

TRANSCRIPT OF JUNE 6, 2023 KILAUEA NEIGHBORHOOD ASSOCIATION MEETING DISCUSSING KALIHIWAI RESERVOIR

This transcript of the June 6, 2023 meeting of the Kilauea Neighborhood Association (“KNA”) was compiled using online tools, and checked for accuracy where possible. The recording of the meeting starts in the middle of the opening presentation by Tony Semedo, the then-President of the Kalihiwai Ridge Community Association (“KRCA”). Participants and speakers have been identified where possible.

Video of the Zoom Meeting is available at:

https://us06web.zoom.us/rec/play/6nHpfkUfj77Hdar6Yz-gDvdZq0tK8oce8zqAI6N6kVPH5PdJFy1jl-KRKWPwzRdj1BdOiwxZYWGwL6m.f3phfKA9tvXGxvXl?eagerLoadZvaPages=side%2Fmenu.billing.plan_management&accessLevel=meeting&canPlayFromShare=true&from=share_recording_detail&continueMode=true&componentName=rec-play&originRequestUrl=https%3A%2F%2Fus06web.zoom.us%2Frec%2Fshare%2F0oDCEsaZIZJKY7VtDb5erXAoC7qSmosRy1gx0TzZOLhRbiG6a4N56bfORM5FDRTd.YE47hd6F90vt6Y9q

Passcode: ^C1J8jKA

The KNA’s minutes of the meeting are attached, and available at:

https://static1.squarespace.com/static/6689a0bff6355114b9cec772/t/6689d66b90a8863caefb8954/1720309356052/KNA+Meeting+Minutes+2023_06_06+vF.pdf

Partial list of participants (from KNA meeting minutes and video)

Anthony Semedo, President, KRCA
Yoshito L’Hote, AHK and Kilauea Neighborhood Association
Gary Smith
Jeremy Burns
Beryl Blaich
Jake Bernard
Nadine Nakamura
Lorraine Newman
David Dinner
Mike Latif

Felicia Cowden
Bill Chase
Kapua Sproat
Sonrisa Stepath
Christa McLeod
Dr. Addison Bulosan
Elizabeth Letcher
Heidi Schemp
Kalena Pacheco
Mary Patterson
Sarah Wright
Thomas Daubert
Judy Gardner

Transcript:

[0:00]

Tony Semedo:....within six months of those permits from the state and the feds being issued, we will be fined \$20,000.

So clearly, we need to either do restoration or decommissioning within six months of receiving permits.

About three months ago, Porter Irrigation, Common Ground, as well as Kalihiwai Ridge, signed the Memorandum of Understanding with Yosh to allow him to proceed with trying to raise funds to restore the dam. As all of you are well aware, in order to realize the vision of expanding the number of acres that can be cultivated, and ultimately used to grow food, more water is going to be required. And the goal and hope was that that water could come from the reservoir.

That is still the hope. But as we've explained to Yosh, the challenge we have, obviously, is that with 181 homeowners, we cannot afford to get in a situation where we end up either with huge fines from DLNR or BLNR if we do not start construction within six months.

Additionally, we have been working with a local program project manager to hire someone to do the restoration work if we go in that direction or decommissioning. And at this point in time, where we stand is that if we do not, if Yosh is not able to raise funds within the time frame that we receive the federal and state permits, we will have to proceed with decommissioning.

[2:01] The projected cost of doing a full restoration is over \$10 million. And most of the dam owners on Kauai are finding that if they want to completely restore their dams, that's

Tony Semedo continued:

probably the neighborhood somewhere between \$10 to potentially \$20 million, depending on the condition of the dams would be required.

Most of these dams were constructed 70 to 100 years ago. They do not meet the current standards of safety. And DLNR's and BLNR's key concern is the safety of people who live downstream from these reservoirs. Initially, we thought there were only a few people that were living downstream of the Kalihiwai Reservoir. But over the last month, we've come to learn that there is additional construction that's occurring in the valley and there are probably more people in the valley than we had originally anticipated.

BLNR has reiterated that their number one concern is safety. They have classified this dam as high risk, and we have explored the possibility of challenging that, but based on the information that we received to date it appears that the likelihood of us being able to influence BLNR and DLNR to change the classification is very low. Therefore, the cost to do a full restoration is probably prohibitively expensive. There's no way that 181 homeowners of this association could afford to fund a 10 million dollar restoration of this dam.

So one of the requirements that BLNR asked us in our April meeting was to

[3:59] gather input from the community as to what are the thoughts about retaining or decommissioning this dam. We recognize on a personal level you need to understand that I have a fiduciary responsibility as the president of the association to move forward with the vote that was taken by the association some time ago, which was to decommission the dam. However we are willing to explore if funds can be raised going back to the association and seeing if we can get that decision changed as well as influencing BLNR and DLNR to allow us to restore the dam if Yosh can raise those funds.

My personal hope is that that could happen, but pragmatically my job is to move forward

Tony Semedo continued:

within six months of receiving the permits with decommissioning if there is no funding that's available.

So unless there are further questions what I'd like to do is to open this up to see if there are any comments from people who are outside of the Kalihiwai Ridge community as to your thoughts of us either decommissioning the dam, which means there would be no water available for either the easement holders for Yosh or for fire suppression or any other needs in the community going forward, versus doing a full restoration.

Yoshito L'Hote¹ - Fantastic thank you so much.

[talking over each other] Pardon? / Sorry thank you so much. Are you done? I'm sorry you're cutting out for a little while there.

Tony Semedo: Yes Yosh I'm done. I don't know if you want to add any comments [5:57] on from your behalf but yes I've completed the update that I wanted to provide.

Yoshito L'Hote: Well thank you very much because it's framing the actual situation today.

And like I said I'll probably reserve my comments for the end. But I really want to start with the history, and um this conversation of where does public trust end and when does the responsibility of owners start, and how do we prevent uh maybe the removal of a great asset for future generations. So um if you don't mind, Gary, you have the floor.

Gary Smith: Thank you. Hello everyone. Um, where do we start
I think Stone Dam would be a good place to start to understand how the water is tied in and that Stone Dam was built in 1881. It collects water from two streams, the

¹ Although the Zoom recording shows the speaker as “Jennifer Waipa,” Mr. L'Hote's spouse, it is in fact Mr. L'Hote speaking.

Gary Smith, continued:

Pōhākohonu and the Halaulani, and that those two streams become the Kahiliholo and they meet at Stone Dam. I mean they converge above Stone Dam, and Stone Dam is where the water is collected.

Most of this water from Stone Dam was sent directly to the mill, on a mill ditch, and the other portion of water was tunneled through Kamo'okoa Ridge to service all the way to Waialakalua Reservoir.

Kalihiwai Reservoir was built roughly -- I don't know the exact date -- roughly around the turn of the century or before the turn of the century, because by 1912 Kalihiwai Reservoir was in operation. Kalihiwai Reservoir

[8:00] primarily served because none of the fields below Kalihiwai Reservoir were irrigated fields. All of the fields all of Kalihiwai's Reservoir water was contributed to Stone Dam, and the main ditch that went to the mill.

