SIERRA CLUB OF HAWAI'I

Testimony to
Board of Land and Natural Resources

July 11, 2025 9:00 AM Room 132

Agenda Item C-2
STREAM PROTECTION AND MANAGEMENT BRANCH – EAST MAUI DROUGHT CONDITIONS AND CONSEQUENCES FOR NON-INSTREAM USES BY MAUI DEPARTMENT OF WATER SUPPLY AND MAHI PONO

Dear Chair Chang and members of the Commission on Water Resource Management,

The staff briefing in this agenda item presents troubling data. It also presents an incomplete picture.

Mahi Pono is Planting Too Many Acres

Back in 2021, A&B incorrectly assumed in its EIS that there was 87.95 mgd it could take from east Maui streams. The Sierra Club has been pointing out for years that this number had no basis. Your staff concludes that based on recent changes in rainfall that much less water is available: 46.9 mgd. And twenty-five percent of the time, only 19.4 mgd will be available. Mahi Pono should not be assuming that it will get more than 30 mgd from east Maui streams. Mahi Pono cannot continue to expand its agricultural operations – unless it wants its crops to wither away and die.

Ali Fares calculates that Mahi Pono's citrus crops require 2,536 gallons per acre per day. More than 80% of Mahi Pono's crops are citrus. 12,000 acres of citrus requires approximately 30 million gallons of water. Twenty-five percent of the time, there will barely be enough water for Mahi Pono's crops (if you include water from east Maui streams and groundwater and water from streams west of the revocable permit area).

Mahi Pono is Pumping too Much Groundwater

For years, the Sierra Club has been asking the Board of Land and Natural Resources to reduce the amount allocated to Mahi Pono by the amount of groundwater that can be **sustainably** pumped. In the Paia aquifer, that's 7 mgd. But recently, Mahi Pono has foolishly been pumping far more than that. Mahi Pono must stop pumping so much water. And stop planting more acres. Instead, it should start conserving water (rather than taking more water from our streams).

Mahi Pono Has Been Wasting a Lot of Water

Mahi Pono wastes millions of gallons of water daily by dumping unused water in century-old, unlined, leaky reservoirs. It refuses to line its reservoirs. And it refuses to use water allocated to the County that the County does not use.

Streams are Still Suffering

Many of the modifications that this commission ordered East Maui Irrigation to make in 2018 and 2022 have **not** yet been completed. More than a dozen streams are bone dry below the diversions. People live along these streams with no water in them. They are forced to haul water while water is delivered to Mahi Pono miles away.

It is long past time for this commission to make East Maui Irrigation make the changes to the diversion structures that it was ordered to make years ago.

In 2018, this commission noted:

> • There is universal agreement that more water and better connectivity in streams is a good thing for native habitat restoration.
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> • The H90 flow is believed to provide suitable conditions for growth, reproduction, and recruitment of native stream animals as well as protection of traditional and customary native Hawaiian gathering rights, which are affected by the size of native animal populations in a stream.

We have yet to receive an updated report on the biological conditions of the streams that were restored. A report that documents the biological/ecological recovery of streams in central Maui has been prepared. We need to see one for east Maui that includes current data.

More Data

The data reveal that the Kula Agricultural Park requires less than .6 mgd on average – not 1.5 mgd. The data also reveal that demand at Kamaole averages 2.4 mgd – not 3.6 mgd. The total county demand for water from the EMI ditch system averages 3 mgd.

The data also show that while Mahi Pono has significantly decreased the amount of water it wastes over the last 5 years, it still wastes millions of gallons every day.

Month	MGD taken from E. Maui streams	Maui County domestic use mgd	Kula Ag Park mgd	Diversified Ag in Central Maui mgd	Historic/ Industrial uses mgd	**System Losses & Waste mgd (and .1 mgd dust control)**
Jan-20	30.1	1.07	0.39	2.45	1.1	25.09
Feb-20	25.28	1.17	0.37	2.46	1.1	20.19

