

**DHHL WATER POLICY PLAN STATEWIDE BENEFICIARY CONSULTATION
KAPOLEI MIDDLE SCHOOL CAFÉ, KAPOLEI, O'AHU
APRIL 14, 2014
6:30 P.M. – 8:30 P.M.**

DHHL: Kaleo Manuel (PO), Andrew Choy (PO), Bob Freitas (PO), Julie-Ann Cachola (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.

- Q: I live in Kanehili. Our docs [CC&Rs] require that we have grass on our planter strips. We should do something so we can conserve the water – allow us to put something other than grass. As long as it looks nice, should be able to do it. Wasting water. Would like to see an agreement or policy soon so we don't get cited for not having grass. Have that in the policy also. How soon can we get this changed? A: We think the Policy could get approved by June, so could be implemented by July 1. Things can be done fairly quickly. CC&R's can get amended.
- Q: It takes 75% of residents. [VOKA] demanding that we have grass only. A: Will put language regarding water conservation measures into the Policy.
- Q: Commission could change this in future. A: How do you do something now? We will follow up with you after this meeting.
- Q: Water is becoming a big problem around the world. It's coming. Lots of homes going up in this area. Used to have 3 waterfalls up mauka, now only one. Water table going down. DWS is not going to tell us what's going on. We won't be able to say "this is our water"- water is for everybody. The more buildings, the less water. Everybody takes showers – more people, less water. Las Vegas – conserving water. Not where we came from, but where we're going to go. About what's coming – prepare for it. These planter strips are 4-½ ft. wide, 42 ft. long. How about making the streets wider instead? It's

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wasted land. Expect us guys to take care of it, we don't even own it! Not really ours, but we are getting stuck with it. A: Las Vegas – they pay people to take out their lawns because they want to keep growing. That way they will have enough water to build more houses. Na Wai Eha – most of the water taken from Iao Aquifer waters lawns in Kihei. Taro v. sugar? Or kalo vs. lawns? Make sure we do things the right way.

- Q: Mother Nature is what gives you water. Same thing on the mainland – California – when there was a drought. People had to conserve. People didn't water their lawns, let them go brown and die. What you conserve as a community can help. I submitted my application to the HHC – they let me cement my front, paid my \$25. They do give you that option. People have to find out. Ranchers had to sell their cattle. Everyone's concerned.
- Q: I was turned down for that. We live in the same place! DHHL not being consistent – some people can, some can't.
- Q: Gist is that Commission needs to adopt a [water] policy before they build more homesteads. 2000 sq. ft. of planter strip - I don't water it – it would double my water bill. Adopt a policy for future developments to prevent unnecessary costs. A: We have a broad goal re: designing homesteads. Implementation steps – address for existing developments, make sure you don't do this again.
- Q: All Hawaiian community. Water – wai. Kakaako United – opposing development there. Turning into Manhattan. Kalaeloa – HCDA. Concerned about the water table, future of water. License laws – planters paid a certain percentage into the trust. Was there an accounting? How much revenues? Appurtenant? What happened? A: That law still applies. State water licenses – state still pays DHHL. Amount of license revenue has been going down. Mana Plain – transferred the land and irrigation system to ADC – not getting the revenue. Demise of sugar on O'ahu. All water would be allocated by year 2000. Sugar companies were using a lot of water. 20 years of development that still has enough water. BUT – we are proceeding like we have 100 years left of water. DHHL needs to kapu enough water for all of our needs for the future.
- Q: Water bill – leaflet. Live in Nanakuli – do we pay for water? No – pay us, we give the water to you. Bad way to talk about it. Problems building more or less. Electric and water are more than my mortgage. Haul the water. Put a cap on kanaka maolis on homestead. How can I save when they are burning oil? Know about the meters. We are all concerned about the wai. Future generations, the keiki – should make it mandatory for homesteaders to come to meetings – but holding down two jobs. If something happens, we're out. Gotta start making policies, or nothing going change. So precious to us – kalo farmer (Eric Enos).
- Q: Water files since 1960's haven't been looked at? A: Files were scattered throughout the agency – had to hunt them down.