So Kalihiwai Reservoir was basically fed from one diversion off of the Pōhākohonu stream, and other than that runoff water surface water that came in through the forest reserve land into Kalihiwai Reservoir much as it does today.

In 1923 the plantation who owned the rights, Kīlauea Sugar Company in the Ahupua of Kīlauea, Charles Titcombe had obtained the water rights not only for Kīlauea but he had the water rights for the Kalihiwai River as well as the Pōhākohonu, which is in Kalihiwai Ahupua'a. River which is in Kalihiwai Ahupua'a.

So the plantation in 1923 created a siphon, a wood siphon, that went down into Kalihiwai Valley and back up the other side and through a long ditch about seven miles or so went to the back of Kalihiwai Valley, and had a diversion there which they brought that water

Gary Smith, continued:

to optimum elevation on the Hanalei side. And the ditch was called the Hanalei ditch even though it was in Kalihiwai. It's because it's Hanalei side. So that Hanalei ditch then sent the water via a siphon which is probably I would say about four feet in diameter,

[10:00] a redwood siphon that went all the way down into the valley and came back up on the other side. So at that time the reservoir had to be enlarged and strengthened. So that much more water would be going into Kalihiwai Reservoir after 1923.

At the close of the plantation and the close of the diversion ditch off of Kalihiwai, off Pōhākohonu Stream, and the closure of the of the siphon the only water that services, that goes into Kalihiwai Reservoir, is only runoff water. It doesn't come from any ditch or any river or any stream it comes directly from all the water that comes down through Kalihiwai Ridge mauka into that drainage basin there.**

Kalihiwai and Ka Loko Reservoir are two different issues, and unfortunately with the state being so concerned about liability and loss of life and you know -- and rightfully so -- has looked at Kalihiwai Reservoir as a threat. Whereby there's a couple differences between Kalihiwai Reservoir and Ka Loko.

Kaloko was the largest reservoir by volume in the state of Hawai'i. and if I would say if 40 feet deep at its deepest level or more, there's a very deep reservoir. The spillway originally went over the dam, so part of the dam was the spillway.

Kalihiwai Reservoir was Kīlauea's third largest reservoir.

[12:02] It's a relatively shallow reservoir, and the spillway is not part of the dam. The spillway happens to be the um along the Hanalei side of the reservoir, as you come across the dam and you head back up mauka on the Hanalei side. The spillway is located on land that is solid land. Never been part of the dam. It's ...so it's not compacted and it's

Gary Smith, continued:

not man compacted. It's compacted by nature for hundreds of thousands or millions of years.

So with the big rain that they had in um, I forget the year but 2019 or 18, that ...that devastated, uh, Wainiha, Hanalei, and then Kalihiwai also got heavily battered by the big rain, there was a danger of the reservoir overtopping.

But the reservoir never overtopped. And that's because one of the reasons why it had the risk of overtopping was that the small drainage gate it hadn't even reached the spillway level yet, but the small drainage gate had been plugged by surfboards and kayaks and all kind of things that were in the in the reservoir at the time. So in conversation with Lee Gushiken, who was there at the time at the during that flood, that's when they made the decision to dismantle the .. the throwaway water gate, and dig it all up, and then open that spillway to make it wider. And I believe the spillway has been made even wider today So the dam in all its history never overtopped.

[14:01] And the worst that the dam faced was in 1955 when they had 43 inches of rain in 36 hours and the dam never overtopped then, but of course they have good they had good management during the during that time to open the floodgates and make sure that all the water was released that before it even tried to overtop the dam.

That's all I can think of for now, and I'll

Yoshito L'Hote I think you can also talk a little bit about the ownership and the water rights because that's a fundamental part.

Gary Smith: yeah OK in 1863 when Charles Tickham purchased the ahupua'a of Kīlauea, somehow I don't know how it happened or what or what transpired, he also got the rights from Kamehameha IV for the water of Kalihiwai Valley. The water of the Pōhākohonu and the water from the Halaulani.

Gary Smith, continued:

And so he controlled those water rights when Robert Wiley of Princeville bought the awapua'as of Hanalei, Kalihikai, and Kalihiwai and went into the sugar business. He tried to develop a sugar, not he, excuse me, he was not interested in using any of that water because his sugar business was in Hanalei Valley. And so he had plenty of water in Hanalei Valley, so he was not interested in any of that.

So somehow during that time, Charles Titcombe got those rights, and he put the first diversion in, and they called it the Titcombe Ditch.

[15:56] Then in about 1870, Princeville Plantation, who was the successor for Wiley's Princeville Sugar Company, decided that they had to move out of Hanalei Valley or to increase their sugar acreage. They needed to farm the plateau of Kalihikai and Kalihiwai.

The only problem with Kalihikai and Kalihiwai was there was no water. And so what they did was dug a ditch on the Hanalei side of the valley towards, the, um, towards their plantation and to service the fields in the Kalihiwai-mauka plateau.

Then after doing that, they decided, well, we have flat land, arable land, on the Kīlauea side of our Kalihiwai-ahupua'a, and that is much of what is now the Kalihiwai Ag Subdivision. So they attempted to do that, and Kīlauea Sugar Company said, hey, wait a minute, you guys don't own any of that water. That we own those water rights, and that you cannot develop this land because we have the water rights already.

So they went to court, Kīlauea's water rights were upheld, and when Princeville Plantation eventually went out of business, Kīlauea Sugar Company then resumed the use of the Hanalei ditch for their Kalihiwai Reservoir by making a siphon in 1923.

Gary Smith, continued:

[17:59] So the water rights go basically with the successors of the Kīlauea ahupua‘a, and that's why the plantation, who was the owner of the Kīlauea ahupua‘a, became the successors for the water rights of that Pōhākohonu and the Kalihiwai River.

So, yeah, any questions?

Yoshito L’Hote: And I guess the next step is that's how Brewer and Common Grounds and Wai Koa got their easement rights and how the reservoir, the homeowner association that was created where the fields used to be, to be developed into all the lots that KRCA owns, basically are the owners of those water rights. But in the state of Hawaii, the state owns the water as a public trust. And if the state owns that water, then they need to resolve this situation in Kalihiwai where private ownership seems to go in opposition with the standing of the state.

And if the state wants to do that, then they need to do it. And if the state wants to uphold their position, then there needs to be a conversation on how much responsibility, liability, and financial duty the state can provide to those homeowner. And that is why that history is relevant, is because it talks about the old, the creation of the system and who had the rights for it. And our modern situation today, which is very different.

[20:00] And how does that two things are going to evolve and how that conversation can take place? So I will open the floor for everybody to chime in.

Obviously, thank you so much, Nadine, for taking the time to be there today, tonight, to be here. And maybe you might want to chime in after. But if you want to go first, I will leave you the the option, whatever you want. For the state perspective, I'm sorry, if everybody doesn't know, Nadine Lacombe Roy is our representative for our district. She's been doing a great job at the leg, and she's very involved since the very beginning and we appreciate her being here at the meeting tonight.

