

**DHHL WATER POLICY PLAN STATEWIDE BENEFICIARY CONSULTATION
LANIKEHA COMMUNITY CENTER, HO'OLEHUA, MOLOKA'I
APRIL 2, 2014
6:30 P.M. – 8:30 P.M.**

Attendance: 30 Total (20 beneficiaries, 6 other, 4 no response)

DHHL: Kaleo Manuel (PO), Nancy McPherson (PO), Ulu Lota (PO), Halealoha Ayau (MDO), Juliana Kaupu (MDO), Jonathan Scheuer (Consultant), Gene Ross Davis (HHC)

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.

- Q: Mana'e Watershed – protect. A lot of native Hawaiians on waitlist live in Mana'e, no but homesteads. Concerned about kuleana vs. DHHL. A: Comments we heard at another meeting – rights of kalo farmers from Mahele time, were there before the Homestead Act.
- Q: How do we assure that the policies will be followed through all the Chairs? A: Commissioners and Chair are obligated to follow their own policy.
- Q: This is a very nice wish list, like a kid's Christmas list – it's awesome. But how is it to be implemented? Or is this just gathering our mana'o? Just info gathering? A: We are making this palapala first. Make it pa'a first, then implement. Annual implementation program will be brought to HHC by Chair, and we will be going to the HHC for budget approval in June, to direct some resources toward implementation.
- Q: [E. Molokai] Watershed [Partnership] meetings are ongoing. RFP with State for fence line to protect watershed up Mana'e. We are not divided there. Not ag, but more aquaculture, limu gathering etc. Mana'e is different than Hoolehua. Is DHHL involved in the [watershed partnership] process? A: Not directly involved, but want to support traditional practices and resources that support them.

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- Comment: This really needs to be a partnership with the beneficiaries. Decisions are still made top-down even though we give you our mana'o re: our needs. Problem is no enforcement – lessees aren't even complying with the existing policies. DHHL is not enforcing its existing policies.
- Comment: Kapaakea homesteaders paying high water bills – on County water system. Not getting any kind of break or discount. Auntie Leilani wanted me to give you her mana'o because she couldn't be here. What comes first? Are beneficiaries the priority?
- Comment: DHHL should aggressively pursue our water rights – should be policy #1. That being said, beneficiaries also have responsibilities to be good stewards of the land. Kuleana – means rights and responsibilities. DHHL needs to defend its rights and responsibilities. We all share this kuleana. Public trust – competing. Declaring this kuleana puts the State on notice that they have a responsibility to enforce, also restore and support the HHCA's water rights. Talking about kuleana – not just asserting our water "rights" – it's not ours, it comes from Ke Akua – responsibility is to take care of it.
- Q: These are islands – all of it is important, but much of the forest reserve, in Conservation, isn't DHHL's. What clout will DHHL have with DoFAW, DLNR etc.? Where's the hammer? We'd like to see something really different, not the same old same old. Put the whole State on notice. Part III, #9.
- Comment: Also #7 – Plan for Needs – need to make water reservations, for areas where people aren't on the land yet. Not an existing use – planning for homesteads [has to include water reservations].
- Comment: Design of homesteads – need designs that create water – layout of lots. Windbreaks, rain catching – conserve and enhance watershed. Molokai people going to Africa, people there amazed that we use water for pooping. Water is a scarce commodity in many places in the world. Studies when in Molokai's history the water usage go up – it was when everyone got flush toilets and stopped using hale kukae. Outhouse now called "composting toilet." Same old thing doesn't work.
- Comment: Water is being flushed to deal with waste. Mandatory – change the toilets.
- Comment: Water crossing E. End roads and flowing into ocean. Billions of gallons – capture in reservoirs. Manage it better store it. It's water we could be using.
- Comments: Mana'e – water in streams not running any more. Running now, just because it's raining. Fish come in to lay their eggs. Important in Mana'e – different districts have different conditions. Water being diverted from the mountains. People come over here to build house – drill a well, build a swimming pool. In West End, Kawela [dry areas]. Water use for recreation is a waste. What happens when there's a big fire? DHHL needs to push these issues – talk too much, too much paperwork. No one has integrity any more. We fought for water with the [Molokai] Ranch. Molokai is unique. We have