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- C: So we are 53 years behind? No continuity . Had to tie in to City cesspool [WWTP] – was a bad decision. There was nothing wrong with our cesspools. Huge [financial] burden, and we'll be on fixed income soon. Had to shut one half down. Life should be better in senior years. Something needs to be done about swimming pools – that's not the best use of water. We need to claim water that flows into the ocean. Sun – PV panels coming. Need to claim the sun, wind, soil and water. Water that goes into the ocean should be our water. HECO wants to dredge, drill off the shoreline. Need to think seriously about what is ours.
- Q: What is the deal with handing over of systems developed by DHHL to County DWS? In exchange for that, they get water credits. I need to understand that. That has been pushed down our throat without any explanation.
- A: Asked the BWS'. They said they treat DHHL "like any other developer". BUT – we aren't like any other developer. Most developers don't develop their own water. It's all part of the system. BWS – one credit = 1 water meter, for 1 residence. Water credit system is managed very close to the vest by BWS. Confusing, should be more transparent. Understanding dedication of systems in exchange for water credits – Goal 15 – want to make that more explicit. Decisions haven't been shared with beneficiaries before decisions are made. We need to look at costs of both options. Issues of self-sufficiency. Make decisions clear and transparent so everyone knows. Make it stronger. Needs to be clarified. Make sure we assess things. Don't always dedicate. Whoever had water in the past had a lot of power, control of their destiny.
- Q: Not well versed, but do have concerns about the management of water. Seems like we always take a back seat. How can I and others in the Hawaiian community get a better sense of this? Are there going to be other meetings on O'ahu so we can get well versed? Seems always like a hurried situation, never easy. A: A lot fewer people have come, but a lot of 'ike. Emphasizing education and advocacy. We have to know – you have to continue to come back and talk with us. Keep us informed. Other good sources – Kapua Sproat at UH – Water Law primer. Be very clear, annual coming out to the communities, in conjunction with the implementation plan. Evaluation. Report card from the community.
- Q: Honouliuli is the aquifer that feeds Nanakuli. Water quality seems to not be doing well. We can see the filtration systems along the freeway. Is the filtration system working? What kind of tests are they doing? We want to look at the data. A: Water quality needs to be added. Will be in the Final Draft. Explicit goals. How can we take an active role in it?
- Q: Really thank the Dept. – didn't have a water policy for so long. Now really taking the bull by the horns. It really is the healthy watershed – wao akua needed, to use wao kanaka lands, use it in a way that is pono – gotta go back to the sources. Ai pono – really complicated. Each community has different

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- issues. Health of our ohana, health of our food. We fought the water battle 35 years ago. Using the stream now. Same thing happened in Waiāhole. Setting precedent – why do you have to take all the water out of the ahupua'a? Use the 'āina to feed our families.
- Q: Glad – set a precedent. For Hawaiians, on HHL, need to exert our rights to the wai, from top to bottom. To manage water assets inventory – DHHL has been functioning without it all these years. Glad we have a director and a commission that is getting it. On homestead land for 30, 40 years. Gotta stop feeling less than, subject to the State. We have rights, excellent rights, knowledge is with the people. Need to create our own Commission. Shouldn't have to ask them [CWRM, BWS]. We don't know if we are getting the right credits, discounts. Establish our own Water Commission, so that we are equal to them. State is based on Hawaiian Kingdom law. From what the mo'i did in their time. We can cite those – we can just be. Always looking for recognition – just need to proclaim it, exercise it. Not the governor – homesteaders, and wait listers. Create our own commission on each island, as a separate entity. Nice to have flyers, but should have sent us more info on what does this say, how does this affect us. Postcard needs to compel people to participate. If we don't participate, our keiki suffer. People don't care for meetings. Update your mailing list. Old, updated mailing lists, target your efforts. Getting back to the water, exercise our own claims and rights. You folks are the hub that is going to make that happen. Have to prioritize... A: Taking one step forward to doing things a more proper way. More Hawaiians on the Water Commission. On the first step, appropriate thing to do.
 - Q: Makaha flood meeting. Major flooding, affected Lualualei Valley. Recognize doing a water survey. Resident showed a wonderful map – flood zone and what their study showed. Makaha Stream is capped [blocked] – doesn't go out into the ocean. We should be using that water higher up. Diverted from various tributaries, streams into Makaha. Using our own culture – letting water stay here, there, use akamai best practices. Prevent flooding. Utilize diversions & capping – bring it down like we used to. Exert our rights (Eric Enos) – why doesn't DHHL learn from that? He created a path for others. Waianae Valley – have a water tower. Our ag lots are not useable because – no more water? Why would we build ag lots if we don't have water? We have a lot of water in Waianae Valley. WWTP wasn't being maximized. Needed more users on the system, made folks give up their cesspools. Many connected, saw a 3- or 4-fold increase in water fees. A: Without policies in place, Commission doesn't have clear guidance. Policy will try to guide those decisions so they're made in a more transparent way. Heard from beneficiaries that we should be using less water for waste. Impact of the switch to the sewer system was very bad for existing homesteaders. Don't do what everyone else does.

