

AGRICULTURE AND PUBLIC TRUST COMMITTEE

Council of the County of Maui

MINUTES

February 16, 2021

Online via BlueJeans Link

CONVENE: 1:31 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair
Councilmember Gabe Johnson, Vice-Chair
Councilmember Kelly Takaya King
Councilmember Alice L. Lee
Councilmember Michael J. Molina (Out 3:40 p.m.)
Councilmember Tamara Paltin
Councilmember Keani N.W. Rawlins-Fernandez

NON-VOTING MEMBERS:

Councilmember Tasha Kama (Out 3:00 p.m.)
Councilmember Yuki Lei K. Sugimura (In 2:16 p.m.)

STAFF:

Kasie Apo Takayama, Legislative Analyst
Nicole Siegel, Legislative Analyst
Keoni Shirota, Committee Secretary
Yvette Bouthillier, Committee Secretary
Lenora Dineen, Council Services Assistant Clerk
Shelly Espeleta, Supervising Legislative Analyst
James Forrest, Legislative Attorney
Traci Fujita, Director, Office of Council Services
David Raatz, Supervising Legislative Attorney

Axel Beers, Executive Assistant to Councilmember Kelly Takaya King
Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson
Davideane Kama-Sickels, Executive Assistant to Councilmember Tasha Kama
Autumn Ness, Executive Assistant to Councilmember Gabe Johnson
Gina Young, Executive Assistant to Councilmember Shane M. Sinenci

ADMIN.:

Eva Blumenstein, Planning Program Manager, Department of Water Supply
Stephanie Chen, Deputy Corporation Counsel, Department of the Corporation Counsel
Jeffrey Pearson, Director, Department of Water Supply

OTHERS:

Faith Chase (APT-57)
Lucienne de Naie, President, Haiku Community Association (APT-57)
Dick Mayer (APT-57)
Jeffrey Bronfman

Neal D. Fujii, Commission on Water Resource Management, State of Hawaii
Jeremy Kimura, Commission on Water Resource Management, State of Hawaii

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

CHAIR SINENCI: . . . (*gavel*) . . . It's the second hāfa adai, Members. And it's 1:31 p.m. I'm Shane Sinenci, Chair of the Committee. Let's begin with introductions. Joining us today, we have Committee Vice-Chair, Mr. Gabe Johnson. Aloha 'auinalā.

VICE-CHAIR JOHNSON: Aloha, Chair. Greetings, everyone. Looking forward to learning more.

CHAIR SINENCI: Thanks for being here. We're awaiting Member King. But next we have Council Chair--

COUNCILMEMBER KING: I'm here.

CHAIR SINENCI: --Alice Lee, aloha. Oh, she's here. Oh, Alice, go ahead.

COUNCILMEMBER LEE: Okay. Mr. Chair, hāfa adai again, and hāfa adai to everyone.

CHAIR SINENCI: Hi, hāfa adai, second hāfa adai. Next, we have Member Molina.

COUNCILMEMBER MOLINA: Afternoon and aloha, Mr. Chairman. And great hāfa adai and all day to you, my colleagues, and everyone else from the virtual Chambers here in Makawao.

CHAIR SINENCI: Okay, mahalo for this morning's meeting. That was fast and furious. I do see Councilmember Kelly King. Aloha 'auinalā.

COUNCILMEMBER KING: Aloha 'auinalā, and hāfa adai, all day again. Good seeing everybody. Hope you had a nice lunch.

CHAIR SINENCI: Mahalo. And next we have Member Paltin from West Maui. Aloha 'auinalā.

COUNCILMEMBER PALTIN: Hāfa adai all day to you all and aloha 'auinalā from historic Lahaina town.

CHAIR SINENCI: Thanks for being here. And we also have Council Vice-Chair, Member Rawlins-Fernandez. Aloha 'auinalā.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā, Chair, and my Molokai Nui Ahina and hāfa adai kākou.

CHAIR SINENCI: Aloha, hāfa adai. And then also today, we have Member Kama. She's a Non-Voting Committee Member, but she's joining us today for today's meeting. Aloha 'auinalā.

COUNCILMEMBER KAMA: Aloha 'auinalā, Chair, and hāfa adai to all of you.

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CHAIR SINENCI: All right. Thanks for being here today. And we have Member Sugimura as part of our Non-Voting Committee Members, and she's always welcome to join us should she choose to. Today from the Administration we have Ms. Eva Blumenstein from the Department of Water Supply, and Ms. Stephanie Chen from Deputy Corporation Counsel. So, welcome aboard. Our other resource people today we have Mr. Jeremy Kimura from the State of Hawaii Commission on Water Resource Management. Welcome. He'll be doing a presentation after we take testimony. And then also for our staff today, we have Ms. Apo Takayama, Mr. Keoni Shirota, James Forrest, Ms. Nicole Siegel, Ms. Lei Dinneen, and we also have Ms. Fujita, Director of Office of Council Services, today. So, welcome everybody. For agenda items, we have APT-57, Water Use and Development Plan for Maui. Ms. Apo Takayama, do we have any testimony?

MS. APO TAKAYAMA: Yes, Chair, we have currently three people signed up to testify.

CHAIR SINENCI: Okay, I'll go ahead and read the. . .let's begin with public testimony. Oral testimony via phone or teleconference will be accepted. Testifiers wanting to provide video testimony should have joined the online meeting via the BlueJeans meeting link at <https://bluejeans.com/411641115>, as noted on today's agenda. Testifiers wanting to provide audio testimony should have participated via phone conference by dialing 1-408-915-6290 and entering meeting code 411 641 115, also noted on today's agenda. Written testimony is highly encouraged through the eComment link listed for today's agenda for mauicounty.us/agendas. Instructions on how to submit testimony via eComment can also be found at mauicounty.us/eComment. Moving on to oral testimony. Oral testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When testifying, please state your name. If you are testifying on behalf of an organization or a paid lobbyist, please inform the Committee. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. If you are here to provide testimony, please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. Now once you are done testifying, you'll be asked to disconnect from the call; however, you are welcome to continue to view the remainder of the meeting on Akakū Channel 53 or on mauicounty.us. Participants who wish to view the meeting only without providing testimony, please also disconnect at this time and instead view the meeting on Akakū Channel 53 or visit mauicounty.us/agendas. Only Councilmembers, staff, and designated resource personnel will be connected to the video conference meeting once testimony concludes. I remind Committee members, Administration, the public, to please be patient if we run into any technological issues. Members, I'd like to proceed with oral testimony. Okay. And our first testimony--if there are no objections?

COUNCILMEMBERS: No objections.

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. . . (BEGIN PUBLIC TESTIMONY) . . .

CHAIR SINENCI: Okay, thank you. Okay. So, our first testifier is Ms. Lucienne de Naie, from the Haiku Community Association. Aloha, Ms. de Naie.

MS. de NAIE: Aloha and good afternoon to the Committee Members. My name is Lucienne de Naie and I'm the President of the Haiku Community Association. We did send in some written testimony yesterday. I'm not sure if I got it on that "e" link thing so I'm not sure if it went to everyone. But we have had one meeting, a couple of months ago, on the Water Use and Development Plan and the role of Haiku in that plan. And our panel discussion included a number of comments from folks in our Hawaiian community in the Haiku-Huelo area where our association covers. And so, I'm making a few comments today having to do with Appendix 10 of the Water Use and Development Plan and how there really needs to be a more in-depth effort to reach out and hear what folks from the Hawaiian community, who have their own sets of constitutionally protected rights, have to say about the 60 different strategies and actions that are proposed in the plan. So, Appendix 10 looks at those and suggest mitigations if there could be impacts to Native Hawaiian practices or water rights. And I've listed a whole bunch of stuff, but just to be brief, and I'm really appreciative that the Water Commission staff is here today to make a presentation because I think it's important that they know that this is a part of our Maui plan that needs to be better fleshed out and that's why it was sent back to Committee. That's one of the reasons it was sent back to Committee. So, Appendix 10 does not really. . . did mu..., they didn't do much outreach to Hawaiian community. There were few meetings in 2016, but then the plan is going for final approval in 2020, and there's like no communication in-between. And our Hawaiian community was very disturbed by that; certain individuals came out to testify about it, but there was really no address to that. So, that needs to be addressed. The second thing is that there's an assumption in Appendix 10, and in the whole Water Use Plan; that if our Water Commission sets stream flow standards, that's just the end of story. We've taken care of all the needs of the Hawaiian taro growers, of all traditional and customary needs because those standards are going to be enforced, they're going to be realistic, they're going to actually happen. That's just not the truth. So, the plan needs to admit that, that needs to say that some criteria should be set up, that the Hawaiian community should be consulted on so that we know with these instream flow standards are really being met, and if they meet the needs of the Hawaiian practitioners who have the rights to use the water. And then the WUDP and Appendix 10 helps a lot of assumptions about using the Haiku Aquifer and these are really not founded on a lot of data. And, many Hawaiians fish along that shoreline and are extremely concerned about the impacts of new well fields with very, very minimal studies. And, the studies in the past were not in good faith. So, that really needs to be discussed way out in the open and not just included as the main strategy for a large chunk of water in the future. So, mahalo for listening, and I'm glad that this will be reviewed by the APT Committee. And, we'll get a chance to go over these details and add better language.

CHAIR SINENCI: Mahalo. Mahalo, Ms. de Naie. As stated prior, we have a presentation from the Commission on Water Resource Management. And then, at the end, if we do have some time to speak a little bit about Appendix 10, we can do so. But I was just going to

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ask, Members, I was going to ask Ms. de Naie if she wanted to stay on, if you had any questions for her. Are you able to stay on, Ms. de Naie?

MS. de NAIE: Well, could someone text me if you're actually going to get to it? 'Cause I have, I have work to do around the house. But I could get a text, and then come back on.

CHAIR SINENCI: Okay, just in case, we had a question from Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Oh, good afternoon, Lucienne. You know, I believe what you say in terms of the Native Hawaiians have not really had their voices heard. And I've echoed that several times too. So, I kind of feel like maybe somebody needs to tell the consultants who they need to go and see, and what are some of the people, and what communities they need to get into to talk to some of these people. So, would you have a recommended list of people that you think that they should be talking to, and hearing, and sitting down with?

MS. de NAIE: Yes, I definitely would. And the Community Association has offered technical help to our local 'Aha Moku Council; the Hamakualoa and Hamakuapoko 'Aha Moku Councils to put on a Zoom Talk-Story on just this topic. And we hope that will happen in March. We're working out dates with those representatives. And so, that's something that of course the staff will be invited to be a listening member of and certainly the Office of Council Services will be working on amendments. We'll have a recording of that and probably a synopsis. So, hopefully that will start to address part of it. But, the West side, Nā Wai 'Ehā, Ko'olau, you know, Moku, those are all groups that really deserve to have a voice. And thank you for making that suggestion.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR SINENCI: Mahalo, Member Kama. Any other questions for Ms. de Naie? Okay, seeing none. And then we'll give you a ring when the item comes back up.

MS. de NAIE: Thank you so much.

CHAIR SINENCI: Okay, thanks for being here. Okay, next Members, we have Mr. Dick Mayer.

MR. MAYER: Good afternoon, Council--

CHAIR SINENCI: Mr. Mayer?

MR. MAYER: --Councilmembers. Good afternoon. Can you hear me?

CHAIR SINENCI: Yes, we can hear you.

