

May 29, 2008

TO MEMBERS OF THE MOLOKAI WATER WORKING GROUP: Malia Akutagawa, Ella Alcon, Byron Alcos, Lori Buchanan, Judy Caparida, Lynn DeCoite, Bill Feeter, Ray Foster, Bob Granger, Adolph Helm, Karen Holt, Arnold Imaye, Debra Kelly, Ellen Kraftsow, Colette Machado, George Maioho, Ruth Manu, Danny Mateo, Nancy McPherson, Wayne Meyer, Ed Misake, Steve Morgan, Kammy Purdy, Jonathan Scheuer, Glenn Teves, DeGray Vanderbilt, Wren Wescoatt, Darryl Yagodich

Attached is a copy of the final REPORT OF THE MOLOKAI WATER WORKING GROUP (2008) to the State Commission on Water Resource Management.

Mahalo to everyone for sending in editing and formatting suggestions associated with the draft final report. Your collective input greatly improved the readability and look of the final product.

A special thanks to Working Group member Nancy McPherson, who also serves as staff planner for the Molokai Planning Commission, for taking the time to incorporate all the final editing and formatting improvements into the final document.

By a copy of this memo, the Final Report is being sent to the Commission on Water Resource Management.

Best regards,

A handwritten signature in black ink, appearing to read 'DeGray', with a long, sweeping horizontal flourish extending to the right.

DeGray Vanderbilt
Member, Molokai Water Working Group

Copies:

Laura H. Thielen, Chairperson, Commission on Water Resource Management
Ken C. Kawahara, P.E., Commission on Water Resource Management
Charley M. Ice, Hydrologist, Commission on Water Resource Management

REPORT OF MOLOKAI WATER WORKING GROUP

Revised May 2008

**Commission on Water Resource Management
Department of Land and Natural Resources
State of Hawaii**

**Originally Presented July 1993 and
Updated April 1996**

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Membership

Molokai Water Working Group list of 16 members and 16 alternate members (See Appendix F for members of 1993 and 1996 Molokai Water Working Groups)

1. Ed Misaki / Debra Kelly – Nature Conservancy / Soil and Water Conservation
2. Wayne Meyer / Wren Wescoatt – Mana‘e Residents
3. Bob Granger / Ray Foster – Kawela Plantation Residents
4. Lynn Decoite / Karen Holt – Commercial Farmer / Kaunakakai Resident
5. Danny Mateo / Ella Alcon – Maui County Council / County Council staff
6. Byron Alcos / Adolph Helm – Dept. of Ag-MIS / MIS Advisory Board
7. Darryl Yagodich / George Maioho – Department of Hawaiian Home Lands
8. Nancy McPherson / Lori Buchanan – County Planning /Hawaiian Homesteader
9. Judy Caparida / Ruth Manu – Mana‘e Residents
10. Dan Orodener / John Sabas – Molokai Properties Ltd. (Molokai Ranch) *
11. Rex Kamakana / Sonny Reyes – Molokai Properties Ltd. (Molokai Ranch) *
12. Kammy Purdy / Malia Akutagawa – Hawaiian Homesteader / Mana‘e Resident
13. Colette Machado / Jonathan Scheuer – Office of Hawaiian Affairs
14. Glenn Teves / Steve Morgan – Hawaiian Homesteader / Kaluakoi Resident
15. DeGray Vanderbilt / Bill Feeter – Mana‘e Resident / Kawela Resident
16. Ellen Kraftsow / Arnold Imaye – Maui County Dept. of Water Supply

* Molokai Properties Limited (Molokai Ranch) withdrew from participation in the Water Working Group by letter dated January 29, 2008 (see Appendix E)

Facilitation and Meeting Notes by Mediation Services of Maui:

Ehulani Kane and Kaho‘o Kamakawiwo‘ole

Commission on Water Resource Management Staff:

Charley Ice

I. Introduction

This report of the Molokai Water Working Group (Working Group) summarizes its work during 2007 and 2008 and is an update of the Water Working Group's report filed with the Commission on Water Resource Management (the "Commission") in 1996.

A. History

Upon written request to the Commission from Hawaiian Homesteader Kammy Purdy and the Moloka'i Water Task Force, coincident with Commission staff's interest in following up on significant current and pending water issues, the Commission reconvened the Working Group for a third time by approval of Interim Director Peter Young in June 2007.

B. Purpose

The primary purposes for the Working Group, as set out by the Commission, were to review and update the recommendations of the 1996 Working Group Report and to clarify the availability of water on Molokai for agricultural purposes. Given that water is a highlighted issue on the island at this time, the Commission understands that there are competing demands for water coming from many users.

C. Meeting Dates

The Working Group was originally scheduled to convene for seven meetings. The meetings were held at Kulana O 'Iwi in Kalamaula. At the seventh meeting, the Working Group members voted to continue meeting in order to complete the tasks that served the primary purposes for the Working Group being reconvened, namely to update the recommendations of the 1996 Working Group report and to clarify the availability of water on for agricultural purposes.

Three additional meetings were held on April 16, April 30 and May 20, 2008 at Kulana O 'Iwi. Due to State funding constraints and scheduling conflicts, the facilitators and Commission staff were unable to attend the additional meetings. Minutes of all ten meetings are provided in Appendix H.

Presentations made to the Working Group included:

1. United States Geological Survey – Delwin Oki, November 7, 2007.
2. Department of Hawaiian Home Lands– Darrell Yagodich and George Maioho, January 30, 2008. Molokai Properties Limited (Molokai Ranch) was also scheduled for a presentation at the January 30 meeting, but withdrew from the Working Group on January 29.
3. Department of Agriculture / Molokai Irrigation System —Byron Alcos and Adolph Helm, January 30, 2008.
4. Maui County Department of Water Supply — Ellen Kraftsow, February 27, 2008.
5. Kawela Plantation – Bob Granger, February 27, 2008.

D. Process of Determining Membership

The Commission's vision for the Working Group's membership was for it to represent a cross section of varied interests from the Molokai community and be of a manageable size for in-depth discussion of difficult issues and for ongoing review of matters before the Commission. It was important that members would participate consistently and work from a common base of information.

The members of the 1996 Moloka'i Water Working Group were the first persons contacted in attempts to refresh the membership. Many of the 1996 members were present at the reconvened Working Group's first meeting, held in June 2007. Other community members were also present and voiced their respective interests in participating as members of the Working Group.

Recruitment of members was highly contentious due to controversy over the proposed La'au Point development, which was a component of the Master Land Use Plan for Molokai Ranch. Consequently, discussion regarding the Working Group membership lasted for two meetings and spilled over into a third. The discussion revolved around questions of who should be members of the Working Group, what agencies should be represented, how the members should be selected, and who makes the final decision regarding the Working Group's membership.

The issues surrounding Molokai water resources and uses have been of ongoing interest and concern to the Molokai community since the Working Group was last convened 11 years ago. Members concurred with the Commission's desire that persons considering membership should possess working knowledge of water resources and issues, commit to a long term process of meetings, and participate in information gathering and sharing of water resource data.

Facilitators called for a vote on the question of including everyone on the Working Group who was interested and qualified. The vote was 17 in favor of being inclusive, with four (4) voting against. Subsequent to the meeting, the Commission consulted with its staff and decided that there would be a maximum of seventeen primary members and seventeen alternate members. Each primary members chose their alternate.

E. Process for Decision Making

The process for decision making was discussed at length and ended up being divided into two areas: Core Issues and Housekeeping Issues. Core Issues were defined as matters that directly involved decision making on Recommendations A-Q from the 1996 Working Group Report. Core Issues were to be decided on by the consensus process used by the 1996 Working Group (See Appendix D). Housekeeping Issues were defined as all other matters not directly pertaining to Recommendations A-Q. These were to be decided on by majority vote.

II. Molokai Water Working Group Recommendations

- A. The Working Group recommends that the Commission initiate and coordinate water resource studies to improve everyone’s understanding of available resources. Priorities would be 1) to establish interim in-stream flow standards and 2) to develop monitoring wells.
- B. The Working Group recommends that all large-scale water planning and water management should support the goal that agriculture will continue to be the economic and cultural “heart” of Molokai.
- C. The Working Group recommends that the Department of Hawaiian Home Lands (“DHHL”) foreseeable water needs be reserved first.
- D. The Working Group recommends that due to limited information, the capacity of the aquifers should be treated conservatively and protected until more precise determinations are made.
- E. The Working Group recommends that priorities for water use should follow the lead of community development as determined by the intent of the Molokai Community Plan and the DHHL Molokai Island Plan in force at the time the Commission makes its decision.
- F. The Working Group recommends the following for planning and management purposes:
 - a) All wells and stream intakes be required to have meters, gauges, or other accurate measuring devices. Withdrawals greater than 10,000 gpd should be reported monthly, including drawdown and salinity in wells, with measuring devices subject to periodic checks by CWRM staff.
 - b) In addition to TMK number, present state and county zoning designations, and proposed use and consumption standards, water use applications should also include available historical consumption data.
- G. The Working Group recommends that the Water Use and Development Plan follow these guidelines for Molokai:
 - 1. Use a projected resident population that is consistent with the Molokai Community Plan as a planning guideline for county policies and services.
 - 2. Develop new water sources for the County of Maui on Molokai.
 - 3. Incorporate a section of supply and demand-side management, including water conservation incentives, reuse of grey water and public awareness programs; and

4. Maximize watershed quality by reducing the number of animals in key watershed areas to enhance vegetation recovery and watershed recharge. Support continued County funding of watershed projects on Molokai at current or greater levels.
- H. The Working Group recommends that priority use of ground water should be to fulfill domestic, public health, safety and welfare needs.
- I. The Working Group recommends that priority use of surface water should be for demonstrable and reasonable beneficial agricultural usage, which includes subsistence farming and food security needs.
- J. The Working Group recommends use of any water for golf courses and swimming pools should be lowest priority.
- K. The Working Group recommends implementing a plan to capture surface water overflow during heavy rain from intermittent streams (Kamalo, Kawela, Kalae, Kaunakakai, Manawainui) and other slope areas for surface water use, increasing recharge of the associated aquifer, and decreasing sedimentation of Molokai's reefs.
- L. The Working Group recommends that all future water sources should first be sought in the Sector for which they shall be used.
- M. The Working Group recommends that all the water rights of DHHL homesteaders as provided under the Hawaiian Homes Commission Act, State Water Code, and other laws must be recognized, preserved and implemented by the State of Hawaii and the Counties of Maui and Kalawao. Other rights which might exist, pertaining to Hawaiians not residing on DHHL lands, must also be honored.
- N. The Working Group recommends that principles of supply and demand management be followed to the greatest extent allowed by law.
- O. The Working Group recommends that new water supplies should first be sought through conservation management tools, such as water pricing.
- P. The Working Group recommends that there should be a core of undisturbed watersheds on East Molokai.
- Q. The Working Group recommends that local advice on water resource issues should be sought through a permanent entity similar in form and representation to the present Molokai Water Working Group.
- R. The Working Group recommends that the 2008 version of the Final Report be revisited every five years, and at these times will include meetings or briefings with the Commission, County Council, Mayor and County Board of Water Supply to discuss report updates.

