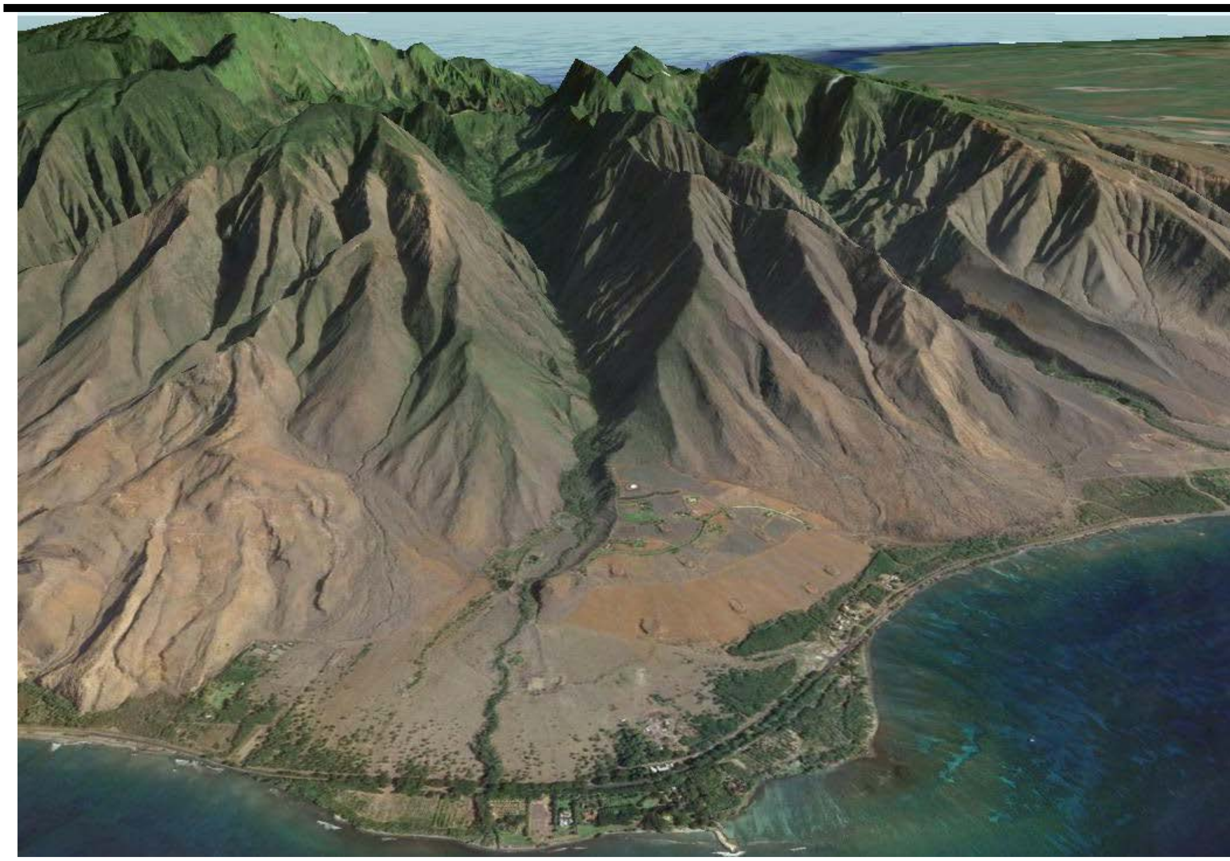
Instream Flow Standard Assessment Report

Island of Maui
Hydrologic Unit 6005
Olowalu

August 2017 **DRAFT PR-2017-02**



State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management

COVER
Satallite image of Olowalu canyon with the Olowalu Stream flowing into the Pacific Ocean, West Maui [Google Earth, 2008].

Note: This report is intended for both print and electronic dissemination and does not include diacritical marks in spelling of Hawaiian words, names, and place names due to problems associated with its use electronically. However, Commission staff has made attempts to include diacritical marks in direct quotations to preserve accuracy.

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Acronyms and Abbreviations

AG	agricultural
ALISH	Agricultural Lands of Importance to the State of Hawaii
ALUM	agricultural land use maps [prepared by HDOA]
BFQ	base flow statistics
BLNR	Board of Land and Natural Resources (State of Hawaii)
C-CAP	Coastal Change Analysis Program
cfs	cubic feet per second
Code	State Water Code (State of Hawaii)
COM	commercial
Commission	Commission on Water Resource Management (DLNR)
CPRC	Compilation of Public Review Comments (PR-2008-07, CWRM
CWA	Clean Water Act (EPA)
CWRM	Commission on Water Resource Management (State of Hawaii)
DAR	Division of Aquatic Resources (State of Hawaii)
DHHL	Department of Hawaiian Home Lands (State of Hawaii)
DLNR	Department of Land and Natural Resources (State of Hawaii)
DOH	Department of Health (State of Hawaii)
DWS	Department of Water Supply (County of Maui)
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency (Department of Homeland Security)
FILEREF	File Reference [in the Commission's records of registered diversions]
ft	feet
gad	gallons per acre per day
GIS	Geographic Information Systems
G.L.	Government Lease
GOV	government
gpm	gallons per minute
Gr.	Grant
HAR	Hawaii Administrative Rules
HC&S	Hawaiian Commercial and Sugar Company
HDOA	State Department of Agriculture (State of Hawaii)
HI-GAP	Hawaii Gap Analysis Program
HOT	hotel
HSA	Hawaii Stream Assessment
IFS	instream flow standard
IFSAR	Instream Flow Standard Assessment Report
IND	industry
IRR	irrigation requirements
IWREDSS	Irrigation Water Requirement Estimation Decision Support System
KAA	Kekaha Agriculture Association
KIUC	Kauai Island Utility Cooperative
LCA	Land Commission Award
LUC	Land Use Commission (State of Hawaii)
MECO	Maui Electric Company
MF	multi-family residential
mgd	million gallons per day
Mgal/d	million gallons per day
mi	mile
MOU	Memorandum of Understanding
na	not available

NAWQA	National Water Quality Assessment (USGS)
NHLC	Native Hawaiian Legal Corporation
NIR	net irrigation requirements
NPDES	National Pollutant Discharge Elimination System
NPV	Net Present Value
NRCS	Natural Resource Conservation Service (USDA)
NVCS	National Vegetation Classification System
por.	Portion
REL	religious
RMT	R.M. Towill Corporation
SCS	Soil Conservation Service (United States Department of Agriculture)
	Note: The SCS is now called the Natural Resources Conservation Service (NRCS)
SF	single family residential
SPI	Standardized Precipitation Index
sq mi	square miles
TFQ	total flow statistics
TFQ_{50}	50 percent exceedence probability
TFQ_{90}	90 percent exceedence probability
TMDL	Total Maximum Daily Load
TMK	Tax Map Key
UHERO	University of Hawaii's Economic Research Organization
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service (Department of the Interior)
USGS	United States Geological Survey (Department of the Interior)
WMI	West Maui Investments, LLC
WML	West Maui Land Company
WQS	Water Quality Standards
WRPP	Water Resource Protection Plan (Commission on Water Resource Management)
WTF	water treatment facility

1.0 Introduction

General Overview

The hydrologic unit of Olowalu is located in West Maui, on the the southwest flank of Puu Kukui Mountain which forms the western part of the Hawaiian island of Maui (Figure 1-3 and 1-4). It covers an area of 8.317 square miles from the sea to 5,210 feet in elevation with a mean basin elevation of 1,850 feet and a mean basin slope of 91.8 percent (Figure 1-5). The longest flow path in Olowalu is 6.04 miles in length, traversing in a southwesternly direction from its headwaters to the ocean. Eighty-seven percent of the basin has a slope greater than 30 percent. Olowalu Stream is composed of one main stem and two ephemeral tributaries, that flow only intermittently in the upper sections in response to rainfall-runoff. Dike-impounded groundwater discharge supports perennial flow in the upper reaches of Olowalu Stream and mauka to makai flow is estimated to occur at least 95 percent of the time if no surface water diversions were in place. Basin mean annual precipitation is 97.7 inches. While there is no official town in the Olowalu Hydrologic Unit, it is a census designated place with a total population of 315 people (U.S. Census Bureau Office of Planning 2011). The population figure does not account for residents living outside of the hydrologic unit who may rely on water from within the unit but it does include properties that receive water from outside of the unit (mainly Launiupoko hydrologic unit). Only one state road exists in the region, limiting access to large areas (Figure 1-6). There are two diversions and a ditch system that carries non-potable water to agriculture fields and home lots. At the higher elevation, the upper diversion was the original source of water in the system, providing gravidy-fed water to all fields. However, this diversion was damaged in a September 2016 flood and the current operator is using the lower diversion.

Current Instream Flow Standard

The current interim instream flow standard (IFS) for Olowalu Stream was established by way of Hawaii Administrative Rules (HAR) §13-169-44, which, in pertinent part, reads as follows:

> Interim instream flow standard for West Maui. The Interim Instream Flow Standard for all streams on West Maui, as adopted by the commission on water resource management on June 15, 1988, shall be that amount of water flowing in each stream on the effective date of this standard, and as that flow may naturally vary throughout the year and from year to year without further amounts of water being diverted offstream through new or expanded diversions, and under the stream conditions existing on the effective date of the standard.

The current interim IFS became effective on December 31, 1988. Streamflow was not measured on that date; therefore, the current interim IFS is not a measurable value.