MR. MAYER: Very good. I just want to comment. You know, we have a Water Use and Development Plan that's before you, that describes all of the numbers of flows and this and that. Very important thing in the future will be, who's actually going to be in charge, who's going to make the decisions about those things? And I'm going to mention three

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different things here. First, is with regard to East Maui, A&B put together an environmental impact statement for the whole East Maui watershed. It's been over a year now, we've been waiting for that, and it has not--a final version has not been issued. And it has a lot of comments in there by members of our community about what will happen with all that. So that's the major source of water for much of Maui, both agriculturally and Upcountry. A second thing is, the issuance of State leases and the uncertainty as to whether those leases will be issued in the near future, long-term leases and the implications. But who will be running and owning the water that will be coming out of East Maui? Will it be private? Will it be public? Will it be whatever? And that needs to be gotten into. And thirdly, a very important one which is coming up this Thursday at the Water Board where they're going to discuss Nā Wai 'Ehā water, particularly the waters that are owned by Wailuku Water Company, and the possibility that the County may purchase that whole system. They have a very extensive report that was done by their Chair, that will be looked at, and commented on, and probably approved and not approved, but recommendations will be made to the Council as to whether the County should go ahead and try to purchase that water system and run it. Or, alternatively it would remain in the hands of Wailuku Water Company, Avery Chumbley, etcetera. But those are important considerations that need to be included one way or another into the Water Use and Development Plan even if we don't have all the answers at this point. At least there should be a section describe the implications of County ownership of the, for example, the lease here, that the County may want to take over the lease area, sample water authority. Similarly with the Wailuku Water Company, the County may want to take that over, incorporate it into their system. And then there are implications for maintaining the watershed and running the system. All of that needs to be discussed. And I think the future of Maui's water supply depends mainly on those two particular areas, the Wailuku Water Company lands as well as the East Maui lands. And who's going to make decisions about that and the cost to the County on maintaining different systems? I'll quit at that point, and see if there are any questions.

CHAIR SINENCI: Mahalo, Mr. Mayer, for your testimony. Members, any need to clarify Mr. Mayer's testimony? Seeing none, again, mahalo, Mr. Mayer, for being here today.

MR. MAYER: You're welcome. And I do hope you take a chance. . .have a chance to take a look at the Water Board's recommendations that will be coming out of their Thursday meeting.

CHAIR SINENCI: Okay, will do. Thank you for that reminder. Okay, next to testify we have Mr. Jeffrey Bronfman. Mr. Bronfman, are you on. . .still on? Please go ahead and unmute yourself and provide your testimony. Mr. Bronfman, we can't hear you.

MR. MAYER: I guess he. . .I guess he, he just signed up probably. . .he signed up probably to listen, and not to, not to participate.

CHAIR SINENCI: Okay. We can come back to him. Next on the testifier list, we have the numbers ending in 5787.

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MS. APO TAKAYAMA: Chair, I believe 5787, and 4444 dropped off the call.

CHAIR SINENCI: Okay. The next, we have, is Maui Faith. Is that Ms. Chase? Ms. Chase, are you on the call?

MS. CHASE: Aloha. Thank you guys. Sorry.

CHAIR SINENCI: Aloha, we can hear you.

MS. CHASE: Hi, you guys. Aloha, Chair. Aloha, Committee. I was really struggling with opening up the number, the item number four document in the meeting miscellaneous items. But now I understand, it's 600 pages. So, I've been always struggling with strong internet. So, I plan on going to print those out. But I just want to state that if there is no decision making. . .if there's any. . .I want to believe that there's no decision making today, that this is a presentation. So, I'm comfortable with continuing with the presentation, but if there was anything that was pressing on that 600-page file that is going to deem any discussion today, that maybe more time be permitted for my personal review. As always, I wish to continually express my concern for the water needs of kalo farmers in the East Maui area. As I stated in the last APT meeting, I would encourage that an invitation be made to the East Maui Water Council which is comprised of over 60 Eastside families/stakeholders. I think the judgment was made to do four or five generations to get to that number. So, just as Hui No Ke Ola, not Hui No Ke Ola Pono, Aupuni O Ko'olau Hui was brought forward to share their thoughts, I think it would be fair to do the same. I might say it's worthy to mention that there is active Hawaiian Homestead Associations like we've never seen before. There are. . .they're vigorous, they're organizing, they're certifying, they're putting for grants, they're really have a voice. And I think it's empowered because wait-listers have gotten the support from a newly formed or a two-year old Pā'ūpena community development. It's really fascinating. I go to a lot of DHHL meetings. I just left one to join you guys here. It is, it's fascinating. And I see all these water issues that are not spoke of at the Board of Water Supply level. They're not even spoke of when you go to ask DHHL. . .what their input is because it's still at the Homestead Association level. So, I would just encourage you to make sure that you make that reach to those Homestead Associations. And quite frankly, the Community Development Incorporations that are growing, they. . .I'm not sure if you understand the genealogy but, you know, they're actually equal in authority to DHHL, which is confusing to DHHL. DHHL actually had a meeting, the Commissioners brought on their own corporate counsel to ask, is this. . .how is this possible that these beneficiary organizations are making these decisions? And wait, wait, wait, wait a minute, we didn't know about that! And they really were kind of taken aghast, you know, they kind of went pū'iwa at that. And I just want to say that watching them grow has been just, it's been so refreshing to see homesteaders, of course, kanaka with just really civil engineering ideas. And I'm excited to encourage, I'm excited to include them in the conversations moving forward. Of course this is a personal subject to me, you know, my family, my girls started the Honomanu Restoration Project. There was no farming down at Honomanu for over 65 years. That Honomanu Valley takes 68 million gallons a day. And so, there is some patches that have been fed by spring water, but there's another one that now needs the stream flow. And so, it's a little bit of a

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sacrificial crop. There's been some rotten kalo. So, I would encourage you guys to, or encourage you, Chair, to invite that Council to your future meetings. Thank you for your time.

CHAIR SINENCI: Mahalo, Ms. Chase, for your testimony. And you're exactly right where no decisions are being made today. We're just discussing our path forward with the Water Use Development Plan. We have a question from Member Paltin for you.

COUNCILMEMBER PALTIN: Thank you, Chair Sinenci. Thank you, Ms. Chase, for your testimony. It took me a little while to load that 602-page document too. And I just was wondering, you know, it's--there is Water Source Agreements from like "A" through "O" on here, and I just was wondering, you know, with your internet situation, would it be easier if they uploaded it by letter, like "A" is EMI Agreements, Upcountry, Maui. And then, "B" is like MOU Concerning of Water Related Issues, and like that? Like for me, it was difficult like to go through all the pages. Like you're at 337, and your computer cuts out, and then you got to reboot the whole thing. I just was wondering like, if we were able to cut it into bite-size chunks and upload it, like on each letter, would that help you with your computer access?

MS. CHASE: Well, I had figured out a plan personally. But I do remember a couple of items last year that were really large in content, or maybe actually it was a meeting that went. . .ran long and so it broke. . .the feed was broken up in two sections for delivery. I'm not sure if I could. . .if I'm the right person to ask that. Sounds technical and time consuming, but I would appreciate it. And I would say that, you know, I'm done saying, I'm done saying that this issue is complicated. It's complex, but we're smart enough to muscle through it. And if we have to make those little logist. . .those administrative steps, those extra steps, so be it. We've come a long way. We need to do whatever we had to because we've haven't had clarity for a really long time. But thank you for the question. Good luck.

COUNCILMEMBER PALTIN: Thanks. Thank you, Chair.

CHAIR SINENCI: Mahalo, Member Paltin. Any other questions for the testifier? Seeing none, mahalo, Ms. Chase, for joining us.

MS. CHASE: A hui hou.

CHAIR SINENCI: Yeah. I don't see anyone else. Can we go back to Mr. Bronfman if he still wanted to provide testimony.

MR. BRONFMAN: Thank you, Chair. I finally figured out how to work my microphone. It wasn't my intention to give testimony today. I just want to observe the proceedings. So, thank you for your consideration.

CHAIR SINENCI: Okay. Mahalo for joining us today. Okay, anyone else out there wanted to provide testimony? Go ahead and unmute yourself. Okay, if not, Members, seeing there

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are no more individuals wishing to testify, without objection, I'll now close oral testimony.

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay, great. Any objections to receiving written testimony as well?

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay. Thank you.

. . . (END PUBLIC TESTIMONY) . . .

ITEM 57: WATER USE AND DEVELOPMENT PLAN FOR MAUI (MISC)

CHAIR SINENCI: Okay. Members, moving on. So, we have one item listed today, APT-57, the Water Use and Development Plan. The Committee is in receipt of Miscellaneous Communication dated October 12, 2020, from the County Clerk, related to the Water Use and Development Plan for the Island of Maui. The Saturday, January 2, 2021 Council Meeting, I was selected to Chair the newly formed Agriculture and Public Trust Committee. As part of my Committee responsibilities, I was given the matter of the Maui Island Water Use and Development Plan. Last term, we heard from some community members that the plan lacked updated information and that they felt some voices weren't represented within the report. But we'd like to work to include some of the pertinent information that was left out, and address some of these community concerns within this process. But before we begin, I'd like to remind the Members that, at this point, our Committee only received the matter of the Water Use and Development Plan for Maui. So, we're working to officially get the Plan into our Committee so we can begin the hard work, before completing and submitting the plan to the State Commission on Water Resource Management. That said, Chair Lee has agendaized County Communication 19-162 on Friday's agenda referring from the WIT Committee the proposed bill, "A BILL FOR AN ORDINANCE ADOPTING AN UPDATE OF THE WATER USE AND DEVELOPMENT PLAN FOR THE ISLAND OF MAUI". So, that said, throughout the process so far, the Department of Water Supply has received regular guidance from the Commission of Water Resource Management. We'd like to include them within this process to help guide the completion of the report. For this reason, I invited Mr. Jeremy Kimura, from the State of Hawaii Commission of Water Resource Management, to discuss how CWRM uses the Water Use and Development Plan, and any tips or guidelines that he can share on how to make sure we're producing a strong Plan that the State will accept. So, Mr. Kimura, did you want to introduce the other representatives of CWRM that you have with you here today?

MR. KIMURA: Sure. Thank you, Chair. I believe on the phone. . . I mean on the. . . on the Zoom--sorry, Zoom--the meeting, we have the State Water Conservation Coordinator and Drought Coordinator, Mr. Neal Fujii, who's also currently the Acting Program Manager for the Water Resource Planning Branch of which I am a part of. And I'm not

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sure if he's on the. . .he joined, but we might be joined later by our Deputy Director, Mr. Kaleo Manuel.

CHAIR SINENCI: Okay.

MR. KIMURA: We had a Commission meeting today. So he might, he might join. But I'm not sure if he's on or not.

CHAIR SINENCI: Okay, Members. So, if there are no objections, I'd like to designate Mr. Kimura, Mr. Fujii, and Mr. Manuel, should he join us, as resource persons pursuant to 18(A) of the Rules of the Council.

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay. Thank you, Members. Okay, if you want to go ahead and share your screen, Mr. Kimura.

MR. KIMURA: Sure, give me a second here. And, can you all see the PowerPoint. . .the pdf, I put up?

MS. APO TAKAYAMA: We can see your presentation.

MR. KIMURA: Okay, let me just go full-screen here. Yeah, thank you again, Chair. And good afternoon, Councilmembers and Committee Members. Thank you for having me. I'm just going to really briefly do a quick presentation on the Water Use and Development Plans, and then just go into little bit of. . .just do a little bit of background how the Commission uses the plans as well as some recommendations perhaps on how the County can use the Water Use and Development Plans. So, let's see here. Go to the next. So, anyway, I just mentioned the outline there really briefly. And I should also mention that I. . .hopefully you all have received this pdf, and I've made it a pdf so that you can share it with any constituents that you think might want to know more about the Water Use and Development plans. And I should also offer that we at the Commission are happy to talk to any community groups, or elaborate any more on this presentation. It's a very broad overview. So, we're happy to talk more with anybody who wants to learn more about the Water Use and Development plans. Many of you probably know this already, but the Hawaii Water Plan is outlined in the State Water Code. It's a planning program to help us think about future use and conservation of water resources in the State. And that's what guides the Water Use and Development Plan that the Commission looks at. And so, you know, the Commission really has, through the Hawaii Water Plan, the Commission has the obligation to balance protection of the resources, the water resources, with the efficient use of those resources. So, the Hawaii Water Plan is a program made up of many parts. But the five parts here are the Water Resource Protection Plan, the Water Quality Plan, both prepared by State agencies: The Commission and then the Department of Health. And then, you have the State need plans which are Ag Water Use and Development Plan, State Water Projects Plan. And then the County plans are the Water Use and Development plans, which we'll talk about in more depth today, or what this presentation is about. So, here's just a

