

# EAST MAUI IRRIGATION COMPANY, LLC

P.O. BOX 791628, PAIA, MAUI, HAWAII 96779-1628 • (808) 579-9516

January 25, 2021

The Honorable Suzanne Case, Chair  
and Members of the Board of Land and Natural Resources  
State of Hawaii  
P.O. Box 621  
Honolulu, Hawaii 96809

RE: Holdover of Revocable Permits Nos. S-7263, S-7264, and S-7265 issued to Alexander & Baldwin, Inc. ("A&B") and Revocable Permit No. S-7266 issued to East Maui Irrigation Company, Limited ("EMI") for Water Use on the Island of Maui: Q4 2020 Status Report

Dear Chair Case:

The purpose of this letter is to provide the 4<sup>th</sup> quarter status report on A&B/EMI's compliance with permit conditions imposed by the Board of Land and Natural Resources ("**BLNR**") as part of its October 11, 2019 approval of the holdover of Revocable Permits Nos. S-7263, S-7264, and S-7265 issued to A&B and Revocable Permit No. S-7266 issued to EMI for the calendar year 2020. We are providing this status report at this time in compliance with the conditions of the permits requiring quarterly written reports to the BLNR.

The attached document lists each of the permit conditions and corresponding compliance actions undertaken as of December 31, 2020. As you know, the agenda, minutes, and staff recommendation for the BLNR's October 11, 2019 meeting relating to the subject permits are the source of the permit conditions listed on the attached.

Since the last report that was submitted, water collection enabled by these East Maui revocable permits continued to serve the needs of the public water systems that serve Upcountry Maui and Nahiku, both owned and operated by the County of Maui Department of Water Supply, as well as the County's Kula Ag Park and increasing diversified agricultural activities in Central Maui undertaken by Mahi Pono. Maintaining these Central Maui lands in agriculture is consistent with the state's constitutional mandate to protect important agricultural lands, as well as the Hawaii State Plan, Maui Countywide Policy Plan, Maui Island Plan, and Maui community plans. These uses of East Maui stream water are further recognized and confirmed by the June 20, 2018, Interim Instream Flow Standard ("**IIFS**") decision issued by the Commission on Water Resource Management ("**CWRM**") for East Maui streams, 24 of which are within the area covered by the East Maui RP's. The diversion and use of East Maui stream water this year has been in compliance with the CWRM's June 2018 IIFS decision.

Throughout the 4<sup>th</sup> quarter of 2020, A&B and EMI continued to work with Mahi Pono on the preparation of the Environmental Impact Statement ("**EIS**") for the proposed long-term water lease for East Maui, in lieu of these revocable permits. We expect to submit the EIS to BLNR in 2021.

Additionally, previously scheduled MP/A&B East Maui Revocable Permit Committee meetings for the year 2020 had been postponed because of the COVID-19 pandemic. With travel restrictions still in place throughout Q3 2020, a Committee meeting was held through video conference on September 25, 2020. Updates relating to the IIFS, EIS, and Mahi Pono's farming operations were provided to the Committee. Another meeting has been tentatively scheduled for January 29, 2021.

Please do not hesitate to contact us should you have any questions on the attached permit compliance status report.

Sincerely,

A handwritten signature in black ink, appearing to read "Meredith J. Ching", written over a horizontal line.

Meredith J. Ching, A&B

A handwritten signature in black ink, appearing to read "Mark Vaught", written over a horizontal line.

Mark Vaught, EMI

cc: Ian Horikawa, DLNR Land Division (via email)

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## BLNR CONDITIONS FOR HOLDOVER OF EAST MAUI WATER PERMITS STATUS OF COMPLIANCE AS OF DECEMBER 31, 2020

### CONDITIONS PER 11/9/18 STAFF SUBMITTAL

***3. Require the holdover of the revocable permits to incorporate the June 20, 2018 order of the Commission on Water Resource Management (CWRM). There shall be no diversion from the streams listed in the CWRM order, and the timing for stopping the diversions shall be in accordance with the aforesaid CWRM order.***

The need for water from the East Maui streams averaged approximately 21.7 million gallons per day (MGD) during the fourth quarter of 2020, and only that amount of water is being diverted from the East Maui watershed. This amount continues to be well within the bounds of the 2018 IIFS decision concerning total quantity as well as the use of specific streams, and is also significantly less than the 45 mgd allocation set by the BLNR at its October 11, 2019. Partially contributing to this was the fact that rainfall in the month of October was extremely low, thus limiting the amount of water that could be diverted during that month while remaining in compliance with the IIFS. That said, it represents a 14.8% increase in water usage compared to the previous quarter. This increase corresponds to Mahi Pono's additional plantings in Q4 2020, which includes 895 acres of orchard crops. This surface water usage was also supplemented by 191 million gallons of groundwater – equivalent to approximately 2 MGD on average throughout the entire 4<sup>th</sup> quarter – pumped by EMI during Q4 2020.

