

COUNCILMEMBER PALTIN: Okay, thank you. That was very interesting. Thank you for the leeway, Chair.

CHAIR SUGIMURA: Thank you. Any other questions, Members? Seeing none, so, thank you very much, Eva. You always do such a thorough job. Mr. Pearson, thank you very much. Members, I'm going to defer this item and I see a question. Keani? You have a question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Really quickly, would the Committee be able to send correspondence to the Department of Water to follow up on Member Paltin's question about how...

CHAIR SUGIMURA: Hotel use?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, and sewage charge. 'Cause I'm really interested in understanding how private water companies or how hotels that are on private water companies contribute to processing wastewater.

CHAIR SUGIMURA: So, Department, would you have that information? You do? Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: He said not right now --

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: --but later on.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR SUGIMURA: So, Laks and Lesley will send a letter then to the Department on that. Thank you very much. Any other questions? None. Okay, so, I'm going to defer this item and I'm not too sure what date our July meeting will be, but whenever that is, the first meeting back for this Committee, the WIT Committee, I'll take this up. We are working on an addendum based upon from our first meeting all the way 'til now we've been picking up information that the testifiers have mentioned or, you know, that have come up and we're going to be adding a addendum to this for you to review. We'll have it available at the next meeting so that you can discuss and at some point we hope to approve this with an...with the addendum.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION:           DEFER PENDING FURTHER DISCUSSION.**

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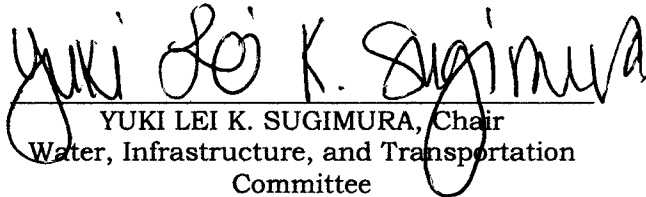
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CHAIR SUGIMURA: So, Members, at this time if you have no other questions, good meeting.  
It is now 4:30, 4:33 and meeting is adjourned. . . . *(gavel)* . . .

**ADJOURN:** 4:33 p.m.

APPROVED:

  
YUKI LEI K. SUGIMURA, Chair  
Water, Infrastructure, and Transportation  
Committee

hfc:min:200615:cs

Transcribed by: Crystal Sakai



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**CERTIFICATE**

I, Crystal Sakai, 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 6<sup>th</sup> day of July, 2020, in Kahului, Hawaii

CRYSTAL SAKAI

Crystal Sakai