

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
WATER, LAND & HAWAIIAN AFFAIRS**

**Friday, February 7, 2020  
9:30AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 2518  
RELATING TO THE COUNTY OF MAUI**

House Bill 2518 proposes to authorize the Director of Finance to issue general obligation bonds to the County of Maui for the upgrade of that county's R-1 water delivery systems and the Department of Land and Natural Resources (Department) for the upgrade of certain water reservoirs located in the forest watershed areas on Maui. **The Department opposes this measure, specifically as to SECTION 3.**

SECTION 3 of this measure appropriates funds to the Department to engage in planning, design, land acquisition, construction and equipment for the purpose of upgrading nine (9) reservoirs as identified in this section. Most of the reservoirs identified for funding are under private ownership or management. The Department would have no authority to conduct work on those facilities. The Department is opposed to utilizing public funds to develop and improve private facilities, because of, inter alia the obligation that may arise for continued maintenance into perpetuity. Furthermore, the Department is opposed to acquiring ownership of these facilities. Although this bill may provide funding for the initial upgrade work, there is no additional funding provided for the long-term operation and maintenance of these facilities. Ownership of these facilities incurs significant regulatory obligations and legal liability, and the Department lacks the resource and expertise to adequately manage these facilities. Imposing a duty as a supplier of non-potable water is outside the Department's mission to manage and protect the State's natural, cultural, historical and recreational resources.

The Department administers the Hawaii Dam and Reservoir Safety (dam safety) program, and any proposed work on these dams and reservoirs should be evaluated by the dam safety program to see if a dam construction or alteration permit is required. Dams and reservoirs of all sizes pose a risk to the public if they are not operated safely and should be constructed to current standards of practice. Although we understand the many benefits that dams and reservoirs provide to the community, these resources need to be designed and managed appropriately.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Additionally, these dams and reservoirs are part of a larger water system that include diversions, ditches and distribution systems. A more comprehensive study by the County is recommended to evaluate all the options for getting the R-1 water from the County treatment plant to the reservoirs and to the distribution systems. Consultation with the end users and the owners of the distribution systems of this R-1 water should be consulted to verify that this proposed plan does not have any adverse impacts.

Lastly, the Department takes no position regarding the funding to the County of Maui as proposed in SECTION 2.

Thank you for the opportunity to comment on this measure.

Council Chair  
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Director of Council Services  
Traci N. T. Fujita, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 5, 2020

TO: The Honorable Ryan I. Yamane, Chair  
House Committee on Water, Land, and Hawaiian Affairs

FROM: Alice L. Lee   
Council Chair

SUBJECT: **HEARING OF FEBRUARY 7, 2020; TESTIMONY IN SUPPORT OF HB 2518, RELATING TO THE COUNTY OF MAUI**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to authorize the Director of Finance to issue general obligation bonds to the County of Maui for the upgrade of that county's R-1 water delivery systems and the Department of Land and Natural Resources for the upgrade of certain water reservoirs located in the forest watershed areas on Maui.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Water is a valued commodity and should not be disposed of without careful consideration.
2. Without increasing use of reclaimed water in the State, residents will encounter potable drinking water shortages caused by the overuse of potable drinking water for agricultural, landscaping, or firefighting purposes.
3. Using former plantation reservoirs to store reclaimed water will allow for easier access for agriculture and landscaping use for West Maui and will provide firefighters with efficient access to fresh water.

For the foregoing reasons, I **support** this measure.

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