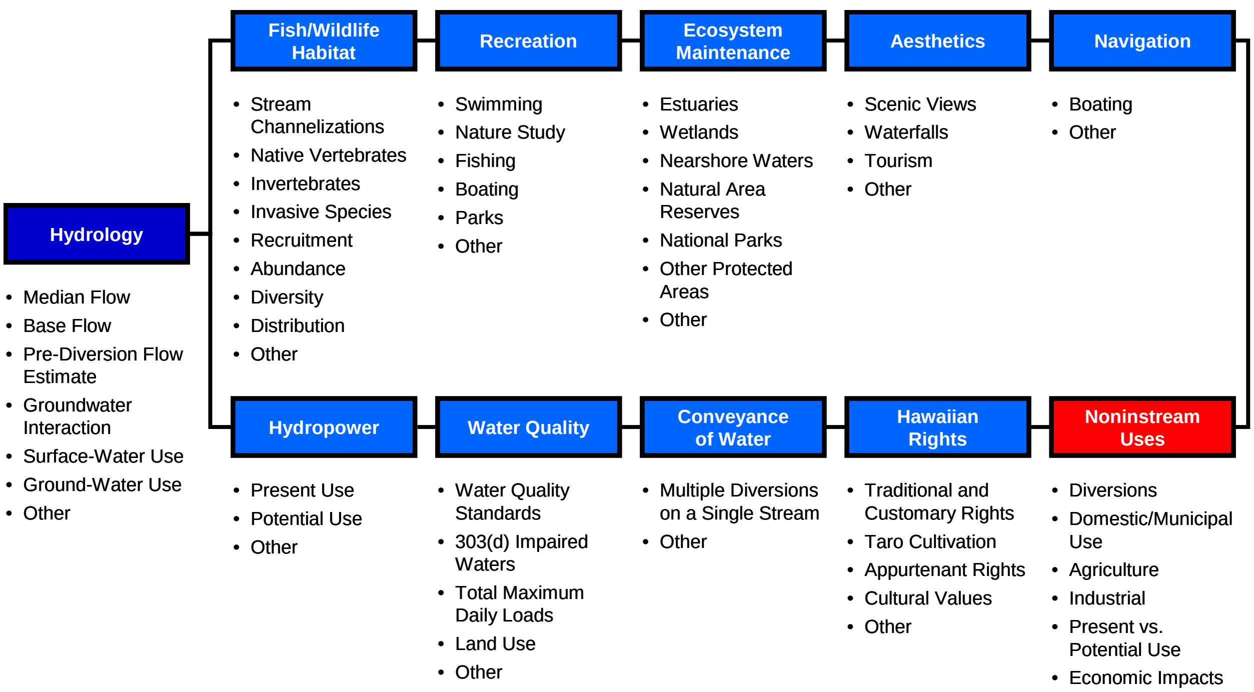
Instream Flow Standards

Under the State Water Code (Code), Chapter 174C, Hawaii Revised Statutes (HRS), the Commission on Water Resource Management (Commission) has the responsibility of establishing IFS on a stream-by-stream basis whenever necessary to protect the public interest in the waters of the State. Early in its history, the Commission recognized the complexity of establishing IFS for the State's estimated 376 perennial streams and instead set interim IFS at "status quo" levels. These interim IFS were defined as the amount of water flowing in each stream (with consideration for the natural variability in stream flow and conditions) at the time the administrative rules governing them were adopted in 1988 and 1989.

The Hawaii Supreme Court, upon reviewing the Waiahole Ditch Contested Case Decision and Order, held that such "status quo" interim IFS were not adequate to protect streams and required the Commission to take immediate steps to assess stream flow characteristics and develop quantitative interim IFS for affected Windward Oahu streams, as well as other streams statewide. The Hawaii Supreme Court also emphasized that "instream flow standards serve as the primary mechanism by which the Commission is to discharge its duty to protect and promote the entire range of public trust purposes dependent upon instream flows."

To the casual observer, IFS may appear relatively simple to establish upon a basic review of the Code provisions. However, the complex nature of IFS becomes apparent upon further review of the individual components that comprise surface water hydrology, instream uses, noninstream uses, and their interrelationships. The Commission has the distinct responsibility of weighing competing uses for a limited resource in a legal realm that is continuing to evolve. The following illustration (Figure 1-1) was developed to illustrate the wide range of information, in relation to hydrology, instream uses, and noninstream uses that should be addressed in conducting a comprehensive IFS assessment.

Figure 1-1. Information to consider in setting measurable instream flow standards.



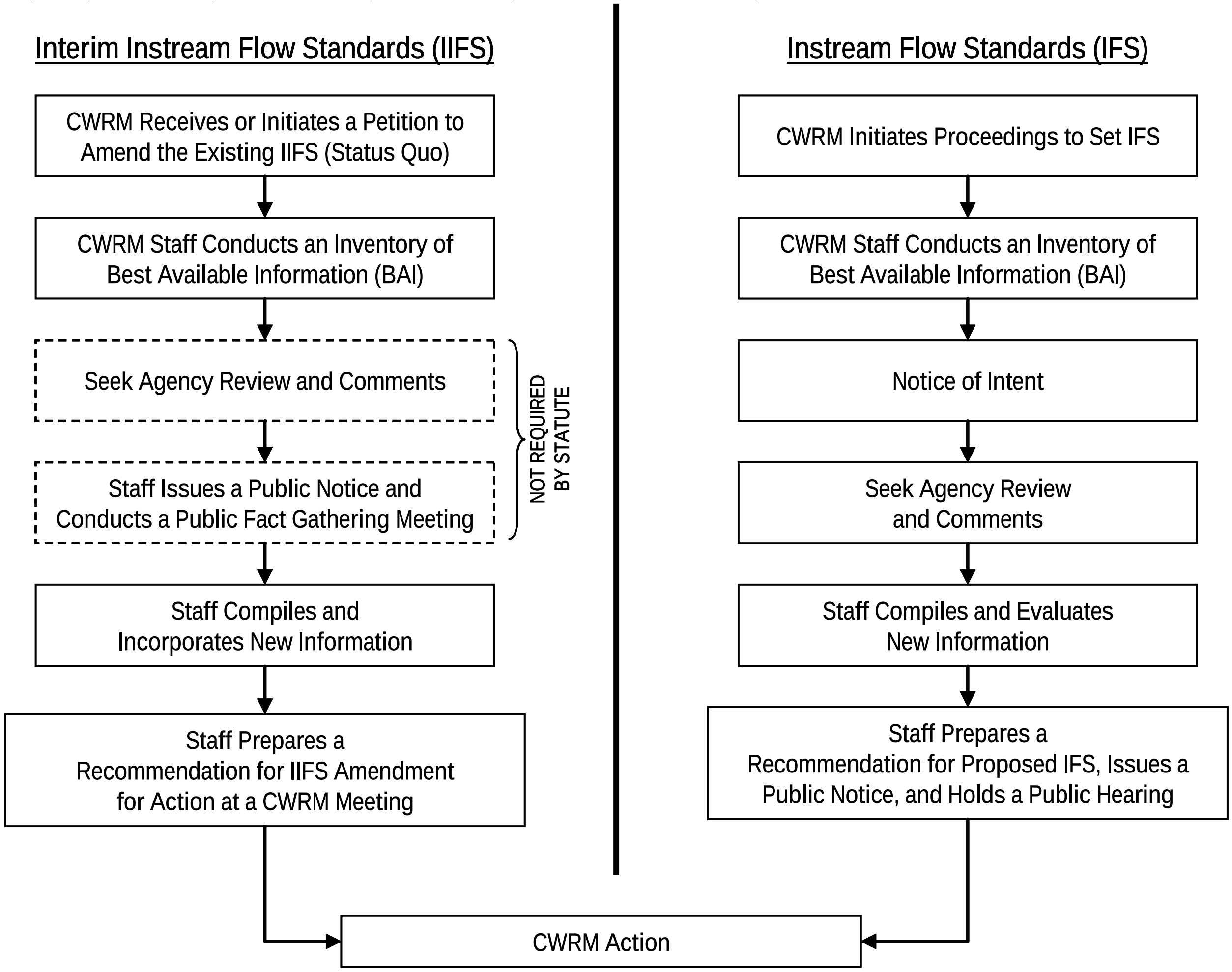
Interim Instream Flow Standard Process

The Code provides for a process to amend an interim IFS in order to protect the public interest pending the establishment of a permanent IFS. The Code, at §174C-71(2), describes this process including the role of the Commission to "weigh the importance of the present or potential instream values with the importance of the present or potential uses of water for noninstream purposes, including the economic impact of restricting such uses."

Recognizing the complexity of establishing measurable IFS, while cognizant of the Hawaii Supreme Court's mandate to designate interim IFS based on best available information under the Waiahole Combined Contested Case, the Commission at its December 13, 2006 meeting authorized staff to initiate and conduct public fact gathering. Under this adopted process (reflected in the left column of Figure 1-2), the

Commission staff will conduct a preliminary inventory of best available information upon receipt of a petition to amend an existing interim IFS. The Commission staff shall then seek agency review and comments on the compiled information (compiled in an Instream Flow Standard Assessment Report) in conjunction with issuing a public notice for a public fact gathering meeting. Shortly thereafter (generally within 30 days), the Commission staff will conduct a public fact gathering meeting in, or near, the hydrologic unit of interest.

Figure 1-2. Simplified representation of the interim instream flow standard and permanent instream flow standard processes. Keys steps of the adopted interim IFS process are depicted in the left column by the boxes drawn with dotted lines.



Instream Flow Standard Assessment Report

The Instream Flow Standard Assessment Report (IFSAR) is a compilation of the hydrology, instream uses, and noninstream uses related to a specific stream and its respective surface water hydrologic unit. The report is organized in much the same way as the elements of IFS are depicted in Figure 1-1. The purpose of the IFSAR is to present the best available information for a given hydrologic unit. This information is used to determine the interim IFS recommendations, which is compiled as a separate report. The IFSAR is intended to act as a living document that should be updated and revised as necessary, thus also serving as a stand-alone document in the event that the Commission receives a subsequent petition solely for the respective hydrologic unit.

Each report begins with an introduction of the subject hydrologic unit and the current IFS status. Section 2.0 is comprised of the various hydrologic unit characteristics that, both directly and indirectly, impact surface water resources. Section 3.0 contains a summary of available hydrologic information, while Sections 4.0 through 12.0 summarize the best available information for the nine instream uses as defined by the Code. Noninstream uses are summarized in Section 13.0. Maps are provided at the end of each section to help illustrate information presented within the section's text or tables. Finally, Section 14.0 provides a comprehensive listing of cited references and is intended to offer readers the opportunity to review IFSAR references in further detail.

An important component of the IFSAR and the interim IFS process is the Compilation of Public Review Comments (CPRC). The CPRC serves as a supporting document containing the oral and written comments that are submitted as part of the initial public review process. Comments referred to within the IFSAR will identify both the section and page number where the original comment can be located in the CPRC. For example, a reference to "8.0-3" indicates the third page of comments in Section 8.0 of the CPRC.

Following the preparation of the IFSAR and initial agency and public review, information may be added to the IFSAR at any time. Dates of revision will be reflected as such. Future review of the IFSAR, by agencies and the public, will only be sought when a new petition to amend the interim (or permanent) instream flow standard is pending. Recommendations for IFS amendments are prepared separately as a stand-alone document. Thus, the IFSAR acts solely as a compendium of best available information and may be revised further without the need for subsequent public review following its initial preparation.