- S. The Working Group recommends that any agricultural lands dedicated as important agricultural lands also include the dedication of a water source sufficient to insure these dedicated agricultural lands will be productive on a sustained basis for future generations.
- T. The Working Group recommends that the Commission adhere to the following eight (8) implementing guidelines:
1. Review and provide recommended updated values where applicable for sustainable yield determinations, which also include adequate protective buffers for the aquifer.
 - a. Consult existing data and baseline information
 - b. Identify gaps in data and develop a methodology and action plan to fill those informational gaps (e.g., through additional studies, deductive and inductive calculations based on existing data available)
 2. Recommend maximum withdrawals which also recognize the interrelationship between groundwater and surface water resources and also the importance of protecting brackish-water resources which are part of the lens between fresh and salty and are also important for estuarine/marine life.
 - a. Note: Public Trust mandate in Waiahole case extends to “all water resources without exception or distinction.” This includes all sources of water including ground and surface water and their interconnectedness.
 3. Establish recommendations for in stream flow standards as protective of the aquatic and marine estuarine life, public trust and Hawaiian traditional and customary rights and practices.
 4. Determine existing user needs with adequate back-up for emergency situations.
 5. Prioritize and create criteria for water use and allocation.
 - a. Proposals for out of watershed transfers should be given highest scrutiny due to no possibility of recharge. Measures preconditioned to approval as well as mitigation measures could be imposed for this type of use (e.g., a percentage of land reforested to replenish the watershed, ungulate population control measures, native forest protection, increasing the non-watershed area’s ability to capture water through forestation and planting, institution of water catchment devices, etc.).
 - Rationale for this type of model would be similar to requirements of developers to do wetland enhancement projects if their projects would impact a natural wetland. Another model is corporations buying carbon credits as a right to pollute if it is offset by monies invested in other international efforts to reforest. In our case however, since we must be

exercise every precaution to protect sustainable yield values, any measure required should enhance the watershed rather than deplete it irreparably.

- b. Consult State and County Land Use Plans and Zoning Designations, and Molokai Community Plan for guidance and consistency.
6. Create a kind of “smart growth”, realistic analysis on what populations can truly be sustained, and what kind of agriculture, residential, and more “urban” type development Molokai can sustain over a period of time.
 - a. This should be juxtaposed with proactive measures undertaken to increase the viability of our water resources and a determination of if we commit to “x” measures, the watershed will be enhanced by “y” value.
 7. For future, unforeseen, and unplanned uses subject to water use permit requests, determine criteria that is based on the applicable sources of law and the Water Code’s reasonable and beneficial use standard which will be determined after all the data is analyzed.
 - a. Provide for phased approvals based on affirmative, proactive measures taken by a prospective applicant. (See types of examples provided in # 5).
 - b. No weight should be given on “reliance interest” or “prescriptive rights” to water, especially to justify private, commercial use as it is not deemed a public trust responsibility. (Waiahole).
 8. Determine the following water uses and rights based on Water Code, Constitutional and Statutory Law, and Jurisprudence. Apply these laws to all water use and allocation recommendations:
 - a. Existing island wide water use - identify existing users and current allocations
 - b. Quantify appurtenant, riparian, and correlative water uses and rights (whether declared or undeclared, certified or uncertified)
 - c. Identify and quantify Hawaiian Homestead reserved water rights
 - d. Identify and quantify water necessary to maintain constitutionally and statutorily protected Native Hawaiian traditional and customary practices
 - e. Identify and quantify water necessary to protect the public trust values (e.g., fishing, bathing, swimming, boating, scenic viewing, resource protection, maintenance of waters in their natural state, domestic uses particularly drinking, Native Hawaiian traditional and customary rights).

Standard of Review for Public Trust (Waiahole): Dual mandate of protection and maximum reasonable and beneficial use

- Protection: ensuring the continued availability and existence of water resources for present and future generations.

- Maximum Reasonable and Beneficial Use: the most equitable, reasonable, and beneficial allocation of water resources, with full recognition that resource protection also constitutes use

III. Concluding Comments

Much has happened in the 11 years since the Molokai Water Working Group last convened. Currently the Molokai community faces many challenges in regards to how to achieve its vision of true sustainability for future generations. Water is a fundamental component of any sustainability planning effort and is a complex issue on Molokai. It is made even more complex given that there are so many entities that seem to influence decisions made regarding water use and development.

What is true is that the people of this “most Hawaiian island” are a passionate and educated community, which was clearly reflected in all ten of the working group meetings. Although the initial meetings were wrought with frustration and mistrust, with some personal and political agendas weighing down the process, a commitment by most of the members to find a way to have cooperative and meaningful dialogue prevailed.

The Working Group gratefully acknowledges the assistance of Molokai residents as well as many others who provided helpful consulting and information. These include Gordon Tribble and Delwyn Oki of United States Geological Survey, and Carl Freedman and Teya Penniman, consultants to the County Department of Water Supply, who will be facilitating the upcoming Molokai update of the Maui County Water Use and Development Plan.

We would also like to thank Mediation Services of Maui and its facilitators Kaho‘o Kamakawiwo‘ole and Ehulani Kane for their tireless energy, patience and guidance through the review process, Commission staff member Charley Ice for his thoughtful input and direction, and Alton Arakaki, Glenn Teves, George Maioho and Nancy McPherson for coordinating, facilitating and bringing refreshments to the final three meetings of the Working Group.

Finally, the Working Group would like to thank the Commission for the opportunity to provide our views and encourages the Commission to continue such community-based efforts on Molokai as well as on all the other islands.

APPENDIX A

Glossary and Acronyms

The glossary and acronyms were adapted from the Molokai Water Working Group’s 1996 report and have been added by the facilitators and staff to help the reader. They do not represent terms defined by the 2007-2008 Working Group’s group consensus. These definitions are general in nature and are not to be assumed to be full legal definitions of these terms.

Glossary

1. Appurtenant Water Rights – Generally recognized that Kuleana lands in taro production at the time they were granted by the government (usually during the 1848-1856 Great Mahele) retain “appurtenant rights to the quantity of water necessary to grow taro in the same manner on the same land.”
2. Correlative Water Rights – Generally recognized that all landowners overlying a ground water basin have a right to share in the use of the underground waters.
3. Demonstrable – Capable of being demonstrated, to prove, to exhibit.
4. Developable Yield – Calculated by subtracting out water resources not directly available from the sustainable yield due to the possible interactions between ground water and streams.
5. Non-Potable Water – Not suitable for drinking.
6. Potable Water – Suitable for drinking.
7. Reasonable-Beneficial Use – The use of water in such quantities as is necessary for economic and efficient utilization, for a purpose and in a manner which is both reasonable and consistent with the state and county land use plans and the public interest.
8. Sustainable Yield – The maximum rate at which water may be withdrawn from a water source without impairing the utility or quality of the water source as determined by the Commission.

Acronyms

1. DOA - State Department of Agriculture
2. DHHL - State Department of Hawaiian Home Lands
3. DOH - State Department of Health
4. MDWS - Maui County Department of Water Supply
5. MGD - Million Gallons per Day
6. MIS - Molokai Irrigation System
7. NPS - National Park Service
8. USGS - United States Geological Survey
9. WUDP - Water Use and Development Plan (County of Maui)

APPENDIX B

Working Group “Contract”

(Ground rules of the group were adopted by consensus)

1. Facilitators’ role is to assist group through the process and enable consensus decision-making. Facilitators will stay neutral and any member of the group can stop the process to remind the facilitators of this.
2. It’s OK to disagree -
Members will make their best efforts to stay patient.
3. Be tough on issues wherever possible -
Members will be easy on each other.
4. Common Courtesies -
Members agree not interrupt, walk out or hog the floor.
5. The group will operate by consensus –
See Appendix D
6. Members agree not to have meetings electronically recorded –
Facilitators will record on flip chart paper supplemented with notes.
7. Members agree that there will be alternates when members are not able to attend meetings.
8. Release of group proceedings –
No one person speaks for the group. Group speaks as one, after reaching consensus.
9. Meetings will be open to the community –
But non-working group members can speak only by invitation of the group.
10. The community can submit ideas or information in writing to the members.
11. In the spirit of reaching consensus, it is expected that members will not simply say “NO” to an idea without affirming an alternative.
12. Meetings will be open to the community –
But non-working group members can speak only by invitation of the group.
13. The community can submit ideas or information in writing to the members.

APPENDIX C

Theme of ALOHA (Setting the Tone):

A - Akahai...Kindness

L - Lokahi...Unity

O - 'Olu'olu...Graciousness

H - Ha'aha'a...Humility

A - Ahonui...Patience, perseverance.

Meeting Ground Rules:

Be Courteous

Speak when it is your turn

A'ole foul language

Be aware of time

Remember please and thank you

Focus on issue

APPENDIX D

Levels of Consensus

- | | | |
|----|------------------------|--|
| 4. | “Yes” | I fully support and endorse..... |
| 3. | “Yes...But...” | I can live with it, even though it doesn't meet all my needs. |
| 2. | “Yes, with Reluctance” | I don't like it and must register my feelings, but, I'll defer to the wisdom of the Group. |
| 1. | “No” | I must stand in the way of this. |
| 0. | “Abstain” | I abstain because of..... |

APPENDIX E

Molokai Properties Limited Resignation Letter

On March 24, 2008, Molokai Properties Limited (aka Molokai Ranch) issued a press release announcing that the company was shutting down its operations in seven days and intends to mothball its company assets. The Company is currently seeking ways to have government or some other entity assume the responsibilities and costs associated with the delivery of water by its three private water companies (two of the water companies are regulated by the Public Utilities Commission).