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visual of how the plans fit together in the Hawaii Water Plan Program. So, each box sort of is saying, you know, with each set of plans we're looking to answer these questions, right? So, like I said, the Commission is obligated to protect the resource, but still allow the efficient use of that resource so. The Protection Plan, the Quality Plan really are giving us the idea of like how do we protect those resources and more the tools to manage them, what do we know about the water resources in the State, freshwater resources. The two State plans are really saying, well, how much do we need for State needs? State Water Projects, as you expect, are things like hospitals, schools, airports. And the Agriculture Water Use and Development Plan is really looking at the needs of agriculture in the State. Now, all that comes together at the County Water Use and Development plans. And this is really important because this is where you're looking at the policies set in your land use programs and zoning entitlements, and what those impacts are from those policies on water resources. Another component, I just put a box here, here in the bottom, because although not explicitly called out in the Hawaii Water Plan Section of the Water Code, the County Land Use Plans are an integral component of assessing the impact of those Land Use Policies. So, from the State Water Code, these are the four requirements set forth that should be in the Water Use and Development Plans--I've listed them here--prepared by each of the counties and adopted by ordinance. They should be consistent with the County Land Use and Policies. Sets forth the allocation of water land, water to land use. And then there should be periodic updates to maintain consistency with the changing Land Use Policies. These are really broad requirements. And so, later on, the Commission, you know, the Code was passed in 1987, but later on the, through working through the first set of Hawaii Water Plan components the Commission decided like, you know, there needs to be a little bit more guidance on meeting these requirements and to make the plans really more useful for all parties involved. And so, this Hawaii Water Plan framework was developed to guide the preparation of the Water Use and Development plans and the other Water, Hawaii Water Plan components. And these are what we call recommended guidelines. This was passed as a policy document for the Commission. So, although they are not the legal requirements in the Water Code, or statutory requirements of the Water Code, these are things that we are looking for in the Water Use and Development Plans when they come to us for adoption. So, you can see here. . .and, you know, the point is to meet the objectives outlined in the Water Code. But number seven, Stakeholder and Public Involvement, is a big part, we feel, of the Water Use and Development Plan as well as protection of public trust water rights, including traditional and customary rights as well as addressing the needs of the Department of Hawaiian Home Lands. And also, the plan should have a 20-year protection period. I should mention that the framework, which is a guidance document, like I mentioned, is kind of old. I believe it was passed in 2000, adopted by the Commission's Policy in 2000. So, it does need an update considering all of the water issues that have come to light. And just our frame of thought has changed, I think, in terms of water resource management. So, how do we use the Water Use and Development Plans at the Water Commission? Like I said earlier, you know, our obligation is the balancing of water resource protection with the use of those resources. So, to do that, you know, we look at the Water Use and Development Plans to help us guide our permitting, right? It was brought up by some of the testifiers but, you know, well permitting, water use permitting in Iao, which is a groundwater management area, as well as surface water management area of Nā Wai 'Ehā, there will

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be Surface Water, Surface Water Management permits that will be issued for that. So, we will be looking to the Water Use and Development Plan to help us guide to inform those permitting processes, you know, making sure that the development strategies are within the sustainable limits of the resource. So, what the Commission sets as the sustainable yields or the instream flow standards, you know, do the strategies fit within those? Our public trust use is being protected in the Plan. Our . . . we want to encourage conservation, water conservation, and encourage the use of alternative sources where applicable and feasible. So, this plan is the mean to, means to do that. It's also guiding our monitoring programs. I think the Honolulu Board of Water Supply is the only Water Department in the State that has a stand-alone Water Monitoring Program. So, the Commission does a lot of the monitoring work on the other islands in cooperation with the US Geological Survey but, you know, looking at the Water Use and Development Plans and how uses are being projected out and the areas where there's probably going to be increase demand on resources, that helps us guide our monitoring and where we need to put staff and spend resources on creating more monitoring stations. The other thing is we want to encourage strategies that address impacts of climate changes mentioned by earlier testifier, I think. But, you know, this is, this is really important, this is another thing, it's like something that wasn't mentioned in the framework or initially. But we know climate change is happening and is impacting. And why, at a minimal, why invest money on infrastructure in areas where climate change is going to impact sea level rise as well as drying trends. And also, the last one which I've heard from the previous testifiers, and this is really important to us, is these community concerns related to Water Use and Development. This is another thing that the Water Use and Development Plan helps to inform us by. And I should also briefly mention that the process, you guys are looking at the Water Use and Development Plan now at the County level, but once you're comfortable with the document and you send it on to the Commission, we have to do a public hearing before taking it to the Commissioners for adoption. So, there will be another 90-day notice, and some public hearings to get more feedback on the Plan, as written, before taking it to the Commissioners and giving them recommendations based on what we heard, what we hear in the public hearings. So. . . so how could these be used by the County? I work for the State, so I don't want to tell you guys what to do. But this is what we think some ways that the County can utilize the Water Use and Development Plans. You can see here, I just put about five points but, you know, really integrate the Land Use Policies and Water Use Policies together to inform your future decisions on land use. Is there additional infrastructure that's needed, that should be planned for now to meet some of those future demands where you might be short in terms of resources? It's a good way for County agencies to work together. So many times in government, you see there's so many silos. . . even at the State, but at the County and Federal level as well. So this plan, because we're bringing together policies from a land use planning, water planning, water distribution, you know, it's a good way to have those agencies talk to each other, to plan together, right, so to speak. And also, the plan at a minimum should really be communicating to the public how these land use plans and policies are being balanced with the County's policies for protecting public trust resources. Every agent of the government has, in the Hawaii State Government, has an obligation to protect public trust resources and the County is no exception. So, I mean, this document should be communicating to the public how is that being done so that they have some, at least are informed and can

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input on how those policies are being implemented. So, that's it. I have a . . .there's a . . .on here is the, our URL for our website. So, we have the latest drafts of the Plans. When they come to us, we put them on there so people can review them as well as more information on here. But with that, I'm happy to answer any questions. And, like I said, please feel free to share this PowerPoint with anyone who you think might be interested.

CHAIR SINENCI: Mahalo, Mr. Kimura, for that presentation. And so, if we can open it up for questions to the Members. I'll take the liberty of starting couple questions. Does CWRM look at the County general and community plans or do they expect the Water Use Plan to take those policies into account?

MR. KIMURA: Yes, we do. I apologize, I'm not a Land Use Planner. I'm not a Planner by training. But one of the requirements of the Code is that the plans be consistent with Land Use Plans, right, or the plans at the County level. So, we do look at those plans to ensure consistency. Of course we. . .might. . .this is why the coordination with the County Planning Department is important because we don't, like I said, we don't. . .might not fully understand how those plans are. And we want to make sure that we can be. . .we can explain. . .those plans can be explained to us as well.

CHAIR SINENCI: Okay, thank you for that. And then, my second question was, how has other communities used their plans to help to protect their water as a public trust?

MR. KIMURA: Maybe like a good example is, you know, on the Big Island, for the Kaloko-Honokōhau area is something people probably heard about that the Commission was involved with for a few years. And the Big Island Water Use and Development Plan for Hawaii County when it was passed, it really protected use above the sustainable limits of the resource for a lot of the areas and, in particular, the West side of the island. So, there's a lot of discussion on whether that should be designated as a water management area should the Commission come in. So, that was an example where the Commission and Commission Staff really looked at, well, how are these sources being consulted with to the community in lieu of it being a water management area? Is there enough consultation going on between the people who are developing source and the people who are being impacted by that development? And so, what happened there is you. . .that's where you. . .we've. . .sort of, well, we've tried to recommend--and this was in the infancy, I think of the 'Aha Moku Council Program at the State--but we tried to recommend closer coordination amongst the Water Use and Development Plans with the 'Aha Moku Councils as a means of consulting for that source development. So that's just one example. Another one I will just say really briefly is on, in Oahu for the Board of Water Supply, as you can imagine, Honolulu is. . .City and County of Honolulu is very big, a lot of diverse interests. So, they've done Water Use and Development Plans by Neighborhood Board District. But within those plans what they've done is gone out to the community and said like, what are some projects going on here in the watershed, the neighborhood board area that are looking to improve water resources? And this is a means for them to put those projects on paper as a way to hopefully get funding for some of those and future support.

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CHAIR SINENCI: Okay, thank you, Mr. Kimura. Members, any questions for Mr. Kimura? Member King.

COUNCILMEMBER KING: Thank you, Chair. And thank you for being here, Mr. Kimura. That was a really interesting presentation. And a lot of our folks and ourselves too don't get to talk to CWRM very much. So, it's really nice to have you here. I just wonder if you have any thoughts on including into our Water Use and Development Plan, you know with the testifiers of today, the issues of the Water Delivery Systems, the Wailuku Water Company, the EMI System? Those are big issues in our community and we haven't really addressed them through this Plan. So, what are your thoughts on addressing those issues in the Plan?

MR. KIMURA: Well, yeah, that's a complex history, and I apologize, I'm not really, very versed, versed on it. But if there's any development plans or future. . .if it's going to be a future source for the County, for example, it's probably something that should be looked at either through an addendum or how's it. . .because ultimately what we want to see is how is source matching with land use, right? So, and what I mean by that is, you know, you have a development that's going to require "X" million gallons a day by year 2030 for example, right, so, is the. . .is source, is source sufficient to meet that? So, with the Wailuku Water System in that acquisition. And like I said, I apologize for not being that current on it. But if that's going to provide future source because there's not enough source, for example, that's something that should be thought about.

COUNCILMEMBER KING: Yeah, I don't, I, I don't think it's actually a source. I think it's a delivery system, you know, the source, the source is there or not there and then this is the way that we get the water so, you know, that's been. . .I think that's been a misunderstanding is that people think if we buy the Wailuku Water Company, we're going to get more water. But the water still has to be allocated by the State, correct? So, what we're looking at it. . .but the delivery systems are really important to how we use our water. So, and we haven't been, we haven't really had a strong conversation about either one of those water delivery systems, you know, whether or not the County should own them. We've talked about it, but we haven't had a serious discussion about that.

MR. KIMURA: You know, in one of the slides, I mentioned that the plans can be a means to budget and facilitate infrastructure and development CIP, right? And so if, I don't know, I don't know the status of the Wailuku Water Company purchase, but if that does come to fruition, there probably should be. . .this is something we try to encourage is water conservation rights. So, if there is a ditch system being acquired by the County that will eventually be folded into options, right, for water delivery, there should be some, I guess, you know, some allotment made for improving the efficiency of that delivery system. I mean with climate change, we know that water resources are. . .they're rarely getting more, or they're getting more in for short periods and less for long periods. So, it's our kuleana to ensure the efficient delivery of those resources, especially surface water. So, in that sense, yeah, I don't want to comment just 'cause I don't know what the status of. But getting back maybe to CWRM's responsibility, in terms of allocating resources, right, so Nā Wai 'Ehā, as a surface water management area, I'm happy to

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have our Surface Water Program folks come and talk about it more, in more detail and answer those questions in terms of how the allocation of water resources for surface water would happen and how that might impact the decision of the acquisition of the Wailuku Water System.

COUNCILMEMBER KING: Okay. All right. Thank you. Thank you so much. Thank you, Chair.

CHAIR SINENCI: Mahalo, Member King. Before I go to Member Lee, Mr. Fujii wanted to also comment.

MR. FUJII: Aloha, Chair, Committee Members, and Councilmembers. Can you hear me?

CHAIR SINENCI: Yes, we can hear you.

MR. FUJII: Okay, I'm going to leave my video off 'cause my connection is slow. So, yeah, just wanted to kind of like complement what Jeremy was saying on the. . .some of the. . .I think Councilmember King had a question about including the issues especially Nā Wai 'Ehā, and maybe the East Maui, and other issues into the County Water Use and Development Plan. So, we would leave it up to the counties if they want to. What we've been--we, meaning the Commission--actually have been working closely with the Water Department. And, you know, as you know, the Commission is right in the middle of all these issues. So, we actually made some comments. And, you know, the Water Department actually added an Addendum in the front of the Water Use and Development Plan to at least talk about some of the issues. So, you know, so they are mentioning it at least. So, to the degree of how much detail you want to get into it and how that would affect your Water Use Plan, yeah, that's up to the counties and we would leave it up to them. . .but, you know, to the degree you think it's, you know, how much you want to include in that. And certainly, if it's going to affect, you know, your Land Use and Water Use Policy decisions, you know, that. . .but then again like, you know, it's. . .we would leave it up to the counties to do that. I don't know if that clarifies anything. Thank you.

COUNCILMEMBER KING: Mahalo, Mr. Fujii.

