

Maui County Department of Water Supply
Maui Island Water Use & Development Plan
Public Meeting – Hana
April 19, 2016, 6:00 – 8:00 pm

Meeting Summary

This was the fourth of four public meetings and four public workshops scheduled in 2016 on the Maui Island Water Use and Development Plan by Department of Water Supply (DWS) staff. Approximately 35 people attended in addition to DWS staff.

A PowerPoint (PPT) presentation was provided by DWS staff. 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.

On PPT slide 22, what is the Instream Flow Standard (IFS) for each stream in East Maui? (The IFS for each stream vary based on scientific study by US Geological Survey and considerations of the Commission on Water Resource Management (CWRM). The Hearing Officer in January 2016 proposed the IFS to be 64% of Q50, meaning 64% of 50% of base flow.)

This is a 20 year plan. For the past 100 years HC&S has been taking water from the moku and ahupua'a for sugar. No one was regulating them; permits were not pulled.

This is an injustice to the environment which needs water. Now it is up to the community to provide information to justify getting the water back for kalo and the streams. The matter is still in the courts and legislature. We've been waiting for over 15 years for restoration and we still don't see restoration.

The EMI ditch system conveys 400 mgd; 40 mgd is taken at Hali'imaile from the Wailoa Ditch and ditches below. (DWS staff asked, what does the community support and want to see?)

We want recompense for 100 years of diversions.

Why doesn't DWS have figures for agricultural demand? (We do not have ag demand projections for the next 20 years. We do not know what A&B's future plans are. The State Agricultural Water Use and Development Plan projected an additional demand of 3 mgd to 12 mgd for diversified ag to the year 2020.)

On PPT slide 8, Integrated Planning Process, the resource assessment step should be at the top. DWS should plan for the next seven generations. Rights the wrongs first before going forward.

On PPT slide 4, what did you say about the order of public trust uses? (Kuleana rights are highest protection provided in the State Water Code. There is no absolute priority between the four public trust purposes identified by the courts)

On PPT slide 4, the constitution of the State sets forth the rights. It does not say multinational corporations get to take the water. The State and County have been breaking the law for years.

People want the water to go back to the streams, then decide the allocation of water. People are planting high water demand foliage Upcountry while East Maui is told to wait your turn. The County makes money on the corporation's actions. The corporation makes the decisions. They decide where growth is going to occur, whether water is available; they don't care about the people. How many corporations are we going to be fighting?

(DWS staff asked participants to comment on a scenario: For discussion sake, assume there is no immediate viable use for large portion of current diverted ag water and 70-80% goes back to the streams. After kuleana and in stream uses set by IFS are satisfied, is it appropriate to use water for diversified ag in other areas of the county outside the watershed?)

Participants commented – no. One person commented that use Upcountry for diversified ag (not Monsanto GMO) may be okay. Climate adapted landscape should be used Upcountry.

Use another word rather than diversified ag which could include GMOs-- "sustainable ag."

Crops grown in areas lacking water should be suited to the area. Develop in the right way with sensitivity to 'aina. Do not install water features and all this landscaping Upcountry. They are destroying the watershed.

The person making the last reply, that use of East Maui water for diversified ag Upcountry may be okay, does not reside in Hana.

If there is not enough water resources then we should not be developing. Countries make laws where development cannot occur in areas without resources. Maui needs laws protecting resources. Don't divert water from East Maui for development of new homes; 100% of streamflow should be in streams. The ocean needs water- people

depend on the ocean for fishing, etc. Solution: DWS support East Maui restoration study for an IFS of 100% restoration.

The overflow of water going back to the ocean is part of the natural balance.

What kind of data does USGS collect? (They look at years of data from stream gages, diverted flow reported, well data, do studies on flora, fauna, etc. The USGS studies are online (<http://hi.water.usgs.gov/>)

Organizations manage County land with a duty to protect it. Artesian wells are beneficial to marine life. Then landowners come in and drill wells without public input. We need input on these wells. (The CWRM well permit process outside water management areas does not include public comment and wells are usually approved unless too close with the potential to impact adjacent wells.)

There needs to be public input which could be required by the County or occur with some form of County oversight.

Did DWS staff say that the WUDP is based on the Maui Island Plan, which includes sugar? Did DWS staff say that if we want to return water to the streams we have to show use? (Historically, the diversion of water has been occurring in the wrong order. Under current legal framework, diversions should be preceded by stream studies and IFS. The Maui Island Plan is not specific in many regards and the end of sugar will not invalidate it. There are stream protection policies in the Plan.)

The East Maui Partnership is active above the 4,000 foot elevation and has installed fencing to eradicate invasive species. There are environmental groups who have picked out places they want to protect – we want a stake in our own watershed ahupua'a. Corporations have formed their own entities. We don't know what is going on in the mountains.

Give back the water to taro growers; they are sustainable ag.

450 mgd has been depleted – put back the water for appurtenant rights and environmental protection. In Kahikinui the HHL beneficiaries are on a waiting list, suffering without water.

The State should provide for kuleana rights and DHHL rights.

Dave Taylor continue offering water meters for growth when homesteaders are still on HHL list for land. Stop taking HHL water meters.

Is the State going to give water back to the rightful owners if the Hawaiian government becomes sovereign?

How long will it take HC&S to determine its needs? If HC&S doesn't need the water, who decides where it goes and when? (CWRM conducts an assessment and makes the decision. We have no idea how long it may take.)

Before water is distributed there needs to be a new assessment of streams after water is restored. Local community members, who know where the streams are, should be involved in assessing streams, ecological needs, traditional and customary rights, etc. The County should put a task force together.

No, rather than the County forming a task force involvement should be grass roots.

Many places have o'opu in streams; above the springs the ecosystem is dead. (USGS conducted assessments of East Maui streams in 2009 (<http://pubs.usgs.gov/sir/2010/5011/>).

Stop using conservation as a smokescreen. Water ends up in the ditch; one corporation can say where the water can go for profit. The State violated so many laws.

People here know what's best for our watershed. The County should stop work on the WUDP until the East Maui court case is resolved.

A person indicated support for this moratorium.

The Mayor wrote a letter in support of HB 2501.

Spell out acronyms in the PPT – T&C (traditional and customary).

R-2 reuse should be at the top of the list. All gutter rain should be captured for landscaping.

What are the plans for Kaho'olawe? (There are no water systems so a WUDP will not be prepared. There are funds for restoration.)

The military needs to pay for it.

PPT page 22 – spell out FOF, IFS.

How much water is needed for kuleana, kalo, farmers, traditional and customary, stream life (mauka-makai), etc. Determine the amount for development after these uses are satisfied.

Prepared by DWS staff, 4/20/2016