See next page for Molokai Properties Limited's letter of January 29, 2008 resigning from further participation in the Molokai Water Working Group.



RECEIVED

08 JAN 30 AIO : 22

COMMUNITY AFFAIRS
RECEIVED

January 29, 2008

Mr. Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl
Honolulu, HI. 96809

Aloha Charley:

A handwritten signature in cursive script, appearing to read 'Charley', written in black ink.

Please be advised that Molokai Properties Limited (MPL) is withdrawing its participation in the Molokai Water Working Group (MWWG) effective immediately.

Due to outstanding legal, State, County and legislative actions that remain pending, we believe that continued activity on the part of the MWWG will not have any meaningful and useful result.

Thank you for spearheading this important community effort. Once these issues are resolved we would look forward to participating in a reconvening of the MWWG and its continued efforts to plan for Molokai's water needs.

Aloha,

A handwritten signature in cursive script, appearing to read 'John', written in black ink.

John R. Sabas
General Manager of Community Affairs
Molokai Properties Limited

Copies:

Mr. Peter Nicholas
Mr. Dan Orodnker
Mr. Sonny Reyes
Mr. Rex Kamakana
Mr. Roy Sugiyama
Yvonne Izu
Isaac Hall

Molokai Properties Limited dba Molokai Ranch • 745 Fort Street Mall • Suite 600 • Honolulu, Hawaii 96813 •
Telephone 808.531.0158 • Facsimile 808.521.2279

APPENDIX F

MOLOKAI WATER WORKING GROUP MEMBERSHIP

1993

JUDY CAPARIDA
Mana'e Resident
WARREN HAIGHT
West End Landowner
BEN HENDERSON
Dept. Hawaiian Home Lands
ALAN HOLT
The Nature Conservancy
LARRY JEFTS
Commercial Farmer
BOB JOHNSON
Maui County Administration
NOELANI JOY
Hawaiian Homesteader
PAT KAWANO
Maui County Council
COLETTE MACHADO
Mana'e Resident
WAYNE MEYER
Mana'e Resident
WILLIAM PFEIL
Commercial Farmer
WALTER RAGSDALE
Molokai Planning Commission
DEGRAY VANDERBILT
Kaunakakai Resident

1996

JUDY CAPARIDA
Mana'e Resident
DUNCAN ANNANDALE
Molokai Ranch
KEONI AGARD
Dept. Hawaiian Home Lands
ED MISAKI
The Nature Conservancy
TOM DECOURCY
Commercial Farmer
WILL SPENCE
Maui County Administration
NOELANI JOY
Hawaiian Homesteader
PAT KAWANO
Maui County Council
COLETTE MACHADO
Mana'e Resident
WAYNE MEYER
Mana'e Resident
WILLIAM PFEIL
Commercial Farmer
WREN WESCOATT
Molokai Planning Commission
DEGRAY VANDERBILT
Kaunakakai Resident
RON HEDANI
Kukui (Molokai), Inc, Kaluakoi Resort
GLENN TEVES
Hawaiian Homesteader
TOM MATAYOSHI
Molokai Irrigation System
ELLEN KRAFTSOW
Maui County Dept. of Water Supply

APPENDIX G

Wall Safe Items

The Working Group had many wall-safe items of interest and/or concerns raised during the review process. These items were recorded for future discussions and/or research of answers if needed. The Group felt the need to include these items in this document as a historical reference for further discussions toward other recommendations when the Working Group is reconvened in the future to update the recommendations contained in this report.

1. Clarify the Water Working Group membership selection process so that the process can be transparent to the public.
2. Clarify the status (official, political, advisory) of the Water Working Group and establish its function as a policy model.
3. Clarify what happens to the recommendations forwarded from the Group to the Water Commission.
4. Clarify the transition to, and purpose of, the Maui County Water Use and Development Plan Advisory Committee and where the Water Working Group fits in.
5. Identify and validate the accuracy of water resource estimates and gather accurate numbers for usage (i.e.: DHHL, Coffee Plantation, Monsanto, Molokai Properties Limited/Molokai Ranch, Pu‘u O Hoku Ranch, County, individual, etc...) so that available water for agriculture can be identified.
6. Collaboration for comparable water source and use data is essential.
7. Create a comprehensive and accurate visual diagram of water systems on Molokai to include the location of water sources, which sources are metered, amount of flow from each source, and amount of water usage from each source. Standardized data gathering needs to be completed in an efficient and timely manner (soon).
8. What is the amount of losses for each system?
9. How much are water systems subsidized?
10. How much is the annual cost of each system? How much is the delivery charge/cost per thousand gallons?
11. How much revenues were collected for 2007?
12. What is the monthly total output vs. usage for 2007?
13. What is the progress of the spillover studies? (Referring to MIS overflow).

14. How do we establish instream flow standards? Where do we start? (Prioritizing streams)
15. How do we establish Molokai as a special surface water management area?
16. What baseline and other data are required from the providers of water services?
17. Need to look at agricultural growth scenarios.
18. Need to look at separating agricultural systems from potable systems.
19. Do small scale wells have a bearing on baseline calculations?
20. Need to look at sustainable yield vs. developable yield—base use standards (“reasonable use” amounts) on a comprehensive view of sustainability limits rather than unrealistic amounts.
21. Need to use and enforce the precautionary principle, i.e. just because you don’t have all the data at hand, doesn’t mean you shouldn’t protect the resource. Burden of proof that no harm will be done rests on the entity that wants to take water. Err on the side of protection.
22. Watershed improvement and protection is critical and paramount for sustainable recharge of our aquifers and to improve water quality entering the ocean.
23. Increase in population will increase water needs. Need to consider how to implement Conservation Education to provide the most prudent use of current water resources.
24. How do we determine water infrastructure capacity and water source capacity? (including precautionary buffer).
25. Need to have a continuation of Group meetings and discussion to review and add to recommendations for the Water Commission...this process has just started.
26. Water Commission must look holistically at the island’s water concerns...not just with tunnel vision...look ahead 100 years!

APPENDIX H

Summary Notes for Working Group Meetings 1 through 10

Moloka'i Water Working Group 2007-2008 Summary Notes

Meeting #1
July 18, 2007

Present: Malia Akutagawa, Alton Arakaki, Judy Caparida, Lynn Decoite, Jeff Eng, Bill Feeter, Carl Freedman, Bob Granger, Karen Holt, Charley Ice, Zaidarene Kalipi, Rex Kamakana, Kaho'o Kamakawiwo'ole, Ehulani Kane, Ellen Kraftsow, Colette Machado, George Maioho, Ruth Manu, Abbey Meyer, Lenore Nakama, Dan Orodener, Teya Penniman, Linda Place, Kammy Purdy, TJ Quan, Clement Reyes Jr., John Sabas, Krishna Sahagan, Glenn Teves, Gordon Tribble, and DeGray Vanderbilt.

I. Pule

II. Convener Opening – Charley Ice
Introduction of Facilitators - Ehu Kane and Kaho'o Kamakawiwo'ole

III. Facilitator: Role / Ground Rules / Agenda (Handouts - 3)

Role- Brief role of facilitator given, review of ground rules, and how the facilitators became involved with the MWWG. DLNR has contracted MSM to facilitate the MWWG meetings, Ehu and Kaho'o were then contracted by Mediation Services of Maui.

IV. Members: Self-Introduction

Everyone present gave name and representation as they saw themselves.

V. Convener Introduction:
Synopsis of Purpose, Background, Context, Transition, Refresh Membership, Presentations

Items presented:

- Refresh MWWG membership
- Transition by Maui County Water Use Development Plan Committee
- Available water for agriculture
- Identify new studies for new agenda setting

Question (Q1) - How many meetings are to take place?

- Previous MWWG held seven (7) meetings. Seven meetings were budgeted for MWWG 2007.

Q2 - Is there access to expertise regarding water data? For example capacity of the island. Reference to MWWG 1996 map of water use breakout by zones. This would be a good tool to have.

- This could be a jumping point to bring MWWG up to date through presentations. This will give historical water data, as well as current water data figures.

Group Comment:

- The 1996 MWWG Report data should be accepted as is. It was the best estimate at the time. There was no accurate information regarding the major water users to give information.
- Need to validate the accuracy of water sources and uses.
- Local water source agencies can provide water data information.

* BREAK

VI. Facilitator Expectations

Reviewed handouts. (Recommendations A-Q, Invitation Letter, and Ground Rules from MWWG 1996 - consensus) to be reviewed by MWWG 2007 members. Any suggestions/comments should be noted for discussion.

VII. Discussion:

A.) Refresh Membership

- Members of MWWG 1996 were sent letters of invitation to meeting to refresh MWWG membership for 2007.

Q3- Do agencies have to be represented by active chairperson?

- Membership of MWWG should have continuity.

Q4- Are there attendance records of previous meetings?

- Back log of attendance records can be looked at.

- Eight (8) members from MWWG 1996 were present.

Q5- Can we contact members who were not present?

- To be contacted by Charley.

- In reference to Noelani Joy - Hawaiian Homestead resident (MWWG 1996), may not be active in MWWG 2007. Suggested replacement be Kammy Purdy, Hawaiian Homestead resident.

- Comment: There may be other interest groups and/or changes of interest groups since 1996 that may be a consideration for MWWG 2007.

- The vision for MWWG is to maintain a manageable size, members must make a long-term commitment of time (seven monthly meetings are planned), and that members have a knowledgeable working background regarding water issues.

- Concern of “stacking” of MWWG members.
 - Stacking not a concern since decisions are of MWWG consensus. Stacking will show in the wash.

Comment: Which MWWG-96 members came to the meetings? Concern that not all members were at all meetings.

Comment: MWWG members should be committed people, and can be selected now.