Nadine Nakamura: No, thank you, Yosh, for the invitation that you sent over and I'm happy to be back home and happy to be a part of this conversation. I'm here to listen, and just what I've heard so far from, from Tony and Gary has been very educational for me.

I'm just, you know, I've had many conversations over the years about the issues and I'm happy that it's been brought, it's on your agenda today, so I'm here to listen and to see what we can do moving forward . And maybe I'll add some comments at the end.

Yoshito L'Hote: Thank you so much. So please chime in. There's three pages of participants, so I'm very happy to see there's 70 plus people that join in. I'm going to keep checking. If you put your hand up, then I will afford you the ability to speak next.

Jeremy Burns: For everyone who doesn't know, there should be a button at the bottom.

[21:55] It may say something like reactions or something like that, and you can click on that, and there's an option to click raise your hand, and that's a good way for us to track who would like to speak, so look for that on your phone or on your computer at the bottom under reactions and try raise your hand.

Yoshito L'Hote: Wonderful. Thank you, Beryl. Go ahead.

You're muted. Sorry.

Beryl Blaich: Okay. I want to thank you, Tony, for your incredible synopsis of a complicated situation, and you, Gary, as usual, for amazing, clear, fascinating history. I was wondering, Tony, the price for preservation or reconstruction is \$10 million. What's the price for decommissioning? Is it just like, bam, it's done?

Yoshito L'Hote: You're muted, Tony. Okay. Can you unmute, Tony?

Tony Semedo: There we go. Beryl, the numbers I gave you are an estimate. The challenge we're having is that we cannot get an accurate or a final number on either decommissioning or restoration until the permitting process is done, because no contractors or project managers are willing to commit to pricing without knowing what the actual requirements are. So I would say the \$10 million could be higher, it just depends on the inflation that's occurred over the last three years.

In terms of decommissioning, the original estimate was 1.7 to two million dollars. We're assuming at this point that it's north of two and half to three and half million dollars. And at this point the easement holders and uh Kalihiwai Ridge that's what

[24:04] we're assuming if we have to decommission, uh we're going to have to basically fund that, and it would be, I would just say approximately three million dollars to decommission, um which we would split uh between uh Porter Irrigation, Common Ground, and uh Kalihiwai Ridge.

Beryl Blaich: Thank you.

Yoshito L'Hote: So yeah, anybody who has, like, background, um experiences, uh the significance of the reservoirs to them, I think that's part of the feedback that um DLNR was asking for. So please chime in and share if that's the first place you caught a white mouth bass, or that's where you learn how to swim, or if that's a part of your life prior to that with Ag and things like that.

Jake Bernard: Hey Yoshi can you hear me?

Yoshito L'HoteL. Yeah go ahead, Jake.

Jake Bernard: Hey, aloha uh my name is Jake.

And on those notes, as a kid being born and raised on the island of Kauai, I definitely would go up there and go reservoir fishing quite frequently, so I definitely had many experiences in my life sitting on there. Having clients that had property on the reservoir itself, and going out in kayaks and going out there and fishing and having a good time definitely was part of my life growing up. Even though Hanalei is cool, we would go up there quite a bit.

And also, you know, importance just something that's kind of been talked about a little bit but just the importance of water. As my shirts say at Garden Ponds, "Wai Ola", water is life,

[25:58] and so the importance of having sources of readily available water on the north shore of Kauai. I know it's so wet up here, but having that reservoir really is an important thing in my mind to you know preserve. So that's kind of you know coming from that whole thing having reservoirs we have availability if we do need to pull the water, and when we can especially for things like the Ag park. You know we are an agricultural community. I think that's one of the things that Kilauea stands very strongly on, so that's just kind of my two cents part that I want to add to that.

Yoshito L'Hote: Perfect, right on, Jake .

I can't watch all three screens at once. Go ahead, Lorraine.

Lorraine Newman: aloha am I unmuted

Yoshito L'Hote: Yep:

Lorraine Newman: So, I am no expert whatsoever and I am just learning. Thank you Gary that was awesome. I definitely second the importance of water as a resource. I mean it's precious I don't think I need to go on about that, we all get it. It sounds to me that the issue is financial, and um it sounds like we don't even know exactly what that is

but it's clearly a lot more to keep it than to decommission it. So I guess I would ask and maybe Nadine knows more about this, Yosh I know you've been doing a lot of work around this, but, um where could the money come from would be the first question. Second, if the money came, and we were somehow to keep it, what is involved in management, who would manage, the cost of management, does this mean the responsibility

[28:03] in terms of liability all that sort of thing would then no longer be with the Kālihiwai 181 homeowners, or just if we could keep it what would the scenario look like. that's my question um

Yoshito L'Hote: I guess I can try answer that question um right now uh the desire of the easement holder and the association is to no longer have liability and uh costs of management as a burden. And they are open, and this is part of the potential conversation that we will have uh if we demonstrate our capacity, to actually transfer all those assets into a new LLC that would have association with the non-profit AHK. What that would that do is that it would allow us to start communicating directly with the DLNR. The non-profit would help raise the funds, and um it would basically allow us to um really put everything under one roof to start having a very structured and uninterrupted direction and implementation uh which is very difficult right now because of the three different parties that agree to one thing, and then a few years later disagree on doing the same thing and things like that.

So that's one part of the answer to your question. The other question that everybody wants to know how the hell I'm gonna find 10 million dollars? Well, I'm still working on that one obviously, um but we believe that um ,at least for the easement holders, um they are willing to put the money for uh the decommissioning towards remediation if we were to

[30:01] implement that that that phase which would get us going you know with potentially almost uh um two million dollars initially, um and that would definitely help uh greatly.

The second um venue that we want to do is uh start structuring uh donations and being able to uh engage people that are passionate about water: neighbors that feel that it's an important asset; supporters of Ag and AHK uh to make donation towards yet another part of the money. With the non-profit we can also look at venues to get access to federal dollars, and that would probably require some support from state agencies or maybe county, but probably more like state agencies, as there's a lot of money available for restoration of water systems for surface water, for rural communities, which would all qualify for that. We also would like to bring partnership with the Department of Water and how they would benefit, by having surface water available for a lot of the farm lots around Kilauea area. Obviously there's a delivery issue um, but um they would be able to um sell a lot more of their water at full price because the Ag rate is 10 percent of the regular rate. And in our situation it's around ten million gallons a months, so there's quite a bit of money for them to be made if they were able to focus it on housing, and the incentive is also to help facilitate this next uh phase of development for the town of

[31:59] Kilauea with the acquisition that we will find out next month uh from the county of almost 50 plus acres on the plateau that could directly benefitting form uh some level of surface water, um but hopefully that's where we can find other partners to facilitate the availability of water to actually be able to implement some of the housing.