The water that was diverted in Q4 2020 continued to supply the County of Maui for its Nahiku and Upcountry Maui water systems, the Kula Ag Park, as well as fire suppression needs, historical industrial/non-agricultural use, and agricultural uses in Central Maui, on lands now owned and managed by Mahi Pono.

Mahi Pono will continue the expansion of its agricultural operations, which will result in a corresponding increase in the need for water from East Maui in 2021. In addition to the expansion that occurred in Q4 2020, 2021 will see the planting of an additional 3,675 acres of crops. The Permittees – and by extension, Mahi Pono – remain committed to the efficient use of East Maui stream water. Mahi Pono's total amount of water usage, together with that of the County of Maui, will not exceed the limits of the IIFS decision at any point during its expansion.

All of the initial approvals have been sought and received from the CWRM for the abandonment of the use of the diversions on the "taro streams" to achieve full restoration of their streamflow. EMI is currently working to meet conditions of those approvals, including the development of Best Management Practices (BMP) to be implemented so that the

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diversion work can proceed. We are currently working on a diversion-by -diversion analysis of the “Category 1” diversions as requested by the CWRM as part of its deliberations of the abandonment permits for these 15 diversions.

The Permittees have also initiated discussions with CWRM staff on IIFS compliance for the ‘non-taro streams.’ A draft work plan has been submitted to CWRM for 41 diversions on 17 additional streams that are implicated by the 2018 IIFS decision. Prior to the issuance of the needed permits to undertake the work, CWRM will need to conduct site visits to each diversion site. In the meantime, the Permittees are complying with the IIFS decision with respect to instream flow requirements (i.e., by individual streams and the total quantity of flow). This compliance is subject to CWRM staff verification. The Permittees also opened discussions with CWRM field staff on establishing proper measurement protocols for flow compliance, but the furthering of these discussions was delayed due to COVID travel restrictions. Connectivity requirements of the IIFS decision are being met to the extent possible without the physical modifications that require governmental reviews and approvals. The draft work plan transmitted by the Permittees to the CWRM does address means of achieving full connectivity compliance for these additional non-taro streams.

In summary, the Permittees’ diversion of water under the subject 2020 RP’s has been in compliance with the CWRM’s June 20, 2018, IIFS order concerning flow volumes, by individual streams, compliance with connectivity requirements has been met to the extent legally possible without further governmental review and approvals and significant progress has been made on pursuing the modifications and abandonment of diversions on the seven ‘taro streams,’ an established and continued priority for both the permittees and the State.

***4. There shall be no waste of water. All diverted water shall be put to beneficial agricultural use or municipal use.***

Status: See uses outlined in response to #3 above. All are beneficial uses related to agriculture and municipal/public needs.

***5. Any amount of water diverted under the revocable permits shall be for reasonable and beneficial use and always in compliance with the amended IIFS.***

Status: See responses to #3 and #4 above.

***6. The holdover shall comply with all conditions required by the CWRM’s Amended IIFS Decision.***

Status: As mentioned above, total water diverted for use in Upcountry and Central Maui approximated an average of 21.7 MGD this past quarter, which is well within the bounds of the CWRM’s 2018 IIFS decision concerning the diversion of specific streams and the total

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amount of water diverted. The Permittees achieved significant progress in 2020 relative to pursuing the ditch system/diversion modifications that are necessary to ensure IIFS compliance as water needs increase.

***7. Permittee shall provide a specific report on the progress regarding the removal of diversions and fixing of the pipe issues before the end of the holdover period.***

Status: This permit condition was initially imposed in 2018 and we believe relates to a pipe at Pualoa (aka Puolua) Stream at the Lowrie Ditch. In last year's status report, we reported that the pipe had been extended to provide wetted pathways for the movement of stream biota on Pualoa Stream. At the 2018 BLNR hearing on the subject RP's (for 2019), statements were made that the pipe needs to be extended further to go under the road and that two 4" rusted pipes needed to be removed. Accordingly (and as reported in previous quarterly reports), the two 4" pipes have since been removed from the watershed and a new design intended to improve fish migration has been incorporated in the diversion modification plan for compliance with the IIFS, and approved by the CWRM in its approval of the Category 3 SWUP's. This specific scope of work was part of the overall work plan referenced earlier. Road maintenance and repair activities were also conducted in order to better facilitate access to several of the remaining intakes that are subject to Category 2 permits. A BMP plan for these intakes has been developed and will be submitted to the Department of Health Clean Water Branch shortly.