- West End Moloka‘i has low representation.
- Biographies of potential resident MWWG-0708 members presented for consideration.

Comment: People weren’t willing to put hard data on the table. It was problematic for the MWWG-96. Suggested the Rex Kamakana, Moloka‘i Ranch water use technician be considered for MWWG-0708. He brings working knowledge to the group.

- Agencies should be represented by knowledgeable persons.
- MWWG must be active.
- Membership should be committed and show up at meetings.
- Objective of MWWG is to be a data driven process, not politics driven.
- Given water data, MWWG can discuss water issues and usage.
- Previous MWWG-97 meeting, data should have been passed out and was not.
- Who did not pass data?
- Members need to give honest estimates. Information to be received from agencies and members.

Q6- Can water usage and resources be guaranteed?

- This answer cannot be quantified. Water usage and resources data are best estimates given by respective agencies.

- Regarding the Maui County Water Use and Development Plan.
 - The MWWG-0708 will be useful in policy recommendations.
 - Long term sustainability.
 - Concepts of policy beliefs.

- MWWG approach of policy.
 - Supply and Demand data is required.
 - 10 years past data could be used as reference.
 - There is limited water and land acreage.
 - Surface water should be addressed.
 - (e.g.) Moloka‘i Ranch taking water from mountain.
- Awaiting response from Maui County Administration.
 - Suggest seat be substituted with a Moloka‘i Planning member.

- Maui County Council - Danny Mateo received invitation. No response.
 - Four open positions. (from MWWG-97)
 - Noelani Joy, Joy Farm, Hawaiian Homestead resident
 - Wayne Meyer, Mana'e resident
 - William F. Pfeil, Commercial Farmer -
 - Kukui Farms -
 - Four MWWG-97 member/agency(s) to be contacted by Charley.
 - Ed Misaki, Nature Conservancy
 - Maui County Administration
 - Danny Mateo, Maui County Council
 - Maui Irrigation System (MIS)
 - Suggestion for new members to replace open membership positions:
 - Kammy Purdy, Hawaiian Home resident.
 - Lynn Decoite, Commercial farmer
 - Suggested: Nancy McPherson , Moloka'i planner, Maui County Planning Commission should replace Wren Wescoatt, Moloka'i Planning Commission (since Degray Vanderbilt likes to be represented as resident of Moloka'i instead of Moloka'i Planning Commission of which he is acting chairperson.)
 - Need water purveyors at the table.
 - The position of commercial farmer should be a local owned commercial farmer.
 - Other suggestions for MWWG-0708 members.
 - West end Moloka'i needs representation. Steve Morgan suggested.
 - Kawela representation. Kawela is a source of water.
 - Puuhoku Ranch. East end purveyor.
 - Kaunakakai resident
 - Monsanto
 - Cross section of varied interests should be represented. Not just users and purveyors.
 - Steve Morgan, West End consumer and farmer.
 - Wade, Homestead water issues.
 - Malia, Expertise in law.
 - Aunty Linda Place, Malama Pono
 - Wayne Meyer
 - Wren Wescott
 - Rex Kamakana, Moloka'i Ranch
- Q7- Can USGS be present at each MWWG meeting?
- To be decided by the group.
 - Suggestion: USGS be present at every meeting.
 - Suggestion: USGS be a member of MWWG.

- MWWG focus should be to assess / allocate water issues.
- USGS should support the data and provide technical support to MWWG.
- Suggest a DLNR website link of MWWG meetings for information updates and dissemination.
- The 11 People identified by the sign in sheet that did not receive handouts prior to the meeting were sent copies of the three (3) handouts by mail following the meeting. All correspondence was mailed on Monday, July 23, 2007.

VIII. Next Meeting Date

- Wed, August 29, 2007, at 6:00 p.m. at DHHL meeting room.
- Tentative agenda: to review Recommendations A-Q, 1997 Ground rules, and finalize MWWG-0708 members.

Present: Ella Alcon, Byron Alcos, Sheila Awai, Lori Buchanan, Judy Caparida, Stacy Crivello, Lynn Decoite, Bill Feeter, Carl Freedman, Robert Granger, Adolph Helm, Karen Holt, Charley Ice, Rex Kamakana, Kaho'o Kamakawiwo'ole, Ehulani Kane, Colette Machado, Ruth Manu, Danny Mateo, Nancy McPherson, Wayne Meyer, Abbey Meyer, Steve Morgan, Beverly PauoleMoore, Teya Penniman, Al Perez, Linda Place, Walter Ritte, Matt Rosener, John Sabas, Glenn Teves, Gordon Tribble, DeGray Vanderbilt and Darrell Yagodich.

I. Pule

II. Welcome

III. Ground Rules

IV. MWWG-0708 Membership - Members to be confirmed

- History of how the membership of the Moloka'i Water Working Group (MWWG) was selected.

- Where the MWWG fits in to the transition to the Maui Water Use and Development Plan.

- Clarification of the MWWG purpose was given. Examples of recommendations of the MWWG were given.

- Recommendations for water use are to be forwarded to the DLNR Water Commission.

- An example of MWWG's recommendation to the Commission is considered when the Commission reviews water use permit applications.

- The MWWG's recommendations will assist in guiding the transition in to the water use and development plan committee.

- Comment: Whoever wants to be on the MWWG should be allowed.

- Discussion of whether the MWWG membership should be a decided number of members based on invited membership from previous MWWG members, or membership to be decided by open membership to anyone who has an interest in water resources.

- Question: What is the official status of MWWG -07?

- Question: Who is listening to eh MWWG besides the water commission?

- Question: What power does the MWWG have?

- Question: Does the MWWG have the power to decide which actions concerning water should be done? For example, the fixing of broken water pipes.

- MWWG is a working group developed through the DLNR Water Commission who considers the MWWG's recommendations as a valued community voice concerning water issues.

- Suggestion: Membership on the MWWG should designate an alternate.
 - Note: Alternate members should have the same values as their primary member.

- Question: Is there a budget for updated water data?
 - The commission has a budget for water data. The data has been presented through the USGS in the past and it is intended that the USGS provide current data in future presentations. There is no budget for major projects.

- Note: Although there is no budget earmarked for water data, the MWWG membership has a working knowledge of water data, and can contribute this information for the benefit of the MWWG.

- Comment: There is no representation for west end Kaluakoi residents.

- Moloka‘i Ranch: Would like to keep the MWWG membership as listed and is opposed to additional membership.

- Suggestion: Can a shorthand or court reporter type person record minutes during the MWWG meetings.

- Discussion of MWWG to have home rule. Some members commented that the membership decision by the water commission chairperson would be acceptable. Other members commented that it would not be acceptable and would like to see decisions made by home rule.

- Suggestion: Propose a notice for potential new membership be passed out to the general community at large. Advertise notice for two weeks. Applications can be submitted to the commission for approval.

- No consensus on additional seven (7) potential members that were present at the meeting.
 - Alton Arakaki – University of Hawaii, Agriculture
 - Malia Akutagawa –
 - Karen Holt - Kaunakakai
 - Steve Morgan – Kaluakoi
 - Walter Ritte – Hunters / Forest
 - Stacey Crivello – Kalamaula Homesteader
 - Beverly Pauole-Moore – Kaunakakai

- Concern: MWWG membership is closed to the public.
- Comment: Attendees at the meeting were invited by commission to reestablish the MWWG.

- Walter Ritte withdrew from membership consideration.

Positive outcomes:

- Members confirmed by consensus with alternates if named, (or otherwise noted)

1. Ed Misaki – Nature Conservancy (to be contacted)
2. Wayne Meyer – Mana‘e
Alt: Wren Wescoatt
3. Bob Granger – Kawela Plantation
Alt: Tom Decourcy
4. Lynn Decoite – Commercial Farmer
Alt: To be determined (TBD)
5. Danny Mateo – Maui County Council
Alt: Ella Alcon
6. Byron Alcos – MIS
Alt: Adolf Helm – DoA
7. Darryl Yagodich – DHHL
Alt: George (To be confirmed)
8. Nancy McPherson – Maui Planning Dept.- Moloka‘i
Alt: TBD
9. Judy Caparida – Mana‘e
Alt: Ruth
10. Dan Orodener – Moloka‘i Properties
Alt: John Sabas
11. Rex Kamakana – Moloka‘i Ranch
Alt: Sonny Reyes
12. Kammy Purdy - Ho‘olehua
Alt: TBD
13. Collette Machado – OHA
Alt: TBD
14. Glenn Teves – Hawaiian Homestead
Alt: TBD
15. Degray Vanderbilt – Mana‘e
Alt: Bill Feeter
16. Ellen Kraftsow – Maui Dept. of Water Supply
Alt: Al Perez

- Primary members are to name their respective alternates by September 7, 2007.

- Positive principles for members of MWWG-0708.

- Commitment – Of time and accountability to attend meetings. (at least 5 more meetings to be scheduled)
- Working knowledge and passion – of and for water resources.
- Members must designate an alternate member to attend meetings if primary is unable.
- Start with an open process.
- Members should encourage participation.

V. Review of 1996 Ground Rules

A. GR-01. Discussion – Consensus clarification of present members at meeting.

- Did not review ground rules due to time constraints and extended discussion.

VI. Purpose of MWWG-0708

A. Clarification of MWWG. What MWWG can and cannot do.

B. What recommendations can be made?

C. What happens to the recommendations?

D. Sharing of water supply information only.

- Covered in discussion of section IV Membership.

VII. Review Recommendations A-Q.

A. Walk through A-Q. Highlight items of concern for future meeting discussion.

- Did not review ground rules due to time constraints and extended discussion.

VIII. Next meeting date and tentative agenda items.

- Tentative dates are October 3, 2007, and October 31, 2007.

IX. Closing Pule

Present: Malia Akutagawa, Ella Alcon, Byron Alcos, Sheila Awai, Kate Bradshaw, Lori Buchanan, Judy Caparida, Mark Crumpton, Carl Freedman, Robert Granger, Adolph Helm, Karen Holt, Charley Ice, Rex Kamakana, Kaho'o Kamakawiwo'ole, Ehulani Kane, Debra Kelly, Ellen Kraftsow, Colette Machado, Ruth Manu, Wayne Meyer, Ed Misaki, Steve Morgan, Donna Morgan, Peter Nicholas, Kammy Purdy, Clement Reyes Jr., John Sabas, Glenn Teves, Jane Teves, and DeGray Vanderbilt.