An then as a last recourse if we are successful to raise two-thirds or more of that money is to actually go to the Legislature and gauge their appetite to engage in a conversation and hopefully provide some, uh, financial support towards, um, uh, closing the gap, uh, to be able to, um, implement the, the, the remediation. And, um, I think that answers the financial side, maybe. Uh, did I answer your whole question, Lorraine?

You're muted.

Lorraine Newman: Am I, am I unmuted? I'm unmuted. Um, so yes, just one, that was great. Just one last piece of that. Um, there's a lot of asking, but it sounds like you have like your finger on what to ask and who to ask, at least a good idea. But, um, Tony, I guess Tony, um, mentioned that there was a six month time crunch or fines were to be made. And does this mean if you got the "go" to go forward and, and start asking for all this money that we have to have all or a percentage or what part of it would have to happen in six months, I guess.

Tony Semedo: Best that I can, um, offer you in terms of a direct answer is that DLNR and BLNR

[34:06] have been very, very frank in their assessment that once we have the state permits and the federal permits, we have six months to begin construction. If we do not, then the fines begin with \$20,000. And if we still have not begun construction within 90 days, 60 or 90 days, those fines can be increased.

Um, at this point, all I can tell you is that, uh, we don't know how long it's going to take for the state or the federal government to give us the permits. But in terms of looking at the ability to try to restore the dam, I would look at it as we have a six month window starting now. Worst case in terms of raising funds is that by November, we have all the permits. At that point in time, my fiduciary responsibility is to work with the easement to hire a project manager who we've identified, and then to begin the work that's required to decommission the dam.

If that permitting process takes longer, then obviously we have more time to raise the funds. Uh, you may be aware that on April 13th, DLNR, which basically manages and operates the Wailua Reservoir, have themselves indicated that they're proposing to decommission that dam.

So I'm very concerned that you have a state agency, which is responsible for the Wailua Dam, who can't even at this point commit to restoring that dam because they can't get the funds they need. So unless I think there is some

[36:03] significant support from the Hawaii senators in Washington, from the state, legislature, um, of, of Hawaii, then my concern is that it's going to prove difficult unless there are wealthy benefactors who are willing to, to support this effort to restore the dam, uh, to collect or raise those funds in that timeframe.

So while we are very supportive of retaining the reservoir, if it can be retained, we have a fiduciary responsibility to move forward. Otherwise, we can be sued not only by the state, but by the homeowner's association if they end up incurring fines because we did not begin decommissioning within six months of receiving the permits. And that's that they would sue the board of KAlihiwai Ridge for putting them in that position.

Lorraine Newman: Is there a, a timeframe upon finishing the project or just starting the project?

Tony Semedo: At this point in time, we have not been given a deadline on completing. What would occur is that once we have received the permits, once we have the project manager outline what it's going to take to complete the process, we will go back to DLNR and BNLR, give them our timeframe for completing the decommissioning -- or the restoration if we were able to do that. And I'm sure they will put additional requirements on us to complete it within that timeframe or to face fines at that point in time because we have not completed the work.

Clearly, the key focus here is to minimize any risk downstream of any of these dams relative to people who live below them.

[38:00] Whether or not these dams are high risk or not, that's a question for a different format or forum. You know, they've been in existence for a long time. There are ways to

mitigate these risks, but given the low tolerance for risks that exist today, I have very little hope that DLNR or BNLNR are willing to look at mitigations that would allow us to reduce the cost of a full restoration going forward.

Yoshito L'Hote: Thank you. Thank you, Tony. And yeah, it's just an action that needs to start. They just want to see some compliance happen 16 years later, 17 years later, because nobody has done anything. But it's important to note that Kalihiwai Reservoir is the only reservoir with that deadline. And that's something interesting to look at.

David was first and then Mike. Go ahead, David.

David Dinner: Thanks, Yosh. And I really appreciate all the information. This has been really well organized and beautifully presented. Yoshi, you alluded to the developments and that they might be affected by the amount of water in that dam. But I'm wondering, are they dependent on it? In other words, is the Kilauea growth in the future dependent on more water than we have? Or do we know? That's, I guess, the basic question.

Yoshito L'Hote We currently don't. We don't have enough water. They couldn't satisfy the restaurants and some of the upper housing in the new shopping center we wanted to see happen. The Christian Academy, the neighbor from KCSE, told me the same thing. They were not allowed to put bathroom in a new school building because they don't have the water to go flush the toilet in the school.

[40:05] So there's a total lack of water currently. There have been promises of finding a new site, of developing a new tank, of getting another pump. And we just have not seen anything actually happen. And it's been many, many, many years. So when they tell you it's going to be five years, it's not going to be five years. ...

Mike Latif: How can they plan all those houses without the capability of having the water?

Yoshito L'Hote: That's why currently they're not looking at having any houses for 10 more years. And I think we need to work on phasing the development and allowing for some level of construction and implementation to happen sooner than that. The trend is really dire and we're losing our working class. We're losing local people and it's going to collapse the society. We have to deal with this housing issue, which is inherently tied to the infrastructure issue. So that's why this conversation. This conversation is about ag, but it's also about just human use and the relationship with water, which is not being very valued. So I hope that answers your question.

David Dinner: It does. Thanks. Yeah, that's great.

Yoshito L'Hote: Mike and then Gary after. Mike?

Mike Latif: Hey, thanks, Yosh. Hey, Gary, that was a great history on the whole water system here. It seems like this is a pretty heavy knee jerk reaction to decommission this dam when we haven't had any issues with it or anything like that. Is there anything, Nadine, that we can put some, you know, put some common sense into this conversation with DLNR to kind of get them pulled back a little bit?

[41:59] Because it seems like they're kind of - like Yosh mentioned a minute ago, this is the only spot that actually even has a time limit and fines and all of that. And, you know, we managed to get past the 2018 rain and all sorts of other issues. And, of course, you know, not to belittle any kind of safety issues, but, you know, I'm sure there's things that can be done to maybe pull this back a little bit.

Nadine Nakamura: Yeah, thank you. I think it's something worth pursuing with DLNR, to bring some of the Yoshi and others to the table to have some discussions about some of the assumptions going into all of this and to see whether there's any room to redesignate. I'm kind of curious, Tony, about this issue about how many people are impacted downstream? You said you had recent information about that?

Tony Semedo: Yes, I don't personally have that information, but a survey was conducted. I can look into it. At one time, we thought there were only between one to three people that are living downstream. But we've come to learn that there is some construction that is going on in the valley. And that that number is going to increase. I can't give you the exact number today, but I'm willing to try to get you a more accurate.

Nadine Nakamura: If you can get that over to Yoshi, that would be super helpful. That goes to the assumptions behind who would be impacted. So that would be good to have going into the conversation with DLNR.

[43:59]

Tony Semedo: Yes, I can't tell you that. And we did share this with DLNR. We actually spent a day with DLNR. The board of Kalihiwai Ridge going through the risk assessment with them. And we did look at the floodplain simulation that was developed by Gannett Fleming. And that is the firm that is working with us to actually put together a plan to decommission the reservoir.

