



PROTECTING WAI FOR WAI'ANAE

Groundwater management area designation
January 20, 2022

Stakeholder Advisory Group
boardofwatersupply.com

Wai`anae Groundwater Management Area Designation

- Hawai`i Water Law History Background
- Some Key Water Issues in Wai`anae
- What is the BWS Proposing?
- Why was Wai`anae not Designated?
- What Happens if Wai`anae is Designated?
- Some Community Questions so Far



Hawai`i Water Law History Background

- **Ancient times – Māhele (1848 – 52)**
- **Rise of the Plantations – Early Statehood (1852 – 1973)**
- **The “McBryde” cases, ConCon, and the Water Code (1973 - 87)**



Hawai`i Water Law History Background

- **The Water Code (1987)**
- **Determine “Hydrologic Units”**
- **Set “Sustainable Yields”**
- **Management in “Designated” and undesignated areas**



Permits in Non-Designated vs. Designated Areas

Undesignated Areas	Designated Areas
Well Construction Permit	Well Construction Permit
Pump Installation Permit	Pump Installation Permit
	Water Use Permit*

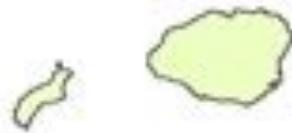
* Water Use Permit Applications have public notice and process requirements



WATER MANAGEMENT AREAS

FOR GROUND WATER ONLY

 Water Management Area



ISLAND OF OAHU

- North Sector
- Windward Sector
- Honolulu Sector
- Pearl Harbor Sector
- Central Sector



ISLAND OF MOLOKAI

- West Sector
- Central Sector
- Northwest Sector
- Southeast Sector



ISLAND OF MAUI

Iao System



STATE OF HAWAII
Department of Land and Natural Resources
Commission on Water Resource Management



WHY NOT WAI`ANAE?

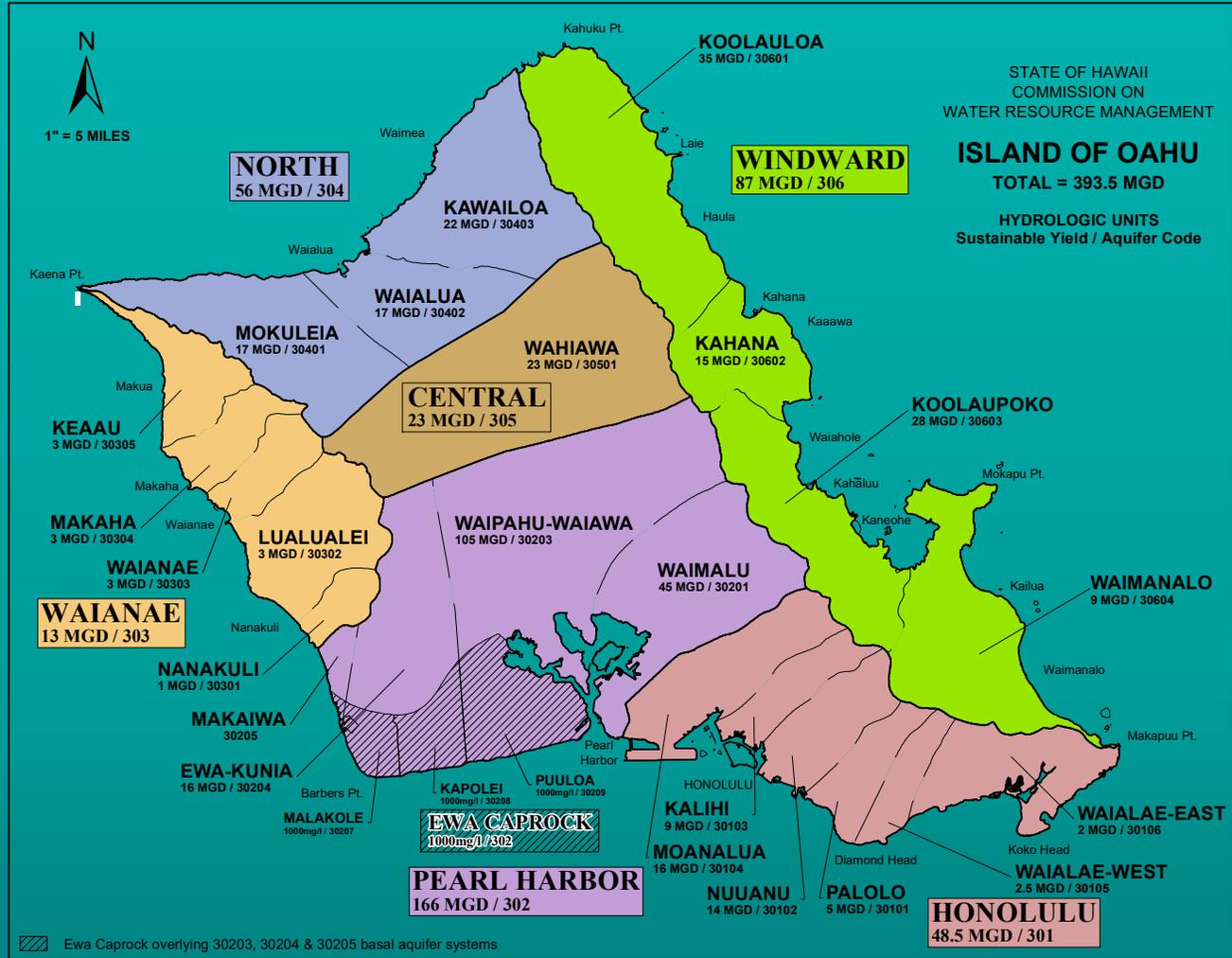
- **1961: Groundwater Use Act, HRS chap. 177**
- **1979-82: Pearl Harbor, Honolulu, & Waialua groundwater designated under older Act**
- **1987 Water Code enacted**
- **1988: Petition to designate Windward O`ahu; granted in 1992**
- **No one has petitioned to designate Wai`anae**
- **CWRM has not started the process either**



