A photograph of a waterfall in a tropical setting. The water is white and frothy as it falls over a dark, mossy rock ledge. The background is filled with dense green foliage, including ferns and other tropical plants. The scene is captured in a slightly blurred, artistic style.

# **The Water Policy Plan Implementation Program FY 2020 Report and 2021 Program**

**Andrew Choy, Acting Planning Program Manager**

**Jonathan Likeke Scheuer, Consultant**

**May 19, 2020 Via Teleconference**

Wai`ale`ale “Blue Hole”, Kaua`i



- 
- I. The HHC Water Policy Plan (WPP)  
Development and Content**
  - II. WPP IP Report FY 2020**
  - III. WPP IP FY 2021**



# DHHL Planning System



DHHL Planning System

# WPP Development: Research

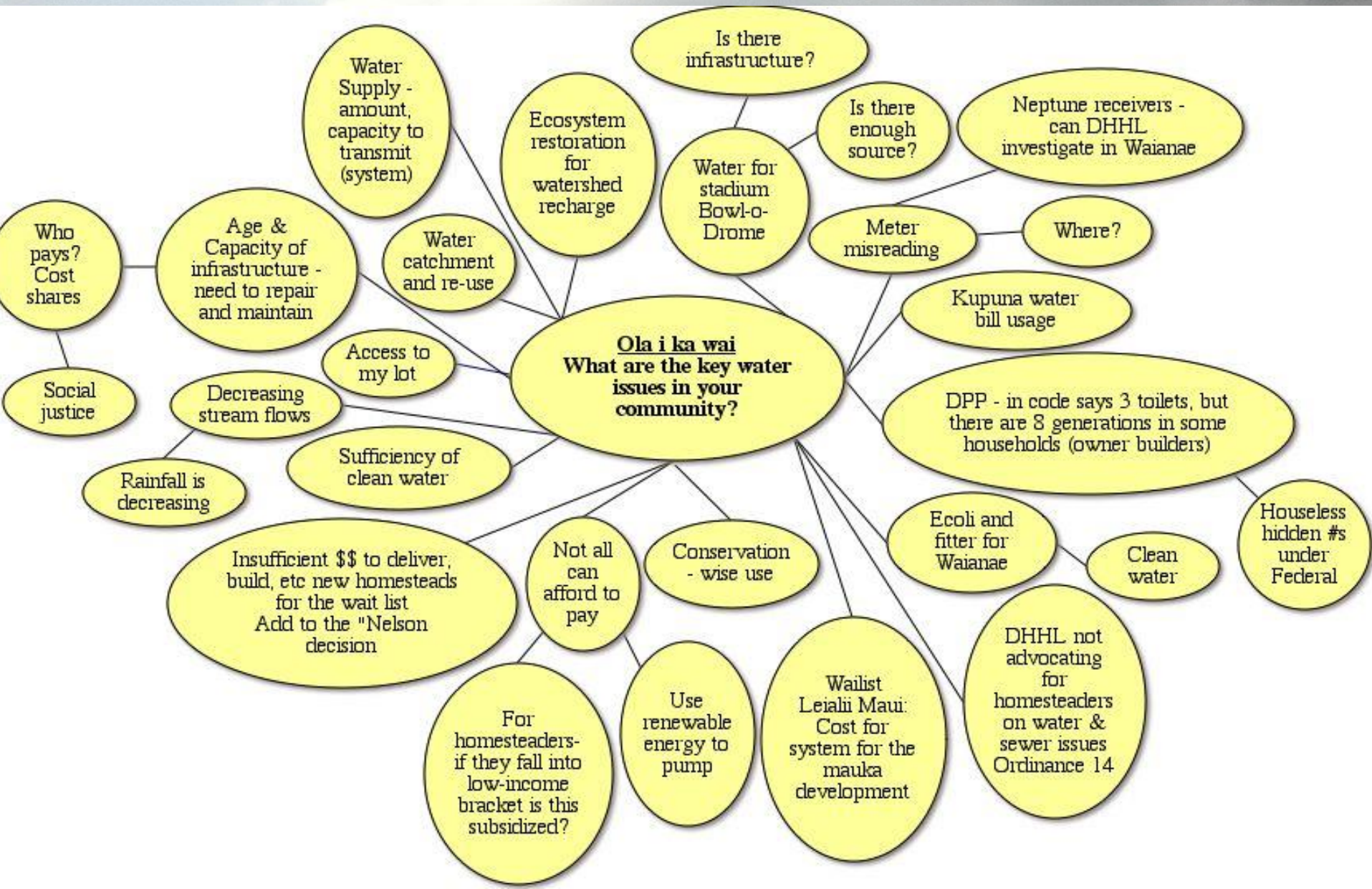
- Department and Water Commission files
- Review of DHHL legal rights and roles
- Specific Projects (e.g. Pulehunui, Maui)
- State Water Projects Plan Update
- Scoping Interviews
- Statewide beneficiary meetings
  - Notes, conversation maps, letters