Mar-20	27.98	0.95	0.37	2.58	1.1	22.98
Apr-20	25.7	0.91	0.35	3.58	1.1	19.77
May-20	21.6	1.86	0.39	3.62	1.1	14.63
Jun-20	20.5	2.64	0.51	3.73	1.1	12.53
Jul-20	16.8	3.2	0.45	2.6	1.1	9.47
Aug-20	19.7	2.5	0.46	2.5	1.1	13.2
Sep-20	20.1	3.4	0.69	2.4	1.1	12.49
Oct-20	11.51	3.81	0.56	2.51	1.1	3.53
Nov-20	25.34	2.16	0.53	3.44	1.1	18.11
Dec-20	28.13	2.19	0.5	4.43	1.1	19.91
Jan-21	28.09	1.4	0.36	3.91	1.1	21.33
Feb-21	25.9	0.88	0.38	3.93	1.1	19.61
Mar-21	23.55	0.61	0.4	3.01	1.1	18.44
Apr-21	23.59	2	0.59	3.98	1.1	15.91
May-21	24.95	2.41	0.6	4.48	1.1	16.37
Jun-21	14.78	3.82	1.01	4.55	1.1	4.31
Jul-21	18.57	2.6	0.36	5.01	1.1	9.49
Aug-21	18.12	2.21	1.08	5.62	1.1	8.11
Sep-21	16.7	3.15	0.49	9.08	1.1	2.87
Oct-21	18.87	2.36	0.54	11.26	1.1	10.14
Nov-21	16.41	3.93	0.69	10.69	1.1	7.31
Dec-21	8.65	0.69	0.3	2.8	1.1	6.51
Jan-22	14.14	2.6	0.44	5.11	1.1	5.85
Feb-22	12.31	4.02	0.55	5.93	1.1	6.33
Mar-22	12.2	3.79	0.56	5.97	1.1	5.5
Apr-22	15	1.87	0.64	7.73	0.03	6.42
May-22	14.42	2.56	0.63	7.63	0.12	5.81
Jun-22	14.78	3.32	0.52	11.62	0.12	7.31
Jul-22	16.6	1.91	0.58	10.96	0.06	7.54
Aug-22	15.06	3.37	0.64	10.89	0.06	6.86
Sep-22	12.85	2.79	0.6	11.82	0.03	4.51
Oct-22	19.14	2.23	0.59	18.48	0.05	6.59
Nov-22	26.48	1.49	0.51	20.36	0.05	7.8
Dec-22	23.27	1.26	0.65	11.29	0.03	10.91
Jan-23	15.57	2.57	0.46	9.72	0.03	6.38
Feb-23	10.6	1.22	0.29	3.59	0.03	6.44

Mar-23	12.24	1.5	0.39	6.92	0.04	5.19
Apr-23	14.55	2.57	0.31	13.11	0.05	6.36
May-23	21.04	2.16	0.62	18.55	0.05	5.25
Jun-23	19.21	3.31	0.61	18.48	0.05	4.99
Jul-23	18.66	3.23	0.67	16.82	0.04	6.35
Aug-23	18.5	4.2	0.77	23.76	0.05	2.98
Sep-23	25.16	3.82	0.65	24.61	0.04	9
Oct-23	14.74	4.08	0.57	17.55	0.04	7.82
Nov-23	21.28	3.04	0.65	22.64	0.05	6.94
Dec. 2023	25.51	0.5	0.51	23.6	0.04	9.47
Jan-24	29.95	0.32	0.44	22.32	0.04	9.93
Feb-24	32.31	1.03	0.42	29.93	0.04	9.51
Mar-24	39.39	2.19	0.4	31.36	0.03	9.73
Apr-24	33.47	1.38	0.61	28.59	0.04	8.19
May-24	30.84	0.69	0.46	27.33	0.04	10.32
Jun-24	36.7	1.74	0.53	31.08	0.04	9.19
Jul-24	34.97	3.49	0.93	36.05	0.04	2
Aug-24	33.25	2.76	0.62	33.19	0.04	8.91
Sep-24	28.72	2.76	0.58	27.09	0.06	8.49
Oct-24	25.33	3.74	0.52	35.57	0.05	4.18
Nov-24	45.55	1.24	0.52	39.13	0.06	12.54
Dec-24	27.04	3.31	0.62	35.78	0.09	6.02
Jan-25	31.28	2.18	0.55	34.64	0.06	7.45
Feb-25	21.04	2.88	0.38	24.09	0.06	3.11
Mar-25	23.58	2.85	0.51	31.2	0.06	3.49
Apr-25	27.37	2.74	0.52	34.17	0.06	4.77
May-25	25.94	2.58	0.52	39.26	0.07	2.39
Jun-25	24.65	3.71	0.61	40.77	0.07	6.2
Jul-25	35.6	3.03	0.67	44.89	0.06	2.85
Aug-25	14.46	4.57	0.59	32.81	0.07	2.03

Month	MGD taken from E. Maui streams	Maui County domestic use mgd	Kula Ag Park mgd	Diversified Ag in Central Maui mgd	Historic/ Industrial uses mgd	**System Losses & Waste mgd (and .1 mgd dust control)**