CHAIR SINENCI: Mahalo, Mr. Fujii. And just a quick note, Staff, I believe Member Sugimura is trying to join the meeting, as well. If you can let her in, please.

COUNCILMEMBER KING: She's in.

COUNCILMEMBER SUGIMURA: Yeah, Keoni, Keoni let me in. Thank you.

CHAIR SINENCI: Okay. Aloha. Welcome. Okay, Member, Chair Lee, go ahead.

COUNCILMEMBER LEE: Thank you, Mr. Chair. Welcome Mr. Kimura. Thank you for your presentation. Since the State has oversight over public trust, water, etcetera, and we are required every so many years to come up with community plans for our major

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districts, wouldn't it be helpful--well, I know it would be helpful--if the State would tell us where the water should be developed. 'Cause the way it's happening now it's all sort of backwards. Somebody comes up with a project not knowing if that project is going to have enough water. So if somebody told us where the water was, then we can plan accordingly, right? So, is that something that you do, the Commission or the State Water Department?

MR. KIMURA: Well, you know, before my time, the Commission on Water Resource Management, and the Engineering Division at DLNR were one agency, was called DWLD, right, Division of Water and Land Development. So we. . .they actually used to develop water source for the counties and direct those, those, those, those needs. And I think when the Code was originally envisioned--for one thing, let me get back to the issue of the State telling the counties where to develop water--it really wanted to respect County Home Rule. So in that sense, I think that's why it's been silent for a long time on where to develop. The Commission does set--

COUNCILMEMBER LEE: Oh, oh, okay, Mr. Kimura, that doesn't work, yeah, because when we take our plans to the State, you know, they decide whether, you know, we can drill a well here or draw more water from the streams or. . . So, from a logical point of view, why wouldn't you continue to direct where, if you don't develop it yourself, why wouldn't you continue to direct the State. . .the counties on where to develop water? It would save us decades of trying to figure it out ourselves.

MR. KIMURA: I, you know, I'm sorry, I don't have a good answer for you as why that's not the case.

COUNCILMEMBER LEE: Okay. Would you be able to get an answer?

MR. KIMURA: I'm happy to have our Groundwater Regulation Programs speak to you folks--

COUNCILMEMBER LEE: Okay, great.

MR. KIMURA: --to give you more detail on how they direct groundwater development in the State.

COUNCILMEMBER LEE: Okay. Thank you. Thank you, Mr. Chairman.

CHAIR SINENCI: Thank you, Chair Lee. Mr. Fujii, you wanted to add to that?

MR. FUJII: Thank you, again. Thank you for allowing me to speak again. So, Councilmember Lee had a question on, why shouldn't the State tell the counties where to develop water? You know, Jeremy mentioned the Code and how it allows where the Home Rule and because the State is, you know, not. . .they don't know what the County issues are, what the Land Use Policies are in terms of, you know, your General Plan and your community development plans, we really leave it up to the County's to develop their water where they feel and see that it fits. Now, the State will come in and say whether or not there's enough water to give you the, right, that the sustainable yield is

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approaching its limits like in Iao, then we would come and say, well we're going to designate and you're going to have to get permits, things of that nature. The same with Molokai. So, you know, it's really the counties should be planning 'cause the State doesn't involve themselves with these very local issues, and things in the County. So, and then Jeremy mentioned the Well Development Program. Yeah, that was a while back and that was, the State would drill wells for the County Water Departments, but I believe the... I think the State did go in and help cite the laws. But anyway, that's a little bit history. So, we're leaving it up to the counties to decide where they want to develop the water, and we'll say whether or not, you know, if there is the water. And hopefully you guys can coordinate your land use plans.

COUNCILMEMBER LEE: Follow up question. Yeah. Can I have a follow-up question, Mr. Chairman?

CHAIR SINENCI: Go ahead, Chair Lee.

COUNCILMEMBER LEE: Okay, okay. At the very least, I'm not asking the State to determine where we should develop, where we should develop. But at the very least the State should verify where water is to be developed, rather than leave it up to, you know, chance, and there's, there's always a contention with new development versus people who live in the area of potential development. There's always that contention. So, it'll be very helpful if the State said, okay, you have water that you can develop here, here, here and here. See, then that makes sense where people can start to plan for those areas because you have already established that there is source in these various areas. That's all I'm saying. And that has nothing to do with Home Rule because you already have control over stream, you know, streamflow standards, etcetera. That's not left to Home Rule. So, I don't think groundwater should be left to Home Rule either, yeah? You already control the surface water. So, why not control the groundwater as well, in terms of identifying where these waters can be har..., you know, harvested and used for domestic use. Thank you.

CHAIR SINENCI: Mahalo, Chair Lee. Members, any other questions for our presenters? Can't see all of you so if you have any questions--

COUNCILMEMBER KING: Member Paltin. Member Paltin has her hand up.

CHAIR SINENCI: Oh, okay. Go ahead, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Kimura and Mr. Fujii. And Member King. My question was on your slideshow on when you have elements of the Water Use and Development Plan, number 8, "Protect water rights, including traditional & customary rights and the needs of DHHL." On this same agenda, we got kind of what seems to be a comprehensive list of Water Source Agreements that the County has. And, you know, some of the earlier ones, it doesn't seem to take into account riparian or appurtenant rights. Like Kanahā, for example, I think is like 100 percent diversion with no water use available for taro lands, whereas like when you look at the Iao one, they had like a formula even back in the early 1900s of if they forego the 'auwai, they

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would get free water at a certain calculation from the County, from the plantation. And so, I was wondering like in terms of what you mean by protecting water rights, and traditional and customary rights, would like a strategy or an action item be to update all these contracts or agreements? I think that was one of the points, the last point in the eComment testimony that we got, was to update these types of Water Source Agreements. And would that fall in line with number 8, as elements of the WUDPs?

MR. KIMURA: Yeah, I agree. I think that would be a great piece of. . . great data update I think for the Water Use and Development Plans. I'm not sure, I apologize. I don't know status of a lot of those agreements and what that's in. I haven't looked at it since. I know the. . . with the instream. . . interim instream flow standards, you know, the Commission has been working quite a bit on a few and things are sort of in progress. I'm not sure, I know there's some data exchange with our Surface Water Program and the County Water Department Planning Program for what the latest available data is. So, I'm not sure what the status of that is. But we're happy to help them work through that and provide. . . help them get that data or help them provide that data to add more information to the Water Use and Development Plans. I think the big thing too is that a lot of the community concerns on really, I guess, identifying and acknowledging the traditional and customary rights that are out there. I know for certain types of rights, like gathering rights, it's difficult. You can't really say like it comes from here or it comes from there, you know, because these are lineal, this is lineal information, right, that is sort of proprietary I guess in a way, but still those, the acknowledgment of those rights, it should at least be in the Plan for those watersheds where sources may impact those.

COUNCILMEMBER PALTIN: Yeah, and in terms of the Water Source Agreements, it was all kind of technical information, so some of it may went up, may went up over my head. But, you know, like the 1995 agreement for Kanahā was between the Department of Attorney General, DLNR, BOE and it was pretty much a bunch of State agencies. And I think that's, you know, for a private source development in Kanahā with Lahainaluna High School. And I just kind of found it interesting that there wasn't any thought as to returning some of the water to the, to the stream for traditional and cultural uses. And so that agreement was in '95. And the one prior to that was in 1982. And I know when we spoke to Mr. Ornellas, he was saying that that's not a perennial stream. But then like the 1906 Agreement between Pioneer Mill and the Territory of Hawaii, seem to indicate that it was perennial, because like Lahainaluna would get 4 hours and 15 minutes of every day. So, I just was wondering like does the State check themselves too, that their agreements and things are in line with existing practices of not taking all, 100 percent water out of the streams?

MR. KIMURA: I think so. There's sort of two things, I think. And I apologize, I'm not that fluent on either, on either of them. But one is the Water License that the. . . I think, right, some of the things you're mentioning is the Water Licenses that DLNR, the Board of Land and Natural Resources issued, right, and continue to issue in many cases. And, you know, I'm happy to reach out to our Land Division to see if someone. . . I think Daniel Ornellas may have, might have spoken to you guys on this. But, you know, happy to talk to him again. Maybe you guys want more information on the Water License and understand. There's a bill going through the State Senate actually right

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now, right, to Water Licenses. But the instream flow standard assessments that the Commission sets, yeah, we're supposed to look at. . .there's a whole litany of things that are supposed to be weighed against off-stream use. So before allowing off-stream use, there's a big list, right? Just water in its natural state, aesthetic, traditional and customary needs, DHHL rights, in other words, right? So, yeah, I'm not sure in those streams in particular if the Commission--Neal, I'm not sure if you know if the Commission is working on Kanahā. Right now I know that we've been focusing on West Maui, but those interim instream flow standard assessments. And if we, and, for example, like Nā Wai 'Ehā is one where it's a water management area now, right, so a lot of those off-stream uses now come under the purview of the Commission to say what's allowable as a water management area, right, you get a water use permit. So, but usually the. . .what we do is if there's an instream flow standard set, East Maui, for example, there's a corresponding, there's corresponding monitoring stations that get put above and below diversions to make sure the diversions are meeting the. . .meeting their, I guess, off-stream needs, and not exceeding it or not impacting the stream in that sense. And I think too like, you know, we talked about climate change earlier, you know, a lot of these perennial streams that are talked about in the mo'olelo, right, from before like you, you hear about these places and what it was like. And I think, you know, the climate has impacted a lot of the, a lot of those as well in some cases on Windward Oahu is a good example where the Board of Water Supply put a tunnel in the mountain, right, to take water out and send it. . .and Waiahole we sent to Central Oahu, right. And that impacted streamflow. And I think people didn't know that at the time until much later when rain flow decreased so much that farmers or people who depended on that stream flow were noticing like, hey, wait a minute, you know, there is not enough flow. In that case, you know, the State had to step in and do things, or the Supreme Court, in that case.

COUNCILMEMBER PALTIN: Thank you, Mr. Kimura. Thank you, Chair, for my opportunity.

CHAIR SINENCI: Mahalo, Member Paltin. Any other questions for the presenters? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Kimura and Mr. Fujii. Mahalo, for your presentations and answering our questions. So, I guess tailing off of Chair Lee's question about where you develop source. Does the, does CWRM know when or have a plan to have IFS's in place?

MR. KIMURA: Yes. Well, it's currently, they're working through it, and it's based on hot spot areas where there's been a lot of community concern. The. . .our stream program has focused primarily on the places that the irrigation systems are taking flow from the streams to set instream flow standards first because that's active diversions, right? But we have been looking at, I think right now they're looking at West Maui. There's been some work on Molokai, I believe, especially on Kalaupapa side to install some stream gauges to start collecting the long-term flow information we needed to set instream flow standards. I, there was, there is a plan that the stream program has. And I apologize, I don't know it off the top of my head, but if I find it, I'm happy to share it with all of the Councilmembers. It's a statewide map that looks at priority areas, color-coded where

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they're going next. But if they're, for example, you know, it's also, it's community driven as well for, you know, it's a small program we have. So, if there's strong community concern that instream flow standards need to be set in a certain area, that helps drive our prioritization. So, if that's. . .if you feel strongly that there is an area, area that your constituents are saying where it needs to be set, yeah, we can't go there. But Kauai and Maui are the two places we been focusing on primarily with our current staff allocation.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. And have you made any adjustments to aquifer sustainable yields?

MR. KIMURA: In the last iteration of our State, our Water Resource Protection Plan, we did based on the new recharged data that the USGS provided to us that. . .so our sustainable yields, right, they tell us what's the sustainable limit of groundwater resources in our aquifers. But, we take the latest recharge estimates from the USGS, or if there's a lower number that might be from an older study. So, we take the lowest number for sustainable yields based on all the studies that are out there for the different recharge estimates. So, in some cases the methodology might not be that precise, but it, because the number is lower, unless we have a robust monitoring program in the aquifer system, we're going to be conservative and take the lower number in that case. I will say the USGS, one of the things we're working on with them is what we're calling a climate change recharge study. So a lot of, you know, we were talking about Plans today, Plans kind of have a 20-year, 30-year horizon. Climate change estimates for how the climate is changing are, they're looking at end of century type of things, right? But, that's not realistic for people who are making land use decisions or are trying to plan. So, we're working with the University of Hawaii and the USGS to see if we can come up with mid-century climate protections that we can turn into recharge estimates to say this is how groundwater is going to change for our aquifers in the State.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Kimura. And so, for the IFS's priorities, that's on your website?

