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COUNTY OF MAUI

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case  
Regarding the Continuation of Revocable  
Permits (RPs) for Tax Map Key Nos. (2) 1-  
1-001:004 & 050; (2) 2-9-014:001, 005,  
011, 012 & 017; (2) 1-1-002:002 (por.) and  
(2) 1-2-004:005 & 007 for Water Use on  
the Island of Maui to Alexander &  
Baldwin, Inc. (A&B) and East Maui  
Irrigation Company, LLC (EMI) for the  
remainder of the 2021 RPs, if applicable,  
and for their continuation through the end  
of 2022

DLNR File No.: CCH-LD-21-01

DECLARATION OF TONY LINDER

**DECLARATION OF TONY LINDER**

I, TONY LINDER, hereby declare as follows:

1. I am the Water Treatment Plants Division Chief for the County of Maui,  
Department of Water Supply. I have worked in this capacity since December of 2012. Prior to  
that, I worked as the Water Treatment Plant Operations and Maintenance Supervisor for the  
Western District since January of 1998.

2. In this capacity, I manage six facilities which treat surface water to conform to drinking water standards. This includes the Kamole-Weir Water Treatment Facility, the Piiholo Water Treatment Facility, and the Olinda Water Treatment Facility in the Upcountry Service Area.

3. In managing these systems, I assure that my staff provides daily water use logs to the Department of Water Supply from each of the Water Treatment Facilities that I manage.

4. Exhibit Z-1 is a true and correct copy of the Department of Water Supply, County of Maui Annual Report for FY 2020. Included in this report is information regarding the average daily water production at the various treatment plants which I manage. This document is publicly available.

5. Exhibit Z-2 is a true and correct copy of the October 2021 Water Treatment Facilities Report which provides the average daily usage for the Month of October 2021.

6. Exhibits Z-6 through Z-9 are various charts providing the daily water production and available supply at the various water treatment facilities and wells.

7. I also monitor reservoir levels for various reservoirs in Upcountry Maui, including the Waikamoi, Kahakapao and Piiholo Reservoirs.

8. When anticipated water demand from a particular water system is projected to exceed available water supply by one (1) to fifteen (15) percent, Maui County Code § 14.06A.060 provides that the director of Water Supply can designate a Stage 1 Water Shortage to limit water usage by customers.

9. On June 24, 2021, a Stage 1 Water Shortage was declared for upcountry Maui to take effect on July 2, 2021. This was the result of drought conditions in upcountry Maui, which caused the reservoirs supplying the County's Piiholo Water Treatment Plant to be below 50% of

capacity. In addition, drought conditions also caused the water available from the Wailoa Ditch to be variable.

10. Exhibit Z-3 is a true and correct copy of a press release dated June 24, 2021 announcing that a Stage 1 Water Shortage would take effect on July 2, 2021 for customers of the Upcountry System.

11. Exhibit Z-4 is a true and correct copy of the Notice of Declaration of Stage 1 Water Shortage signed by the Director of Water Supply.

12. During drier conditions when the various reservoirs supplying the Piiholo and Olinda Water Treatment Plants are low, the County pumps water uphill to supplement water for delivery and storage in the reservoirs.

13. Reservoirs eventually returned to near capacity as a result of heavy rains, and the County ended the State 1 Water Shortage for Upcountry Maui on October 22, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Wailuku, Maui, Hawaii, December 1, 2021.

  
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TONY LINDER

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STATE OF HAWAII

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Regarding the Continuation of Revocable  
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CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this date a true and correct copy of the foregoing document,  
was duly served upon the following individuals as follows by email at their last known address:

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*Hearings Officer*

DATED: Wailuku, Maui, Hawaii, December 1, 2021.

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By

  
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