Surface Water Hydrologic Units

Early efforts to update the Commission's Water Resource Protection Plan (WRPP) highlighted the need for surface water hydrologic units to delineate and codify Hawaii's surface water resources. Surface water hydrologic units served as an important first-step towards improving the organization and management of surface water information that the Commission collects and maintains, including diversions, stream channel alterations, and water use.

In developing the surface water hydrologic units, the Commission staff reviewed various reports to arrive at a coding system that could meet the requirements for organizing and managing surface water information in a database environment, and could be easily understood by the general public and other agencies. For all intents and purposes, surface water hydrologic units are synonymous with watershed areas. Though Commission staff recognized that while instream uses may generally fall within a true surface drainage area, noninstream uses tend to be land-based and therefore may not always fall within the same drainage area.

In June 2005, the Commission adopted the report on surface water hydrologic units and authorized staff to implement its use in the development of information databases in support of establishing IFS (State of Hawaii, Commission on Water Resource Management, 2005a). The result is a surface water hydrologic unit code that is a unique combination of four digits. This code appears on the cover of each IFSAR above the hydrologic unit name.

Surface Water Definitions

Listed below are the most commonly referenced surface water terms as defined by the Code.

Agricultural use. The use of water for the growing, processing, and treating of crops, livestock, aquatic plants and animals, and ornamental flowers and similar foliage.

Channel alteration. (1) To obstruct, diminish, destroy, modify, or relocate a stream channel; (2) To change the direction of flow of water in a stream channel; (3) To place any material or structures in a stream channel; and (4) To remove any material or structures from a stream channel.

Continuous flowing water. A sufficient flow of water that could provide for migration and movement of fish, and includes those reaches of streams which, in their natural state, normally go dry seasonally at the location of the proposed alteration.

Domestic use. Any use of water for individual personal needs and for household purposes such as drinking, bathing, heating, cooking, noncommercial gardening, and sanitation.

Ground water. Any water found beneath the surface of the earth, whether in perched supply, dike-confined, flowing, or percolating in underground channels or streams, under artesian pressure or not, or otherwise.

Hydrologic unit. A surface drainage area or a ground water basin or a combination of the two.

Impoundment. Any lake, reservoir, pond, or other containment of surface water occupying a bed or depression in the earth's surface and having a discernible shoreline.

Instream Flow Standard. A quantity of flow of water or depth of water which is required to be present at a specific location in a stream system at certain specified times of the year to protect fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses.

Instream use. Beneficial uses of stream water for significant purposes which are located in the stream and which are achieved by leaving the water in the stream. Instream uses include, but are not limited to:

(1) Maintenance of fish and wildlife habitats;
(2) Outdoor recreational activities;
(3) Maintenance of ecosystems such as estuaries, wetlands, and stream vegetation;
(4) Aesthetic values such as waterfalls and scenic waterways;
(5) Navigation;
(6) Instream hydropower generation;
(7) Maintenance of water quality;
(8) The conveyance of irrigation and domestic water supplies to downstream points of diversion; and
(9) The protection of traditional and customary Hawaiian rights.

Interim instream flow standard. A temporary instream flow standard of immediate applicability, adopted by the Commission without the necessity of a public hearing, and terminating upon the establishment of an instream flow standard.

Municipal use. The domestic, industrial, and commercial use of water through public services available to persons of a county for the promotion and protection of their health, comfort, and safety, for the protection of property from fire, and for the purposes listed under the term "domestic use."

Noninstream use. The use of stream water that is diverted or removed from its stream channel and includes the use of stream water outside of the channel for domestic, agricultural, and industrial purposes.

Reasonable-beneficial use. The use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is both reasonable and consistent with the state and county land use plans and the public interest.

Stream. Any river, creek, slough, or natural watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted. The fact that some parts of the bed or channel have been dredged or improved does not prevent the watercourse from being a stream.

Stream channel. A natural or artificial watercourse with a definite bed and banks which periodically or continuously contains flowing water. The channel referred to is that which exists at the present time, regardless of where the channel may have been located at any time in the past.

Stream diversion. The act of removing water from a stream into a channel, pipeline, or other conduit.

Stream reach. A segment of a stream channel having a defined upstream and downstream point.

Stream system. The aggregate of water features comprising or associated with a stream, including the stream itself and its tributaries, headwaters, ponds, wetlands, and estuary.

Surface water. Both contained surface water--that is, water upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other watercourses, lakes, reservoirs, and coastal waters subject to state jurisdiction--and diffused surface water--that is, water occurring upon the surface of the ground other than in contained water bodies. Water from natural springs is surface water when it exits from the spring onto the earth's surface.

Sustainable yield. The maximum rate at which water may be withdrawn from a water source without impairing the utility or quality of the water source as determined by the Commission.

Time of withdrawal or diversion. In view of the nature, manner, and purposes of a reasonable and beneficial use of water, the most accurate method of describing the time when the water is withdrawn or diverted, including description in terms of hours, days, weeks, months, or physical, operational, or other conditions.

Watercourse. A stream and any canal, ditch, or other artificial watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted.

Figure 1-3. Quickbird satellite imagery of the Olowalu hydrologic unit and streams in southwest Maui, Hawaii. (Source: U.S. Geological Survey, 1996; State of Hawaii, Commission on Water Resource Management, 2015c; State of Hawaii, Division of Aquatic Resources, 2005)

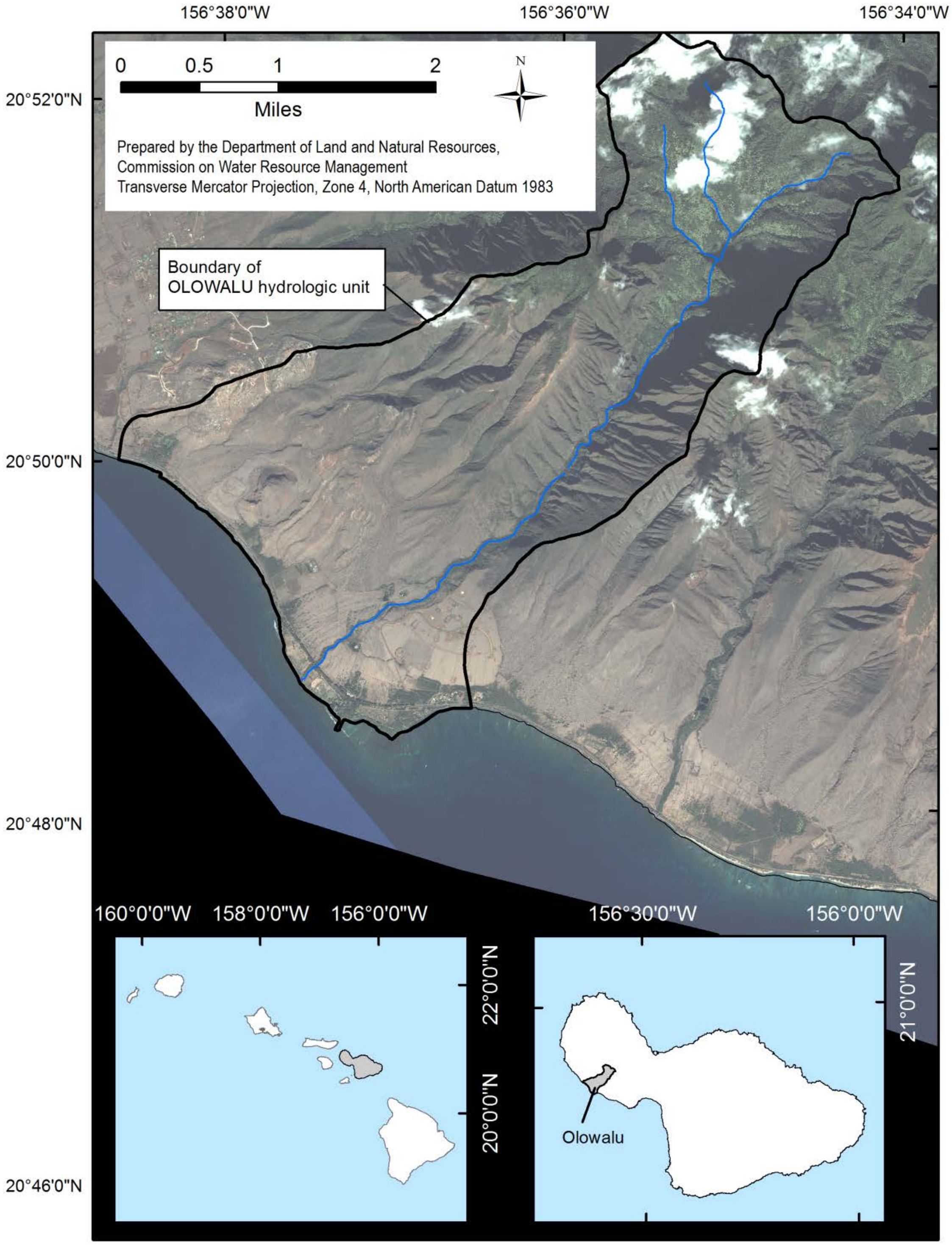


Figure 1-4. Elevation range of the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2004e; U.S. Geological Survey, 2001)