MR. KIMURA: I'm not sure. But I can get that to you folks if, if you guys would like.

COUNCILMEMBER RAWLINS-FERNANDEZ: I would like it. Mahalo. Mahalo, Chair.

CHAIR SINENCI: Mahalo, Member Rawlins-Fernandez. I'm sorry, we did have an alarm going but that was the only time we heard it, this time. Okay, Members, are there any more questions? I see a question from Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Mr. Chairman. And thank you, Mr. Kimura and Mr. Fujii, for being here today. Just one, I guess, general question about the, the. . .staying on the topic of groundwater. You have the Hawaii Water Plan. How is this, I guess, this, I guess would be your guide for all of the counties? Am I correct in interpreting that? Because I'm trying to understand the differences between each counties' Water Use and Development Plan. And does this Hawaii Water Plan take precedence over each counties' Water Use and Development Plan? 'Cause earlier you mentioned how there's a 90-day review period that CWRM has to undertake and then,

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I guess, ultimately approve or disapprove each County's Water Plan. So, if you can help me just understand the role of the Hawaii Water Plan versus the counties' Water Use and Development Plans.

MR. KIMURA: Sure. Simply put, the Water Use and Development Plans are part of the Hawaii Water Plan. So, the Hawaii Water Plan is a program made up of all these different parts -- the two State Plans; Water Resource Protection Plan that the Commission does. That's where we set the sustainable yields. That's when we're laying out our instream flow standards as well as what management policies there are for managing freshwater use in Hawaii. And the Water Quality Plan, which the Department of Health puts out there, that say's here's the quality limits of the use of the, of water resources in the State. And so, those all feed into the Water. . .those Plans, and the other two State Plans, which are part of the Hawaii Water Plan, they feed into the Water Use and Development Plans which, which are basically where all the information goes into from these other Plans. So, I guess an example is the Commission will set the sustainable yields for a part of the State, right, for the aquifer system. Okay, this is the sustainable limit of groundwater. So, the Water Use and Development Plans, we'll take that information and say, based on current growth and development that our zoning, entitlements, land use policies saved for this aquifer, are we within or are we outside of those sustainable limits? So, that's, that's kind of how they fit together. So it's not. . .they're not. . .they're all part of the same program, right. So, and then the 90-day, we don't really have a review. . .a deadline for when the Plan is submitted to us. But what we do have is a 90-day public review period when the Plans come. So, when you guys are comfortable with the Water Use and Development Plan and you submit it to the Commission, we're going to issue a public hearing notice and give the public 90 days to review the document and be noticed that there is a public hearing that's going to happen. And then, so, we take it out to the public for whatever County that Plan is part of, right. So, the Water Use and Development Plan is for the entire County of Maui, right. It's a Maui island Plan. So we do. . .if we're going in person, right, we'd be doing hearings on different parts of Maui island, for example. If it's a State Plan like the Water Resource Protection Plan, we do it statewide because the whole State is impacted by that. We want everyone to get an opportunity to contribute. So that's what I mean by the 90-days. There's a 90-day public review period for us to get comment. And then we take those comments to the Commission for them to decide whether to adopt. The Commissioners can decide whether to adopt the plan or not.

COUNCILMEMBER MOLINA: Okay. Thank you for that clarification. Thank you, Chair.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair.

CHAIR SINENCI: Mahalo, Member Molina. Member Rawlins-Fernandez, you want a follow-up?

COUNCILMEMBER RAWLINS-FERNANDEZ: Just a point of information. So, the current WUDP that we have in Committee is for Maui island only, not countywide.

MR. KIMURA: Yes. Thank you. Sorry, I'm misspoke. Thank you for that.

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CHAIR SINENCI: Any other questions from the other Members? Member Sugimura, go ahead.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much. And apologize for coming to your meeting late. I was in an axis deer meeting. But the Water Use and Development Plan document, so, I'm gathering from conversation, this is really pertinent having you here. So, you need the Water Use and Development Plan, the Maui island Water Use and Development Plan, is there like a time schedule that we need to get it back to you by? Sorry if I missed it in your presentation.

MR. KIMURA: No, no. Yeah, no, there's not. . .not from the Commission. Like whenever you guys are comfortable with the document and it meets your needs, then submit it to us. Like we definitely don't want something premature coming to us that you at the County aren't comfortable with.

COUNCILMEMBER SUGIMURA: Oh. And the, so until you get the updated plan, what do you use as your basis for guideline for the Maui island?

MR. KIMURA: Well, so, if you look at our Water Resource Protection Plan which we've updated not too long ago, it's through conversation with County Planners that we get sort of an idea of--you know, mainly it's like, well, what does population growth look like, and applying some gallon per day estimate to that, you know, this is what it looks like for the County. So. . .and, you know, just through conversation with Staff and members of the public that we know certain areas are hotspots or where there's community concern about development. That's it. So but, nothing on paper, right. So, I should mention that not all--this will be like, for example, Kauai County, they have yet to submit a Water Use and Development Plan to us. So, even though this requirement was passed in the State Water Code and sort of like the first set of kind of plans came to us in 1990, each County has taken their. . .a different approach in developing the Water Use and Development Plans. And some haven't submitted a first draft to us yet.

COUNCILMEMBER SUGIMURA: Oh, interesting. Okay. Thank you very much. Thanks for being here. Thank you, Chair.

CHAIR SINENCI: Mr. Fujii also wanted to go ahead and comment.

MR. FUJII: Oh yes. Thank you, Chair. And thank you for that question, Member Sugimura. So, Jeremy was being nice about like take your time. Even though we don't have a time limit, we recognize that this is a really important planning document for the County of Maui and, you know, it's being developed, you know, right, coming right on the tail of your Maui Island Plan and, I guess, some of the Community Development Plans. And the Commission would like to see. . .and, and Maui County's done a great job, but we'd like to see better coordination between land use planning and water use planning, right. So, I understand that County of Maui Water Department worked closely with the Planning Department in this iteration, and, and, so we recognize that. But, you know, it's really. . .it's going to, I, we believe, benefit Maui County--in this case the island of Maui--to have an updated and current Water Use and Development Plan that can be used along with the Land Use Plans to make sure that Maui has a sustainable water

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future. And I think that's what everyone wants. And there seems to be a lot of community interest as well in the Water Plan. So, yeah, we don't have any deadlines. But we urge that, urge you guys to, you know, get it done as soon as you can 'cause it's going to, you know, once you get that thing polished up, it'll be great for the County of Maui. Thank you.

CHAIR SINENCI: Mahalo, Mr. Fujii. Member Paltin, you had a follow-up question?

COUNCILMEMBER PALTIN: Thank you, Chair. Just following up on Member Sugimura's, I had a process question. Like say we get it to you. . .I think one of the, one of the concerns that we had heard or that we had had was, you know, over the time period that this occurred a lot of major changes came up, like, you know, with A&B selling to Mahi Pono and, and various things like that. And so, an addendum was created and, you know, there was some back and forth if that information should have been updated within the Plan. But it would've been like, kind of like doing the Plan over they said. And so, if you take it out to the communities and folks give you feedback like, eh, what's with this addendum, why isn't it like in the Plan itself?, do you guys go and make that change? Or do you kick it back to us to make the change? Or whatever changes you think need to be done based on your community outreach, who is the entity to make the changes? Do you kick it back to us or do you go ahead and make the changes?

MR. KIMURA: Yeah. We'd send it back to the County, to you folks, and say this is, these are the strong. . .and, you know, especially if there's overwhelming opposition to the Plan and its current form, we definitely would say, you know, let's talk about it. Because, you know, by the time it comes to--I mean, part of this is, you know, before COVID, right, everybody had to fly to Honolulu for the Commission meetings. So, we were trying to get better about having it on neighbor islands. But, you know, it's tough, yeah, for people to come and testify. So we'd hate to have something go before the Commissioners that someone got to spend money and come out and testify in front. So, we try to say like, okay, yeah, there's strong community opposition to this particular component, let's, you know, how can we address this?

COUNCILMEMBER PALTIN: Thank you for that clarification. Thank you, Member Sinenci.

CHAIR SINENCI: Mahalo, Member Paltin, for that question. Sorry, Member Sugimura, you had another question?

COUNCILMEMBER SUGIMURA: Yeah, just to continue. And I was going to ask about that addendum. Because we created the addendum because of the testimony that we heard from the community. A good example is the sale of HC&S lands or A&B lands to Mahi Pono, right? So, it happened after the Water Use and Development Plan was drafted and circulated and had already come, you know, to us as a whole document. So, therefore, we added the addendum. So, are you saying that the addendum may not be used as a source document for the Water Use and Development Plan?

MR. KIMURA: Oh, no, we'll, however the document comes to us with an addendum. For example, like once you guys are comfortable with it, you guys adopt it by ordinance, you

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send it to the Commission, that's the whole document as it is, including the addendum, will be included. I will say one thing, you know, 'cause another big thing, right, is COVID, right, how has COVID impacted the economy and growth, right. I mean it's basically been. . . thrown everything out of proportion. But so, you know, the County, it's up to you guys to. . . you can, you can set a schedule for revising the plan, for example. So, you know, you can send it to us if you're comfortable currently, and maybe there's a lot of things to do for the next one, and you can update it and send it back to us again. So, let's say next year, like we go through the process, we adopt it, and next year you guys give us another one say hey, this is the updated Maui Island Water Use and Development Plan. It has a lot of better information in it or, not better, but other information in it. And then we'll go through the process again of holding a 90-day public hearing, getting public input and taking it back to the Commissioners and updating it. Or this is what happens. . . happened on the Big Island. What's going on is they did an island wide plan and then they needed to look at certain aquifer systems closer because there's this issue of growth and development versus sustainable use that you need a really detailed look at. So, they, they, they just did a portion and they. . . so they're sending it. . . they're going to send it back to us as one aquifer system of the Water Use and Development Plan, for one aquifer system, because they wanted to look at that closer. And so, we'll still go through the same process because it's part of the Hawaii Water Plan and we need to take it to public hearing to be adopted. So that's, anyway, that's some options.

COUNCILMEMBER SUGIMURA: Oh, interesting. Thank you. Thank you, Chair.

CHAIR SINENCI: Mahalo, Member Sugimura. Members. . . oh, yeah, we have one more question from Ms. Rawlins-Fernandez. And then, Member Kama.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I'll yield to Member Kama since she didn't get to ask questions yet.

CHAIR SINENCI: Okay. Thank you, Member Rawlins-Fernandez. Go ahead, Member Kama.

COUNCILMEMBER KAMA: Thank you, Keani. I appreciate that. So, so my question I think to our presenters is, when you consider water and it's used for future developments, what lands do you take into or how do take into consideration the lands or how do you plan for it? Like for example, on Maui there are 31,000 acres of Hawaiian Home Lands, and not all of that has been developed for agricultural, pastoral, and/or for residential. So, how would you try to ensure that for future development that that water would still be there? And how would you balance that out with the other, the other balancing acts that you have to follow through with other users?

MR. KIMURA: Sure, so specifically to the Department of Hawaiian Home Lands, their needs, you know, it's a public trust purpose. It's very high in terms of protection. So, the State Water Projects Plan, a few years ago Department of Hawaiian Home Lands worked to update just the DHHL component of the State Water Projects Plan. So it's, they went through and they, you know, there were a lot of meetings, I think, and a lot of the Homestead Associations to look at, well, what's the future needs of water for a lot of the

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DHHL tracts, you know, regardless if they're developed or not. And so that was put into the State Water Projects Plan as a partial update. We did statewide public hearings for that. So now, that process being done, the County has to take those needs into account when they're doing all their future projections. And let me just explain really quickly how the needs of the Department of Home Lands are, are. . .Hawaiian Home Lands are, are looked at from, from the Commission's side. So, if you have a sustainable yield of ten, for example, for some aquifer system. If the Department of Hawaiian Home Lands says to us like, you know what, we don't have the money to develop the parcels right now, but we're going to need two mgds from this eventually. So, what the Commission does is then. . .so if you look in our Water Resource Protection Plan, we have a table of all these aquifer systems where needs are identified for groundwater, and we said that, that amount can't be touched from the sustainable yield. And so, if the sustainable. . .so, let's say, for the example of ten, that means only eight is available to develop for everybody else because DHHL needs that two. If we revise the sustainable yields because climate change, you know, there's less rain, there's less recharge and it goes down to eight, well that two is still on the table and so it still goes to six. Now that being said, the Department of Hawaiian Home Lands also can revise that number if they want and come back to us. It's just a simple Commission action to say, you know what, we've got a better planning estimate. We need like five now because we know this is an area we're going to grow or something like that. So, if they can go through the process of revising those future planning estimates, and we have to acknowledge those in the sustainable yields for the aquifer systems. Sorry, does that answer your question?