And if my memory serves me correctly. There was one point at which there might have been an intrusion of floodwaters with the failure of the dam that would be about somewhere between one to three feet that would have that would have impacted a couple of structures that were there. But that was based on the structures that they knew about historically. And so we need to go back now and look at the new structures that are being built there to see if they would fall into a deeper portion of the floodwaters if that dam were to fail.

Nadine Nakamura: Okay. And then I just.

Yoshito L'Hote: Oh, sorry. Go ahead.

Nadine Nakamura: No, I just wanted to say that I think, you know, the approach that you're taking, Yoshi, by talking to all the different stakeholders, including the water department, about substitution of potable water for agriculture, um, for future housing development is a really great angle and we should -- I think if we have this partnership approach where, you know, I'm very happy to see what we can do at the legislature. There was a bill that passed this year to provide grants or loans.

[45:59] I can't recall for the fixing and remediation of or the decommissioning and remediation of dams. It was, you know, a small amount of \$10 million. But it was a start. And I would like to follow up with Senator Gil Agaron, who introduced the bill. It was targeted for Maui. But in the end, the bill is a general statewide bill. So I want to take a look at -- because this is not just the Kalihiwai issue, it is a statewide issue. And so if we can have some more conversations about either how we tap into that fund, or maybe earmark some funds for this project.

Yoshito L'Hote: Wonderful, thank you. Yeah. And then the new couple that's moved down in the valley is Nathaniel and Dominique. And they have one girl, two girls. So it's, it was originally a one person that was downstream, and now it's five. But like Tony said, the actual impact to their structure is yet to be determined. So hopefully that answered the question. And Gary?

Gary Smith: Well, a lot of things have been discussed here. And a lot of things have come through in my mind. And as far as one can never underestimate or overlook the value of surface water. And that it's come to a point now, and it reminded me of the time that I went with a second grade class up to Kalihiwai Reservoir, just around during the pandemic. And all these kids had never seen a reservoir before. And they were playing around, you know, fishing and snooping

[48:00] around. And Uncle Jack Gushiken was there giving them the shpiel about the reservoir. And they had never seen it. And that led me to the recollection that during Hurricane Eva, that's how we got our water. But you can never overlook the value of

Gary Smith:

gravity flow of water. And that's how we flushed our toilets, got water to do whatever we had to do. If we if we needed drinking water, we could boil it. I never got that far. We used it for cooking, to boil, like cooking rice or boiling water that way. Because we didn't have water for I think about 10 days. And most of the people in Kīlauea, we were, we knew where to go for the water. And the water was at Common Ground. And it was coming off an old redwood pipe that serviced the drinking water for Kīlauea from the Pōhākohonu stream.

And that, you know, idea that we can have disasters. And at that time, where are we going to get our water from? And then Hurricane Iniki, we were fortunate that that water line, we didn't have to go up into Common Ground anymore to get water, although they were still running. We went down to Anini Beach, because Princeville had a generator, diesel generator that were able to pump out water, whereas the County of Kauai was all electrified. And, and it took a while before they could get their generators going and to get water restored.

The other thing is that over the years, the value of this water has decreased to a point where the needs are minimal.

[49:59] People have ag lots, they have, you know, they can afford to buy county water, potable water, and water their lawns, and water their landscape plants, and all that good stuff, because they can afford it. And that farmers cannot do that for too long and expect to make a living. They need to have a cheaper source of water. And the community is better served when, when ag water is used, when potable water is used for drinking and human use, rather than for farming.

So, the, and the County of Kauai basically has just one, last I knew, they had only one clarifying plant for water from Kalaheo Mauka, and all the rest of their water sources were from underground aquifers, all pumped up by electricity. And Kīlauea has, only two

Gary Smith, continued:

wells and two tanks, and they're all on Kamookoa Ridge. And so we're relying on that one aquifer to supply us on into the future. And so when you don't have a surface water option, then what happens when that aquifer goes too low and they have to stop pumping, or they have to reduce the amount of water? That's why places like Maui, they got water rationing and because water is not always available. And just because we have lots of rain and lots of water flowing around the place, it takes thousands of years for that water, for the water that falls today to go back down into the aquifer. So we cannot pump up any faster than it can be renewed. And that is a dilemma. And the Department of Water, just

[51:59] prior to the pandemic, I met with the Department of Water. They were very interested in an exploratory well at another property down along the highway by Mile Marker 22.

After the pandemic, the head engineer who was leading the charge for that retired, and the whole ball was dropped. And they were so gung-ho on this exploratory well, because it was right next to the highway and they could supplement the Kīlauea water. It could go to Waipake or it could go to Kīlauea. And so they were very enthused about it. And then all of a sudden, the enthusiasm just waned, and no one knew a thing about the project. And I had to go and see them and, you know, put fire under the 'ōkole. And so now I think they're foot dragging again.

And the whole context was for affordable housing, for new housing in Kīlauea and growth in the community that the water system now was inadequate to supply that and that it was not only inadequate, it was relying on one aquifer. So they dropped the ball on that one. I don't know if they're going to pick it up again and try an exploratory well there, but they need to get to do that. They need to do that. But anyway, that's all I have to say for now. Thank you.

Yoshito L'Hote: Thanks for the history. Because that's where we learn our lessons for the future. Jake, you were next.

Jake Bernard: Yeah, I was just curious on the prawn farms that are over by on, I guess, you know, the prawn farms, the four big prawn farms, they're about an acre each one, across the road, up the ridge. How do those how do those get their water? Is that water tied into that reservoir at all? Or is that a separate water source?

Yoshito L'Hote: Yeah, it's

[53:59] overflow from Kalihiwai, as I understand.

Jake Bernard: Do you happen to know any more information about that? Is that the overflow? Can you confirm that?

Yoshito L'Hote: Gary? [maybe Anthony knows].

Gary Smith: Yeah. There's two ways that they can get water there, because the. When Kilauea Sugar Company went out of business, and they formed Kilauea Agronomics International, they started prawn farming and guava farming. And the prawn ponds were fed from Kalihiwai Reservoir. So some of those pipes are still in there. In fact, all the pipes that go down into common, to Anaina Hou, they were originally taken off from where the prawn ponds began.

The other way that they got water was they pumped it out from Stone Dam with a diesel pump generator, diesel generator pump that was on the bottom of the road there, and they pumped the water out of the ditch that came off of Stone Dam. And of course, that was an expensive operation because you had to service the diesel engine and you had to pay diesel and all that. But so gravity flow was the chief way. And I think still today, the last remaining prawn ponds, they're fed from Kalihiwai Reservoir.

Jake Bernard: It's very important to take note on that, that that is also the gravity feeding of all those reservoirs as well. So by decommissioning this reservoir, it's also

Jake Bernard, continued:

going to affect all those prawn reservoirs, which is another source of water stability for the North Shore.

Yoshito L'Hote: Correct. Yeah.

[56:01] Felicia.

Felicia Cowden: Can you hear me?

Yoshito L'Hote: Yes.