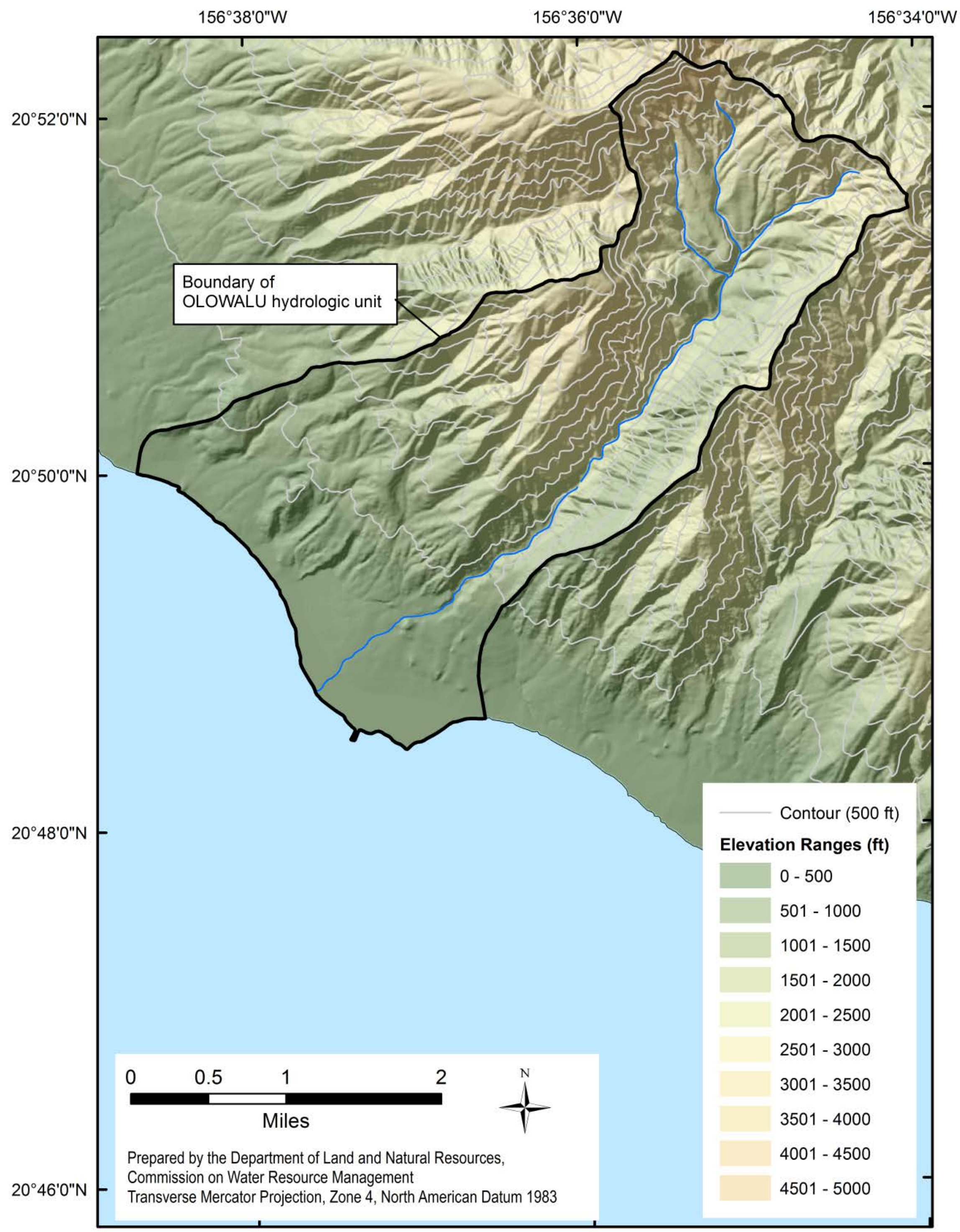


Figure 1-5. USGS topographic map of the Olowalu hydrologic unit. (Source: State of Hawaii, Planning Department, 2004)

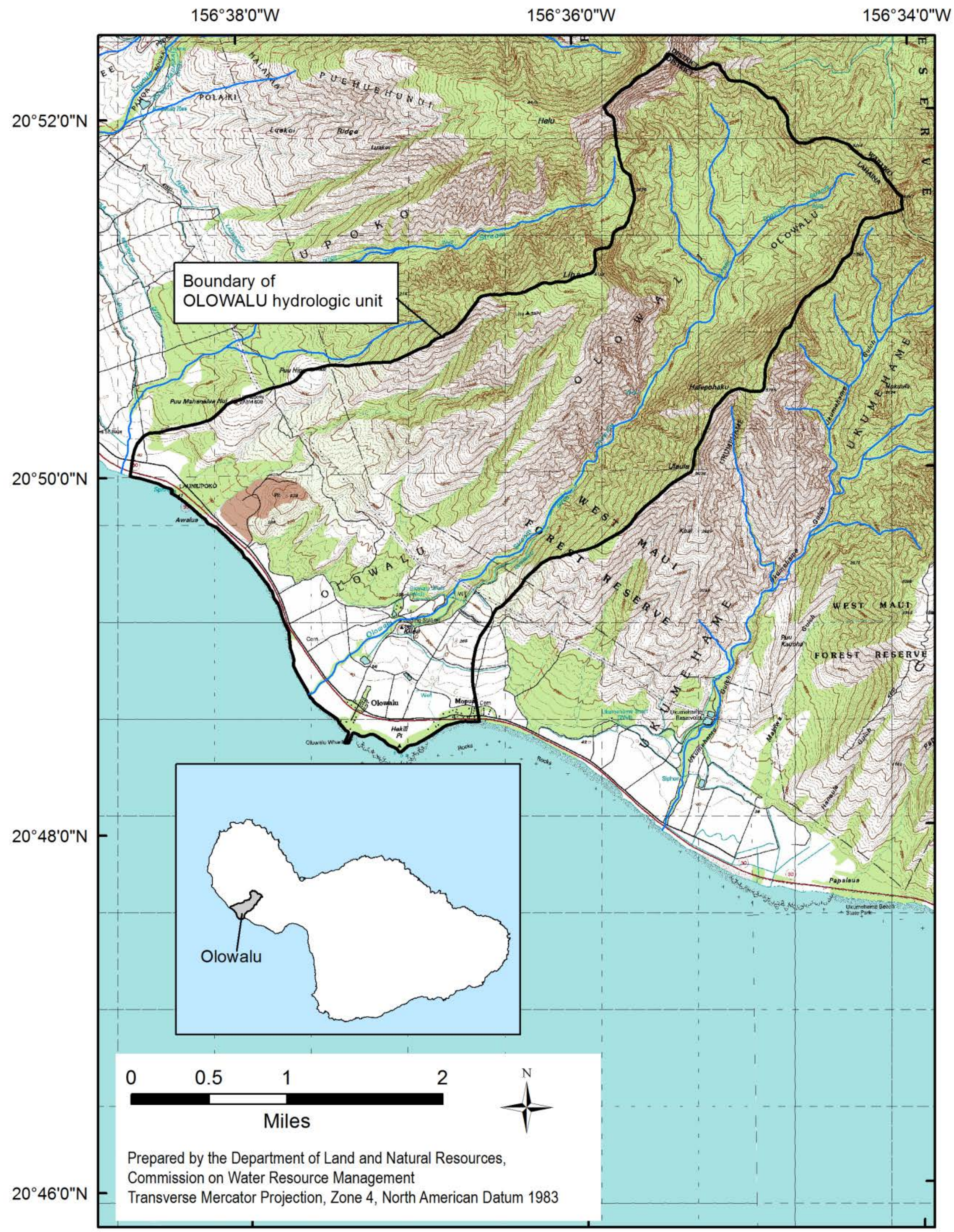
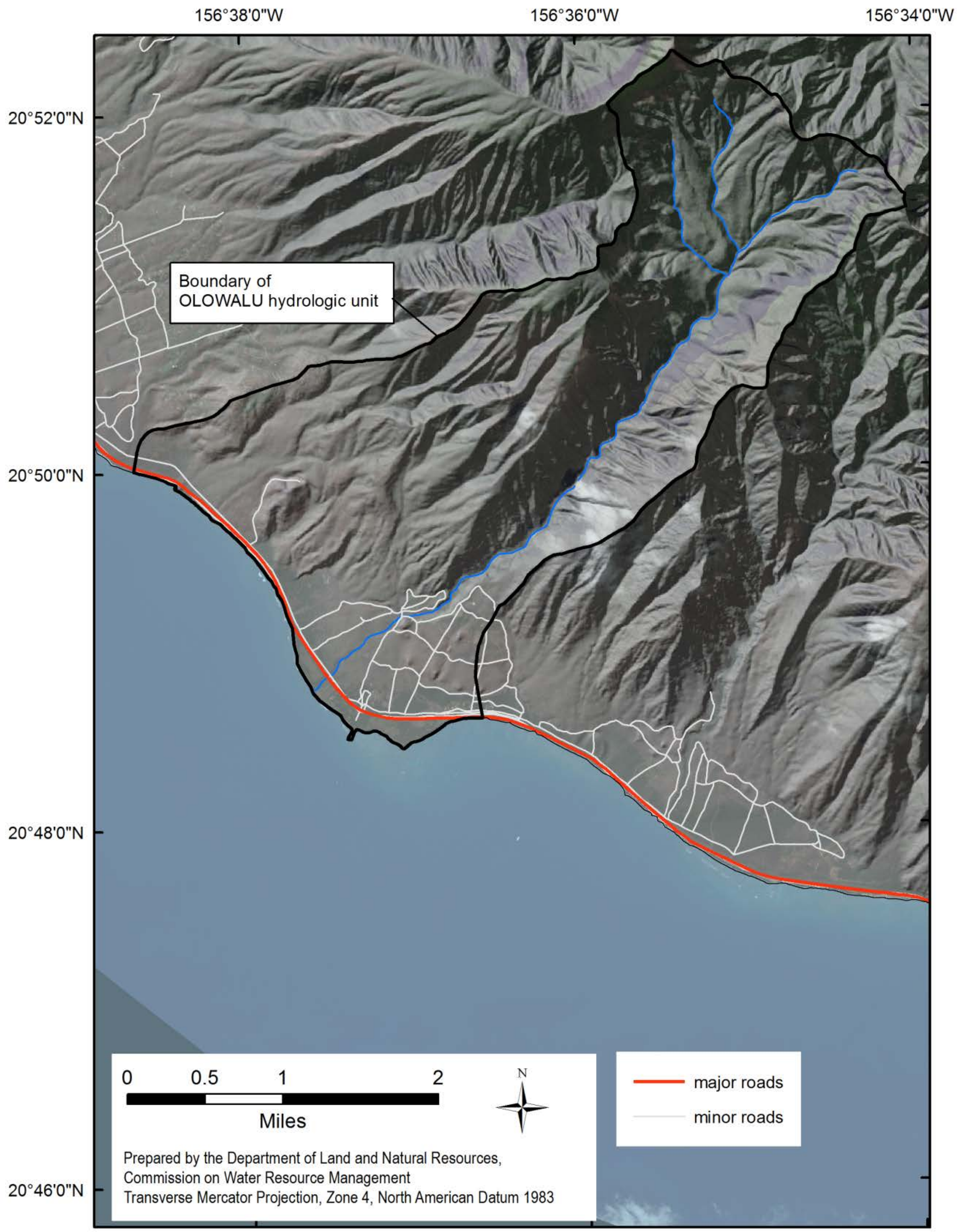


Figure 1-6. Major and minor roads for the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning 2015)



2.0 Unit Characteristics

Geology

Olowalu is on the southern flanks of the West Maui volcano (Figure 2-2). There were three separate volcanic phases in West Maui (Stearns and Macdonald 1942). The first phase called the Wailuku Volcanic Series, makes up about 97% of the volume of the volcano, and consists of thin pahoehoe and aa flows of tholeiitic olivine basalt with minor plagioclase basalt as thick as 1700 meters. The summit of this shield building phase eventually collapsed to form a caldera about 3.2 km across, with horizontal post-caldera lava flows. The Honolua Volcanic Series, the second phase, is dominated by alkali rocks that formed an incomplete cap to the volcano ranging from single flows less than 10 m thick to several flows as thick as 230 m on the northeastern slopes (Macdonald and abbott 1970). Occasionally viscuous trachytic magma formed domes with steeply sloping flow planes, especially in the Kahoma and Launiupoko areas. Many dike and vent formations were produced in the Honolua Series although due to the lack of well-developed rift zones, their distribution is somewhat irregular. The Honolua Series finished about 500 kya, followed by a brief third phase of activity which included four small eruptions occurring on the southwestern slope forming the Lahaina Volcanic Series (Table 2-1). These lava flows were all silica undersaturated basanitoids or basanites. The rapid erioson and valley incision of West Maui has produced broad alluvial fans with unconsolidated dunes of lithified to semi-lithified calcareous sand on the Eastern slopes. The generalized geology of the Olowalu hydrologic unit is depicted in Figure 2-2.

