

Maui County Department of Water Supply  
Maui Island Water Use & Development Plan  
Public Meeting - Central Maui  
March 10, 2016, 6:00 – 8:30 pm

Meeting Summary

This was the first of four public meetings and four public workshops scheduled in 2016 on the Maui Island Water Use and Development Plan by DWS staff. Approximately 15 people attended in addition to DWS staff.

A PowerPoint presentation was provided by DWS staff with discussion throughout the presentation due to the small group size. Written materials included the Agenda, WUDP Public Meeting Schedule, Frequently Asked Questions, and presentation slides. A 'Share your Thoughts' Questionnaire was provided.

The following questions and comments were recorded by DWS staff at the meeting. DWS responses are provided in parentheses.

State legislation to allow A&B to holdover revocable water rights permits to divert water from East Maui streams on a month to month basis is negative because a judge has already invalidated the legality of such permits and their continuance would perpetuate diversions of water from East Maui ecosystems to Central Maui. There is a court stay that County water will not be affected if HC&S loses its revocable permits. The County should not support the legislation. The Hui filed a petition to amend the Na Wai Eha instream flow standards now that HC&S is terminating sugar cane production.

HC&S should not be counted out as a future water stakeholder because there is pending legislation that could facilitate their perpetuation of land use.

Does south Maui pay a delivery charge for water transport? (The Water System Development Fee includes separate charges for transmission (transport), source and storage; DWS rates do not vary by region to reflect transport costs.) People should pay to reflect the costs of infrastructure and transport to move water from Waihe`e to Central and from Wailuku River and Waikapu to South Maui, including Upcountry, which is heavily subsidized. Subsidized areas should pay actual cost of infrastructure.

Is the DWS aware of any situations where, within the same jurisdiction, there are additional charges for those areas receiving water from other areas? There are examples for electric utilities, where different rates for different locations reflect the varying costs to distribute and generate electricity within a jurisdiction.

People should use the local resource; catchment is underutilized.

Areas without local water resources should develop what is available locally or don't develop. What is the effect of transport of water from aquifers over 20 years? Who is assessing that?

The County has not developed additional water sources for a long time. Private systems are developing source. There is no accountability for how this affects the quality and quantity of the resource. (The State Commission on Water Resource Management regulates well construction and pump installation. The State Department of Health regulates water quality for privately owned potable systems that qualify as public water systems.)

A&B is developing two 1.0 mgd wells and is in discussion with the County for it to become the owner. The County does not understand the impacts. Sustainable yield is not being addressed. The County needs to be an integral part of the whole well development process so these issues are addressed early.

In areas not designated as water management areas, well development bypasses analysis of effect on sustainable yield. There needs to be a mechanism to address this. Need more control in areas that are not designated. In I'ao aquifer, designation caused a halt to new wells and surface water diversions, which allows for management. Designation subjects applications to public scrutiny and accountability.

Kuleana & Public Trust Purposes PPT Slide: The definition of 'public use' is too abbreviated. The statement that there are 'no absolute priorities' is misleading—kuleana- native tenants- have superior rights. Where is the protection mandate of the County to provide for all people? The DWS is a "stakeholder" and is identifying "stakeholders." The County has not formally defined "stakeholder," but is using the term "stakeholders" and identifying a group of "stakeholders" seems to imply some are prioritized by their inclusion in the category. The DWS by separating stakeholders is foregoing their responsibility to enforce the Public Trust doctrine. Where is the enforcement of uses such as Kuleana, Native Hawaiian, and Appurtenant users?

Water allocation- the County and State don't know how many private wells are developed. (The State knows how many wells are installed, not how much water is pumped.)

Resources that affect people who have lived on Maui for generations are being taken. Those who are taking and enjoying the resources are doing so for economic reasons and can leave.

There should be a cap based on resource availability. The resource is already stressed and the Maui Island Plan accommodates more development. People are buying cheap land for development. How are we going to assess what's already damaged? What is

the effect 5, 10, 15 years from now? Repair what is broken first. A damaged and overworked aquifer system might not be able to handle additional stress if continued to be relied upon for additional development, e.g. I`ao Aquifer.

There needs to be more scrutiny of sustainable yield. Reduce waste. The problem is the Planning Commission which always approves development. Developers have the power. Projects are conditioned on finding the water. Why should DWS consumers need to subsidize new development?

The current “show me the water” availability rule is effective. Private developers develop water if they can’t get it from the County. It would be better if the County developed the water. When the County develops source there is more protection and accountability. Now people are going to Waikapu which is not designated. The sustainable yield is all tapped out.

The only way there can be more oversight is if CWRM designates the area. The County should vie to have all aquifers designated- if the County was committed to protecting the resource they would pursue this.

When CWRM regulates, the County is a user. The County policy has been that the developer pays: show me the water and source credits. The County is in competition with developers and land owners to develop water. Why doesn’t the County take over private systems? DWS development fees for developers are inadequate.

The County should say, here’s the Maui Island Plan and WUDP – here’s where the wells should go. The developer should pay source fees to the County.

There is a lack of confidence in data about what is being diverted. Now diverters are self-reporting without oversight.

What are the Saturday workshops for? We need land use maps showing where future development is planned. People have been coming to meetings for 7 years.

Reliability PPT Slide: Golf courses/resorts should provide drought tolerant landscape. Water features create an impression of wasting water. These facilities present as though they are ‘green’ when they are not. Catchment should be also used. Maui Lani parkway is another example. The County is also at fault with water wasting and overspray at parks; the sports arena is an example and it uses Wailuku River water. Thus climate-adapted landscape would be a solution. Parks and communities are being placed on former sand dunes that are not efficient in terms of water. A County ordinance should require xeriscaping.

The information presented at this meeting is not adequate for the layperson. Information on who controls the water, physical mechanisms, who sells and how much

would be useful. Information provided at the 2015 CWRM Water Resource Protection Plan meeting provides an example. A water cycle flow chart would be helpful. General Plan maps should be made available and Community Plan information will help in strategizing resource management.

When is the WUDP supposed to be updated? (Every time the General Plan is amended when the revisions will affect the WUDP.)

Conservation is important. There needs to be a community enforcement plan.

We are mismanaging the resource and hurting the well-being of the people and the resource, which is equivalent to life.

Water storage should be developed, such as large reservoirs

DHHL is the highest use of water per the Water Code. Put more emphasis on DHHL plans.

Take the Wailuku community seriously. Need more effort to get the word out about these meetings.

*Prepared by DWS staff, 3/17/2016*