***8. Permittee shall clean up trash from revocable permit areas starting with areas that are accessible and close to streams.***

Status: The Permittees have established a number of standard operating procedures to address the cleanup of trash and debris in the license areas. Besides recognizing unnecessary debris in the field during routine maintenance tasks, EMI has conducted specific identification and removal operations of debris that has been observed from previous field work. In the 4<sup>th</sup> quarter of 2020, EMI has continued to remove PVC and steel pipe, old wooden and steel gates, discarded wooden structures and remnant pieces of concrete. EMI also has in place a practice of removing any equipment and excess materials it brings into the license area to perform work on the ditch system as soon as the job(s) is completed. Additional pictures of trash that has been removed over the past calendar year is attached as Exhibit D, including trash that was removed from locations surrounding the streams outside of the IIFS area.

**BLNR ADDITIONAL CONDITIONS (11/9/18 BLNR Meeting):**

- 1. The Board established an interim committee to discuss water usage issues in the license area. The committee shall consist of five members, representing Alexander & Baldwin, Farm Bureau, OHA, Native Hawaiian Legal Corporation and the County of***

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***Maui. The interim committee shall meet once a month for the first quarter, then at least quarterly thereafter, more often as useful***

Status: Previously scheduled MP/A&B East Maui Revocable Permit Committee meetings for the year 2020 had been postponed because of the COVID 19 pandemic. With travel restrictions still in place throughout 2020, a Committee meeting was held through video conference on September 25, 2020. The meeting was well attended by the following:

- Jeff Pearson – Director, County of Maui Department of Water Supply
- Summer Sylva – Executive Director, Native Hawaiian Legal Corporation
- Warren Watanabe – Executive Director, Maui County Farm Bureau
- Mahealani Wendt – Nā Moku Aupuni O Ko’olau Hui
- Mark Vaught – Director, East Maui Irrigation
- Carmen Hulu Lindsey (via Kanani Iaea) – Trustee, Office of Hawaiian Affairs
- Grant Nakama – Vice President of Operations, Mahi Pono LLC

An update on the work related to the IIFS and EIS were provided by EMI, and an update on ongoing farming operations was provided by Mahi Pono. Updates were well-received by attendees. A Q4 recap meeting was moved to January to accommodate the holiday season. That upcoming meeting has been tentatively set for January 29, 2021.

**CONDITIONS PER 10/11/19 STAFF SUBMITTAL**

***1. Permittees shall provide quarterly written reports to the Board containing the following information:***

- a. The amount of water used on a monthly basis, including the monthly amount of water delivered for: the County of Maui DWS and the County of Maui Kula Agricultural Park; diversified agriculture; industrial and non-agricultural uses, and reservoir/fire protection/hydroelectric uses. Also provide an estimate of the system loss for the EMI ditch system and the A&B field system. Diversified agricultural uses shall also provide information as to location, crop, and user of water. Industrial and non-agricultural uses shall specify the character and purpose of water use and the user of water.***

Status: The amount of water used on a monthly basis, including the monthly amount of water delivered for the County of Maui DWS and Kula Ag Park, diversified agriculture, industrial and non-agricultural uses, and reservoir/fire protection/hydroelectric uses can be found in the table attached as Exhibit A. The existence of and continued use of reservoirs is extremely important for fire safety reasons. They are a major source of water for fighting fires on Maui, which occur during the dry months of the

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year. The location, crop, and users of agricultural water, and the specifics on industrial and non-agricultural uses can be found in the table attached as Exhibit B.

- b. For each stream that is subject to the CWRM order, a status update as to the degree to which the flow of each stream has been restored, and which artificial structures have been removed as required by CWRM.

Status: EMI prioritizes its compliance with the CWRM order and has been working with CWRM staff on implementation plans and permitting. EMI notes that the language of the CWRM order relating to the removal of artificial structures is spelled out on page 269 of the D&O, items i, j, and k which state in part that “it is intended that diversion structures only need to be modified to the degree necessary to accomplish the amended IIFS and to allow for passage of stream biota, if needed.” and “The intent of the Commission is to allow for the continued use and viability of the EMI ditch system and will not require the complete removal of diversions unless necessary to achieve the IIFS. A status update is provided in the table attached as Exhibit C. Also included in Exhibit C is a copy of the section of the CWRM order relating to the removal of artificial structures.