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- Q: Water is most important resource that we have. Big companies have come here, they are controlling things. Government is going to run the show – is DHHL going to put the boxing gloves on and fight the rest of the state? Bureaucrats are messing things up. Negativity against the Hawaiian people – lots of negative press. Have to advocate for ourselves – people who have the degrees have to pull these forces together – either work together as one, or it won't work. A: We have come so far – Na Wai Eha, Waiāhole, Molokai – water was something that we all shared. Got that back. Start to take those steps to work with beneficiaries to take it to the next level. Laulima – work together. Encourage your ohana to comment.

Green Comment Sheets:

- Establish our own water commission
- Commissioners chose by lessee & waitlist
- 1 per Island (Commission)
- Utilizing the laws & legal precedence to assert our water rights
- Until the above happens:
 - Push for reduced rates for all homesteaders
 - More support Papakolea – mahalo for all that you do Kaleo, Julie, Jonathan, Nancy & braddah

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.

- Kanehili – only grass is required as part of the DCCR's; can we put in concrete or bluerocks, we could conserve (save water) resources (Homestead design)
- More buildings → less water: it's a global issue, not just in Hawai'i
- Kanehili
 - 2000 sq. ft. of planter strip
 - Cost to manage is difficult
 - Extra costs that are unnecessary
- Homestead design (implementing actions)
 - 1) Address existing developments
 - 2) Plan / design better homesteads
- Kalaeloa – concerned about water table
- Water licenses: are these rights appurtenant?
- Nānākuli: “do you pay for water?”
 - Paying for electric and water like a mortgage; I'm a \$1 away from being homeless
 - Put a cap on water rates > is there a way?
- We are all concerned about water, make beneficiary attendance mandatory
- Kapolei
 - Guiding principles → common themes

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- Chair / HHC [is] appointed
- No continuity on policy = concerned
- Tie into sewer in Wai`anae Kai – [we were on] cesspool – nothing wrong
 - Huge burden on beneficiary
 - Worse decision
- Something done about swimming pools
- Claim water, rain, sun, wind, soil – “is ours”
- Dedication of systems → credits, How is that process occur?
- Management of water – seems like Hawaiians take back seat. How can I participate and get better educated? Seems like a hurried situation all the time
- Honouliuli – water quality a concern
 - How do we as beneficiaries [find out what’s is going on and take a role in] about to manage that issue?
 - Filtration systems are going in all along the highway
- Healthy watershed – it is about the wao akua – using it at wao kanaka
 - Use it in a pono way. `āi pono – go back to health of source of water
 - Use stream water in Wai`anae
- DWS – why do you have to take all water out of ahupua`a?
- Exert our rights to wai – need to stop feeling loss than state
- Create our own water commission
 - Make it replace the state CWRM
 - On each island
 - Our own water boards
- Just be – Proclaim and exercise
- Find a way to educate / outreach
 - Know what our rights are
 - More correspondence [with beneficiaries]
 - Why does this impact you?
 - [That would] compel you to come
- Makaha – use water along stream to help control stream flow – storm surge – use traditional management methods to water
- Use Ka`ala [farm / learning center] as example / precedent
- Place at Libraries

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

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