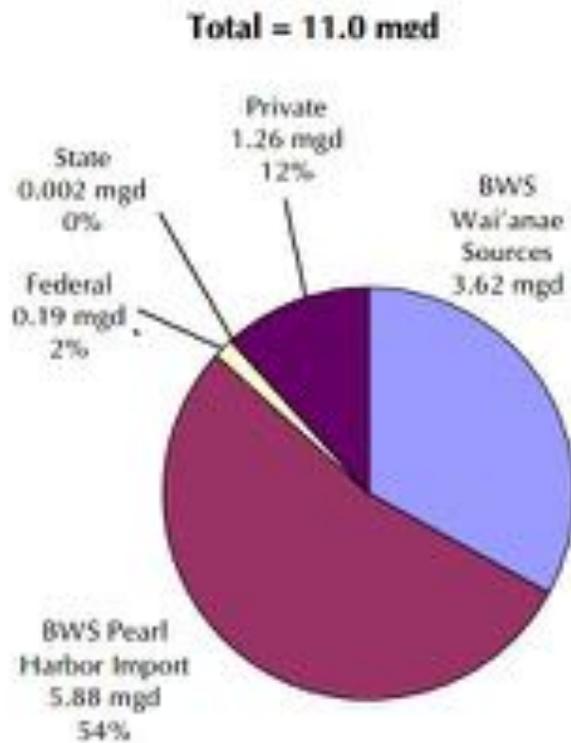
Some Key Water Issues in Wai`anae

- **Demand exceeds supply → water imports**
- **Climate Change (which can increase demand and decrease supply)**
- **Streamflow and watershed restoration**





