

Submittal of the DHHL Water Use Permit Application to the State Commission on Water Resource Management in the Kualapu'u Aquifer System Area, Island of Moloka'i

Item G-2

**Hawaiian Homes Commission (HHC)
Meeting (online)**

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DHHL Kualapu`u WUPA Submission

I. WUPA and Public Trust Uses of Water

II. DHHL Water System PWS 230

III. WUPA Overview

IV. Possible Next Actions by CWRM

I. WUPA and Public Trust Uses of Water

- **Issued by the Water Commission**
- **Required in Designated Water Management Areas**
- **WUPA issuance is supposed to:**
 - **Limit and distribute pumping below "Sustainable Yield"**
 - **Protect Public Trust interests and uses in water**

I. WUPA and Public Trust Uses of Water

- the maintenance of waters in their natural state;**
- the protection of domestic water use;**
- the protection of water in the exercise of Native Hawaiian and traditional and customary rights; and**
- the reservations and uses of water for DHHL**

I. WUPA and Public Trust Uses of Water

- **Public Trust uses are to be satisfied BEFORE any private, commercial uses of water are considered**

II. The DHHL water system PWS 230

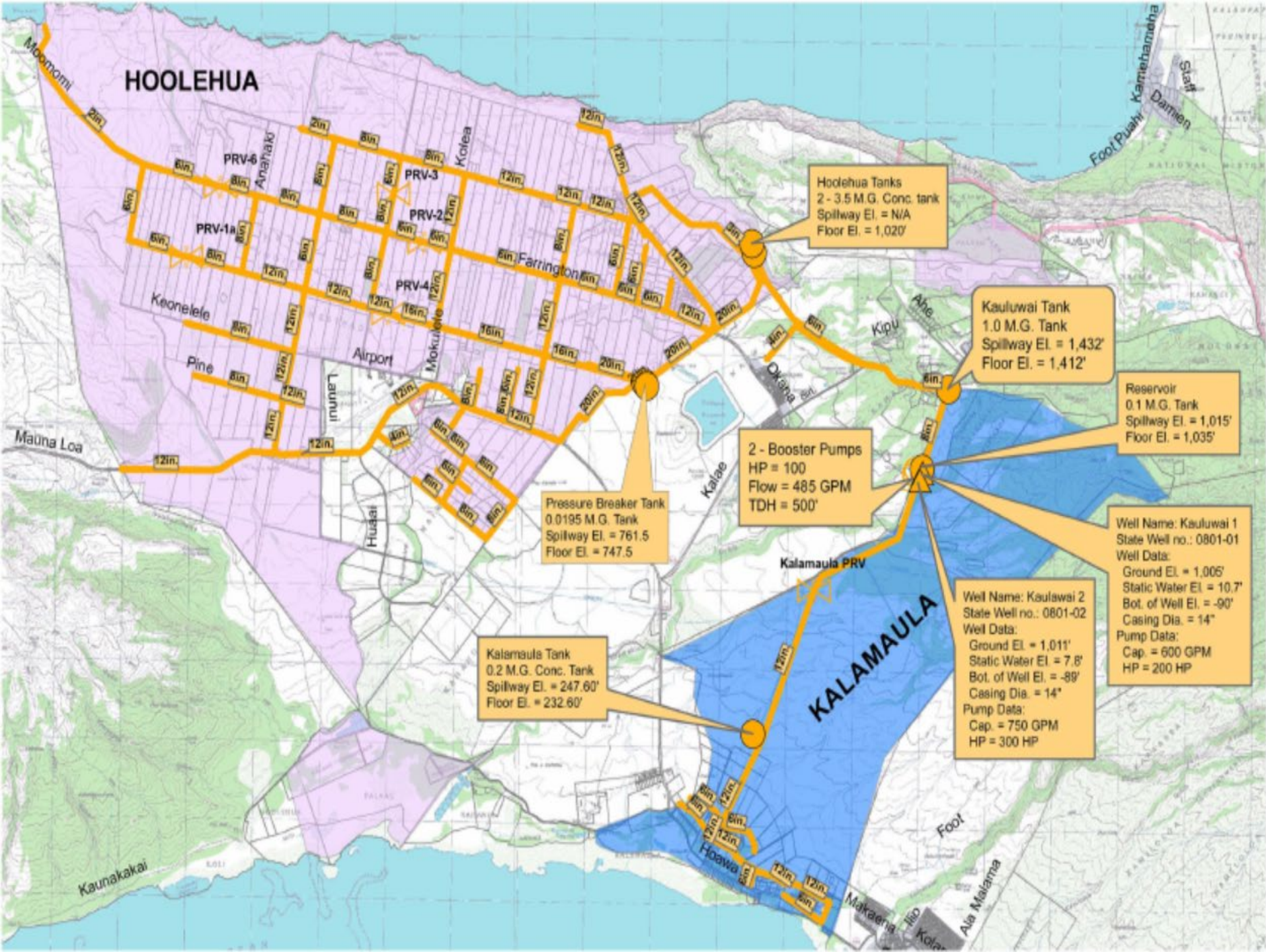
Location: Kualapu`u Aquifer System

Water sources: Kauluwai Well Nos. 1 & 2 to water tanks

Users: 2,400 customers & approximately 581 service connections:

APPROXIMATELY 33% OF ISLAND RESIDENTS

- Homestead users
- Homestead supporting uses
- Non Homestead Domestic uses
- Non-Homestead uses



III. WUPA Overview

- Current WUP allows .367
- GWUPA-N seeks .595 mgd total

III. WUPA Overview

- **Different ways of explaining proposal**
- **Detailed, specific uses**
- **New homesteading:**
 - **171 new, committed service connections for Kalama`ula mauka, Nā`iwa, and Ho`olehua**
 - **Up to 210 service connections for lots that can be created through subdivision**

III. WUPA Overview

- **Version 3: Public Trust and Non Public Trust uses**
- **436,600 gpd for recognized Public Trust uses of water**
- **158,400 gpd for non-Public Trust, reasonable beneficial uses of water**

III. WUPA Overview

- **Other issues discussed:**
- **Sustainable Yield**
- **Fit with CWRM Categories of Uses**
- **Previously Approved uses**
- **Proposed New Uses**
- **Consistency with applicable regulation**
- **Efficiency of Uses**

III. WUPA Overview

- **Other issues discussed:**
- **Alternatives**
- **Legal standard for reviewing the Impact on other PT uses**
- **Impact on other PT uses**
- **Proposed mitigation for other PT uses**
- **Interference with “other legal uses”**

IV. Possible Next Actions by CWRM

- Acceptance
- Publication of Notice
- Objections?
- Hearing
- Contested Case Hearing
- Approval
- Litigation?

Nīnau?