- c. Update on removal of trash, unused man-made structures, equipment and debris that serve no useful purpose, including documenting any reports of such items received from the Department, other public or private entities, and members of the general public and action taken by Permittee to remove the reported items.

Status: See above response to #8 of Conditions per 11/9/18 Staff Submittal and also Exhibit D.

- d. The method and timeline for discontinuing the diversion of water from Waipi'o and Haneho'i streams into Ho'olawa stream, including status updates on implementation.

Status: As the stream levels fluctuate during times of inclement weather, EMI personnel are dispatched to manually control the intake gates for the prevention of excess stream water inflow to the ditch. As for Haneho'i, all intakes have been sealed (per the 2018 D&O) therefore no water enters the ditch from this stream. In regards to Waipi'o stream, EMI personnel manually control the intakes on the ditch to prevent excess flow from entering the ditch. Thus, all flows to the ditch are delivered to and used by Mahi Pono and the County of Maui. The flows are no longer controlled into Hoolawa stream.

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- 2. The permittee may not divert an amount of water per month exceeding an average of 45mgd, further subject to all water diverted shall be for reasonable and beneficial uses.***

Status: The 4<sup>th</sup> quarter need for water from the East Maui streams has averaged approximately 21.7 million gallons per day (MGD), and only that amount of water is being diverted from the East Maui watershed. The average monthly need for water from the East Maui streams over the 2020 calendar year was 22.7 MGD. This amount complies with the limit of an average of 45 mgd set by the BLNR and continues to be well within the bounds of the 2018 IIFS decision concerning total quantity as well as the use of specific streams. This water is being used to supply the County of Maui for its Nahiku and Upcountry Maui water systems, the Kula Ag Park, as well as fire suppression needs, historical industrial/non-agricultural use, and agricultural uses in Central Maui, on lands now owned and managed by Mahi Pono.

- 3. For RP S-7266, the area identified as the Hanawi Natural Area Reserve shall be removed from the revocable permit premises. Additionally, A&B/EMI shall continue discussions with DOFAW to identify additional forest reserve lands to be removed from the license areas to be implemented in connection with the issuance of a water lease, if any, or sooner.***

Status: Representatives from EMI and DOFAW held two meetings so far this year to discuss general logistics related to the potential removal of forest reserve acreages from the license area. These meetings were held on March 18<sup>th</sup> and September 24<sup>th</sup>. The initial meeting included an exchange of information related to access routes and a discussion relating to potential impacts on EMI's operations as a result of a reduction in the license area. The most recent meeting in September furthered this discussion, and focused on certain access routes in greater detail. Future meetings will be scheduled as more information becomes available, and as COVID restrictions ease in the upcoming months.

**AMENDMENTS PER MINUTES OF 10/11/19 BLNR MEETING:**

- 1. Mahi Pono is to advise any third-party lessee's, that any decisions they make is based on availability of water on a month-to-month basis renewed annually unless there is a permanent lease***

Status: All third-party lessees have been informed through existing language in their lease agreements that the availability of water is subject to change based on various conditions, one of which would be the nature of the water availability from East Maui through an annually renewed revocable permit or an eventual permanent lease.



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- 2. the (14) streams outside of the IFFS (sic) area continue to be cleaned of debris and Applicant is to provide a status report every three months to Staff***

Status: EMI has continued to remove debris and trash from stream areas. These efforts include locations surrounding the streams located outside of the IIFS area. Attached as Exhibit D are pictures of debris removed during Q4 2020.

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**EXHIBIT A – MONTHLY WATER USAGE**

All Figures in Millions of Gallons per Day (“MGD”)

<i>Month</i>	<i>East Maui Water @ Honopou</i>	<i>County of Maui DW5<sup>1</sup></i>	<i>County of Maui Ag Park<sup>2</sup></i>	<i>Diversified Agriculture<sup>3</sup></i>	<i>Historic/Industrial Uses<sup>4</sup></i>	<i>Reservoir/Fire Protection/ Evaporation/Dust Control/ Hydroelectric<sup>5</sup></i>
<b>OCTOBER</b>	11.51	3.81	0.56	2.51	1.10	3.53
<b>NOVEMBER</b>	25.34	2.16	0.53	3.44	1.10	18.11
<b>DECEMBER</b>	28.13	2.19	0.50	4.43	1.10	19.91
<b>QUARTERLY AVERAGE</b>	<b>21.66</b>	<b>2.72</b>	<b>0.53</b>	<b>3.46</b>	<b>1.10</b>	<b>13.85</b>

