



# **Submittal of the DHHL Water Use Permit Application to the State Commission on Water Resource Management in the Kualapu'u Aquifer System Area, Island of Moloka'i**

**Item G-2**

**Hawaiian Homes Commission (HHC)  
Meeting (online)**

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# **DHHL Kualapu`u WUPA Submission**

**I. WUPA and Public Trust Uses of Water**

**II. DHHL Water System PWS 230**

**III. WUPA Overview**

**IV. Possible Next Actions by CWRM**

# I. WUPA and Public Trust Uses of Water

- **Issued by the Water Commission**
- **Required in Designated Water Management Areas**
- **WUPA issuance is supposed to:**
  - **Limit and distribute pumping below “Sustainable Yield”**
  - **Protect Public Trust interests and uses in water**

# **I. WUPA and Public Trust Uses of Water**

- the maintenance of waters in their natural state;**
- the protection of domestic water use;**
- the protection of water in the exercise of Native Hawaiian and traditional and customary rights; and**
- the reservations and uses of water for DHHL**

# I. WUPA and Public Trust Uses of Water

- **Public Trust uses are to be satisfied BEFORE any private, commercial uses of water are considered**

## II. The DHHL water system PWS 230

Location: Kualapu`u Aquifer System

Water sources: Kauluwai Well Nos. 1 & 2 to water tanks

Users: 2,400 customers & approximately 581 service connections:

APPROXIMATELY 33% OF ISLAND RESIDENTS

- Homestead users
- Homestead supporting uses
- Non Homestead Domestic uses
- Non-Homestead uses



# III. WUPA Overview

- **Current WUP allows .367**
- **GWUPA-N seeks .595 mgd total**

# III. WUPA Overview

- Different ways of explaining proposal
- Detailed, specific uses
- New homesteading:
  - 171 new, committed service connections for Kalama`ula mauka, Nā`iwa, and Ho`olehua
  - Up to 210 service connections for lots that can be created through subdivision

# III. WUPA Overview

- **Version 3: Public Trust and Non Public Trust uses**
- **436,600 gpd for recognized Public Trust uses of water**
- **158,400 gpd for non-Public Trust, reasonable beneficial uses of water**

# III. WUPA Overview

- **Other issues discussed:**
- **Sustainable Yield**
- **Fit with CWRM Categories of Uses**
- **Previously Approved uses**
- **Proposed New Uses**
- **Consistency with applicable regulation**
- **Efficiency of Uses**

# III. WUPA Overview

- **Other issues discussed:**
- **Alternatives**
- **Legal standard for reviewing the Impact on other PT uses**
- **Impact on other PT uses**
- **Proposed mitigation for other PT uses**
- **Interference with “other legal uses”**

# IV. Possible Next Actions by CWRM

- Acceptance
- Publication of Notice
- Objections?
- Hearing
- Contested Case Hearing
- Approval
- Litigation?

**Nīnau?**