- I. Pule
- II. Welcome
- III. Ground Rules
- IV. Presentation by Charley on Group's Purpose – What MWWG can/cannot recommend.
 - Visual presentation provided by Charley Ice as described by the Commission as to their purpose / scope of the MWWG.
 - Points of what the MWWG is and what the MWWG is not as well as intended work to be accomplished were provided to clarify the role of the MWWG.

WHAT IS THE PURPOSE OF THE MWWG?

Update Understanding of Moloka'i Water Resources
Compile Current Water Source Capacity Information
Update Recommendations A-Q from 1996 Report
Bring this Information Forward into WUDP Process

WHAT IS NOT THE PURPOSE OF THE MWWG?

Compile Existing Use Demand information
Estimate Future Water Use
Set Allocations of Water to Land Use
Evaluate Strategies for Providing Water Service
Referendum on Land Uses

THESE WILL BE ADDRESSED IN THE WUDP

Discussion:

- Base line data is needed to reevaluate the working group recommendations A-Q.
 - Noted from the MWWG-96, the base line data was not current for the MWWG-96, and hindered the progress of their work.

- There are many documented resources available now with extensive detail concerning water resources. These documents are public record and are readily accessible.

- Concern addressed to County as to whether the wells are checked for quality. Question of is there water in place? What, where and how much? This information is necessary to move forward with MWWG recommendations.

V. Presentation by Charley on decision for number of membership posts

- Small group discussion on representation for posts

- Proposal presented by Charley as confirmed by the Commission staff as to the make up of the MWWG representatives and posts.

Discussion:

- The Commission proposed a list of members and representation with the intention of capturing a broad community cross section of expertise in the water resource area.

- The Group list from the previous meeting was also presented.

- The Group designated its membership and alternates which included other persons from previous discussions.

Members:

1. Ed Misaki / Debra Kelly – Nature Conservancy
2. Wayne Meyer / Wren Wescoatt – Mana‘e
3. Bob Granger / Ray Foster / Kawela Plantation
4. Lynn Decoite / Karen Holt – Commercial Farmer
5. Danny Mateo / Ella Alcon – Maui County Council
6. Byron Alcos / Adolf Helm – MIS/DoA
7. Darryl Yagodich / George Maioho – DHHL
8. Nancy McPherson / Lori Buchanon – Maui Planning Dept. – Moloka‘i
9. Judy Caparida / Ruth Manu – Mana‘e
10. Dan Orodener / John Sabas – Moloka‘i Properties
11. Rex Kamakana / Sonny Reyes – Moloka‘i Ranch
12. Kammy Purdy / Malia Akutagawa – Ho‘olehua
13. Collette Machado / Johnathan Scheuer – OHA
14. Glenn Teves / Steve Morgan – Hawaiian Homestead / Kaluakoi
15. Degray Vanderbilt / Bill Feeter – Mana‘e
16. Ellen Kraftsow / Al Perez – Maui Dept of Water Supply

- Stacey Crivello (Kalamaula Homestead) and Beverly Pauole-Moore (Kaunakakai) who were present at the Aug 29, 2007 MWWG meeting had expressed interest in membership to the MWWG-0708. They were not present at this meeting. Their membership status was not confirmed. However, there were concerns from the Group that the Group should

not make a decision for Crivello and Pauole-Moore, and the Group would not like to speak on behalf of Crivello and Pauole-Moore.

* Break *

VI. Consensus Definition – group decision-making

- Consensus as a group decision making process was used with previous MWWG's. It is the Commission's preference to continue with the consensus process of 1996 in addressing recommendations to the Commission.

Discussion:

- There are different levels and purposes of consensus as a decision making model.

- The Group needs to look at what the decision making model should look like and how it should be implemented.

- Concern: The MWWG membership was not decided by consensus decision. Other persons with interest in the MWWG-0708 were not conclusively addressed.

VII. Group lists 2-3 presenters of information to help MWWG:
Who and What

- Due to time constraints Group was asked to forward a list of 2 or 3 agencies and what information / concern they would like addressed.

VIII. Review Agenda for remaining meetings and dates for these meetings.

- Next meeting set for Wednesday, November 7, 2007, 6:00-9:00 pm. Location to be determined.

IX. Closing Pule

Present: Ella Alcon, Byron Alcos, Alton Arakaki, Kate Bradshaw, Lori Buchanan, Judy Caparida, Lynn Decoite, Dan Emhoff, Robert Granger, Adolph Helm, Charley Ice, Rex Kamakana, Kaho'o Kamakawiwo'ole, Ehulani Kane, Ellen Kraftsow, George Maioho, Ruth Manu, Nancy Mcpherson, Wayne Meyer, Ed Misaki, Steve Morgan, Delwin Oki, Dan Orodener, Teya Penniman, Linda Place, Kammy Purdy, Sonny Reyes, John Sabas, Glenn Teves, DeGray Vanderbilt, Wren Wescoatt, and Darrell Yagodich.

I. Pule

II. Welcome

* Special question on filming by Akaku

- Discussion of Akaku filming concluded with allowing Akaku to film, with a follow-up of whether funding \$1000.00 by CWRM can be provided to purchase the rights to the film.

III. Ground Rules

IV. 1996 Consensus decision making process – Definition / application

- Core issue (MWWG purpose) / Housekeeping issue (other than MWWG purpose)
- Non-core decision making process.

- Clarification of consensus decision making based on whether the issue was a core issue or a housekeeping issue. Consensus decision making would be applied for Core issues. Those issues being in relation to the purpose of the MWWG, what it can do as presented at MWWG meeting 3. Those issues relating to 1.) Update Understanding of Moloka'i Water Resources, 2.) Compile Current Water Source Capacity Information, 3.) Update Recommendations A-Q from 1996 Report , and 4.) Bring this Information Forward into WUPD Process. Housekeeping issues are all others that may arise. Decision making process for housekeeping would be by group majority.

- Based on decision making process clarification, the business of Akaku was discussed. The concern of who will own the rights to the film footage of the MWWG meetings. A representative from Akaku and also a brief excerpt of Akaku filming practices were presented.

- Concern for the transparency of the working group suggested that if the rights were bought, the transparency concern would be satisfied. Suggestion from group for the CWRM to look in to funding of \$1000.00 to purchase the rights to the film. There was no authorization for funding of this nature. CWRM will be solicited to purchase the rights, along with possible contributions from other MWWG members.

- Akaku allowed to film by group consensus with the condition of the film rights to be purchased.

- Purchase of rights to film to be followed up at next meeting. Akakū allowed to film at this meeting.

V. Presentations – format: Questions to clarify are OK during presentation; more analytical questions noted and saved for discussion following

A. Delwin Oki – USGS: hydrologic foundations and results of ground water modeling

- Discussion:

- Clarification of how water sources are measured by USGS was given.

- Powerpoint copy of this presentation can be found on USGS website.

* BREAK *

B. Darrell Yagodich – DHHL: Service System Summary & Project Plans

- Discussion

- Due to time constraints, DHHL presentation was not covered. This presentation will be added to next meeting agenda.

VI. Group Summary – Wall-safe items

- A comprehensive visual diagram of the water systems of Moloka‘i to include the location of water sources, amount of flow from each source, and amount of water usage from each source. This diagram would allow working group to visualize this information in a collective view, and allow the group to see the overall big picture of current water data.

VII. Set next meeting date.

- Next meeting dates were set for Jan 16 and Jan 30, 2008.

IX. Closing Pule

Present: Ella Alcon, Byron Alcos, Kate Bradshaw, Lori Buchanan, Judy Caparida, Bill Feeter, Robert Granger, Adolph Helm, Charley Ice, Kaho'o Kamakawiwo'ole, Ehulani Kane, Ellen Kraftsow, George Maioho, Kammy Purdy, Glenn Teves, Gordon Tribble, DeGray Vanderbilt, and Darrell Yagodich.

I. Pule

II. Welcome

III. Ground Rules

Opening comments: Charley Ice

- Presentation of collaborative map from Water Commission mapping water systems of Moloka'i.

- Presentation of graphs showing water output of various wells for MWWG review.

- Announcement of Moloka'i Properties Ltd. (MPL- Moloka'i Ranch) has rescinded their membership participation from the Moloka'i Water Working Group 2007. Letter from Moloka'i Properties representative Dan Orodener (MWWG 2007 member) sent to the Water Commission will be made available to the MWWG membership.

IV. Presentations – format: Questions to clarify are OK during presentation; more analytical questions noted and saved for discussion following.

A. Darrell Yagodich/George Maioho – DHHL: Water System Summary & Project Plans

- Discussion:

- Wall-Safe Items:

1. What is the amount of system loss in 2007?
2. How much does DHHL subsidize the water system to keep it operational?
3. How much does it cost per thousand gallons? How much is the annual cost?
4. How much revenues were collected for 2007?

B. Byron Alcos/Adolf Helm – DoA/MIS: Water Systems

- Discussion

- Wall-Safe Items:

1. What is the monthly total water out vs. the total usage for 2007?
2. What is the progress of the Spillover studies that MIS has to date?

- The Spillover studies will be forwarded by Adolf Helm to the facilitators and/or Charley, to be passed on to the MWWG members.

* BREAK * MWWG members invited to review the DHHL and collaborative water systems map of Moloka‘i.

V. Group Summary – Wall-safe items

- Noted in presentation notes above.

VI. Recommendations A-Q reviewed and items of concern to be identified by February 27, 2008 meeting (or sooner by contact if possible). Tentative schedule / agenda for MWWG 6&7. Confirm next meeting date.

- Members to review recommendations A-Q and identify any line items for discussion to be identified and prioritized for discussion at MWWG meeting #6 on February 27, 2008.

- MWWG #6 will have presentation from Maui Department of Water Supply (Ellen Krafstow). Please forward any questions, concerns, comments to Charley, Ellen, Ehulani, or Kaho‘o in advance if able.