# Meetings - 2013

<b>Oct. 23</b>	<b>O'ahu</b>	<b>Stevenson Middle School Cafeteria</b>
<b>Oct. 30</b>	<b>Kaua'i</b>	<b>Chiefess Kamakahelei Middle School</b>
<b>Nov. 4</b>	<b>Molokai</b>	<b>Lanikeha Community Center</b>
<b>Nov. 5</b>	<b>O'ahu</b>	<b>Kapolei Middle School Cafeteria</b>
<b>Nov. 6</b>	<b>O'ahu</b>	<b>Blanche Pope Elementary Cafeteria</b>
<b>Nov. 7</b>	<b>Lāna'i</b>	<b>Lāna'i Elementary &amp; High Cafeteria</b>
<b>Nov. 12</b>	<b>Hawai'i</b>	<b>DHHL Kūhiō Hale, Waimea</b>
<b>Nov. 13</b>	<b>Hawai'i</b>	<b>Hilo High School Cafeteria</b>
<b>Nov. 14</b>	<b>Maui</b>	<b>DHHL Paukūkalo Community Center</b>



# Conversation maps



# Meeting Notes

## HISTORICAL RELATIONSHIP BETWEEN DHHL AND MIS

### The Beginning

"The commission is authorized, for the additional purpose of adequately irrigating any tract, to use, free of all charge, Government-owned water upon the island of Molokai and Government-owned surplus water tributary to the Waimea River upon the island of Kauai, not covered by a water license issued after the passage of this Act and covering the passage of this Act and covering any such Government-owned surplus water shall be deemed subject to the condition, whether or not stipulated therein, that the license shall, upon the demand of the commission, grant to it the right to use, free of all charge, any of the water upon the island of Molokai, and any of the surplus water tributary to the Waimea River upon the island of Kauai, which is covered by the license and which the commission deems necessary for the additional purpose of adequately irrigating any tract."

As indicated by this Section 221(d), the commission was given the authority to use any Government-owned water on Molokai, free of charge, to adequately irrigate any HHL tract, excluding water already under a license prior to the Act. If a water license was issued subsequent to this Act, the commission retained its right to use water free of charge for irrigating purposes.

### Creation and Subsequent Changes to a Molokai Water Authority

In May 1943, the territorial legislature passed Act 227 to establish a Molokai Water Board as a way of addressing the domestic and agricultural water needs of Molokai homeowners. The Hawaiian Homes Commission served as the Board. The Act specifically gave homestead lessees preference to have their water needs met first before any other person or persons.

In June 1953, the territorial legislature passed Act 245 which established the Hawaii Irrigation Authority (HIA). The HIA substituted for the HHC in its role as the Molokai water board, e.g., its powers, duties, and functions as MWB were transferred to HIA.

### Significance of Proposed Amendments to HHC Act of 1920 and Passage of Territorial Legislation Act 164

In May 1955, three (3) significant pieces of legislation was enacted, two proposed Congressional measures amending the HHC Act, Section 220 and 221 and one territorial measure, giving two-thirds preference for water from a constructed irrigation system to DHHL.

- 1) Joint Resolution 10 would amend Sec. 220 of HHC Act by adding a new paragraph that would allow for the construction of irrigation projects on

From: Kawehikalaninui-Hamamao Kanui <kawehi.kanui11@gmail.com>  
To: andrew.h.choy@hawaii.gov  
Date: 11/13/2013 02:15 PM  
Subject: Water and Other Responses

Aloha Andrew,

Please forward this email to Nancy, Darrell, Jonathan, chair and commissioners on our feed back regarding water.

As the newly elected appointed by na kupuna, as the Executive/Project Director for the Waimanalo Ahupuaa Business and Community Association based in Waimanalo, we have concerns below...both myself and representing the fisher people, Mr. Sam Marquez attended the meeting to understand what the water issue was all about and what the DHHL is doing...we met and talked after the meeting and sending in to you our concerns, we want you to make copies and make sure each commissioner has our written input.

One observation, there were 15 people from our community who were community people and not staff that came to the meeting...that was a very low number to carry any kind of votes by the commissioners on water and we request that commissioners also attend these meetings...Uncle Joe Tassill did not attend due to being off island...talked with him at the Celebration For Life funeral for the late Kahu Ryan Kalama who passed.