1. The numbers in this column are based on reports received from the County of Maui and have not been independently verified by EMI. Operationally, a minimum of approximately 6 MGD must be reliably conveyed to / made available to the County each and every day so that the County has flexibility regarding when to run its plan depending upon weather conditions, demand, water available from its Piihola plant, etc. Water conveyed by EMI but not used by the County is redirected by EMI to reservoirs located on the former plantation.
2. The numbers in this column are based on reports received from the County and have not been independently verified by EMI. Operationally, a minimum of approximately 1.5 MGD must be reliably conveyed to / made available to the County each and every day so that the County can be flexible regarding how to meet the needs of the Ag Park. Water conveyed by EMI but not used by the County is redirected by EMI to reservoirs located on the former plantation.
3. Diversified Ag includes the users/uses described in Exhibit B.
4. Historical/Industrial Uses are uses other than plantation and A&B uses that have historically relied on water from the EMI system. These include uses by entities located either adjacent to or within the boundaries of the farm and are further described in Exhibit B.
5. The numbers in this column include water not separately accounted for in the columns to the left. The EMI system is operated in a manner that ensures continuous water availability in the reservoirs to meet the County's needs for fire protection for brush fires, the risk of which has increased due to the reduction of the irrigated acreage following the cessation of sugar cultivation, but is decreasing as Mahi Pono continues to implement its farm plan. System losses (generally in the form of seepage and evaporation) are also included in this column. The water used by the Mahi Pono's hydroelectric system is non-consumptive and is returned to the ditch and re-used consumptively by one of the other uses.

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**EXHIBIT B – WATER USAGE SPECIFICS**

**Diversified Agriculture Users**

Entity	Crop	Location (TMK)	Field	Acreage
Mahi Pono	Coffee	250030030000	301	169
Mahi Pono	Citrus	380010010000	604	356
Mahi Pono	Citrus	380010010000	605	400
Mahi Pono	Citrus	380040010000	803A	208
Mahi Pono	Pongamia	380040010000	803B	32
Mahi Pono	Avocado	380040010000	803C	8
Mahi Pono	Papaya	380030020000	807	22
Mahi Pono	Citrus	380010010000	606	133
Mahi Pono	Citrus	380030040000	509	79
Mahi Pono	Citrus	380030040000	510	181
Mahi Pono	Citrus	380060010000	706	2
Mahi Pono	Citrus	380040010000	809	251
Maui Best (Tenant)	Sweet Potato	250010010000	408	281
Maui Best (Tenant)	Sweet Potato	250010010000	409	180
<b>TOTAL</b>				<b>2,302</b>

**Historic / Industrial Uses**

Water Users	Source / Delivery Point	Water User's Location	Relationship to EMI / A&B / Mahi Pono	Use
HC&D, LLC and subtenant Maui Paving (Camp 10 Puunene Quarry)	Haiku Ditch & 702 Cistern South of Pulehu Rd	3-8-001-001 3-8-003-004 3-8-003-021	Tenant	Restrooms, concrete batching, fire suppression, and dust control
Imua Energy Maui, LLC, dba Maui EKO Systems LLC (Tenant of County Central Maui Landfill)	Pumped from Haiku Ditch	3-8-003-019	Gov't Tenant	General Use for Compost Operation
HC&S Mill Area Fire Suppression	702 Cistern	3-8-006-001 CPR #1	A&B - Owned	Fire suppression for ag offices & Puunene Post Office
New Leaf Ranch (Non-Profit)	702 Cistern	3-8-006-029	Tenant	Irrigation water for non-profit providing ag-related work opportunities and training as mental health & substance use dependency treatment
Maui Demolition & Construction Landfill (Decoite Trucking)	Reservoir 91	3-8-005-002	Tenant	Tank & Standpipe for Irrigation & Dust Control
Costo Maddela	Haiku Ditch	3-8-001-001	Tenant	Pasture & Animal Water
Harriet, Michael, & Jordan Santos	Kauhikoa Ditch	2-5-001-018 & 019	Tenant	Pasture & Animal Water
Leonard Pagan	Kauhikoa Ditch	2-5-002-001	Tenant	Pasture & Animal Water
Harry Cambra	Kauhikoa Ditch	2-5-003-026, 027, 036, 037, 038	Tenant	Pasture & Animal Water