- Current information of Moloka‘i Properties Ltd (MPL-Moloka‘i Ranch) water systems’ capacity and usage will be presented by the Commission. Information exchange to be shared with MWWG members.

- MWWG meeting 6 scheduled for February 27, 2008.

- MWWG meeting 7 scheduled for March 19, 2008.

VII. Closing Pule

Present: Malia Akutagawa, Ella Alcon, Byron Alcos, Leo Azambuja, Lori Buchanan, Darryl Canady, Judy Caparida, Bill Feeter, Ray Foster, Carl Freedman, Robert Granger, Charley Ice, Jais Iruka, Kaho'o Kamakawiwo'ole, Ehulani Kane, Debra Kelly, Joe Kennedy, Ellen Kraftsow, Colette Machado, George Maioho, Dan Marcellino, Nancy McPherson, Kahualaulani Mick, Ed Misaki, Steve Morgan, Kammy Purdy, Walter Ritte, Loretta Ritte, Marketa Stastna, Glenn Teves, DeGray Vanderbilt and Darrell Yagodich.

I. Pule

II. Welcome

III. Tonight's Ground Rules

IV. MIS / DHHL Wall safe items review

- MIS presented handouts of water production and consumption data. The data was presented by the month for the year 2007.

V. Presentations – format: Questions to clarify are OK during presentation; more analytical questions noted and saved for discussion following.

A. MPL: Water System Summary & Project Plans

- Group Discussion and information sharing.

B. (Speaker TBD) – MDWS: Water System Summary

- Discussion

C. Kawela Plantation- Bob Gangier

- Discussion

- Of the metered lots, 50% have residents.

- It is a private system and is not under PUC.

- Utilizes a tier rate system

Group Discussion items shared:

- What is the appropriate amount of water usage for residential, agriculture, and commercial use?

- What is the policy for meter separation? Could this policy include a caveat that if they do not comply, the permit will not be approved?

- Is there a threshold of public trust values, and Hawaiian Homes?
- How much water can we take without going to the brink?
- What is the definition of reasonable use amounts?
- Can there be a legal balance to determine MWWG decision making?
- Can the Commission send a letter to MPL asking for water information?
- Can other users be considered to attend MWWG meetings (e.g., National Parks, Dept of Health.)

* BREAK *

VI. Group Summary – Wall-safe items.

- What is the use at the tennis park? Where is the source from?
- Can forecasts be broken down by system?
- How accurate is water usage standards on discretionary projects?

VII. Exercise of Recommendations A-Q.

- Green/Red Dot of recommendations. Red dot items to be identified and concerns of issue to be noted in recommendation.

- The recommendations were not looked at due to the time spent in presentations and discussion. The Group expressed that they will not be reviewing the recommendations. There needs to be an agreed standard of policies by which to weigh the recommendations. These standards must be brainstormed, and prioritized by the Group.

VIII. Tentative schedule for MWWG 7. Set next meeting date.

- Next meeting scheduled for March 19, 2008, 6-9 pm, at Kulana O Iwi, DHHL Conference room.

IX. Closing Pule

Present: Malia Akutagawa, Ella Alcon, Judy Caparida, Kim Compoc, Mark Crumpton, Robert Granger, Karen Holt, Charley Ice, Kaho'o Kamakawiwo'ole, Ehulani Kane, Debra Kelly, George Maioho, Ruth Manu, Nancy McPherson, Wayne Meyer, Ed Misaki, Milton Pa, Brandon Roberts, Marketa Stasna, Glenn Teves, DeGray Vanderbilt and Darrel Yagodich.

- I. Pule
- II. Welcome
- III. Ground Rules
- IV. Review summary report
- Discussion

The draft summary report was projected onto a screen and edited by consensus. The final summary report, pending approval of the Commission, will be submitted to all Group members.

* BREAK *

- V. Feedback

Kim Compoc, the Executive Director of the Mediation Services of Maui, addressed the Group and presented the feedback evaluations to be completed by the Group. The Group completed the evaluations and returned them to Kim.

- VI. How to proceed. Where to go from here?
Roadmap for MWWG
- Discussion

Malia Akutagawa gave the group an update on recent court decisions regarding water rights. She presented a document (See Appendix) to suggest principles on which MWWG can make future decisions. The group expressed gratitude for Malia's work and agreed the recommendations should be included in the report.

- VI. Closing remarks
- VII. Closing Pule

Present: Ella Alcon, Byron Alcos, Judy Caparida, Bill Feeter, Carl Freedman (DWS Facilitator for WUDP), Robert Granger, George Maioho, Nancy McPherson, DeGray Vanderbilt, Gordon Tribble, Alton Arakaki, Ellen Kraftsow, Arnold Imaye, Kammy Purdy, Teya Penniman (DWS Facilitator for WUDP), Glenn Teves, Wayne Meyer, Karen Holt, Ruth Manu, Fran Palama (UH student)

I. Pule

II. Welcome

Alton Arakaki - Facilitator

III. Review Ground Rules

IV. Presentations

(Format: Questions to clarify are OK during presentation; more analytical questions noted and saved for discussion following)

A. (Gordon Tribble) – USGS: Update on Molokai Modeling efforts

Gordon: At the second or third meeting, Delwyn Oki presented on modeling of groundwater – model we have used up until now is dated, stated the reasons. There has been a movement for 1½ years re: concern over salinity of wells, pumping of brackish resources. The idea for this 3D model has moved along faster in concept than in principle. Gordon provided a short handout. Update – idea that USGS would do a new model for entire island. Need to conduct reassessment, understand how much groundwater gets into aquifer, conduct measurements, then based on the data, refine the parameters, and calibrate the model. Then USGS will sit down with a group like this, with DWS, DHHL, a broad spectrum of stakeholders, and state rates of pumpage, describe what it will look like if you carry on with those rates for 100 years. They multiply by number of mgd, input the numbers, put into the model, then come back with the results. USGS is currently doing this for Maui, for the Central Maui Aquifer. The model is interesting, and people get a lot out of it. USGS wants to provide a tool that doesn't just stay with technicians/scientists, but gets into the hands of the people. We no longer just throw it over the wall – modeling has gotten sophisticated enough so we can go through cycles of input, get feedback on how, given the best understanding we have of the aquifer, water behaves on Molokai. USACE got involved, so that is an interesting package. Earmarked funds – portion of funds to cover a third of the work, Corps will come in with a third, other third will be split among local partners. Ken Kawahara of Water Commission handling this. Molokai Properties was a partner, backed out, OHA has been approached. Ken gathers local funds, Corps matches local funds, gets a commitment to do the work. Hoping for more local partners. [Data needs?] unresolved – build a model, based on what info we have, then have to make guesses, infer. Research is suggesting that it would be helpful to have a deep monitoring well at Kawela. DHHL has one well. Good to have a second well that helps us monitor the freshwater lens, now trying to see if the money is available.

Question from Glenn: Deep water well – any updates on that monitoring well?

Gordon: We ran a camera down that well, and it looks the same. He can come to the next meeting with that data. The 3D Model could help them know where the water is discharging.

Auntie Judy: Used to be a lot of springs, lots of limu. Springs finish, no more limu. Water being diverted. Kumimi – Kainalu. Water being diverted, not being studied. Water is more precious than goats. People are diverting, making any kine. Four years to build bridge, put in all these water things, cute water is running. Wasting water. Rain enough to take care of the grass. (State Highways wasting water). Water pipes running. Need to stop this.

DeGray: Explain deep water well at Kawela – good to do more initially.

Gordon: Talking with Ellen (Kraftsow, DWS), looking at alternative sites, Kualapuu, DHHL reservation needs to be maintained. There is some uncertainty – why go there, develop additional wells at Kawela. Where would they be put in, what would be the effect of pumping on groundwater, how it would be affecting things? Need some data in order to best site the well. Need to know the aquifer conditions out at Kawela. There was a strong desire to move forward to do 3-D model, based on MPL's plans. Install the monitoring equipment in order to get better water data.

\$950,000 – cost of the well only. Additional funds needed for 3-D Model with groundwater recharge, field testing, scenario development. Another monitoring well at Kawela would be a good thing. Red Hill well is in.

Ellen: \$1.4 million. \$500k might be cheap. If well goes in at Manawainui, it won't go in at Kawela. DHHL paid for a big chunk of deep monitoring well in Kualapuu. Then everyone backed out. County was smallest withdrawer of money. Question is up again.

Gordon: If need for this info is not quite so pressing, pumping from Kakalahale...

Glenn: No wells in proximity to Kualapuu aquifer -- too sensitive.

Ellen: In the long term, you're right, but we could get the Manawainui well in faster, which could take pressure off of the Kualapuu well.

Gordon: We keep in touch with Derek (Chow, USACE), discuss with him what USGS is doing.

Lori: We need to still apply pressure, people still need water, can we keep pressure on Ken, so Water Commission and Corps will have an agreement on paper. Request is only triggered when we get matching money.

DeGray: OHA may be taking MPL's position as partner. It's easier for the Army Corps to have one partner, but DWS is not sure if Corp Counsel will OK. It seems that MPL is likely to withdraw. History of MOAs – funded by County & Commission, whether OHA or MPL, don't know for certain if County can go with it.

Gordon: \$82,500/yr per partner. That amount is not a deal breaker.

Lori: Should be looking for more people to throw in money – Monsanto, etc.

B. (Ellen Kraftsow, Arnold Imaye) – MDWS: Water System Summary follow up

DWS Presentation

Ellen: Introduced Carl (consultant planner), Tea (meeting facilitator, depending on how controversial things get). Introduced Arnold. Provided 4 handouts. Introduced Tui, a Conservation Specialist, here for three days, looking for leaks. Participating in Earth Day. Three handouts – Molokai Projects: come to us for review, discretionary permits, we use certain criteria, make recommendations. Subdivisions – DSA has to approve the project if it meets the criteria. If it's not discretionary, not decided on by DWS, we don't have any authority. As far as the "Show Me the Water" bill, the DWS Director has been handling that personally. Can't give you an answer on that, what we review gets checked to see if it meets necessary fireflow requirements according to system standards. If we are not giving out meters at all, then we can restrict development that way.

Second Handout: Availability Worksheet. Lists Existing Use Permits. For Different aquifers – developable yield is different from sustainable yield.

