Beneficiary Consultation on EMI’s Water Lease and DHHL’s Water Reservation

January 14, 2019
Paukūkalo Community Center
6:00 – 8:00 pm
Agenda

A. Introduction and Purpose

B. Presentations
   1. EMI: Proposed Water Lease
   2. DLNR: Water Leasing Process
   3. DHHL: Water Needs & Reservation Request

C. Discussion

D. Next Steps and Closing
Purpose of Consultation

1. Share Information on EMI’s Request for a Water Lease
2. Explain BLNR’s Water Leasing Process
3. Discuss DHHL’s Water Needs in the Same Area:  
   • How are Water Needs Identified  
   • Water Already Reserved  
   • Discussion on Other Water Needs to make a Water Reservation as part of the State’s Water Leasing Process
DLNR’s Water Leasing Process

Chapter 171-58, HRS

- Request for water lease
- DLNR Informs DHHL of request
- DHHL Beneficiary Consultation
- DHHL/DLNR develop water rights reservation

- Notice of Public Auction
- Approval by BLNR for auction of lease
- Development of Watershed Management Plan or Lease Covenant
- Environmental Review by applicant per Chapter 343, HRS

- Qualification of Bidders
- Public Auction
- Execute Lease
DHHL’s Interests In EMI Water Lease

1. Secure Water for Affected Lands
   • Keʻanae fed by Piʻinaʻau and Pālauhulu
   • Wailuanui fed by Wailuanui and Waiokamilo
   • Kēōkea and Waiohuli -- EMI is key source
   • Pūlehunui -- irrigated by EMI and brackish wells

2. Water License Revenue (30%)
   • State Constitution, Article XII, Section 1
   • 30% to the Native Hawaiian Rehabilitation Fund
How Does DHHL Identify Water Needs?

A. Guidance from DHHL’s Planning System
   • General Plan
   • Water Policy Plan
   • Maui Island Plan
   • Regional Plans
   • Development Plans

B. Guidance from DLNR/CWRM
   • State Water Projects Plan
   • CWRM Groundwater Reservations
DHHL Planning System

Provides guidance to plans and actions related to water.

General Plan
Statewide, 20 year timeframe

1st Tier

Water Policy Plan

2nd Tier

Island Plans
Regional, 20 year timeframe

Regional Plans
Developed Areas, 2-4 year timeframe

Development Plans
Undeveloped Areas, 10-year timeframe

3rd Tier

Implementation Tools

Funding
- CIP, Operating Budget
  - (2 & 6 years)

Legislation
Administrative Rules

Land Use
- Designations, Amendment
  - Processes

Evaluation Program

*Hawai‘i Administrative Rules §10-4-51 to §10-4-60
Maui Island Plan (2005)

- 20 year time frame
- Identifies Land Use Designations for 31,000 acres on Maui
- Different land uses (e.g. subsistence agriculture, residential) have different water demands
State Water Projects Plan (SWPP)

- Approved by Commission on Water Resource Management – May 2017
- Identifies DHHL Water Needs Over Next 20 Years
- Calculates Water Demand Based on DHHL Plans
- Notes Where Future Numbers Will be Refined
Existing CWRM Reservations

- In September 2018 – CWRM reserved potable groundwater for DHHL lands based on the State Water Projects Plan.

- Potable Water Reserved in Areas Related to EMI:
  1,734,000 gpd for Pūlehunui
  813,000 gpd for Kēōkea-Waiohuli
  3,000 gpd for Keʻanae-Wailuanui

- Tonight, we’re asking if DHHL’s Reservation Request here should only include non-potable water uses? Are there other water needs that DHHL should include?
Keʻanae-Wailuanui

Keʻanae is fed by Piʻinaʻau and Pālauhulu Streams; Wailuanui is fed by Wailuanui and Waiokamilo Streams. These streams were fully restored so no need to reserve non-potable water.

- Add Wailuanui potable (11 lots @ 600 gpd=6,600 gpd)
- Potential Reservations: 6,875,000 gpd

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<th>Potable</th>
<th>Non-Potable</th>
<th>Total</th>
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<td>Keʻanae</td>
<td>3,400</td>
<td>4,587,800</td>
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<td>Wailuanui</td>
<td>6,600</td>
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<td>2,286,800</td>
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<td>7,000</td>
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Kēōkea-Waiohuli

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<tr>
<td>From SWPP</td>
<td>809,700</td>
<td>578,000</td>
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<tr>
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<td>813,000</td>
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<tr>
<td>3,940 acs. Gen. Ag @2500</td>
<td>9,850,000</td>
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<tr>
<td>Adjusted Totals</td>
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<td>10,428,000</td>
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- No non-potable allocations for:
  - Existing Ag lots (425,000 gpd)
  - Gen. Ag of 3,940 acs. below homes (9,850,000 gpd)
- Potential Reservations: 10,428,000 gpd

Priority Project - Develop Water Source and Related Infrastructure for Agricultural and Residential Lots
Pūlehunui

- Pūlehunui Regional Infrastructure Master Plan, Draft EIS submitted
- Includes Other Agencies
- New Community Visions
- Groundwater is brackish
- Potential Reservations: 1,027,510 gpd

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New Reservations from EMI System

• Potential New Reservations From EMI System
• Non-Potable Unreserved Needs
• Total: 11,455,510 gpd
Discussion Questions

- Should DHHL’s Reservation Request Here Include Only Non-Potable Uses?
- Where Should This Water Come From to Meet Those Water Needs?
- Are There Any Water Needs that DHHL Did Not Account For? What Are They?
Discussion Kuleana

- Be creative!
- Work toward future solutions/aspirations
- Disagreement is OK as long as we are respectful of each other
- Everyone gets a turn first, then repeats
- Cell phones off or on silent
- Take all calls/texting outside
Discussion Kuleana

*Help to promote good discussion by:*

- Making sure everyone has an equal opportunity to express their ideas;
- Actively listening;
- Keeping an open mind and maintaining a positive attitude;
- Keeping side conversations to a minimum.
Discussion Questions

• Should DHHL’s Reservation Request Include Only Non-Potable Uses?
• Where Should This Water Come From to Meet Those Water Needs?
• Are There Any Water Needs that DHHL Did Not Account For? What Are They?
Next Steps and Closing

• Comment Deadline: February 14, 2019

• Beneficiary Consultation Report & Recommendations will be presented to the Hawaiian Homes Commission at its Meeting in March

• DHHL Will Submit a Water Reservation Request to the Commission on Water Resource Management (CWRM)

• CWRM Action Will be Required on DHHL Water Reservation

• DLNR and EMI Will Continue with Water Lease Process
Contacts

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