EXHIBIT C – CWRM ORDER STATUS UPDATE

*Section i, j, & k from CWRM D&O*

i. It is intended that diversion structures only need to be modified to the degree necessary to accomplish the amended IIFS and to allow for passage of stream biota, if needed.

j. This Order does not require that every diversion on every tributary be removed or modified, the Commission is only looking at modifications to main stem and major diversions to accomplish the amended IIFS set forth above. The Commission also recognizes that it is not the purpose of this proceeding to determine how the diversions will be modified. That issue will be before the Commission in a subsequent process.

k. The intent of the Commission is to allow for the continued use and viability of the EMI Ditch system and will not require the complete removal of diversions unless necessary to achieve the IIFS.

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**EXHIBIT C – CWRM ORDER STATUS UPDATE (Continued)**

**IIFS STREAM UPDATE**

Stream Name	Restoration Status	BRQSO at IIFS (cfs)	IIFS Value (cfs)	IIFS Location	Current Status
Makapipi	Full	1.3	n/a	Above Hana Highway	Gate removed, water flowing downstream below intake
Hanawi	Connectivity	4.6	0.92	Below Hana Highway	Gate open, water flowing downstream below intake
Kapaula	Connectivity	2.8	0.56	On diversion at Koolau Ditch	Main gate open, water flowing downstream below intake
Walaaka	None	0.77	0.77	Above Hana Highway	Gate open, water flowing downstream below intake
Paakaa	Connectivity	0.9	0.18	At Hana Highway	Intake gate closed, water flowing downstream over dam
Waiohue	Full	5	n/a	At Hana Highway	Intake gate closed, sluice gate removed. All water flowing downstream.
Puaakaka	Connectivity	1.1	0.2	Above Hana Highway	Gate open, water flowing downstream below intake
Kopiliua	H90	5	3.2	Below Hana Highway	Main gates open, ditch control gates closed. Water flowing downstream.
East Wailuaki	H90	5.8	3.7	At Hana Highway	Gates open, water flowing downstream below intake
West Wailuaki	Full	6	n/a	Above Hana Highway	Gates open, water flowing downstream below intake
Wailuanui	Full	6.1	n/a	At Hana Highway	All intakes sealed (Category 1) water flowing downstream below intake
Ohia/Waihanu	None	4.7	n/a	None	No diversion
Waiokamilo	Full	3.9	n/a	Below diversion at Koolau Ditch	All intakes closed, water flowing downstream
Palaululu	Full	11	n/a	Above Hana Highway	All water either passing intakes or flowing out of the Kano sluice gate. Water flowing downstream.
Piinau	Full	14	n/a	Above Hana Highway	Intake sealed, water flowing downstream.
Nuaaiua	Connectivity	0.28	2.2	To Be Determined	Intake gate closed, water flowing downstream over dam
Honomanu	H90	4.2	4.2	Above Hana Highway	All 4 diversion sluice gates are open, water flowing downstream
Punalau/Koia	H90	4.5	2.9	Above Hana Highway	Sluice gate open, water flowing downstream below intake
Haiapuakona	Connectivity	4.9	1.36	Below Hana Highway	Intake gate closed, water flowing downstream, dam will require modification
Puhoikamaa	Connectivity	8.4	1.1	Below Hana Highway	Intake gate will be used to ensure water flowing downstream, intake dam will require significant modification
Wahinepee	None	0.9	0.9	Above Hana Highway	No diversion. Water flowing downstream.
Waikamoi	H90	6.7	3.8	Above Hana Highway	Center ditch sluice gate open. Water flowing downstream.
Hanaeoti	Full	2.54	n/a	Upstream of Lourie Ditch	Intakes sealed. Water flowing downstream.
Huele (Poulua)	Full	1.47	n/a	Downstream of Haiku Ditch	Lourie intake will require significant modifications & corresponding permit approvals / Haiku intake sealed
Honopou	Full	6.5	n/a	Below Hana Highway	Three sluice gates open, one intake sealed. One of two Waialeale intakes sealed, water flowing downstream



**EXHIBIT D – EMI TRASH REMOVAL**





**EXHIBIT D – EMI TRASH REMOVAL (Continued)**





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**EXHIBIT D – EMI TRASH REMOVAL (Continued)**





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**EXHIBIT D – EMI TRASH REMOVAL (Continued)**





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**EXHIBIT D – EMI TRASH REMOVAL (Continued)**