(Group reviews list)

Glenn: Hawaiian Homes is taking more than that number. 0.6 mgd is actual usage. Found the leak – big crack, was leaking for years. Even the County number is wrong – already using more than that – still haven't given "future use" permit – can go with "natural growth" –

Ellen: It was previous director's policy and she says they didn't say anything about additional. We need a backup well. We still use the Waikalae tunnel, and we end up buying more from DHHL.

- Discussion

Glenn: Lots of water leaks out of mountain (Manawainui).

DeGray: All freshwater wells? Molokai Ranch ones are salty wells, some are used for aquaculture.

Oceanic Institute – drilled a saltwater well

Well on East End – drilling for bottled water?

Only get reports if more than x gals/day

Gordon: We have no authority.

DWS: Only 10 companies reporting their pumpage. Some haven't reported for decades. Private pumpers are supposed to report to the Water Commission, and copy the County. Wayne has no County water. He thinks he's in a different bracket from everyone. Can't get County water, land tax is the same. Why not put water for us? What the County policies are – DWS is required to be independent of County funds – doesn't come from Property taxes, General Fund \$. County has never done that. There is no relationship, because the Water Dept. is funded separately. Wayne might be under the minimum. Why we want you to report – started out just to the Water Commission – reason being we just need to know what we're using. Can't manage resources, no data, no tools, need people to report to the Dept. so we know what is being used.

Ellen: Her guess is no one will follow...

- Discussion

Hawaiian Research – nobody checking on them. They want to drill to keep that thing going, want to make money, not sustaining life.

Gordon: Wells permitted. Molokai is a groundwater management area, so all wells need to be permitted for a certain use, then if the use changes, they have to reapply. The Water Commission doesn't have eyes on the ground

Lori: Molokai-wide problem is enforcement

Gordon: It's a statewide problem.

DeGray: Ask the Water Commission if we can add more data on actual use, what permitted use is for.

Glenn: Some of this is not accurate. Waiola well was never approved. Saltwater well was never used.

Ellen: Arnold and I have different numbers.

Was data taken from users' records? Water Commission – has to report.

Ellen: We now have all reported pumpage from Molokai. We had some problems, but now have data that does work for us. We can pull up what is reported on Molokai. We could go through the files, can look through the water notebook. You want data on whether it's fresh or brackish, what the use is, what the permitted usage is? DWS staff can work with the State on that.

Glenn: S. Hoolehua out of Manawainui: 0.8. To existing use permits, add reported use data

Ellen/Bob: We keep a 12 month average. Under Kawela Plantation – 5-6 wells listed, 6 registered wells, consider all wells under the first permit – 0.285. MAV as of the date when we got the pumpage. 6th well is not permitted. List is not all the wells, and not all the permits – some are not registered/permitted.

Third Handout: Projects – a lot of them have fallen by the wayside. Take all MPL projects out = 930,000 gals, most of the development listed. Buildout analysis of projects – 1.7 mgd. Buildout is less than projected. Now at 1.0. Papohaku SD buildout should be included.

Carl: Buildouts: one concept is how much water would be required if all land is built on -- what if all land zoned is built on, numbers for Island Plan, using land use model – will be getting another model. Economic model. Population increase projections – what is coming through for projects. Don't have all the zoning, what is partially entitled.

DeGray: That's why we were designated a Water Management Area – what is zoned exceeds what water is available. County still trying to find out what they actually own. Myer – Waikalae. County taking from there. Two wells in Kalae – state using one, county using another. State Parks uses one.

Bob: On last page: what are the units?

Ellen: These are estimates – internal working numbers – we don't want people to think they are entitled to these amounts. GPD is Gallons per day. Arnold gets these reports together every quarter.

Glenn: As far as the well thing, gotta look at pros & cons. If you are just switching to another well, then there is no net gain. We will still need more water, this is only a temporary fix. The more we spread it out, the better. But we can't know if we are spacing it out if we don't know the bounds of the aquifer. Iao – putting in 5 more wells...

- Discussion

DHHL – lease water from them. DHHL can't really give us property, stuff. Whole bunch of different scenarios. Well 17 – could be sold to DHHL. Contacted the DWS director. Want DHHL to buy them out. Are there any requirements under the law to continue? MPL can't go bankrupt and stop providing water. PUC – utility company is a separate company, can't stop operating. DOH can take it over. County won't buy Well 17 because it is not a lined well – have to be grouted to a certain depth. New wells. New drinking water source.

Ellen: Don't know exactly what the rules are on that.

Wayne: What is a line well? Casement? Yes. Try to get something that is standard.

* **BREAK** *

V. Group Summary – Wall-safe items.

Did we discuss Glenn's items submitted for Meeting #7 adequately at the last meeting?

Group went down Glenn's list, Glenn gave brief rationale or explanation, followed by discussion:

– *Constructing Molokai Ranch numbers*

Is CWRM or someone reconstructing MPLs numbers – what's being used? Fluffing up their numbers. Dumping in the gulches, Kakaako Gulch, Maunaloa. Required to show actual usage? Can we ever know real numbers? Whatever has been pumped and reported, we have now. Do they have numbers? With the Kukui case, and Waiola case, had to report projected needs. Findings of Fact – reporting numbers were off.

– *Interim stream flow standards*

Related to mountain, forest reserve, MPL taking 0.5 mgd out of mountains, no instream flow standards in place – need to petition Water Commission to establish. Users saying that because x amount has been pumped in the past, we should continue to use?

Water code went into play (Date?) – couldn't decide, but whatever it was then, becomes the interim stream flow standards. Need to check for impacts to forests, native species, relationship to special management permit. 1996 Molokai Water Group report – all outside sources should be metered – sources that provide water to other areas of the island.

MPL was making the meter run, wasting the water, asking for more water, took videos of them wasting water.

Does MPL report their surface water diversions? Data doesn't add up.

According to MPL, they submit data to Water Commission – reservoir by the old tank – they have a big box. Metered into first reservoir. Gauges upstream – diversion issue – process of identifying all diversions, process under way to map diversions that the Water Commission knows about, get a snapshot. Has been completed for Maui. Doing the whole state, but running out of money after Big Island or Kaua'i. Visited them to see if still active. That is a Water Commission question.

– *Water for agriculture*

DHHL Hoolehua, DHHL Kalamaula, Others

We didn't even start on that discussion – according to MIS, the system is 100% tapped out, so any expansion is at expense. Homesteaders will have to cut back. Monsanto - Ownership of genetics – won't let go.

Islandwide – 24mgd. Half of land in Agriculture – DHHL Island Plan for Molokai – projections for residential, none for Ag. Water is being used by MIS. How can Ag be viable if water usage is not being accounted for. We do know how much water will be needed for each acre. Hoolehua is 700,000 (mgd?).

Auntie Ruth: DHHL responsibility to homesteaders, farmers. [Beneficiaries] entitled to keep our Ag. We first. Before anyone else gets water, Native Hawaiians are entitled to get. Molokai was always agricultural, for generations...

(General Discussion): Ualapu'e DHHL lands – need to assure for ag, but they are basing water usage on residential use, not ag? If too many homes are approved, there won't be enough for Ag uses on that land. Rural will really be urban. DHHL – appointed someone who doesn't know how to do their job. Hard for our people. Can DHHL get ag numbers for regional planning? Existing land leased out to ag programs. If plan leaves out all ag land, we won't have enough water.

George M: Can try to get that data (?)

Ellen: We could do a couple of scenarios based on the numbers. Could allow them to subdivide the smaller res lots, 5 acres, but not the 20 or 40 acre lots.

Looking for partnership – looking for K-Mart (donation?), loan money out to people so they can build houses. 7,000 acres, at 1 acre-inch, is 25 million gals. 8,000 acres of good flat land up there. They are getting desperate. DHHL has to look at the total picture.

Education, loans, etc. Some people are doing really well, some need more help. We are in the drivers seat as far as ag – on Maui & Oahu, ag land is gone. If we watch out for property taxes, we can be in the driver's seat.

2.9 mgd reserved for DHHL – drinking water. Need some more water for ag – we are being recognized as the breadbasket. We're farmers, entitled to have ag land. Might have to use the groundwater for ag.

DHHL has a program where if you use more than 25,000 gals, the rate goes down.

Farming recharges the aquifer. Need to look at it as putting the water back in the ground, not using a lot of pesticides. Can create a model for ag – Alton has done it. Big one is the value added thing – taro to poi, taro to kulolo. Gotta ship products out of Molokai at its highest value.

Bishops – berries, fruits: acres. Pies, jams, etc. They do it on the Mainland.

– *Ag growth scenarios*

Can only grow as far as our ag. Monsanto is growing so fast that it will take over everything. Made manmade mountains. 1200 additional acres of corn. Can't find enough workers. Trigger for demonstration – going after MPL first, then after Monsanto. Anti-GMO. Can do a model on 5%/year

– *Sustainable yield vs developable yield*

Response to CWRM's numbers – if not developing on the West End, then take those numbers out. Then need to push idea to use developable yield vs. sustainable yield. Need to sit down, crunch the numbers. Look at development scenarios – Halawa, Puu o Hoku,

West End, could get developable yield down to 30. New Water Resource Protection Plan doesn't have developable yield numbers. 1996 – everyone agreed that we aren't taking backside water – not considered as developable. Took those numbers out. We should be coming up with our own numbers. Water Commission got a lot of pushback on their Sustainable Yield numbers – uniform assessment for groundwater recharge. Used much more conservative estimates. Not real. Commission realized that they had erred. Next meeting is Monday. **Issue – write a letter ASAP to Water Commission.** Issue came out of the MWWG -- deliverable yield numbers could come out of planning process.

Glenn: Take Hoolehua out too. “Developable” is a policy issue. What do you want to develop, and at what pace? Are there areas that you want to use, others you don't? West End, half of Hoolehua – can't get the water out. Can they get sustainable yield numbers separating brackish from sweet? Maps w/numbers, from Mink. Describes makeup of various aquifers, but doesn't refine numbers that finely. Done very quickly. John Mink used his own expertise, 2-3mgd, but we know it's brackish, the recognition is that it's not there. Limitation of technical method was noted. Get a realistic estimate of what's there, get a justification.