COUNCILMEMBER KAMA: Yes, it does. Thank you. Thank you, Chair.

CHAIR SINENCI: Mahalo, Member Kama. Member Johnson, do you have any questions for the presenters?

VICE-CHAIR JOHNSON: No, I think my questions were answered. It's basically a follow up to what you guys were talking about with the addendments [sic]. But, so what I'm hearing, it is a malleable document. We can go back and add addendums to it. So, my questions been answered. Mahalo. Thank you.

CHAIR SINENCI: Mahalo, Member Johnson. Okay. All right. Before we. . .I just wanted to Mahalo, Mr. Kimura and Mr. Fujii, for their time today.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair.

CHAIR SINENCI: Oh. Yes, Member Rawlins-Fernandez. You have another?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, it was going to be my turn. And then I yielded to Member Kama.

CHAIR SINENCI: Oh, I'm sorry. Yes, go ahead. Sorry for that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Just one question, a quick follow up in discussion of the addendum. So, if in the 90-days public comment period that the

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CWRM would provide public notice for, if an overwhelming amount of testimony was in opposition to passing the WUDP as you received it because the addendum is cumbersome for usability for the public, is that something that CWRM would then take and incorporate as being requested by the public?

MR. KIMURA: So, with the public testimony, especially if it's largely overwhelming in opposition like for it, we'd share that with the Commissioners, and it'd be up to the Commissioners to decide. You know, as long as the documents meet the legal require--the document meets the legal requirements laid out in the Code, and the recommended requirements that the Commission sets forth, we would leave, the Commissioners would decide whether to adopt the plan or not. They might defer it. They might not adopt it. I think if there's overwhelming community support against it, yeah, they might not adopt it, you know. So, yeah, it's. . .the Commission has a lot of, the Commissioners have a lot of purview as to what they can do. They could recommend like maybe adopt it without the addendum, maybe adopt it partially and say, you know, fix something--you know, it's hard to say what the Commissioners. . .we, as staff, might recommend something, but they, they, they. . .they ultimately decide what they want to do with it. So, I'm sorry. It's kind of a non-answer to your question. But they would definitely weigh. . .we would share community feed. . .comment with them or pub..., the public comments that we got, we'd share the sentiment with them, especially if it's in opposition. And so, they would take that into account when making their decision.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Kimura. And before Mr. Fujii weighs in, perhaps you can also provide a response to this question. So, if CWRM does not adopt or adopt, adopts partially, what happens to the WUDP? Does it get sent back to Council for further amendments? Or what happens? Do you know what happens?

MR. KIMURA: You know, it's. . .it hasn't happened before. So, but I know it's something that you guys adopt via ordinance, right? So, I'm not really sure. I mean, we would send it back to you guys for revisions to say. . .I mean that would be, it's a partial update right, so only some of the information could be used for land, water use planning. And so we'd strongly ask the County to address the deficiencies identified by the Commissioners. But I don't know how it impacts your process. So, yeah, I apologize.

COUNCILMEMBER RAWLINS-FERNANDEZ: I believe Mr. Fujii wanted to add to that.

MR. FUJII: Yes. Thank you, Chair. And thank you for your question, Member Rawlins-Fernandez. Just to kind of circle back to your original question like, you know, would the Commission adopt if it was, you know, we got a lot of comments opposing. We, again, strongly recommend that the County, through its own public process--and this is an ordinance, so it's the law--strongly urge the counties to take care of all of those issues before it comes to the Commission, because it would put the Commission in a very awkward position, you know. The County adopt it by ordinance. So, oh, the County says it fine. Then it comes to the Commission and people will come out of the woodwork, for example, and say, hey, no, I didn't get a chance to, you know, say this, and this is what's bad about it. So, we, we. . .and we've, we've run into this question on Oahu as well. So you know, Honolulu Board of Water Supply, you know,

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they, they, they've. . .they're, they're doing development plan areas. They divided the island up and they're doing water use and they call them Watershed Management, Watershed Management Plans per development plan area. But anyway, so that was another question like, hey, you know, if, what's the Commission going to do if the County of Hono..., City and County passes it by ordinance, but it comes to the Commission and then you have opposition? So, that's a great question. But we would urge the County to make sure that to the extent possible that, you know, if your community has a lot of strong opposition, to come up with a solution. And hopefully when the thing is adopted by ordinance, you know, that's. . .you guys have a way more robust outreach and, and, you know, process, you know, than we do. You guys have, I guess, you know, three readings or three hearings, you know. So, you guys go through the whole committees and everything and then it goes to the whole Council. So, that's much, a much more robust public participation. And, again, you know, that would put the Commission in an awkward position. And, like Jeremy says, you know, the makeup of our Commissioners are very. . .they recognize the public trust purposes and they take that very seriously, and their responsibilities. So, if someone were to come out at the last moment, 11th hour, and make a strong argument, then, you know, they may feel compelled. So, I don't know if that answers your question. I guess it's better to take care of it when you guys adopt it into, you know, the County Code and then as an ordinance, and then come to the Commission. We strongly recommend that. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Fujii. So, it would be in our best interest and the public's best interest that we just get it as right as possible, especially if we know that there is opposition, to get it as close to everyone supporting it as possible. Mahalo for your feedback on that. Mahalo, Chair.

CHAIR SINENCI: Mahalo, Member Rawlins-Fernandez. And, right, thank you for reminding me. That was a great question. Okay. Any other questions for our presenters? If not, I want to personally thank Mr. Kimura and Mr. Fujii, for their time today. It's been really helpful as we update and complete the Plan for your review. The bulk of the plan is, is complete, almost complete. But we just have a few areas that I think we wanted to focus on as requested by some of. . .in some of our public hearings from our community members. So, we're hoping to, kind of, get some of these things on board from our community, and then we can go ahead and send it in to you guys. So with that, we just wanted for mahalo you for being here with us today. Thank you.

MR. KIMURA: Thank you. Thank you for having us.

MR. FUJII: Mahalo, for the opportunity. And like Jeremy said if, you know, you guys have follow-up questions, feel free to contact us, contact Jeremy. Mahalo.

CHAIR SINENCI: Okay. We'll definitely do that. Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR SINENCI: Okay, Members, we've reached our mid-meeting mark. It's three o'clock. We have two discussions under this item. And I don't know how long it would take for, for, for you guys to weigh in. But do you guys want to take a quick 10-minute break? Okay, sounds good. With that the... it is... I have 3:01. And the APT Committee meeting is in recess until 3:10. ... *(gavel)* ...

RECESS: 3:01 p.m.

RECONVENE: 3:12 p.m.

CHAIR SINENCI: ... *(gavel)* ... Will the Agriculture and Public Trust Committee meeting of Tuesday, February 16, 2021, please come back to order. I have 3:12 in the p.m. And so, Members, we've got two other discussions for today. As we mentioned, we need to go ahead and formally refer the actual Water Use Plan on Friday. So, now that we've kind of gotten, gotten up to speed with CWRM, I wanted to discuss how this body would like to proceed with the Plan to meet our June 30, 2021 deadline. We've heard loud and clear from Members and from the community to update the current Plan, in addition to any other revisions we decide to include from the various groups and community stakeholders. I've discussed our options to get this work completed with our OCS Staff. At one point last term, the Members discussed a potential RFP to get the addendums which consists of different charts and graphs and additional revisions incorporated through the Plan. OCS has notified me that there is no more funding left in the FY '21 Budget for an RFP, and that this option may draw out the process of amending and approving the plan. OCS also notified me that we can get this type of work done in-house. Keeping in mind that our June 30th deadline will creep up fairly quickly with the Budget Session beginning in late March, my preferred method would be to utilize the skills of our OCS Staff. Additionally, I'd like to consider extending our deadline a little bit to provide them time to get our revisions made without drawing the process out too much longer. But I'd like to hear from what the Members think as well. But before we begin this conversation, I'd like to remind the Members that we have our Office of Council Services Director, Ms. Traci Fujita, to answer any questions you may have on this matter. Did I see Mr. Molina's hand come up?

COUNCILMEMBER MOLINA: Yeah, Chairman. Thank you.

CHAIR SINENCI: Okay, go ahead.

COUNCILMEMBER MOLINA: Yeah. No, Chair, I'll follow your lead. As a matter, I think it's a good idea that you've suggested about even extending the deadline maybe another month or two to get OCS into this. And if OCS can do all of the RFPs and whatnot to save a few dollars, I'm all for that. So, I would suggest, you know, like you, maybe extending to say September 1st or August 1st. Whatever is deemed appropriate. But I think June 30th might be cutting it too close if we want to get a real thorough plan out. Thank you.

CHAIR SINENCI: Thank you, Member Molina. Member, Member Lee?

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COUNCILMEMBER LEE: Thank you, Mr. Chairman. Yeah, I agree with Member Molina. Because most of, a lot of the staff will be preoccupied with Budget. So, they need a little extra time, you know, to get to the various--well, in fact, what are you. . .did you mention what you're going to cover, what they're going to cover?

CHAIR SINENCI: Right, so--

COUNCILMEMBER LEE: What exactly are they going to work on?

CHAIR SINENCI: Yeah. And we have Ms. Traci Fujita on to answer any questions. We were. . .I know the suggestion was trying to incorporate the addendum into the Plan. And so, I, I think there's four different items in there, lots of graphs and charts. And so, what OCS would have to do is go into the entire Plan to see where these charts and graphs will be included in the Plan. But I think just having the, you know, for a public hearing, having updated information. . .members, community members felt that it was important to have updated sufficient data upfront. Yeah.

COUNCILMEMBER LEE: Okay. So, yeah, let's hear from Traci. But I'm sure she wouldn't, she wouldn't turn down an extra 30 or 60 days, yeah? Okay. Thank you.

MS. FUJITA: Chair.

CHAIR SINENCI: Aloha, Ms. Fujita. Go ahead.

MS. FUJITA: Hi. So, yeah, I mean Staff does need time to work on the Plan, especially with Budget, the Budget Session kind of in the middle of this timeline that we're talking about. So, yeah, I think an extension would be reasonable. As far as the work that the Staff would do, I took a look at the Plan, and I kind of skimmed through it. It is a lengthy document. But I think that the Staff could work on it like how we worked on the Community Plans. You know, for the Community Plans, we don't hire outside consultants to make the revisions to the Plan. It's done in-house. And, you know, incorporating the addendums, we did some of that work. Those of you who were on the Council at the time when we worked on the Molokai Community Plan, there were several policy statements that were added on sort of at the end of the Plan, and they got incorporated into the Plans. So, we have done, you know, that type of work before. I will say that Staff will need time in-between the meetings. So, if meetings are scheduled too close together, that's going to be hard on the Staff because they won't have that time to make the revisions that the Committee discussed that day. And then, of course, as far as resource people, if the Department of Water Supply staff were there in the meetings. You know, like with the Community Plans, we had the Department of Planning Staff there. So, they, they served as resource people for the Members and they, you know, assisted the Members with any questions that they had. And then the Staff can, you know, record the revisions that the Committee makes and then incorporate those changes after the meeting, and then, you know, can provide revised drafts to the Committee as they work on it. So, that's kind of how it was done with the last Community Plan that we worked on for the Molokai Community Plan.

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CHAIR SINENCI: Okay. Mahalo, Ms. Fujita. We have a question from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Fujita. My question was one of the testifiers, in her testimony, felt that there wasn't a strong enough outreach to say the Hawaiian community and like that. And I just was wondering if that would be our purview to reach out to that community and incorporate into the Plan? Or would that be the Water Department that we're talking about?