The other observation and in our discussion prior to the meeting about the amendments to the HCCA 1920, since 1984...and still have not gotten it when we requested that information more than a year ago.

These amendments are important to your plans and our plans for Waimanalo and all homestead lands on all islands. We would like to request again a list of all amendments made during and after 1982...to the present.

We have a feeling that these amendments were never passed through the US congress and is illegal until it is passed by all US congressional members as Kahu had the act set-up so it would not be taken over by third parties, protecting the rights of the people from the time of the kingdom to the present.

Objectively, the first main issue is Jurisdiction...and this is where we are stomped...and amazed at how is it that so called stakeholders have the main say in properties that came from the kingdom, to us, via Kahu and to us, na kanaka Hawaii?

Secondly, with the lands came the water so there is no doubt in our minds that WATER must be free to Kanaka Hawaii...anyone who is not tied to third parties or stakeholders...including Hawaiians who work for any State of Hawaii agency, department or groups. Jurisdiction dictates that no third parties are allowed, yet they are all over your paper work and people working within this government...is a conflict of interest...we have to insist on doing things right to manage our lands...it is ass backwards, to put it bluntly as I am told by na kupuna, that night.



# Different meetings had different concerns

- O'ahu (Honolulu): Provide more education, outreach, advocacy
- Kaua'i: Support stream restoration, ag water, HHC representation on CWRM
- Molokai: Take back the MIS, support self-sufficiency
- O'ahu (Kapolei): Address water rates / high cost of water
- O'ahu (Waimānalo): Advocate for Maoli rights, design homesteads for water
- Lāna'i: Address desalinization & development impacts
- Hawai'i (Waimea): Provide Ag water, address water system management
- Hawai'i (Kona): Oppose Keauhou designation
- Hawai'i (Hilo): Address a lack of fairness of the County BWS
- Maui: DHHL vs. kuleana water rights; support kalo water needs



# Key themes

- Water is a critical trust asset
- We need sufficient water now & in the future
- DHHL's knowledge of water is limited
- Water management should be balanced
- Beneficiary partnership is essential
- Continuous, aggressive advocacy is critical
- Water connects DHHL to other trusts, and to all other people



# **Final Drafting and Approval**

- **Statements further grouped as they relate to values, policies, and goals**
- **Draft cross checked with beneficiary input**
- **Review by DHHL staff**
- **Unanimous approval as DRAFT by the HHC on February 19, 2014**
- **Statewide Beneficiary Consultation Meetings**
- **Unanimous approval by HHC on July 22, 2014**



# WPP Content: Sections

- **Vision**
- **Mission**
- **Values**
- **Policies**
- **Goals**
- **Implementation Program**



# Values: Waiwai, Waihona, Mālama, Laulima



AUWE ! PAU WAILUKU I KA N  
hiki mai ma ko makou nei keena  
palapala na S. D. Hakuole, o Kī  
hai mai ana i ka pau loa o ka aina o Wai-  
luku i ka mahina i ke ko. A ke hai hou  
mai nei ng ke hoomaloo ia nei na loi kanu  
kalo e na Hāole, i wahi e kanu ai i ke ko. A  
ke makau nei ok, e pau ana ka ai ana o na  
kanaka oia wahi i ka ai ana i ka poi, a e ai  
wale aku ana no pama i ka balena oolea ho-  
eha niho, a hōkaga palaoa mama e maona ole  
āpapa kanaka Hawaii. Oia na mas na ka-  
naka i ka ai i ka poi.





# **Four Priority Goals**

- 1. Affirmatively communicate**
- 2. Aggressively advocate**
- 3. Water Assets Inventory**
- 4. Watershed Protection**



## **II. WPP IP FY 2020 – Accomplishments**

- Water Lease advocacy and reservations statewide (incl. Wailuku R. Hilo)**
- Beneficiary training across Hawai`i with Ka Huli Ao**
- Molokai USGS studies and permitting work**
- WAI cultural assets inventory**
- N. Kona source development work**



## **IV. WPP IP FY 2021 – Major Goals**

**1.b. Continued Trainings**

**2.a. NHRF Advocacy (171-58)**

**2.b. Seek reservations and water**

**2.c. Monitoring other agencies**

**3.a. WAI development**

**5.c. MIS Cost of Service Study**



## **IV. WPP IP FY 2020 – Budget**

<b>1.b. Training</b>	<b>150,000</b>
<b>5.b. Water Source Dev.</b>	<b>300,000</b>
<b>5.c. MIS COSS</b>	<b>150,000</b>
<b><u>TOTAL</u></b>	<b><u>\$650,000</u></b>



**Nīnau?**