Table 2-1 Area and percentage of surface geologic features for Olowalu hydrologic unit. (Source: Sherrod et al, 2007)

Name	Rock Type	Area (mi^2)	Percent (%)
Wailuku Volcanics	Intrusive rocks, Caldera complex, Dike complex, Pahoehoe and Aa lava flows	4.3833	52.7
Older alluvium	Lithified sand and gravel	1.8632	22.4
Honolua Volcanics	Pahoehoe and Aa, Conglomerate	1.2863	15.4
Alluvium	Sand and Gravel	0.7659	9.2
Lahaina Volcanics	Pahoehoe and Aa lava flows	0.0123	0.1

Soils

The U.S. Department of Agriculture's Natural Resources Conservation Service (formerly known as the Soil Conservation Service) divides soils into hydrologic soil groups (A, B, C, and D) according to the rate at which infiltration (intake of water) occurs when the soil is wet. The higher the infiltration rate, the faster the water is absorbed into the ground and the less there is to flow as surface runoff. Group A soils have the highest infiltration rates; group D soils have the lowest. In the Olowalu hydrologic unit, soils are largely dominated by rocky outcroppings and rough mountainous lands, with 10.1% of soils in Group A, 11.7% of soils in Group B, and 78.1% of soils in Group D (Table 2-2). The Olowalu hydrologic unit consists largely of soils that are in hydrologic group D with generally low permeability resulting in rapid runoff and severe erosion hazard (Table 2-2). The less sloping tops of ridges and interfluves (regions of higher land between valleys in the same hydrologic unit) are poorly drained but still support moderate infiltration. The lowlands of the hydrologic unit are characterized by well-drained clay and rough broken land – very steep land broken by numerous intermittent drainage channels (Figure 2-3). The numerous gulches and mountainsides have slopes of 40 to 70 percent, leading to high rates of slopewash. Runoff is rapid in these soils and geologic erosion is active. The soils of rough broken land are not uniform. The clay is moderately permeable with slow to medium runoff and a slight to moderate erosion hazard (U.S. Department of Agriculture, Soil Conservation Service, 1972).

Table 2-2. Area and percentage of soil types for the Olowalu hydrologic unit.

Map Unit	Description	Area (mi²)	Percent (%)
rRO	Rock outcrop	3.4989	42.13
rRT	Rough mountainous land	2.0248	24.38
rRK	Rock land	0.8825	10.63
rSM	Stony alluvial land	0.7141	8.60
PtA, PsA, PpA, PtB	Pulehu	0.6911	8.32
WyC	Wainee	0.2587	3.11
rCI	Cinder land	0.0897	1.08
rRS	Rough broken & stony land	0.073	0.88
JaC	Jaucas	0.0274	0.33
EaA	Ewa	0.0187	0.23
BS	Beaches	0.0139	0.17
KMW	Kealia	0.0087	0.10
W	Water	0.0037	0.04

The Pulehu-Ewa-Jaucas soils in the lower elevations near the coastline are deep, nearly level to moderately sloping, well-drained to excessively drained soils that have a moderately fine textured to coarse-textured subsoil or underlying material, characteristic of alluvial fans and in basins (U. S. Department of Agriculture, Natural Resources Conservation Service, Conservation Engineering Division, 1986). These soils are excellent for agriculture. The center of the hydrologic unit consists of rough broken and rough mountainous soils while alluvium (riverwash) dominates the lower reaches (Figure 2-3).

Rainfall

The West Maui Mountains are the driving force affecting the distribution of rainfall in Olowalu with rainfall affected by both the orographic[1] effect and the rain shadow effect (Figure 2-1). Orographic precipitation occurs when the prevailing northeasterly trade winds lift warm air up the windward side of the mountains into higher elevations where cooler temperatures persist. As moist air cools, water condenses and the air mass releases precipitation. As a result, frequent and heavy rainfall is observed at the windward mountain slopes. The fog drip zone occurs below the elevation where cloud height is restricted by the temperature inversion, where temperature increases with elevation, thus favoring fog drip over rain-drop formation (Sholl et al., 2002). The temperature inversion zone typically extends from 6,560 feet to 7,874 feet. This region is influenced by a layer of moist air below and dry air above, making climate extremely variable (Giambelluca and Nullet, 1992). Fog drip is a result of cloud-water droplets impacting vegetation (Scholl et al, 2002) and can contribute significantly to ground water recharge. Above the inversion zone, the air is dry and the sky is frequently clear (absence of clouds) with high solar radiation, creating an arid atmosphere with little rainfall.

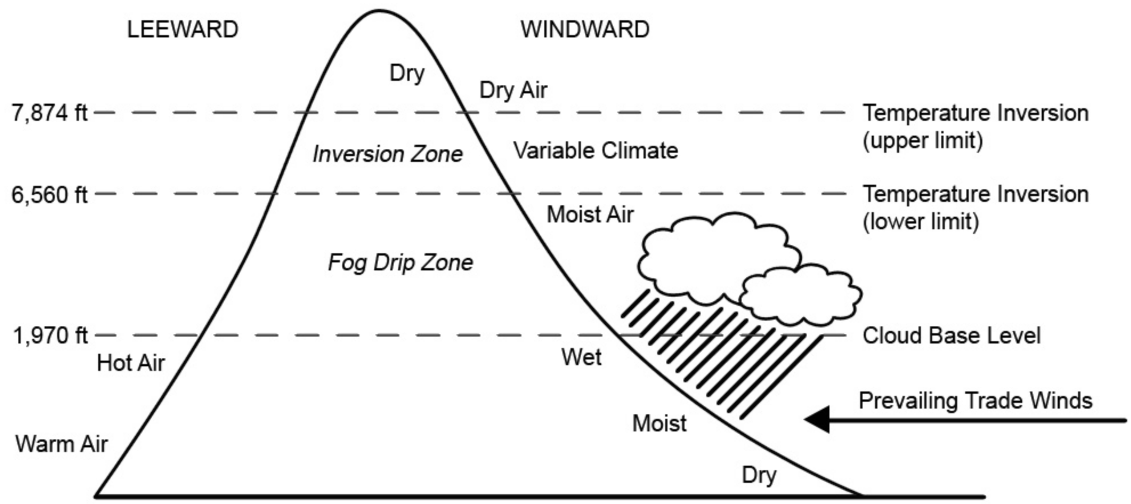
A majority of the mountains in Hawaii peak in the fog drip zone, where cloud-water is intercepted by vegetation. In such cases, air passes over the mountains, warming and drying while descending the leeward mountain slopes. Precipitation on Puu Kukui, the peak of the West Maui Mountains, is influenced by its position relative to the trade winds. The highest position lies in the cloudy layer below the temperature inversion (6,500 feet above sea level) resulting in peak rainfall for the region; mean annual rainfall on Puu Kukui measured by the USGS (station 380.0) and Maui Land & Pine since 1928 is

[1] Orographic refers to influences of mountains and mountain ranges on airflow, but also used to describe effects on other meteorological quantities such as temperature, humidity, or precipitation distribution.

about 362 inches. The fog drip zone on the windward side of islands extends from the cloud base level at 1,970 feet to the lower limit of the most frequent temperature inversion base height at 6,560 feet (Giambelluca and Nullet, 1992). The steep gradient around the island forces moisture-laden air to rapidly rise in elevation (over 3,000 feet) in a short distance, resulting in a rapid release of rainfall in one location. Finally, the relatively round, conical shape of the West Maui Mountains exposes all sides of the peak to wind and moisture.

The Olowalu hydrologic unit is situated on the leeward flank of the West Maui Mountains and as such receives less orographic rainfall than windward slopes and is impacted by the rain shadow effect. Wind will blow rainfall over the interfluve from east/northeast facing hydrologic units, contributing to higher rainfall in the upper elevations (Figure 2-4). The high spatial variability in rainfall is evident by the 100 inches variation in mean annual rainfall across the hydrologic unit. For the whole hydrologic unit, mean annual rainfall averages just 56.1 inches. Above 2000 ft, rainfall is highest during the months of December and January, where the mean monthly rainfall is 11.17 inches and 10.92 inches, respectively. Irregular southernly Kona storm systems may produce localized intense rainfall on south facing slopes.

Figure 2-1. Orographic precipitation in the presence of mountains higher than 6,000 feet.



Currently, fog drip data for leeward slopes are non-existant. Shade (1999) used the monthly fog drip to rainfall ratios for the windward slopes of Mauna Loa on the island of Hawaii (Table 2-3) to calculate fog drip contribution to the water-budget in windward east Maui. The fog drip to rainfall ratios were estimated using: 1) the fog drip zone boundaries for east Maui (Giambelluca and Nullet, 1991); and 2) an illustration that shows the relationship between fog drip and rainfall for the windward slopes of Mauna Loa, island of Hawaii (Juvik and Nullet, 1995). This method was used to determine the contribution of fog drip in the Olowalu hydrologic unit, which is calculated by multiplying the ratios with the monthly rainfall values (Giambelluca et al, 2013). Calculations show that approximately 31 percent of Olowalu lies in the fog drip zone based on elevation. The total contribution from fog drip to the water budget based on percent of fog drig from monthly rainfall is about 36%, assuming the same ratios apply to leeward slopes (Table 2-3).

