

**DHHL WATER POLICY PLAN STATEWIDE BENEFICIARY CONSULTATION  
LANA'I HIGH & ELEMENTARY CAFÉ, LANA'I CITY, LANA'I  
APRIL 9, 2014  
6:30 P.M. – 8:30 P.M.**

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**Attendance:** 8 total (4 beneficiaries, 2 other, 2 no response)

DHHL: Kaleo Manuel (PO), Nancy McPherson (PO), Ulu Lota (PO), Jonathan Scheuer (Consultant)

**Handouts:**

- Agenda
- Water Implementation Program Example
- DHHL Water Kuleana Handout
- DHHL Water Policy Plan Draft

**Presentation:**

Kaleo Manuel provided an overview of the Water Policy Plan process, its context and relationship to the DHHL planning system, and the work done to date in developing the plan. Jonathan Scheuer reviewed the DHHL Water Policy Plan draft that was developed using information and research from Department and external files, feedback from one-on-one interviews in the initial scoping of the project, and mana o shared during statewide beneficiary informational meetings. The DHHL Water Policy Plan is also consistent with DHHL's legal authorities, rights, and kuleana related to water.

**Open Discussion:**

Below are the questions, comments, or testimony provided either verbally or on green comment sheets, or by letter, by those present at the meeting.

- Each island has different issues. Lots of obstacles to get the information to the people. If they get it, then they can carry it to others. When they don't come to the meetings, then they say after, "oh, I should have come to the meeting." Need lots of education.
- Beneficiary Comment (BC): General overall presentation – how it falls into the Lāna'i context – history, resources, apply to the constitutional and HHCA responsibility. New program for us. Never been an opportunity for us to get water allocation. Need to decide how we envision getting a portion of water on an island that has a private water company. Need to come to a better understanding of rights. Staff Response (SR): Number one comment has been, folks understand why there has to be a statewide policy, but they mainly want to know what's going to happen in their area.
- Beneficiary Comment & Question (BCQ): It can be very complicated. We are part of a county, but we also live on an island with a private water company. Have to participate in those other processes [State, County]. Negating our understanding of water and Hawaiian Homes program. How actively have we participated in [development of] the WUDP for Lāna'i? SR: Sometimes the Dept. hasn't participated at all. WPP helps make sure DHHL is participating. Partner with beneficiaries. Are we regularly talking to our people?
- BC: County council – Lāna'i WUDP has been an 18-year process.

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- Other Response (OR): Stoddard: We made sure the State Plan was in there, and that the current and future needs for Hawaiian Homes were in there. SR: Each county handles WUDP process differently. Need to look at all the public trust values of water – it really impacts Hawaiians. Big role for beneficiaries in that process. Staff at DHHL knowledgeable about water were Rebecca Alakai, before that was Charlie Ice. How consistent have we been? Was based on how much time we had. Want to expand staffing, increase resources to bring more people on board. Planning Office has been taking the lead. Participating in or commenting on all CWRM decisions, all well permits in WMA's.
- BC: Beneficiaries don't all understand their water rights. Communicate more clearly to beneficiaries. This island is way different than all the others.
- BC: General perception is that one person owns the water. Don't understand the public trust that water still belongs to Native Hawaiians. Infrastructure owned privately, but the water isn't owned. Community needs to get that sense of understanding so they can become advocates for the public trust uses of water.
- OR: Stoddard: Lāna'i becoming a model of sustainability – people need to participate. People need to come out to the meetings. That's where the future is – planning. Lāna'i people need to participate in the Planning Commission meetings, Community Plan update. SR: One of the add-ins is water quality. Pesticides, pollutants – managing water quality.
- Anything we have totally missed for Lāna'i? Goal is to take back to HHC in June, with implementation plan. Bring it back annually. Please comment within the next three months. Call or email us. The life of the WPP is 3-6 years, so go back out in 3-5 years or so and revise the WPP. Sailing towards that star.
- BC: Add a definition of "rights." Would be great to have that in there. SR: The multi-colored handout outlines all the rights, for beneficiaries and DHHL. Another comment that came out is, add a definition of kuleana. Not just rights, but responsibilities. One of the main rights is ability to kapu water under State Water Code – water reservations. Will add that back in.
- BC: Watershed protection. Our homelands are confined to 50 acres – the idea of watershed doesn't translate to the homestead down below. Want to make sure you emphasize that even though we don't own the watershed, we have to be mindful of the WS because that is the source of water. SR: Most WS lands were excluded in the Act. DHHL going to participate in watershed partnerships, direct resources toward that.
- BC: On Lāna'i, we don't have any of the other uses – just residential. Need ag and pastoral lots too. Not sure how that land will become available. Want to be able to exercise rights to work ag and pastoral lands, want to have access to water for those purposes also. Lāna'i should have the full measure of uses that the Department offers.

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- BC: Would fit in to the vision of Pulama Lānaʻi to have beneficiaries farming on Lānaʻi.
- OC: Stoddard: That's where Lānaʻi wants to go. SR: Partnerships – look at options, ag parks, etc. Also, need to get a Hawaiian onto the CWRM. Make sure that current nominee understands rights of DHHL. Advocate for a Lānaʻi [Hawaiian Homes] Commissioner. Mahalo, was good attendance at this meeting, proportionally.
- BC: DHHL is new to us, trying to learn. Need responsiveness, need feedback. Don't make us regret [moving onto Hawaiian Home Lands] – DHHL still get chance with us!

**Broad Sheets:**

During the course of the meeting, staff also tried to capture the open discussion and conversation on broad sheets, which are transcribed below.

- How does it [DWPP] fall into the Lānaʻi context?
  - All of this will only make sense when you make that connection
- Lānaʻi – private water company – but what obligations / rights were there within the Constitution that need to be addressed on Lānaʻi
- Complicated: part of County / Private water company
  - External process / permits
  - Lānaʻi WUDP – how active were we [DHHL] in [developing the]
- Perception: one person owns water on Lānaʻi but water is a public trust; lack of understanding; deliverer of water is not the owner of water
  - Own land / system, but water is public trust
- Model of sustainability moving forward
  - Participation is key
- Definition of “rights” – tie to lehua handout – reference or link
- Emphasize – although we don't own watershed, we need that water for our homesteads
- Advocate for agricultural / pastoral lands / awards on Lānaʻi w sufficient water for those uses
- May not be DHHL land but there are ways to partner

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**Goal Prioritization:**

Although the DHHL Water Policy Plan draft has twenty-two (22) goals, in order to focus our (HHC, DHHL, and Beneficiary) efforts related to water, attendees were asked to go through a goal prioritization activity. Each attendee was given three (3) dots and was directed to place those dots next to the three (3) goals they felt were the most important to work on implementing in the next three to six years. Below are the results from that activity.

Goal	Description	Dots
1	Water Asset Inventory (WAI)	0
2	Submittal Template	0
3	Budget	0
4	Communicate	7
5	Staff and Organize	0
6	Projections	3
7	Design	1
8	Watersheds	7
9	Advocacy	3
10	Partner	0
11	Water Plan	0
12	WUPA	0
13	DWSs	0
14	Licenses	0
15	Dedication of Systems	0
16	Water Credits	0
17	Wells	0
18	Break Even	0
19	Run Legal Systems	0
20	Security	0
21	Ag Water	0
22	MIS	0

All handouts and notes can be found on the DHHL website at: [dhhl.hawaii.gov](http://dhhl.hawaii.gov)