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- not been good stewards. Everybody has to share. Stand up for what's right. We have nowhere else to go. Give it [homestead] to you when you're old, can't afford. Can live without electricity, can't live without water. Get together. Don't just do paperwork, or next generation is going to be fighting for the same things.
- Comments: We're getting old, starting to worry. Make reservation – need to know for sure the quality of the water coming out of the aquifer.
 - Q: Chlorine in the water? Spots on the truck when we wash it. Is it still as good as it was? Is it [water quality] deteriorating? How long do we have and what can we do about it?
 - Comment: Design homesteads to use gray water in garden. Doing it anyway, with washing machine water. Now I don't have to pump out the cesspool.
 - Comment: Aggressively advocate for our rights. You have more clout – I can't be there [on O'ahu] to attend the meetings – gotta take care of the grandkids. Traveling to O'ahu is a pain. If there are issues in the Leg, at Commission, it's got to be you folks. You've gotta advocate for us, at all levels. A: CWRM cut budget for meeting on outer islands. Should do like Big Island – provide ability to provide testimony from satellite offices located on various parts of the island.
 - Comment: We're at saturation [on Molokai] – what we're pumping, we're using. Need efficient development, use of water. When the price of potable water went up, my usage went down, so that works. For new homes – push water reuse.
 - Comment: We have the rights as a hammer, but to develop healthy partnerships, remind others of their kuleana first, then if they don't improve, pull out the hammer.
 - Comment: Utilize USGS for data for WAI. Response: Do you want us to add a goal specifically about USGS? Partnering with Feds?
 - Comment: Where are criteria for prioritizing homesteads? Cost of providing water needs to be included in analysis. Too expensive to get water to certain areas for homesteads – need to take these factors into account. Response: Where to develop has been somewhat political in the past, also trying to settle people where the jobs are (Kawaihae).
 - Discussion: What comes first, the chicken or the egg? Whichever Commissioner makes the most noise gets the homesteads. Kamalōmalō – plenty of water, but hasn't been developed yet. Why?
 - Comment: Long Range Plan – Tie land use to water availability. Response: Island Plans are supposed to be those plans.
 - Comment: Water should drive, guide land use. Do [real] cost/benefit analysis – calculate real cost to develop lots.

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- Comment: Any time CWRM makes a decision, DHHL box has to be checked off – DHHL should be commenting on everything they do. DLNR still owes us land, also DOT.
- Comment: Homesteader commercial use in Hoolehua – never happened. Get control of the planning.
- Comment: DHHL must have a seat on the CWRM.

Green Comment Sheets:

- 14 licenses – mention NHRF in language
- For future meetings, on sign-in sheet – ask attendees if they want to receive mail notification. Love email reminders! Mahalo for your preparation and hard work. And patience

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.

- Mana`e – DHHL didn't participate in the watershed meetings to protect / fence the watershed. Why not?
- How do you ensure continuity through the changes in leadership?
- This is a perfect "wish list" like a kid's Christmas list –is it to be implemented? Will we walk the walk, not talk the talk>
- Aquaculture is a big issue in Mana`e.
- Need to participate in watershed protection with private entities
- No faith in the top decision makers; with existing policies in place, DHHL is not enforcing policies already there [so why would we believe this policy will be implemented?]
- Kapa`akea – high cost of water – how are you helping them, whose issue is right now?
- Where it says "aggressively assert rights" it should read "for the **responsibilities** of our beneficiaries as stewards of the land"
 - Kuleana should be explicitly used and defined
 - The right comes with responsibility
 - This is a kuleana we share; the state has responsibility too.
 - Take care of it, protect it.
- Your watershed goal – where is the hammer that DHHL can use against the state, another state agency [implied: if no hammer, need carrot]
- You need partnerships; you need to hook in others
- Put kuleana as a defined term in the WPP
- Reservations are not an existing use – from contested case
- Planning is concerned with language, so go further to include "creating water" in our developments – the layout of lots, providing for windbreaks, plants that catch rain, conserve and enhance
- Design – composting toilets are critical

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- This plan is like all others, except being developed by Hawaiians – let's make it different.
- Water is being wasted
- To get rid of waste make it mandatory to change toilets, infrastructure, etc.
- Storm water – excess flow – capture excess in reservoirs – manage that water for us to use. Not the base flow but the excess.
- Mana`e is different than other areas
 - Water hasn't flowed like it is now in a long time, because of diversions up mauka
- Swimming pools are all over Kawela – “wastefulness of recreation” – they dig wells to provide for this, NO!
- Molokai is blessed – we must all participate in stewardship
- Nobody can go without water – water is important
- The quality of water in the aquifer - Kualapu`u – is a concern
- Design homesteads to use grey water (i.e. sink / bath water to water garden); reuse water
- Yes. Aggressively advocate for our rights all the time. DHHL has clout; it is difficult and expensive for us to fly over to O`ahu; most of the time it needs to be you
- We need to be efficient in the development and the use of water; water seems abundant now but won't always be.
- Does DHHL have a seat on the water commission? It needs to – must have a seat.
 - Need to always phrase this / frame this as you will kokua their kuleana
- USGS should be a key partner, especially in developing the WAI
- Benefit / cost analysis needs to be done when developing lands, e.g. Kalama`ula
- Tie land use and water to make decisions
- DHHL should be a check off before CWRN takes action

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

All handouts and notes can be found on the DHHL website at: dhhl.hawaii.gov