Felicia Cowden: Okay. I was just going to say, I'm happy Gary to make an appointment with our new water department head, Joe Tate. I appreciate that Gary and Uncle Jackie, and myself and Brian, when he was heading the water department, we went and looked at the water and I'm sure Joe Tate would be very willing to go and have that discussion because we do really need to look at the water source, another water source for Kīlauea and he's eager to help. So I can, I can set that up.

Yoshito L'Hote: Wonderful. I love it. It's about working for the solution. Anybody else has comments?

David Dinner: You're muted, Yosh. I did.

Yoshito L'Hote: Sorry. Yeah, you heard most of my arguments already, so you don't have to get into too much detail on the position for AHK. But basically, we want to make the community more food resilient. We know that there's going to be more events, strikes, hopefully not war, that might impact our ability to receive shipping containers and the food they contain. And if we are not proactive towards doing that, and . Yeah. Yeah. If we are not proactive towards doing that,

Yoshito L'Hote, continued:

[58:00] trying to get food in the ground and people trained to become farmers and have a good life for them, then we will be facing, facing the music when it comes.

So I was just on a show with Felicia and Adam Asquith pointed out how agriculture does not depend on reservoirs and we shouldn't frame it that way. But he does agree that there is the need for surface water. And all the different uses and potential benefits we would derive from having those sources is undeniable. And unfortunately, we do not know what the future holds. And to have private owners' decisions and financial reality dictate our faith, I think, is what we are trying to address right now.

And I believe that we need to either beef up CWRM or create a water district for the state, start charging more money around the state for drinking water so that – and then if it's used for ag, it shouldn't necessarily just have a reduction in cost and use those revenues to support the reservoirs and their management and assist the landowners in managing this public trust. So that's what I'm going to say about that. Gary had his hand up one more time. So please close up for us, Gary. Thank you so much for your contribution. It's been absolutely invaluable, your sharing, your perspective, your understanding of how the history went, and your incredible memory to remember all those dates and everything, too. Give you kudos. And, yeah, we're just so privileged to have you with us. So mahalo for taking the time tonight.

Gary Smith: No problem. Glad to be here. Glad to use some of those useless facts and figures and dates.

[59:50] Anyway, I find it ironic that so far we've seen the fall of Morita Reservoir, which was touted as a bonus to – and we also have Waialakalua Reservoir and all these Ag subdivisions that were made around these reservoirs that the – one of the assets or one of the beauties of being in these – these Ag subdivisions built by C. Brewer was that you had lakeside property or you had the rights to go fishing in there and all this good stuff.

Gary Smith, continued:

And that there were, and over time, fewer users of the reservoir, bona fide users of the reservoir's water, which has happened here at Kalihiwai.

And I can see, you know, I think – if the owners of Kalihiwai Ag Subdivision, 20, 30 years ago looked into the future and saw this, they would say – they would be saying to them, hell no, we need somebody else to own this reservoir, not us. But at the time, it was a badge of honor or a feather in the cap to have this sales bonus to the people. And it's unfortunate today that a private organization, homeowners' organization, is responsible for holding the water, which should be in the public's trust. And that should not be.

And there's a way that Kalihiwai Homeowners Association can pass on the ownership of this land and the responsibility to somebody else, that probably should have been done 30 years ago – but it's never too late. Now we face \$10 million dollars in improvement, or \$3 million in dismantling or decommissioning the reservoir – it's like uh oh. You know, here we –

So that's a tough questions, and it's going to depend on the state's resolve whether they treasure the ability to have a body of water as a stopgap measure for disaster or for farming or for whatever and that they have

Lake Wilson, in Wa- in Wahiawa, they have new water dam which feeds much of the City and County of Honolulu, relies on for their water source, their drinking water, and you know, you don't hear any calls especially new [...] or dismantle the dam, because they're in it right now and they need that water.

We don't know when we're going to be in that in the future when we're going to need that water. And so I think the State and the DLNR act so, partially or just you know strictly against a homeowners association to, to correct something or just decommission it, it sounds very short-sighted. And I think we need farsighted people in government to see

Gary Smith, continued:

into the future and to see what will happen, just as C. Brewer should have saw into the future and to see what would happen. Because they would have seen that they weren't around to be responsible for any of it in the in the final analysis, and left Kilauea Ag and the KRCA holding the bag. So anyway, amen hallelujah.

Bill Chase: Um am I unmuted

[64:02]

Yoshito L'Hote: You are.

Bill Chase: I am sort of echoing that, and it's something you said right in the beginning, Yosh, about the idea of a public trust. The water is a public trust, and DLNR is in charge of protecting and, and, enforcing that public trust.

And then the question, another way to sort of frame this whole issue is, what's the responsibility um in terms of fiduciary responsibility to make to make that happen. And that, it sounds like you're just working on that um in a lot of really creative ways and thank you for that

Yoshito L'Hote: well you're welcome uh yeah it's - it's the DLNR doesn't feel like having reservoirs is part of their kuleana, they feel like Department of Ag should be taking care of those assets and department of Ag is pretty defunct right now, and doesn't really have the capacity to even consider getting a whole new responsibility, so they kind of nobody wants to hold the bag. And that's why i was talking about CWORM, or finding some uh creating some other entity that would look at a proper management of water, whether it's storm storm runoffs, whether it's wastewater, whether it's pumping wells, whether it's surface water. I mean we need to have a comprehensive picture of what is being taken how much is being taken, for what use, where can we be more efficient where can we be uh proactive, replacing old infrastructure, not constantly repairing the

old one ,and having the financial mechanisms in place to support those visions. It seems seems like a very reasonable task from from our

[65:57] leaders so and if nobody else can i just i mean..

Bill Chase: So I would like to make a motion that we vote you as the head of a new private uh water company, ... then like you were saying earlier you can consolidate all of these questions, uh, make some of the decision making easier, make a non-profit that could be a target for donations and, and, with some momentum maybe get the State to start stepping up as well, so that there is a credible structure that DLNR can look at and say, okay, we can relax a little bit, because there's somebody out there who's going to take responsibility and have some capacity to actually do that. And maybe then they could kick in some money as well. I mean, I think it's a, it's a brilliant vision and it's, it's really worth pursuing. And if you were elected, would you accept it?

Yoshito L'Hote: No, I'm not going to be elected and I'm not going to run for that. Cause I'm certainly not going to pretend like I understand anything when it comes to water issue. And I'm very happy to see that Kapua has a comment and can chime in, in a conversation. So go ahead.

Kapua Sproat: Aloha mai kākou, and mahalo for the opportunity to join everyone this evening. I apologize for being tardy. My - I'm Kapua Sproat and I'm a resident of Kalihiwai and my family has been here for six generations, and have long stewarded our natural and cultural resources of this area.

We are privileged to have Aina, and actually our original kuleana that we received in the Mahele, is in the Valley of Kalihiwai that is, an abuts, that area abuts the river. And so I apologize for being tardy, I actually came directly from another meeting and so I'm very late to the

Kapua Sproat continued:

[68:00] game and missed most of the conversation that you folks have had around this. And so was mostly here to listen and hesitant to share my mana'o given that you folks have already spent a significant amount of time discussing this. But if there are about or if there are motions about to be made, I did have some info to share.