**FIGURE 3-1
ESTIMATED WAI'ANAЕ WATER
CONSUMPTION BY WATER
INFRASTRUCTURE OWNER
(CY 2004)**



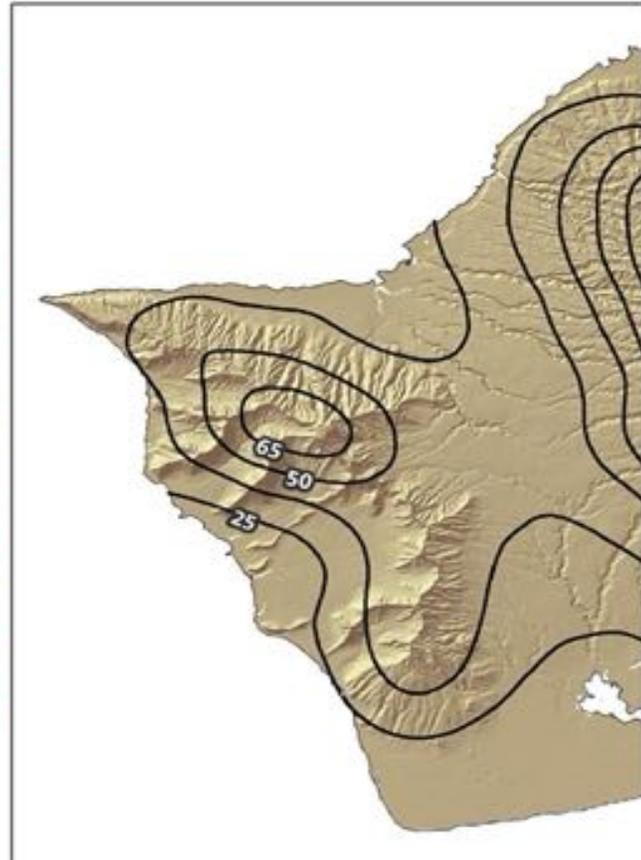
**More than 1/2
of Wai'anae
water is
imported from
the Pearl
Harbor Aquifer
Sector**