MS. FUJITA: Well, I guess the first thing would be to check with the Water Department, or I guess what steps were taken prior to the Plan coming to the Council to see if there were any type of outreach done. And then if, if the Committee determines that, that wasn't sufficient or there could be more, then the Committee could, you know, do that outreach as well. I believe when we worked on the Molokai Community Plan, there were several instances where the Committee felt important to reach out to certain areas on Molokai to get input, you know. So it's kind of similar, you know, where you're trying to make sure that everybody has had a chance to, you know, have their input into the plan before it's finalized.

COUNCILMEMBER PALTIN: And then, my follow-up question would be for you, Chair. I guess are we clear as a Committee or a Council on the areas of the WUDP that the community seems to be okay with, and then the areas specifically that the community wants to go and either review or amend or whatever it is? So, that for us as Committee Members, we have a focus on what areas specific that we're going to be covering, was it made clear like which of the 1,200 pages were okay and which ones need work?

CHAIR SINENCI: Great question, Member Paltin. Yes. We were looking at some of the testimony that was coming in at the public hearings. So, those were some of the. . .we're looking at all, majority of the amendments would be prompted by community input. So, we wanted to focus. But in general, water for ag, future wells, Kula Ag Park, those types of things. The, of course, East Maui Water Irrigation System, the Wailuku Water System. So, these are some of the issues that the community has come up with. And we'll, we'll definitely focus through these, these main things. And I can send out a letter to, to all the Members of where we going to be focusing and where to find them in the WUDP moving forward. And so--

COUNCILMEMBER PALTIN: Oh, that'll be awesome.

CHAIR SINENCI: Yeah. And so, our next plan at March 2nd was to continue Appendix 10 and possibly some of the issues that came out of the Haiku Community Association's meeting. So we'll take up those two on March 2nd.

COUNCILMEMBER PALTIN: And, I just had a follow-up question on Appendix 10.

CHAIR SINENCI: And if you want to save, that was going to be our last discussion today.

COUNCILMEMBER PALTIN: Oh, okay.

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CHAIR SINENCI: Do you want to save, save some for Appendix 10? And then we couldn't, because it hasn't been formally referred, we couldn't send it out to you, Appendix 10. So, we just wanted to. . .we can only discuss it. We didn't want to make any decisions at today's meeting.

COUNCILMEMBER PALTIN: Okay. Yeah, I just thought there was a typo on number 28. But I can hold it.

CHAIR SINENCI: Mahalo, Member Paltin. Any other questions for Ms. Fujita? Member Sugimura.

COUNCILMEMBER SUGIMURA: Okay. Okay, so like--

CHAIR SINENCI: You're muted.

COUNCILMEMBER SUGIMURA: --I got it. So, the update, the update for the addendum into the Water Use and Development Plan, the 12,000 [sic] pages, you're saying that OCS is going to do it? Is that correct? Is that what I'm hearing? Yes?

MS. FUJITA: Chair?

CHAIR SINENCI: Yes. That's correct.

COUNCILMEMBER SUGIMURA: Okay. Okay. So, you know the addendum, through the Committee meeting last year before it was sent to Council for first reading, we put IDs on the addendum, so it shows exactly where it is in the Water Use and Development Plan as a reference. And that was requested for by the Committee Members. So, that's there. And I just wonder--I see Eva Blumenstein on the call--and I wonder, 'cause she's the one who did all of those referencing, I just wondered if the Department may. . .I mean I hate to ask the Department to do more, but I'm just wondering it may be simpler for them to merge it since they were the ones that did the ID and tagging it, the addendum to the actual document? I'm just wondering, Traci, because of the OCS Staff being pretty busy.

CHAIR SINENCI: Right, Member Sugimura. That was my feelings too. We didn't want to. . .we mahalo Ms. Blumenstein for all their work, and so we didn't want to put more work upon her. But did you want Ms. Blumenstein to respond?

COUNCILMEMBER SUGIMURA: I just wondered. I just wondered. And she was so familiar with the document and the addendum, addendum also. So, I just wondered instead of OCS. Yeah, maybe it is better with OCS. I don't know.

CHAIR SINENCI: Ms. Blumenstein.

MS. BLUMENSTEIN: Chair, did you want me to respond?

CHAIR SINENCI: Yeah. Go ahead.

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MS. BLUMENSTEIN: Thank you. Yeah, I'll be certainly assisting and, you know, guiding from what I can for Council Services to do this. As you say, said, Member Sugimura, it was quite a comprehensive work just to put the addendum or the addenda together. But, you know, yeah, I am most familiar with the document. So, I'll be happy, you know, to assist in the process. But it makes sense what Council Services said in following the same procedure as you have for the Community Plan updates, maybe propose a bill for an ordinance and, you know, you can make any revisions you see fit. And I'll be staffing all the meetings, you know, make sure I'm always there to answer questions and clarify. And I'll work with Chair Sinenci's office as well so. . .

CHAIR SINENCI: Thank you for that.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: Any other questions? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Fujita. Mahalo, for offering OCS to do the work. The Molokai Community Plan I think was about 200-ish pages. And the WUDP is like 1,200 pages. And some of the edits are kind of like, like pretty comprehensive. And if the goal is to not have any addenda, do you really think that Staff would be able to have that kind of time to make, you know, incorporate all those changes? Chair.

CHAIR SINENCI: Ms. Fujita.

COUNCILMEMBER RAWLINS-FERNANDEZ: If Ms. Fujita can answer?

MS. FUJITA: Thank you, Chair. Yeah, it's hard to say, you know, how long it might take. I'm just trying to think back with the Molokai Community Plan that I just, I just happened to be staffing the Committee that was handling that Plan. And it was a lot of work. And that's why I say that it's important to give staff time, you know, in-between the meetings to incorporate the changes. But when I looked through it, it didn't seem, you know, terribly technical where, you know, without. . .and of course having the Department of Water Supply there to, you know, serve as a resource to answer questions and, and to provide assistance, you know, to OCS as we work through this, I think that will be really helpful. But I, you know, I think that our Staff can do it. You know, I think that they have the ability to do it. Time is a different story. That's why I say, you know, I think that an extension would be reasonable because of, especially because of Budget, you know, because our, you know, our Staff, we're going to be focused on, on Budget pretty soon. And so, it's going to be difficult for them to do both, I think. But if we have. . .I think if we have that extension, we should be able to, to work on it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, as far as timeline goes because we're going to be going into Budget--and that's all hands on deck--and, you know, I'm so stoked that we have Staff that's very capable. And I have, you know, no doubt in their ability to incorporate the amendments. But like you said, it is about time. So, we're

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going to. . .we're preparing to. . .we're preparing for Budget. And then we'll be in Budget. And then we need to pass Budget. Then we also have, you know, all the Councilmembers PAFs that they work on, you know, in addition to preparing for Committee meetings every other week. Like what, what would be the proposed timeline for Staff? And would you recommend that Councilmembers suspend their, you know, PAFs so that it can be done or would it. . .*(inaudible)*. . .APT Committee with two analysts and an attorney working on it?

MS. FUJITA: Chair, sorry, you kind of broke up a little bit. I think I got the gist of your question. But correct me if I'm wrong. I guess as far as time goes, similar to the Community Plan, you know, you can always extend again, right? So, I'm. . .because it's really going to depend on the amount of revisions that need to be made. And we won't know that until we go through the Plan, right, to see how many, how much changes there are. So, you know, I would suggest doing an extension that, you know, seems reasonable. And then we can always, you know, if we find that, oh, this is taking longer than we thought, we can always, you know, propose another extension if we need that additional time. But it's hard to say right now because I, you know, I really have no idea how many revisions we're talking about. Yeah, it's hard to estimate.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, Chair, if we can. . .I don't. . .I hope I'm not stalling, my video isn't stalling. But I. . .before committing OCS to doing this work, I would love if they would, you know, kind of dive into it and see, you know, how long they think it would take and how much Staff, and how that would look for OCS to take on 'cause it's an extremely large document, that's 1,200 pages. And so, if it's not going to be OCS, then perhaps, you know, we can work with the Water Department to just contract it out and just, you know, get that done quicker without impacting our operation. Mahalo, Chair.

CHAIR SINENCI: Mahalo, Member Rawlins-Fernandez. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I kind of. . .and somebody correct me if we're, I'm wrong, but I kind of feel like there's two different aspects to it, and I'm not sure which one we're talking about because I hear Director Fujita talking about revisions, and then I heard somebody else talk about incorporating the addenda. And so, in incorporating the addenda, I figure you don't need us because we accepted the addendum to the 1,200, anybody can start plugging that in right now, but it's 1,200-pages, and it was kind of a sizeable addendum. So that. . .like did you have a timeline for just that portion of it, because that doesn't. . .isn't so much dependent on what we say or do to change the document, and then the revisions are like a whole other story. So, I'm not sure if you guys had an estimate or a timeline just for incorporating the addenda if that was something that we chose or wanted to do. And then, the revisions is another story because we don't know what those revisions are yet. But if we did want to incorporate the addenda, that's kind of a set chunk of work right there that, I mean, could probably be started on right now if you wanted to. But, I mean, not trying to tell you how to do your job.

CHAIR SINENCI: Ms. Fujita.

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MS. FUJITA: Yeah, we talked about that with the Staff about starting off by incorporating the addenda into the plan. I haven't talked to them about estimating the amount of time that it might take to do that. So, I'd have to talk to them if that's what you were asking for. But the part that I was unsure of more is just the other revisions because those, you know, those will depend on the Committee, right, those will depend on what changes you folks want to make as you go along. That, that's hard to estimate. So, like I say, it might take more than one extension depending, right?

COUNCILMEMBER PALTIN: Yeah.

MS. FUJITA: So, that. . .yeah. . .but yeah, I could talk with Staff. And, you know, they would have a better idea than me about how long it would take for them to incorporate the addenda into the Plan.

COUNCILMEMBER PALTIN: And I'm not sure if, if that's what we're asking. I mean, it makes sense to me. But I don't know if that's something we have to vote on. . .and the timeframe of it like happening as we go through it or happening now before we start to make revisions, I'm not clear on that direction that we're going in. I mean, I'm not. . .I'm kind of open to the direction. But I, I just would like to know the process, maybe, so I have like an idea in my head about how to, how, how we're organizing review and, you know, like what sections we're focusing in on, if we all agree that the addenda should be incorporated. Those are just some things that I don't know that I'm wondering and would help me, like, know which direction we're going. Thanks.

CHAIR SINENCI: Mahalo, Member Paltin. And, and like we said like, oh, like Member Sugimura mentioned, that a lot of the items in the addendum and hence are already listed on where it should be implemented within the 1,200 pages. It's not going to be implemented in the entire 1,200 pages, but in certain sections. If you go through the Plan, 1,200. . .there's a Part 1, Part 2, there's the addendum, there's all the appendices, and then the bulk of it is all the different district, all the different districts. If you remember, we had all the presentations on South Maui, East Maui. And so that half of that is, majority is for the different sectors. So, if, if we're going to be looking at implementing, majority of the things would have to be put into the different district sectors of the Plan. So, that's how it's been kind of chopped up. And I can go ahead and just like how you're, Member Paltin is doing with the West Maui Community Plan, I can go ahead and give you guys. . .kind of forward to you some handouts that we can go through so that, so that you guys can easily locate what we're looking at. It'll be very specific. You had the page number, you had what section, you. . .and then we can include some of the concerns from the public hearing. So, I'll definitely do that. We didn't. . .we've started, we just didn't want to include it in today's meeting because we haven't formally referred the matter to the APT Committee. But we'll definitely share Appendix 10 for the March 2nd meeting.

COUNCILMEMBER PALTIN: And just to follow up. When it was in partial Member Sugimura's Committee and your Committee, I had sent in some revisions on just spelling and stuff. And I didn't see it under your item in your Committee. And I just was double-checking

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if when you get the jurisdiction of the Plan as a whole, if you had those revisions for the Lahaina Aquifer sector area?

CHAIR SINENCI: Yeah. We have those.

COUNCILMEMBER PALTIN: Okay.

CHAIR SINENCI: We have them.

COUNCILMEMBER PALTIN: Okay.

CHAIR SINENCI: Yeah.

COUNCILMEMBER PALTIN: So, that's off my plate already.