For those of you who don't know me. I well born and raised here in Kauai, and, and happy to be home again in Kalihiwai and have been living here for about three years now, but professionally I've spent the last 20 years or so working on natural and cultural resource management issues and water law in particular. In my day job, I'm a professor at the University of Hawaii at Mānoa's William S. Richardson School of Law, where I direct our Native Hawaiian Law Center, Ka Huli Ao, as well as our Native Hawaiian Rights Clinic. And so I have professionally I have some experience with the issues that you were discussing, and I understand the desire and this is in, I think, many communities to maintain plantation infrastructure. But I also think, when I guess I would add a little bit of context. I understand there's been some discussion and I wasn't privy to the whole thing with respect to the Department of Land and Natural Resources taking greater responsibility with respect to reservoirs.

But I think it's really important to put this the whole discussion in historical context. I also missed Yoshi's discussion of the public trust, which I think is very important for us to consider, because that's a legal mandate set forth in our constitution with respect to how water resources are managed. Here in Hawaii, our public trust doctrine is grounded in Native Hawaiian custom and tradition. And water is a resource that's held for the benefit of all. And individuals have usufructs, or use rights, to be able to

[70:03] utilize or manage water, but nobody owns it.

The sovereign, currently the state, holds that water interest for present and future generations. And so reservoirs like Kalihiwai I think are really important to consider because they're a legacy of our plantation infrastructure, much of which was installed

Kapua Sproat continued:

with often little consent or consultation with impacted communities and resources, including Native Hawaiians. Kalihiwai historically boasted lo'i and even rice paddies later in the lower valleys. And I remember my parents and other kupuna from this area talking about the Chase Birdhouse, and the rice paddies and fields, and other areas that were in Kalihiwai.

We are very blessed that Kalihiwai is actually a river. The way it's classified by the United States Geological Survey is it has such a substantial median flow that it actually is, is not considered a stream, it's a river because there's so much water.

But I would surmise all of us here understand that system to be like, well -- and I guess I -- taking a step back, that river has been vital to feed the muliwai area, the near shore marine area.

My grandfather, Boya Kanau [phonetic], was the last konohiki to actively manage the mullet fishery in Kalihiwai River, the akule fishery in Kalihiwai Bay, the he'e fishery, from Honopae all the way to Wanini. And we all understand now and scientists, I think, are beginning to appreciate the biocultural knowledge that Kanaka Maoli and other Indigenous people have had for many, many years, and the importance, the vital, vital importance of freshwater to our near shore marine areas and our fisheries and that whole ecosystem.

But all of us who are on this call tonight understand the Kalihiwai River system

[72:01] and its currently diverted state, because it's been impacted by plantation diversions. And what we see with the Kalihiwai Reservoir is a remnant of plantation agriculture. And I think across our Pai'aina, across Hawaii, people are really grappling with that legacy and are looking, because those diversions, including the ones in Kalihiwai, were installed, I would guess, without much consultation from the impacted

communities, both the humans who are living here as well as the natural resources in this area.

So I do think this is a really important opportunity for everyone to look at the impacts and to really strongly consider, if we're looking at decommissioning, what would that mean for the natural resources in that area? What amount -- my understanding is that there has not been a scientifically based interim in-stream flow standard set for Kalihiwai River. And so we need to consider, what amount of water is appropriate to go off-stream and what's necessary to maintain the in-stream needs that are supported by that.

So I understand, and the whole reason that the Department of Land and Natural Resources has done this statewide survey, and is looking at reservoirs and decommissioning, is because of what happened in Ka Loko. And so, yeah, Kalihiwai Ridge Estates and the folks who are legally responsible for maintaining that reservoir have a tremendous kuleana. And that's also why the Department of Land and Natural Resources is requiring the private owners of what used to be public trust resources to maintain a certain level of maintenance and other things in order to ensure the safety of all of those who are makai.

Ken Bernard: I can't hear you, Steve. I'm listening to the Zoom meeting of the Kilauea neighborhood meeting.

[74:01] Sorry, Ken, is that a question for me or is that a... I don't think so.

Kapua Sproat: Well, someone can also mute. Oh, yeah. Just muted him. So anyway, my mana'o is just that this is a very important discussion for our community, I think, to the degree that there are questions about what the legal responsibilities of the Kalihiwai Ridge Estates, kind of what... And I would really encourage... I would encourage that association to think very broadly and deeply about that kuleana and about the legacy of plantation agriculture in Hawai'i and in this community and sort of what the pono thing to do is. And that's why there are... I mean, the laws are pretty clear, both with respect to

dam maintenance as well as with respect to diversions and whether or not they are being maintained or whether or not there needs to be some amount of restoration.

And so I actually support... I'm interested in getting more information about what the process is and about the decommissioning and what studies are going to be done to determine actually what's necessary to support the natural and cultural resources. Because under the law and under the public trust, those in-stream needs and uses are considered first before any off-stream diversions, including for plantation agriculture.

So again, e kala mail, because I'm late to the conversation, so my mana'o is limited by just sort of my own thoughts about the issue and my understanding of what the law is, but interested to see how this process will move forward.

Yoshito L'Hote: No, thank you, Kapua. I think Gary wants to say something. Go ahead, Gary.

Gary Smith: Yeah. Aloha, Kapua.

[75:59] Welcome aboard. Anyway, you weren't here earlier, but I was explaining to the group the current situation with Kalihiwai Reservoir and that you're right. Back in the day, the plantation days, the Kalihiwai Reservoir was fed by two diversions. One of the original diversion of the Pōhākohonu, which comes from Charles Titcombe's water rights from Kamehameha IV. And that he had the water rights, he had the water rights for Kalihiwai, go figure, but he bought the ahupua'a of Kilauea.

That was contested later on by a Princeville plantation, and they lost to Kilauea Sugar Company for the water rights because they wanted to develop where Kalihiwai Ridge subdivision is now to put sugar in there, and use the Pōhākohonu. But they could not because it was legally held by Charles Titcombe, who then passed it on to Kilauea Sugar Company.

Kapua Sproat: What year was that? Gary, the case?

Gary Smith: In 1870 or so, there is a legal action from Princeville plantation against Kilauea Sugar Company for the water rights of .. Kalihiwai, East Kalihiwai Plateau, which is where Kahiliolo Road is, and that ag subdivision there.

So then in 1923, they also had... had the water rights for Kalihiwai River, Titcombe had, which they allowed Princeville Plantation -- because they didn't use Kalihiwai River at all-- They allowed Princeville Plantation to build a ditch and use the water to farm sugar up at the plateau of Kalihiwai, mauka.