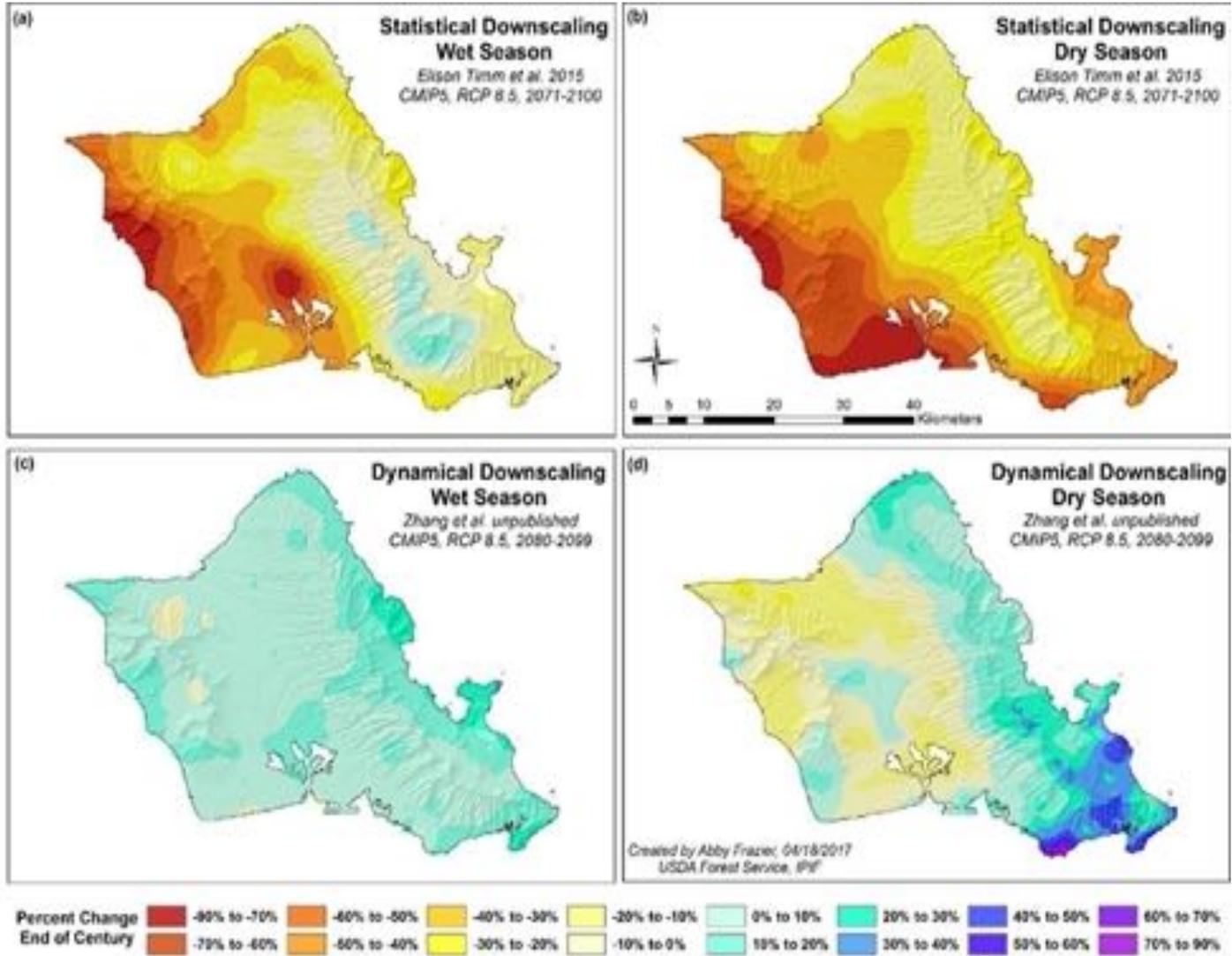
WATER USE DISTRICTS		SUBTOTAL	IMPORT	EXPORT	EFFECTIVE WATER DEMAND
1	HONOLULU	64.22	0.02	-	64.24
2	WINDWARD	13.13	-	0.02	13.11
3	NORTH SHORE	3.94	-	-	3.94
4	MILILANI	4.99	-	-	4.99
5	WAHIAWA	3.09	-	-	3.09
6	PEARL CITY-HALAWA	8.41	-	-	8.41
7	WAIPAHAU-EWA	37.07	-	6.24	30.83
8	WAIANAЕ	3.27	6.24	-	9.52
TOTAL:		138.11	6.26	6.26	138.11



**Mean Annual Rainfall has decreased in
Waianae 1970's – 2011 from 100" to 65"**



Wetter = "Best Case" Drier = "Worst Case"



WHAT IS THE BWS PROPOSING?

Designation of the Wai`anae Aquifer

Sector as a GWMA



DESIGNATION REQUIREMENTS AND CRITERIA

OVERALL: If the resources in an area *may be* threatened, the commission shall designate.

- 1. Planned use 90% of the sustainable yield**
- 3. Diminishing ground water supply**
- 7. Serious disputes over ground water use**



LEGAL TRIGGERS FOR DESIGNATION

- **Wai‘anae aquifer production meets the 90% criteria**
- **While BWS decreased Mākaha source production in 2020, authorized planned use in Mākaha could increase pumpage to 90% of sustainable yield.**
- **Climate change is impacting groundwater levels and stream flows**



WHAT HAPPENS IF CWRM APPROVES DESIGNATION?

- Non individual well users (BWS, Military, Ag, Golf Course) are required to prepare a Water Use Permit Application (WUPA) for each source, based on existing use.
- Existing water users have one year from the date of designation
- The permit application process is significant and permits can be challenged.



QUESTIONS FROM COMMUNITY

- **Why is BWS the entity petitioning for Wai`anae?**
- **Why does BWS need the Water Commission's help to protect groundwater resources?**
- **Who benefits from water management area designation?**
- **I thought water was taken away from Wai`anae?**
- **Will designation restore streams?**





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MAHALO!

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