Bill Myers did a paper on, “no such thing as sustainable yield”

– *Separating ag water from domestic*

Policy thing – not good that we're mixing different uses together. Applies to MIS system. Should not be mixing them together because of contamination potential. Should be closed system. Can put a pipe on Well 17, run to Maunaloa. Instead, put clean water into reservoir

Benefits and costs of putting in pipeline, vs. lined reservoir. Health side -- when ag & domestic uses are combined, human health takes precedence. Taking ag water for residential use is more desirable – competing uses. When taking water on West End, residential needs come first – serve hospitals and homes.

County is mentioned in La'au Point EIS – in original docs there is a statement that County will take over the MPL water system. Filled up pool at the Lodge.

– *Precautionary principle*

Malia talked at length on this. What Sustainable Yield number is.

– *Having 100% back-up (County planning)*

Glenn has changed his tune on this point.

Ellen: Be the most cautious about having restrictions, what is standard? What kind of system you have – wells, you should be able to meet maximum day demand with 16 hours of pumping. 45% of what you have.

Carl: Has to do with equipment, having enough pumps, pipe capacity, etc. Different issue about the amount of water.

Ellen: In most places, use mass balance equations. Look at most severe drought on record, what is flowing in anyway, what is surface water system. On an average day, demand at max is 1.5. But let's say it's evening, in August, with a fire blazing – 3X that. 1/3 for emergency, peak usage. Rule of thumb – one is for (___?), one is for (___?)

Molokai – are we there? We meet it in Ualapu'e, but almost anywhere else, we don't meet it. Does every system have a backup? DHHL can backup to MIS system, but takes more work. If 2 out of 3 goes out – trouble. Took water from MIS for 17 years.

– *Water allocations for forest, native species, coastal reef system*

Need “acre-inch” type number, for Molokai’s 53 watersheds. Figure out acreage for watersheds, need a set aside for the forest, botanists will tell you how much it needs, it can use all of it, can talk about it. Look at forest, stream, marine environment. No control over the forest, evaporation rates, recharge rates. Some of the water discharges into the stream, goes back to instream flow standards. Marine environment is tough issue – calculations for surface water going into nearshore water, but also need to understand fresh water flowing into brackish ecosystem, habitat -- scientists are not yet prepared to give us good numbers. What is the number needed for the ocean, for brackish water? Discharge affects the temperature also – if it’s too high, fish don’t lay eggs. Needs turbidity, coolness, oxygen, etc. Be aware of it – make sure we have some set-asides. It’s not 80.

DeGray: If we have climate change, we could have more drought, or more rain & flooding.

Alton: Need to reforest. Needs to be part of strategy, to attract more rain. Streamflows are down 50%. Clidemia was so bad that they couldn’t get rid of it. Is there still any pristine forest? Kamakou.

Matt Rosenor: Earth Day.

Alton: Within the natural environment, we do have human existence, economic and social activities in a limited amount of space. Studies in Costa Rica compared natural and invaded forest. When it rained, invaded forest discharged more water into ditch, native forest kept producing water. Acts as a sponge. Plan should include something about restoring & expanding rainforests.

Watershed partnerships – on Maui. Working together. East Molokai Watershed Partnership. Lori. Lana‘i has a partnership now. Became a Watershed chapter in Plan. Have to contribute to watershed protection.

Discuss Malia’s recommendations if needed – wait until next meeting.

Deferred to next meeting

- VI. Recommendations submitted to Water Commission – *Deferred to next meeting*
- Report submitted to Water Commission
 - Further prioritization of recommendations?
 - Additional concerns or issues to be noted in recommendations.
 - Do we want to add or change anything based on further discussion of Glenn’s and Malia’s input?
- VII. Schedule MWWG 9. Set next meeting date. How many more meetings do we want to hold? One? Two? More? How will additional information be transmitted to Water Commission?

Water Use and Advisory Committee – Ellen

Water Advisory Committee – Ellen says the next meeting could be May 14, need a venue – QLCC, other places. Plan update – is a little different than this group, May 14th or the

27th? Do the 27th. Reserve this room. Molokai Water Advisory Committee will work on Water Use & Development Plan (WUDP) update.

Carl: It's a different process. This group (MWWG) is answerable to the Water Commission, and the WUDP process involves a lot of the same issues. It is a County process, and will get adopted by the Maui Co. Council as an ordinance. Commission for Water Resource Management (CWRM) has the framework for updating the State Water Plan. Will produce documents for the planning process. As it is a creature of the County, Dept. of Water Supply (DWS) is implementing this process for all water systems on the island. The planning process covers the issues, proceeds according to a process outlined by the Water Commission. DWS will do a presentation at the beginning of the process, and wants to keep it open to the public. MWWG goal was to come up with some decisions and recommendations. Council wants to listen, make it broad. Facilitator is Tea. Some things are policies, some are planning concepts, a lot have data needs, some need further analysis. There still are Plan needs, but Molokai group is way ahead on policy needs. Peter Adler. When we get agreement, you memorialize it, get consensus.

DeGray: Document that is a template – on Water Commission website. Left column – framework for updating the Hawaii Water Plan. Four or five Plans total - Water Resource Protection Plan, Ag Plan, Water Quality Plan, State Water Projects. Use local papers to advertise. If we can agree on some things, then get them to the Water Commission, can dial direct to the Water Commission, send straight to the Commission. Have one more meeting prior to County meeting. Need one more meeting. Desire from the Community to meet sooner. Downside to segueing – project on the verge of being approved, need to get to the Commission, or if we have big concerns that report is not complete...

Bob: Review report, can make comments, can make an addendum, try to have closure, go through recommendations A-Q, add on some more, look at those additional recommendations.

Next meeting of MWWG: Tues. April 29 or Wed. April 30? **Tues. April 29**

Letter to Water Commission re: someone who is steering this group, can go right back to Ken – ask for new WRPP include assessments of developable yield. A-Q recommendations on developable yield. Expand policies to include West End, not just the rest.

Added as an output from 1996 WWG. Two issues – developable yield, then how much is potable vs. how much is brackish. Meeting at the end of this month to put the recommendations together. Glenn will copy us all on letter to Ken.

VIII. Closing Pule

Present: Ella Alcon, Lori Buchanan, DeGray Vanderbilt, Dick Glenn (for Robert Granger), Malia Akutagawa, George Maioho, Arnold Imaye, Ed Misake, Alton Arakaki, Kammy Purdy, Nancy McPherson, Milton Pa, Glenn Teves, Teya Penniman (DWS Facilitator for Water Use and Development Plan), Darrell Yagodich.

I. Opening Pule

II. Welcome: Alton Arakaki who served as facilitator for the meeting.

III. Discussion: Need to review and update recommendations from the 1996 WWG report.
Group:

Each of the 1996 recommendation was reviewed and discuss at length, and amendments made accordingly.

Motion made to include Recommendations A thru Q as amended in the 2008 Report sent to the Water Commission. Motion unanimously approved.

It was agreed that the amended recommendations would be sent out to each Working Group member with the changes and the original wording noted. The intent was to have everyone review the amended recommendations one more time and have a final discussion and approval at the next meeting.

IV. Other matters:

There is a real need to revisit developable yields on Molokai.

The Interim Report is not a Working Group report...group members uncomfortable sending it to Commission. Important to have a report from the Working Group that has more extensive information such as updated recommendations. Commission staff Charlie Ice said he could hold off on submitting to the Commission until June of the Group wanted to prepare its own report.

V. Next Meeting Date: May 20, 2008

VI. Closing Pule

Present: Byron Alcos, Ella Alcon, Bill Feeter, George Maioho, DeGray Vanderbilt, Arnold Imae, Alton Arakaki, Nancy McPherson, Bob Granger, Judy Caparida, Carl Freedman (DWS Facilitator for the Molokai Water Use and Development Plan)

- I. Opening Pule: Judy Caparida
- II. Welcome by Alton Arakaki, who served as facilitator for the meeting.
- II. Discussion: **WORKING GROUP RECOMMENDATIONS:** The first order of business was review and approval of the Group's amended A thru Q recommendations that had been approved at meeting No. 9. A copy of the amended recommendations was emailed to members prior to Meeting No. 10 with a request for each member to be prepared to share their mana'ō at the next meeting, and if any member was unable to attend Meeting No. 10 to please email either their comments on the amended recommendations or any suggested amendments they may want to propose.

Also attached to the email was a copy of AP news article dated May 4, 2008, which appeared in the Honolulu Advertiser entitled "China farms the world to feed a ravenous economy", as well as, a copy of a recently released visionary 30-page document prepared by Molokai's opi'ō generation entitled "MOLOKAI...Future of a Hawaiian Island".

No emails regarding comments or suggested amendments to recommendation A thru Q were received in advance of Meeting #10 from those members who were not able to attend.

Those who attended the meeting were prepared to discuss the amended recommendations. Copies of the amended recommendations approved at Meeting No. 9 were made available to Working Group members and members of the public attending Meeting No. 10.

Several minor amendments were made to Recommendations A thru Q, including Recommendation F, which was split into two separate recommendations. There were also two new recommendations approved.

After reviewing each recommendation and making some additional minor changes, Recommendations A thru T were unanimously approved.

- IV. Other matters: There was a lengthy discussion about whether or not the Group was satisfied with the Interim Report prepared by the facilitators serving as the Working Group's only report to the Commission. There was consensus that the Working Group should produce its own report.

The Interim Report was reviewed, and amendments were proposed, including a different format and changes to the text of the report to reflect the Working Group's review and recommendations for updating its 1996 report to the Commission.

It was agreed that a good portion of the information included in the facilitators' interim report, such as summary notes of meetings, certain appendices, etc. should be incorporated into the Final Report. The Group was appreciative of the work the facilitators put into the interim report and acknowledged that their effort made the Group's job of crafting its own report much easier.

- V. Next Meeting Date: The Group decided that Meeting No. 10 would be the last meeting unless some unforeseen action took place requiring another meeting.

It was announced that May 27, 2008 would be the first meeting to begin the update process for the Molokai Water Use and Development Plan.

- VI. Closing Pule: Judy Caparida.