Table 2-3. Fog drip to rainfall ratios for the windward slopes of Mauna Loa on the island of Hawaii and approximate contributions to the Olowalu Hydrologic Unit based on an elevation range of 2000-5400 ft.

Month	Ratio (%)	Mean Rainfall (in)	Contribution (in)
January	13	10.92	1.42
February	13	8.71	1.13
March	13	10.40	1.35
April	27	9.16	2.47
May	27	6.66	1.80
June	27	7.12	1.92
July	67	6.77	4.53
August	67	7.08	4.74
September	67	4.73	3.17
October	40	6.72	2.69
November	40	9.33	3.73
December	27	11.17	3.02

Solar Radiation

Solar radiation is the sun's energy that arrives at the Earth's surface after considerable amounts have been absorbed by water vapor and gases in the Earth's atmosphere. The amount of solar radiation to reach the surface in a given area is dependent in part upon latitude and the sun's declination angle (angle from the sun to the equator), which is a function of the time of year. Hawaii's trade winds and the temperature inversion layer greatly affect solar radiation levels, the primary heat source for evaporation. High mountain ranges block moist trade-wind air flow and keep moisture beneath the inversion layer (Lau and Mink, 2006). As a result, windward slopes tend to be shaded by clouds and protected from solar radiation, while dry leeward areas receive a greater amount of solar radiation and thus have higher levels of evaporation. In Olowalu, average annual solar radiation is 200.4 W/m^2 per day with a range of 165.0 – 230.9 W/m^2 per day (Figure 2-5). It is greatest at the coast and decreases toward the uplands, where cloud cover is more of an influence (Giambelluca et al. 2014).

Evaporation

Evaporation is the loss of water to the atmosphere from soil surfaces and open water bodies (e.g. streams and lakes). Evaporation from plant surfaces (e.g. leaves, stems, flowers) is termed transpiration. Together, these two processes are commonly referred to as evapotranspiration, and it can significantly affect water yield because it determines the amount of rainfall lost to the atmosphere. On a global scale, the amount of water that evaporates is about the same as the amount of water that falls on Earth as precipitation. However, more water evaporates from the ocean whereas on land, rainfall often exceeds evaporation. The rate of evaporation is dependent on many climatic factors including solar radiation, albedo[2], rainfall, humidity, wind speed, surface temperature, and sensible heat advection[3]. Higher evaporation rates are generally associated with greater net radiation, high wind speed and surface temperature, and lower humidity.

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[2] Albedo is the proportion of solar radiation that is reflected from the Earth, clouds, and atmosphere without heating the receiving surface.
[3] Sensible heat advection refers to the transfer of heat energy that causes the rise and fall in the air temperature.

A common approach to estimating evaporation is to employ a relationship between potential evaporation and the available water in the watershed. Potential evaporation is the maximum rate of evaporation if water is not a limiting factor, and it is often measured with evaporation pans. In Hawaii, pan evaporation measurements were generally made in the lower elevations of the drier leeward slopes where sugarcane was grown. These data have been compiled and mapped by Ekern and Chang (1985). Most of the drainage basins in Hawaii are characterized by a relatively large portion of the rainfall leaving the basin as evaporation and the rest as streamflow (Ekern and Chang, 1985). Based on the available pan evaporation data for Hawaii, evaporation generally decreases with increasing elevation below the temperature inversion[4] and the cloud layer (Figure 2-6). At low elevations near the coast, pan evaporation rates are influenced by sensible heat advection from the ocean (Nullet, 1987). Pan evaporation rates are enhanced in the winter by positive heat advection from the ocean, and the opposite occurs in the summer when pan evaporation rates are diminished by negative heat advection (Giambelluca and Nullet, 1992). With increasing distance from the windward coasts, positive heat advection from dry land surfaces becomes an important factor in determining the evaporative demand at the slopes (Nullet, 1987). Shade (1999, Fig. 9) estimated pan evaporation rates of 30 inches per year below 2,000 feet elevation to 90 inches per year near the coast. Within the cloud layer, evaporation rates are particularly low due to the low radiation and high humidity caused by fog drip. Pan evaporation rates dropped below 30 inches per year in this area as reported in Shade (1999, Fig. 9). Near the average height of the temperature inversion, evaporation rates are highly variable as they are mainly influenced by the movement of dry air from above and moist air from below (Nullet and Giambelluca, 1990). Above the inversion, clear sky and high solar radiation at the summit causes increased evaporation, with pan evaporation rates of about 50 to 70 inches per year (Shade, 1999, Fig. 9). For example, Ekern and Chang (1985) reported evaporation increased to 50 percent more than surface oceanic rates near the Mauna Kea crest on the island of Hawaii. Potential annual evapotranspiration in the Olowalu hydrologic unit (Figure 2-6) averages 109.4 in per year and ranges from 66.4 to 218.0 in per year (Giambelluca et al. 2014).

Land Use

The Hawaii Land Use Commission (LUC) was established under the State Land Use Law (Chapter 205, Hawaii Revised Statutes) enacted in 1961. Prior to the LUC, the development of scattered subdivisions resulted in the loss of prime agricultural land that was being converted for residential use, while creating problems for public services trying to meet the demands of dispersed communities. The purpose of the law and the LUC is to preserve and protect Hawaii's lands while ensuring that lands are used for the purposes they are best suited. Land use is classified into four broad categories: 1) agricultural; 2) conservation; 3) rural; and 4) urban.

Land use classification is an important component of examining the benefits of protecting instream uses and the appropriateness of surface water use for noninstream uses. While some may argue that land use, in general, should be based upon the availability of surface and ground water resources, land use classification continues to serve as a valuable tool for long-range planning purposes.

As of 2014, the LUC designated 68.3.0 percent of the land in Olowalu as conservation and 31.7 percent as agricultural (State of Hawaii, Office of Planning, 2015d). The conservation district is located in the upper part of the hydrologic unit, whereas the agricultural district lies in the lower part of the hydrologic unit (Figure 2-7).

[4] Temperature inversion is when temperature increases with elevation.

Land Cover

Land cover for the hydrologic unit of Olowalu is represented by two separate 30-meter Landsat satellite datasets. One of the datasets, developed by the Coastal Change Analysis Program (C-CAP), provides a general overview of the land cover types in Olowalu, e.g. forest, grassland, shrub land, with minor developed areas, cultivated areas, and bare land (Table 2-4, Figure 2-8). The second is developed by the Hawaii Gap Analysis Program (HI-GAP), which mapped the National Vegetation Classification System (NVCS) associations for each type of vegetation, creating a more comprehensive land cover dataset (Table 2-5, Figure 2-7).

Based on the two land cover classification systems, the land cover of Olowalu consists mainly of scrub and forested areas. Over half of the hydrologic unit is made up of alien forest, grassland or shrubland. There is some native dry cliff vegetation, shrubland and sparse ohia spread throughout the upper slopes as part of the West Maui Forest Reserve. A mixture of alien and ohia forests and uluhe shrub lands can be found at intermediate slopes. Alien grasslands and cultivated cropland cover a majority of the lower altitudes near the coast with very little urban or industrial developments.

Table 2-4. C-CAP land cover classes and area distribution in Olowalu hydrologic unit. (Source: National Oceanographic and Atmospheric Agency, 2015)

Land Cover	Description	Area (mi^2)	Percent of Unit
Scrub/Shrub	Areas dominated by woody vegetation less than 6 meters in height	3.057	36.77
Evergreen Forest	Areas where more than 67% of the trees remain green throughout the year	2.755	33.14
Grassland	Natural and managed herbaceous cover	2.187	26.30
Low Intensity Developed	Constructed surface with substantial amounts of vegetated surface	0.144	1.73
Bare Land	Bare soil, gravel, or other earthen material with little or no vegetation	0.053	0.64
Cultivated Crops	Areas intensely managed for the production of annual crops	0.045	0.54
Open Water		0.035	0.43
Medium Intensity Developed	Areas with a mixture of constructed materials and substantial amounts of vegetation	0.019	0.23
Developed Open Space	Areas mostly managed grasses or low-lying vegetation planted for recreation, erosion control, or aesthetic purposes	0.012	0.14
Palustrine Emergent Wetland	Includes tidal and nontidal wetlands dominated by persistent emergent vascular plants, mosses or lichens	0.005	0.06
High Intensity Developed	Contains significant land area covered by concrete, asphalt and other constructed materials with less than 20% vegetation	0.002	0.03

The land cover maps (Figures 2-6, 2-9) provide a general representation of the land cover types in Olowalu. Given that the scale of the maps is relatively large, they may not capture the smaller cultivated lands or other vegetation occupying smaller parcels of land. Land cover types may also have changed slightly since the year when the maps were published. Community members have reported lands cultivated with tropical flowers, dryland (and some wetland) taro, sweet potato, banana, and papaya, primarily in the lowest portions of the hydrologic unit. Along the coast, a number of typical native and alien species have been reported. Some of those native species include ulei, naupaka kahakai, akia, lau’we, and hala.

Table 2-5. HI-GAP land cover classes and area distribution in Olowalu hydrologic unit. (Source: HI-GAP, 2005)

Land Cover	Area (mi^2)	Percent of Unit
Alien Shrubland	1.884	22.66
Alien Forest	1.522	18.30
Alien Grassland	1.366	16.43
Cultivated Cropland	0.835	10.04
Native Dry Cliff Vegetation	0.602	7.23
Native Shrubland / Sparse Ohia (native shrubs)	0.537	6.46
Uncharacterized Shrubland	0.332	3.99
Uluhe Shrubland	0.289	3.48
Native Wet Cliff Vegetation	0.224	2.70
Closed Ohia Forest	0.194	2.33
Uncharacterized Forest	0.117	1.41
Ohia Forest	0.096	1.15
Uncharacterized Open-Sparse Vegetation	0.091	1.09
Open Ohia Forest	0.089	1.07
Very Sparse Vegetation to Unvegetated	0.067	0.08
Developed, Low Intensity	0.039	0.05
Kiawe Forest and Shrubland	0.029	0.04
Developed, High Intensity	0.002	<0.01

Flood

Floods usually occur following prolonged or heavy rainfall associated with tropical storms or hurricanes. The magnitude of a flood depends on topography, ground cover, and soil conditions. Rain falling on areas with steep slopes and soil saturated from previous rainfall events tends to produce severe floods in low-lying areas. Four types of floods exist in Hawaii. Stream or river flooding occurs when the water level in a stream rises into the flood plain. A 100-year flood refers to the probability of a given magnitude flood occuring once in a hundred years, or 1 percent chance of happening in a given year. Flash floods occur within a few hours after a rainfall event, or they can be caused by breaching of a flood safety structure such as a dam. Flash flooding is common in Hawaii because the small drainage basins often have a short response time, typically less than an hour, from peak rainfall to peak streamflow. They are powerful and dangerous in that they can develop quickly and carry rocks, mud, and all the debris in their path down to the coast, causing water quality problems in the near-shore waters. Some floods can even trigger massive landslides, blocking off the entire stream channel. Sheet flooding occurs when runoff builds up on previously saturated ground, flowing from the high mountain slopes to the sea in a shallow sheet (Pacific Disaster Center, 2007). Coastal flooding is the inundation of coastal land areas from excessive sea level rise associated with strong winds or a tsunami.