CHAIR SINENCI: Thank you, Member Paltin. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you very much, Shane. So, I'm just wondering then just because of the process of the Water Use and Development Plan and if you make changes to it, it has to go back to the Board of Water Supply for a community meeting. So, Shane, I'm not. . .the addendum, once the merge happens, I guess, when the two documents become incorporated into one, either Traci or Corp. Counsel, is there a process, then, we must take this document through? Like do we have to start all the way from the beginning and get the input from the community, and then come back before the Council? Or do we just take this from where we are today, incorporate it, you know, we approve, pass, and it moves, moves forward?

CHAIR SINENCI: Ms. Fujita.

MS. FUJITA: I'm trying to recall. I took a look at the State statute when we were talking with Staff about the Plan. And I'm pretty sure you have to. . .it. . .like the whole process starts over again, I think.

COUNCILMEMBER SUGIMURA: Right.

MS. FUJITA: Yeah.

COUNCILMEMBER SUGIMURA: When you change the document, then it goes back before the Board of Water Supply.

MS. FUJITA: Yeah, uh-huh.

COUNCILMEMBER SUGIMURA: And so, I would recommend. . .instead of like June 30th was the extended deadline through the last reso. So, if we're going to have this process, you might want to review this and then maybe take it even further once we figure out all the steps we need to go back and start all over.

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CHAIR SINENCI: We can include a timeline, Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, before you decide on what the date is you're going to extend it to 'cause right now it's June 30th. But sounds like you might have to extend it further. I mean, I'm saying like past, more than two months. I'm just thinking might be the rest of the term, or depends on what's involved.

CHAIR SINENCI: Okay. Will do. Thank you.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR SINENCI: Any other questions, Members? Okay. If not, we'll go ahead and let Ms. Fujita go. Thank you, Ms. Fujita, for answering our questions.

MS. FUJITA: Bye.

CHAIR SINENCI: Okay. Members, we're. . .it is 3:42, and we're down to our last discussion. I know that Member Molina had to jump off to go to his community meeting. For our last discussion and I know we couldn't have an in-depth discussion about it, but we just. . .I just wanted to go ahead and introduce Appendix 10. Appendix 10 of the WUDP are 60 "*Generalized Assessments of Impacts of Preliminary Measures and Strategies on Traditional and Customary Practices of Native Hawaiians*." Part 1 of the WUDP, Figure 1-2, Law and Policy Framework for Water Resource Management in Hawai'i; it covers the Public Trust Doctrine, Riparian and Appurtenant Rights, Native Hawaiian Water Rights (the State Water Code, HRS 174C-101), and Native Hawaiian Cultural Rights in the State Constitution, Article XII Section 7. We received a lot of testimony during this entire process from native tenants and 'Aha Moku practitioners whom they feel that many of the statements found in Appendix 10 are merely platitudes, that they merely just "encourage," but do not reach out to any of the cultural practitioners for direct consultation. So, thereby they often feel left out of the discussion process. The Ka Pa'akai process is mentioned, yet the steps laid out in this practice is often neglected. And that generational knowledge is seldom shared in any conducted studies. So, we've heard from some of the testifiers and received testimony. I did meet with 'Aha Moku groups. And they all sent in testimony prior in opposition to the Plan for this very reason. So, we just wanted to first address some of their issues moving forward with the Plan. And some of the testimony that was included in the process. . .of course, Mr. Kamaunu, he felt that from the 'Aha Moku Wailuku, and so he voted against the passing of the bill. And he wanted to request a seat at the table to represent the interest under Article XII Section 7 of the 1978 Hawaii State Constitution. Mr. Clyde Kahalehau of the 'Aha Moku 'O Wailuku, he was also. . .he felt that the WUDP failed to address matters relevant to kuleana Land Commission Award Claims on water, and also fails any worthy consultation process, again, to address the standing of kuleana Land Commission Award Claims in the WUDP. Ms. Jocelyn Costa from 'Aha Moku 'O Hamakualoa, she wrote, we never. . .we have never been consulted in the capacity to be part of and craft this plan. Acting upon and implementing any part of this plan will be considered premature and if followed through, injurious by the act of abridging and denying our rights as stated in Chapter 174C-101 of the State Water Code. So, I mean,

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those were just some of, a few of the comments that we received during the process. So, we did want to at first start to address Appendix 10. And I don't know if we had Ms. de Naie on because she sent in testimony that was specific to some of the Hawaiian Water Rights/Cultural Rights. I don't know if. . .did Staff contact Ms. de Naie? She said she might be out in the yard doing some work.

MS. de NAIE: I am here, Chair.

CHAIR SINENCI: Okay. And then, I don't. . .did everybody receive testimony from Ms. de Naie, written testimony? Oh, okay. So, Lucienne--

COUNCILMEMBER PALTIN: It was on eComment. The testimony was on eComment.

CHAIR SINENCI: Oh, it was on eComment?

COUNCILMEMBER PALTIN: Yeah.

CHAIR SINENCI: Okay. She wasn't sure if it was going to get in. And so, Ms. de Naie, we had you. . .you mentioned a couple things including four. . .item 4, 5, 7, 8, 9, 14, 15 in your. . .

MS. de NAIE: . . .*(chuckle)*. . .

CHAIR SINENCI: But if you could just speak to some of your comments, and then, and then if Members had any questions for you.

MS. de NAIE: Well, thank you very much. Basically, my comments, they're not mine. They reflect what I have heard in. . .as our communities have discussed how the Plan really needs to relate to the particular rights that Hawaiians have. And I think the idea is, you know, as we've heard from the Water Commission Staff, it's important to have a Plan that people feel that they can get behind, that they've had a voice in. And so, this, this Plan suggests some things that might be wonderful strategies, like capturing high flows of streams during, you know, heavy rain events, and then, you know, saving the water for later so that you can avoid, you know, pumping wells or other kinds of impacts to streams during low flows. But it just would be great if those very practical things were actually put out in a way where there was a real discussion about them. And where those whose streams that we're talking about, people with kuleana rights and people with riparian rights and people with constitutional protected rights, as Mr. Kamaunu said, that they should be the first ones to talk to, not the last. And, of course, the Department did reach out in 2016, but I'm not sure if those strategies were all developed at that time. And so now we kind of have a Plan that's ready to be stamped. And it's really the time to check-in and look at these 60-strategies and see if maybe that there are better ways to do them. If some of them just are, are things we really want off the table because. . .that they wouldn't pass the constitutional muster or whatever it is. But like, for instance, I'll just bring up there's a number of references in Appendix 10 and throughout the Water Use Plan about adopting a more ahupua'a-based management model. And there's statements like this in our Maui Island Plan as well

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and our Community Plans. So that's great. The question is how because, once again, we go back to these suggestive actions or strategies to get water for the future, and a lot of them involve taking water from Waihee and moving it to Kihei, taking water from Haiku and moving it to Central Maui and South Maui. So, how do we make, make this fit? It's not like, oh, you're bad because you said one thing, and now you're going to do another. It's like, how do we live in the modern day management of ahupua'a? How do we share interconnectedness in a way that is pono? And so, that discussion as part of the mitigation process just needs to be made. It's a simple phrase, but it needs to be acknowledged. It's a situation that needs to be acknowledged in this document. And the other thing that really jumps out at me as a person who attends a lot of hearings with State agencies, is there really should be a statement that the County wants to champion the water rights of Native Hawaiians at all of these public hearings with the State, whether it's the State Water Board, the State Land Board, you know, the various State agencies that weigh in. Our County gives testimony, and a lot of time their testimony basically supports the big diverters. So, maybe there's a mechanism where the County Staff, if they are going to give testimony, you know, at an important hearing or something, there's a check-in with the community that's affected. If it's about something in Honokohau, are they checked-in with that West Maui community and say, you know, what are your concerns here? We're going to give testimony about what's being proposed. And when they give the testimony on behalf of the people of Maui County, then their...the comments from the public are incorporated in it. It's not just, you know, reading off of a pact statement of, you know, of course the, the County respects the public trust but, of course, we know that Maui Land & Pine has to take all this water because we use some of it. It's like we really need to get real with some of these concepts and not make them lip service. So, that's why I tried to write up these different aspects of--the one with the contracts is very important. I'm glad that Councilmember Paltin brought that up because we have all these contracts with various entities, some of whom are very large landowners. And many of them are based in a time before we had any Ka Pa'akai analysis, before we had landmark decisions at the Water Commission or the courts. And so, we need to bring these contracts into the 21st century and acknowledge that there are water rights that are out there that are a part of our planning process that need to be, you know, part of these contracts too. So, there's just some omissions here. I don't think you'd have to write for days and days and days. I think it's a phrase here and a phrase there. I mean, I mean I'd take a crack at it and see what your Staff liked, you know, after hearing from the various kanaka groups that want to weigh in. But I, I, I just think that this Appendix 10 is a long way from being a document that assesses what impacts are of these proposed strategies to constitutional protected rights, and offers meaningful mitigations. You know, that's the other part is that the mitigations should really be meaningful. There's been a lot of water injustice over the last 100 years. And if you go out in East Maui, people will remind you of that. They go, well, wait a second, you know, we've been pushed around for over 100 years, but, you know, we don't want to hurt anybody else. But isn't it time that we kind of have a seat at the front of the table now? So, anyway, I was happy to hear that there's several groups in East Maui that are really considering policy and needs of the communities. There's restoration efforts. There's all kinds of good things going on. And this section of the Plan should embody those things, and it doesn't need

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to have thousands of words added. It needs a little bit of shift, I think, in a perspective. And then, some choice words that reflect that.

CHAIR SINENCI: Mahalo, Ms. de Naie, for that. You have any--we have a question from Member Sugimura. Go ahead.

COUNCILMEMBER SUGIMURA: Thank you, Lucienne, always for your work in the community. And I just wanted to speak out for the Department because when I was working on this during the last term, and worked closely with the Department, I know that when we had our planning meetings with Shane towards the ending when we were sharing this Committee item, I mean the Water Use and Development Plan item, that Shane was going to reach out to all the 'Aha Mokus and the Native Hawaiian groups. And he worked really hard on it. So, I want to thank you for doing that. And I know the Department had tried to, but were not as successful. And I think it's relationships, right, Shane? So I think initially when we were, when we were coming to the end of the term and we had our first meeting together and Shane was saying that she had. . .he had reached out and he was still waiting. And I checked after he had reached out, and he was still waiting. So, congratulations on the amount of response that you've received. And I just wanted the people to know that the Department had tried to and probably not as successful as Shane because of your relationships. But they had reached out and I think they even said they bought them food. They had expected, you know, for people to show up for this meeting. And you know local style, right, so they bought food and were expecting, were expecting a group. And I think Eva even cooked the food. How's about that? I would have showed up for that just so I could eat her cooking, you know. But that's how important it was, you know, to the Department. So, I don't want to. . .I don't want people in the community to think that the Native Hawaiian effort was not made because it was. And thank you, Shane, for being able to reach them and, you know, do all that you did from that time forward. So, I appreciate that. I just wanted to, I just wanted to say that. Thank you.

CHAIR SINENCI: Mahalo, Member Sugimura. And a lot of them, you know, just had clarifying questions about, you know, what does the State have purview over, you know, about the public trust. So, these are some very engrained questions that they had about, you know, now that the County is making these decisions and how does the County come between with the State having purview, you know, the Constitution, all of these things. So, there was a lot of that kind of discussion in our meetings with stakeholders. So, but I think like Lucienne said some of these things, and we'll go ahead and send you Appendix 10 because some of these things, it's just reaching out to groups and these 60 strategies. . .and, and how do we reach out to some of these native tenants and 'Aha Moku representatives so that they can have, you know, a say at the table which they think that they didn't have. But mahalo for that clarification, Member Sugimura. Any other questions for Ms. de Naie? We did have Eva on the line if. . .and I know Eva had. . .she kind of, you know, wanted to help with this section of the WUDP as well and Appendix 10. So we appreciate her, having her on today. We have a question from Member Paltin.

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COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. de Naie. I just was wondering, you know, when you say determining the extent of cultural uses or clarifying what those are--

Note: Meeting was terminated at 3:59 p.m. due to loss of audio connection.

TERMINATED: 3:59 p.m.

APPROVED:

A handwritten signature in black ink, appearing to read "Shane M. Sinenci", is written over a horizontal line.

SHANE M. SINENCI, Chair
Agriculture and Public Trust Committee

apt:min:210216

Transcribed by: Keoni Shirota