

JAN 21 2020

SENATE CONCURRENT RESOLUTION

URGING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO ESTABLISH AN UPDATED SUSTAINABLE YIELD FOR THE KUALAPUU AQUIFER SYSTEM THAT INCORPORATES THE FINDINGS OF THE UNITED STATES GEOLOGICAL SURVEY'S CENTRAL MOLOKAI GROUNDWATER RECHARGE AND AVAILABILITY STUDY TO PROTECT NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES AND THE FUTURE WATER SELF-SUFFICIENCY OF MOLOKAI.

1 WHEREAS, Moloka'i is a cultural kīpuka, and one of the last
2 remaining places where families continue to engage in Native
3 Hawaiian traditional and customary practices as a critical part
4 of their subsistence and agricultural lifestyles; and
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6 WHEREAS, the health and abundance of Moloka'i's water
7 resources are vital to the life and lifestyles of Moloka'i's
8 residents, and to the perpetuation of the Native Hawaiian
9 traditional and customary gathering and farming practices upon
10 which they rely; and
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12 WHEREAS, competing and growing demands for Moloka'i's
13 groundwater resources by public and private entities have
14 resulted in decades of conflict and community concern, including
15 with regards to potential impacts on coastal discharge and the
16 nearshore ecosystems upon which Native Hawaiian traditional and
17 customary practices depend; and
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19 WHEREAS, the concerns of Moloka'i's residents have been
20 heightened in recent years due to the potential sale and further
21 development of Moloka'i Ranch, which has submitted a renewed
22 water use permit application for groundwater in the Kualapu'u
23 aquifer system, as well as an increased understanding of the
24 impacts of climate change on weather and rainfall patterns; and
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26 WHEREAS, to help address these concerns, the United States
27 Geological Survey, with support from the Office of Hawaiian



1 Affairs, Department of Hawaiian Home Lands, and Maui County
2 Department of Water Supply, has undertaken a Central Moloka'i
3 groundwater recharge and availability study to determine the
4 impacts of additional groundwater withdrawal scenarios on
5 Central Moloka'i's water resources; and
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7 WHEREAS, the study includes United States Geological
8 Survey's Central Moloka'i groundwater model, a best-available
9 tool that considers up-to-date land use maps and projections,
10 best available rainfall and evapotranspiration data, and
11 detailed daily model and spatial information, including well
12 distribution information, not considered in previous groundwater
13 availability and recharge models; and
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15 WHEREAS, unlike current groundwater models, the United
16 States Geological Survey's study focuses particularly on the
17 impacts of various water withdrawal scenarios on water and
18 salinity levels near existing wells and on coastal groundwater
19 discharge; and
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21 WHEREAS, the United States Geological Survey presented its
22 preliminary findings to Moloka'i community members on June 1,
23 2019, to answer questions and receive the community's mana'o,
24 including updates on pending water use permit applications from
25 the Department of Hawaiian Home Lands, Maui County Department of
26 Water Supply, and Moloka'i Ranch; and
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28 WHEREAS, the United States Geological Survey's presentation
29 has raised significant concerns regarding the sufficiency of
30 current groundwater models in preventing impacts to groundwater
31 availability, salinity, and coastal discharge; and
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33 WHEREAS, the State Water Plan requires the Commission on
34 Water Resource Management to use the best information available
35 to determine the sustainable yield of a water source as the
36 maximum rate at which water may be withdrawn from a water source
37 without impairing the utility or quality of the water source, to
38 help ensure sufficient availability of water for present and
39 future generations, and to inform water management decisions
40 including the Commission's consideration of water use permit
41 applications; and



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2 WHEREAS, the sustainable yield of a water source should
3 consider and minimize impacts to constitutionally protected
4 public trust purposes of water, including Native Hawaiian
5 traditional and customary rights and water reservations for the
6 Department of Hawaiian Home Lands; however, this has not been
7 the case; and

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9 WHEREAS, the preliminary findings of the United States
10 Geological Survey's presentation suggested that the sustainable
11 yield for the Kualapu'u aquifer system may be up to twenty
12 percent less than what is currently recognized, from 5,000,000
13 gallons of water per day to as little as 4,000,000 gallons of
14 water per day, based on actual and projected well distribution
15 and withdrawal information; now, therefore,

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17 BE IT RESOLVED by the Senate of the Thirtieth Legislature
18 of the State of Hawaii, Regular Session of 2020, the House of
19 Representatives concurring, that the Commission on Water
20 Resource Management is urged to establish an updated sustainable
21 yield for the Kualapu'u aquifer system that incorporates the
22 findings of the United States Geological Survey's Central
23 Moloka'i groundwater recharge and availability study to protect
24 Native Hawaiian traditional and customary practices and the
25 future water self-sufficiency of Moloka'i; and

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27 BE IT FURTHER RESOLVED that the Commission on Water
28 Resource Management is urged to defer any decision making on
29 water use permit applications for non-public trust purposes of
30 water from the Kualapu'u aquifer system until the completion of
31 the United States Geological Survey's study and the revisiting
32 of the sustainable yield for the Kualapu'u aquifer system; and

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34 BE IT FURTHER RESOLVED that certified copies of this
35 Concurrent Resolution be transmitted to the Governor,
36 Chairperson of the Board of Land and Natural Resources, Deputy
37 Director for Water Resource Management, Chairperson of the
38 Hawaiian Homes Commission, Chair of the Board of Trustees of the
39 Office of Hawaiian Affairs, Mayor of the County of Maui, Chair
40 of the Maui County Council, Director of the Maui County



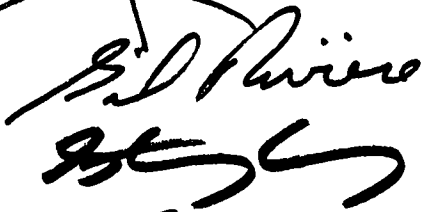


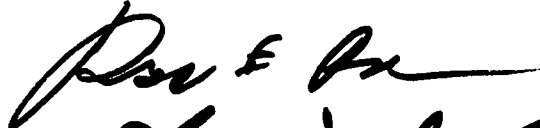


S.C.R. NO. 22

1 Department of Water Supply, and Chief Executive Officer of the
2 Council for Native Hawaiian Advancement.

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OFFERED BY:


Kurt Fozella

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