Gary Smith, continued

And then when they went bankrupt and they went out of business,

[78:01] 1923, Kilauea Sugar Company went and restored the old Princeville ditch that was dug in about 1880 or 18, somewhere around there, 1880, 1885. They restored that ditch, the Hanalei ditch, and they created a siphon and took diverted water off of Kalihiwai River up back up into Kalihiwai Reservoir. So today -- and they chose that site because it's a drain basin for water that just leaches through the ground. .. Oh, I forgot the terminology. I always forget it.

But it's just, it's not spring water or anything. It's just like these very-

Kapua Sproat: A catchment?

Gary Smith: Not catchment.

Yoshito L'Hote: Tributaries?

Gary Smith: What's that? It's just, it's just, it's just, it's just water. So there are seepage streams that like the Pu'u Kumu stream is a seepage stream that it doesn't come from the mountains or aquifer or anything like that. It just comes from the seepage of the ground, which starts just below common ground now. And that's the Pu'u Kumu stream. So these

Gary Smith continued:

seepage streams, that was what Kalihiwai Reservoir was once upon a time, a small seepage stream, with probably no name. And most of the water that was collected in the mountain was caught by the Pōhākohonu and the Halaulani and then gone down to Stone Dam. So today, which does not really bode well for the future as far as if there is an intense drought, that you will not have much water in Kalihiwai Reservoir because it relies totally on surface water, seepage water,

[79:59] that probably would take about maybe 10 years, 40 years to go through the ground and come out, or even less than that to come out in a low area and then find its way back down into the Kalihiwai Valley.

And so they took one of those seepage streams and they dammed it up and then they diverted the Pōhākohonu to that Kalihiwai Reservoir. So by 1912, that was already done.

And then in 1923, they took more water, water from Kalihiwai River, one ditch worth, which is probably not much with an impact because the flow of Kalihiwai River is so high, is probably negligible impact on the whole system itself or the people farming rice down in the valley.

But nevertheless, today, it's one of the few reservoirs that doesn't divert any stream water, anything like that, any of the natural streams that occur in that area.

Kapua Sproat: But Uncle Gary, can I ask a question? But I'm confused. I thought you said it does take water from Pu'ukumu.

Gary Smith: No, no, Pōhākohonu is a stream that is below, that is as far, it starts in the drainage basement, basin of what is now Common Grounds.

Kapua Sproat: Right. Yeah. So I'm sorry, I thought what you said is that, that there were natural-

Gary Smith: It's water from the Pōhākohonu.

Kapua Sproat: Okay, right. You said that at the beginning. Sorry, I'm just trying to track. You said that it took water from Pōhākohonu, but you were also explaining about Pu'ukumu, and so I was just trying to make sure that I was-

Gary Smith: As an example of a seepage stream. And the Kalua Vili [phonetic] is also right next to Pu'ukumu, and that's a seepage stream as well. They don't, you know, so they have pretty stable flow, but they're not a type of stream

[82:01] where you would find O'opu and stuff like that. They're more muddy and slow moving.

Yoshito L'Hote: And Kapua, we have, thank you, Gary. We have a recording of this meeting, so I'll be happy to share that with you so you can go back and listen to the different input that people have given so far. And yeah. Yeah. If there's any more comments, otherwise we'll keep going with the rest of the meeting.

Sonrisa Stepath: This is Sonrisa here with a comment. Just that we can study stuff and we can have culture. I love all of it, but we also know the water cycle, which is very important. An important part of our water cycle is to have water available on the surface and a seepage down. And we know this cycle and you guys, we're, we just need to protect that and bog areas and seepage and that it just comes down to a good water cycle. And there's, that's the only reason needed, but sorry to bring it down to simple elementary terms is you have to have water around and going around to have water raining down, you have to have it be able to evaporate and being seeping. And so I really hope we can keep our reservoirs open.

Yoshito L'Hote: Thank you, Sonrisa. Yeah, definitely. As the beginning, I think of a conversation that is very complex, very long term. And we're just fortunate to have every one of you to participate and contribute to this conversation. We've been having a lot of support from a lot of people that are interested in having that conversation. So yeah, thank you, Kapua. Thank you,

[84:00] Nadine. You guys are the shakers and movers that that are making a difference for all of us and representing us. And if we can continue that conversation, that would be fantastic. So wonderful. Thank you.

Jake Bernard: IF you don't mind Yoshi.

Oh, Jake, one more time. One more time. Okay, last one. Last one. Out of curiosity, is the ditch that comes off Kalihiwai, the Hanalei ditch that comes off the Kalihiwai River, is that system still accessible or usable to this day?

Yoshito L'Hote: No, it's melted. There's remnants of it. If you hike up in the back of the valley, you can see the remnants of the redwood plume that was built, flume, but it is no longer working. Correct, Gary?

It's frozen. I think Gary's frozen. So, but yeah, I'm pretty sure there's no longer the capacity of Kalihiwai.

Gary Smith It's dismantled.

Yeah. Great. Okay. Thank you so much.

[end of conversation about Kalihiwai Reservoir]

Chat messages:

Mary Paterson, 26:21 - Is anyone else having difficulty hearing?

Kalena Pacheco, 26:42 - I can hear well.

David Dinner:26:50 - Sound is clear here, Mary.

Heidi Schemp, 51:13 - Climate Adaptation Plan workshops - Tuesday June 13th at St Catherine's school cafeteria and Thursday June 15th at Hanalei Elementary, both nights 5pm-7pm

Thomas Daubert, 51:37 - Reacted to "Climate Adaptation P..." with 👍👍

Christa McLeod, 01:16:59 - I agree wholeheartedly with Uncle Gary. As long as we can ensure the safety of the dam for downstream residents, there is nothing more rich than water. In the decades to come we can't anticipate how climate change will alter our resources. The mainland is already suffering greatly from drought and wildfires. It would be very shortsighted to decommission this gift of surface water. For residents and agricultural purposes, I believe we should pursue restoration of this dam for the betterment, self-sufficiency and sustainability of our community.

Mary Paterson, 01:22:19 - It's clear that this topic of water is SO important to the Kilauea community and that we really need to all work towards keeping the Kalihiwai Dam operational. I'm so appreciative of the efforts and information shared tonight and feel the State and Federal Government really needs to help with this goal.

David Dinner - 01:22:50 - Reacted to "It's clear that this..." with ❤️

Christa McLeod, 01:22:59 Reacted to "It's clear that this..." with ❤️

Heidi Schemp, 01:23:00 -

Reacted to "It's clear that this..." with ❤️

Elizabeth Letcher, 01:24:07 - I hope the State could consider creating a disaster fund that could mitigate the potential liability for private owners who have ended up with what should be a public good.

Jake's iPhone, 01:24:51 - Reacted to "It's clear that this..." with ❤️

Jake's iPhone, 01:25:37 Reacted to "I agree wholehearted..." with 👍

Mary Paterson, 01:36:53 -I thought Gary said that the Kalihiwai Reservoir doesn't take any water from Kilauea River - and the only water source is from rainfall and drainage.

Dr. Addison Bulosan -01:48:51 - Thank you everyone for the update and sharing your mana'o.