

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 10, 2026

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

MAUI

NON-ACTION ITEM:

Information Briefing on the County of Maui, Department of the East Maui Water Authority’s Operational Capacity and Planning Related to the East Maui Irrigation System, Koolau Forest Reserve, Island of Maui, Hawai’i; Tax Map Keys: (2) 1-1-001:004 and 050; 1-1-002:002 (por.); 1-2-004:005 and 007; 2-9-014:001, 005, 011, 012, and 017.

APPLICANT:

County of Maui, Department of the East Maui Water Authority (EMWA)

LOCATION:

Koolau Forest Reserve

TAX MAP KEYS:

(2) 1-1-001:004 and 050; 1-1-002: 002 (por.); 1-2-004:005 and 007; 2-9-014:001, 005, 011, 012 and 017.

BACKGROUND:

On January 27, 2026, Acting Chairperson Kanaka’ole, in his capacity as the Chairperson of the Board of Land and Natural Resources (Board), requested an updated status report from the County of Maui, Department of the East Maui Water Authority (EMWA) regarding its capacity and plans related to a potential transition of responsibility of the East Maui Irrigation (EMI) system. Staff notes that the last update from EMWA was received by Department on August 12, 2025.

At its meeting of November 14, 2025, under item D-10, the Board was scheduled

to consider decision making on a recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction or set aside via Governor's Executive Order to the County of Maui for the diversion of public surface water. However, the Board voted unanimously to defer decision making on this matter for six months.

NEED FOR AN UPDATE:

Since the Board action on November 14, 2025, there have been recent judicial decisions reiterating concerns over the more than twenty-year practice of issuing temporary permits (year-to-year revocable permits) for the diversion of surface water through the EMI system. Considering this evolving legal and administrative context, it is important for the Board to receive an updated and current assessment from EMWA regarding its readiness and ability to assume any role in the ownership, operation, or management of the EMI system as it moves forward in its deliberations of a long term license agreement through public auction or by set aside to the County.

DISCUSSION:

Based on Chairperson Kanaka'ole's request, EMWA has agreed to present an update to the Board and was requested to address the following topics:

- Organizational Capacity, including EMWA's anticipated role with respect to ownership, oversight, and/or operation of the EMI system;
- Staffing, including current positions filled, positions authorized but unfilled, and any anticipated operational staffing needs;
- Budget and Funding, including current funding sources, anticipated capital and operation costs, and any identified funding gaps;
- Operational Considerations, including whether and to what extent EMWA anticipates relying on third-party operators, contractors, or intergovernmental agreements for day-to-day system operations;
- Estimated Timeline for when EMWA could assume responsibility for daily operation of the system; and
- Constraints (resource, legal, logistical, etc.) that may affect EMWA's ability to assume responsibility for the system within the foreseeable future.

Respectfully Submitted,



Lauren Yasaka, Acting Assistant Administrator

APPROVED FOR SUBMITTAL:



Ryan K.P. Kanakaole, Acting Chairperson