Peak floods in Olowalu have been monitored by USGS for 47 years (1961-2008). Using regression modeling the 2-, 5-, 10-, 50-, and 100-year flood magnitudes in Olowalu are 477, 826, 1080, 1690, and 1960 cfs. The Federal Emergency Management Agency (FEMA) developed maps that identify the flood-risk areas in an effort to mitigate life and property losses associated with flooding events. Based on these maps, FEMA identified most of the Olowalu hydrologic unit as flood-risk zone X, outside of the the 1% annual chance of flood. There are small areas near the mouth of the river where flood risk is considered zone AO, areas with 1% chance of shallow flooding of 1-3 feet annually or areas with a 0.2% risk of flooding hazard per year (Figure 2-10).

Drought

Drought is generally defined as a shortage of water supply that usually results from lower than normal rainfall over an extended period of time, though it can also result from human activities that increase water demand (Giambelluca et al., 1991). The National Drought Mitigation Center (State of Hawaii, Commission on Water Resource Management, 2005b) uses two types of drought definitions — conceptual and operational. Conceptual definitions help people understand the general concept of drought. Operational definitions describe the onset and severity of a drought, and they are helpful in planning for drought mitigation efforts. The four operational definitions of drought are meteorological, agricultural, hydrological, and socioeconomic. Meteorological drought describes the departure of rainfall from normal based on meteorological measurements and understanding of the regional climatology. Agricultural drought occurs when not enough water is available to meet the water demands of a crop. Hydrological drought refers to declining surface and ground water levels. Lastly, socioeconomic drought occurs when water shortage affects the general public.

Impacts of drought are complex and can be categorized into three sectors: water supply; agriculture and commerce; and environment, public health, and safety sectors (State of Hawaii, Commission on Water Resource Management, 2005b). The water supply sector encompasses urban and rural drinking water systems that are affected when a drought depletes ground water supplies due to reduced recharge from rainfall. The agriculture and commerce sector includes the reduction of crop yield and livestock sizes due to insufficient water supply for crop irrigation and maintenance of ground cover for grazing. The environmental, public health, and safety sector focuses on wildfires that are both detrimental to the forest ecosystem and hazardous to the public. It also includes the impact of desiccating streams, such as the reduction of instream habitats for native species.

Droughts have affected the islands throughout Hawaii's recorded history. The most severe events of the recent past years are associated with the El Niño phenomenon. In January 1998, the National Weather Service's network of 73 rain gauges throughout the State did not record a single above-normal rainfall, with 36 rain gauges recording less than 25 percent of normal rainfall (State of Hawaii, Commission on Water Resource Management, 2005b). The most recent drought occurred in 2000-2002, affecting all islands, especially the southeastern end of the State.

Table 2-6. Drought risk areas for Maui. (Source: University of Hawaii, 2003)
[Drought classifications of moderate, severe, and extreme have SPI values -1.00 to -1.49, -1.50 to -1.99, and -2.00 or less, respectively]

Sector	Drought Classification (based on 12-month SPI)		
	Moderate	Severe	Extreme
Water Supply	Kula, Kahului, Wailuku, Hana, Lahaina	Kula, Hana	Kula
Agriculture and Commerce	--	--	--
Environment, Public Health and Safety	Kula	Kula	Kula

With Hawaii's limited water resources and growing water demands, droughts will continue to adversely affect the environment, economy, and the residents of the State. Aggressive planning is necessary to make wise decisions regarding the allocation of water at the present time, and conserving water resources for generations to come. The Hawaii Drought Plan was established in 2000 in an effort to mitigate the long-term effects of drought. One of the projects that supplemented the plan was a drought risk and vulnerability assessment of the State, conducted by researchers at the University of Hawaii (2003). In this project, drought risk areas were determined based on rainfall variation in relation to water source, irrigated area, ground water yield, stream density, land form, drainage condition, and land use. Fifteen years of historical rainfall data were used. The Standardized Precipitation Index (SPI) was used as the drought index because of its ability to assess a range of rainfall conditions in Hawaii. It quantifies rainfall deficit for different time periods, i.e. 3 months and 12 months. Results of the study for Maui are summarized in Table 2-6. Based on the 12-month SPI, the Kula and Hana regions have the greatest risk to drought impact on Maui because of its dependence on surface water sources, limited rainfall, or relatively high drought frequency and high population density. The growing population in the already densely populated area further stresses the water supply. The Olowalu region is vulnerable to drought in the agricultural sector and has substantial wildfire risk, but there is less risk to the general population.

Figure 2-2. Generalized geology of the Olowalu hydrologic unit. (Source: Sherrod et al., 2007)

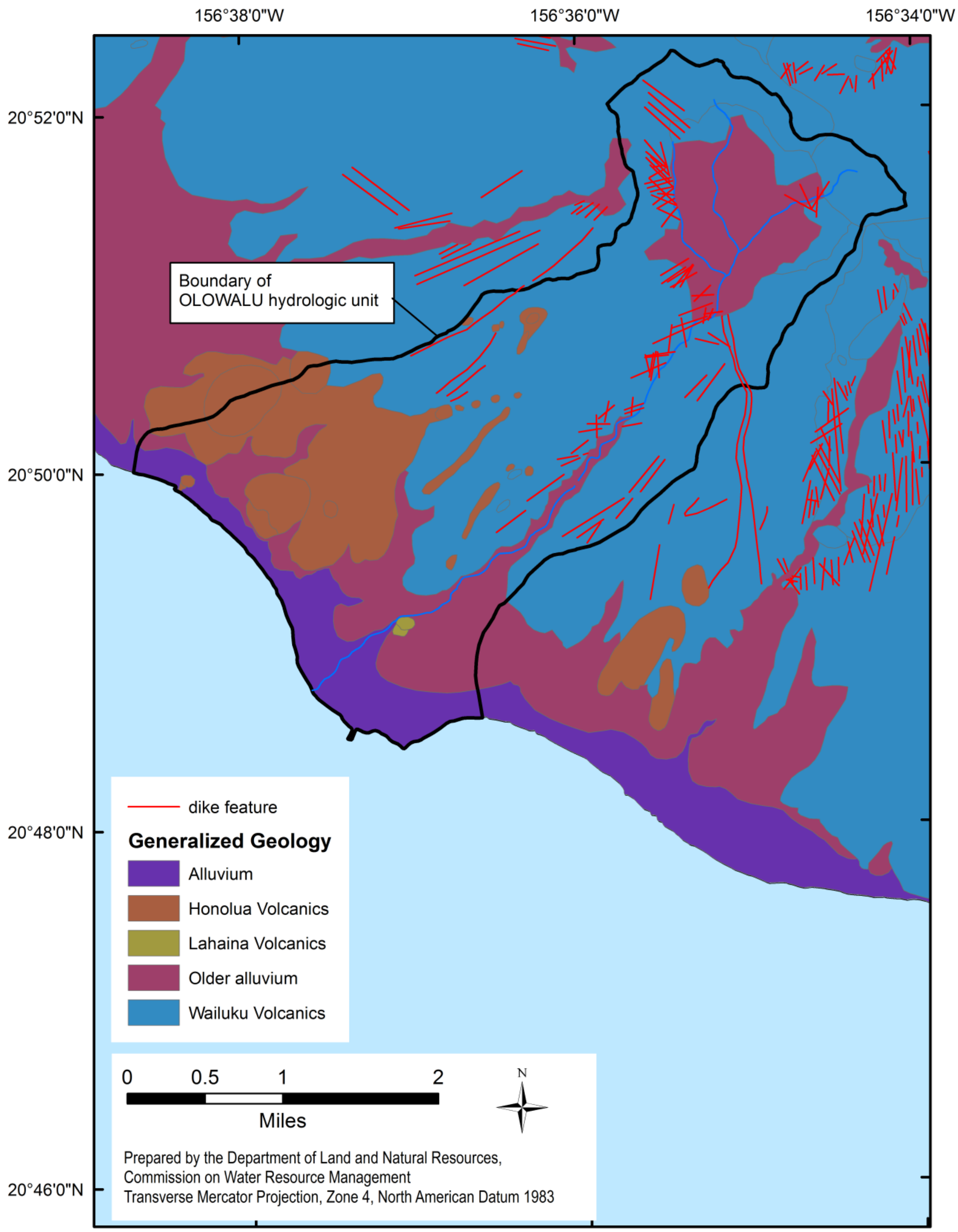


Figure 2-3. Soil classification in the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015m)

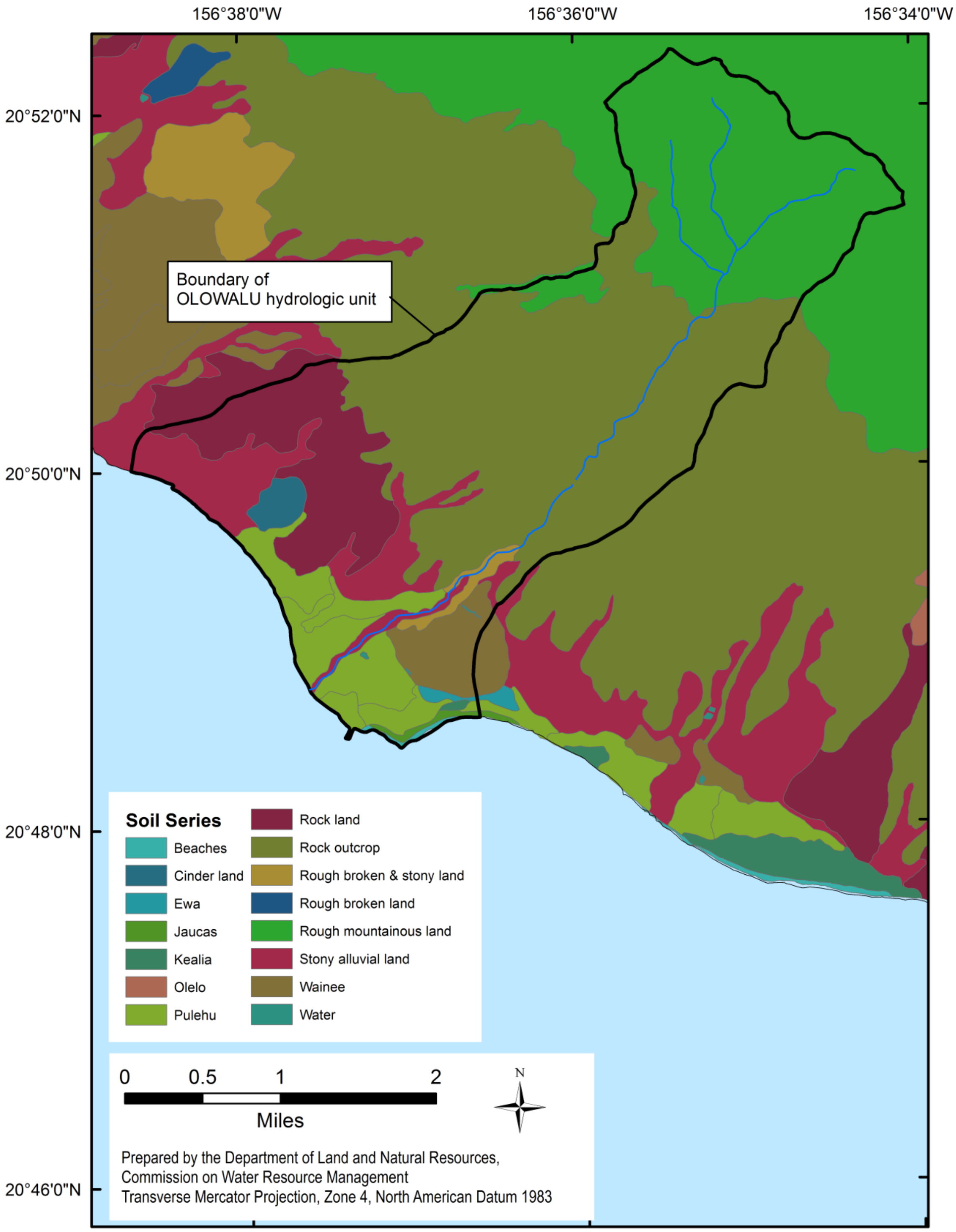


Figure 2-4. Mean annual rainfall of the Olowalu hydrologic unit. (Source: Giambelluca et al., 2013)

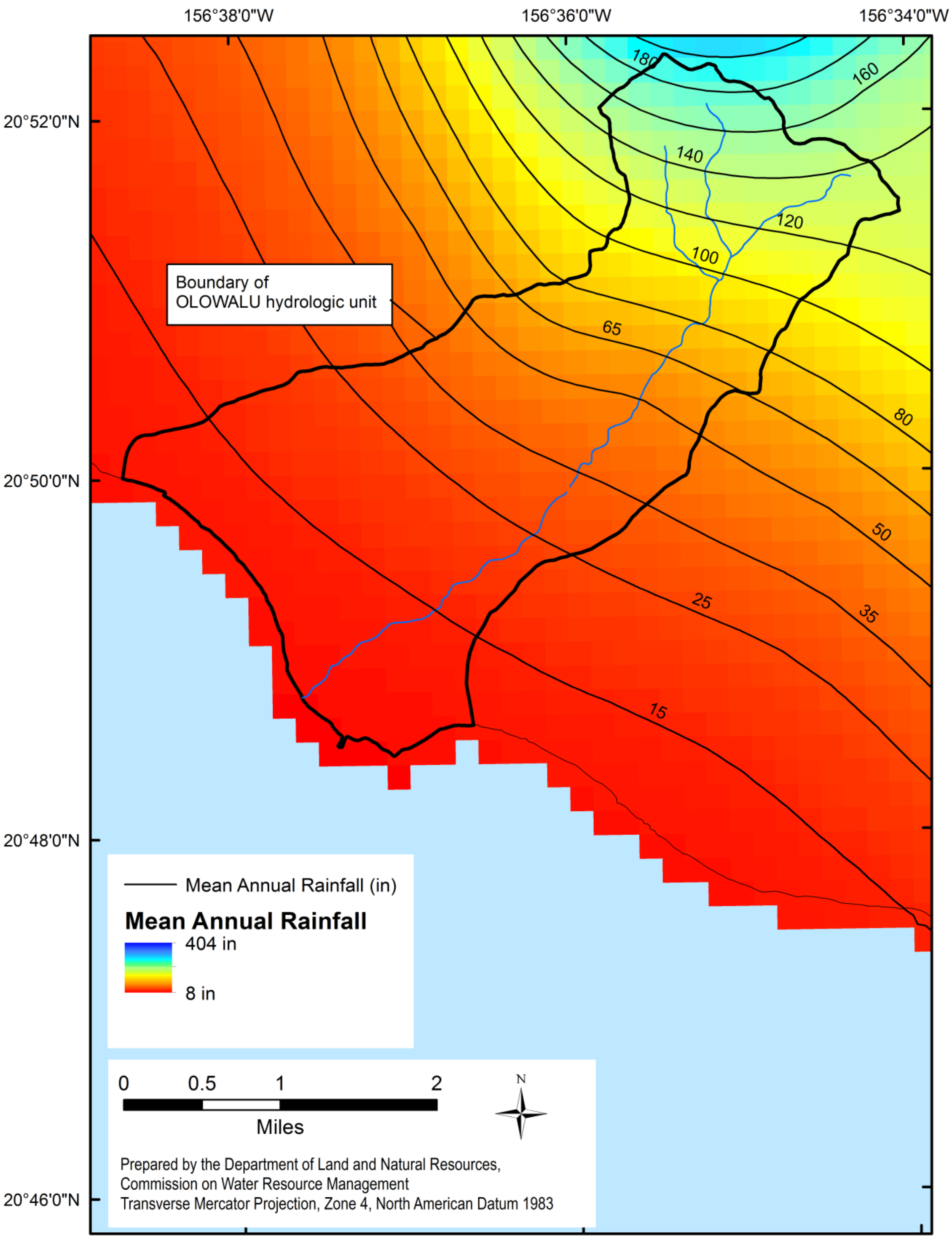


Figure 2-5. Mean annual solar radiation of the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015c)

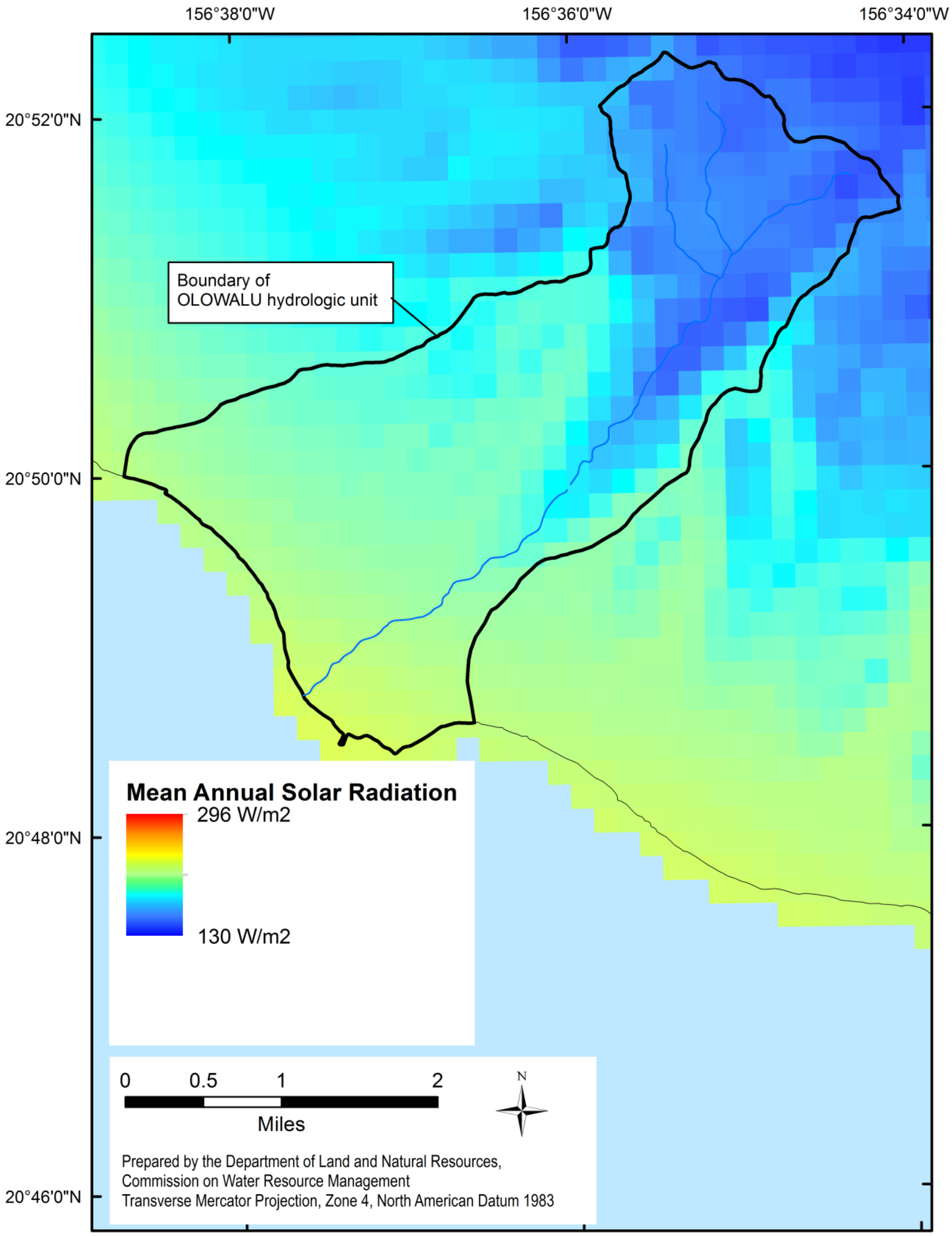


Figure 2-6. Mean annual potential evapotranspiration (Penman-Monteith method) of the Olowalu hydrologic unit. (Source: Giambelluca et al., 2014)

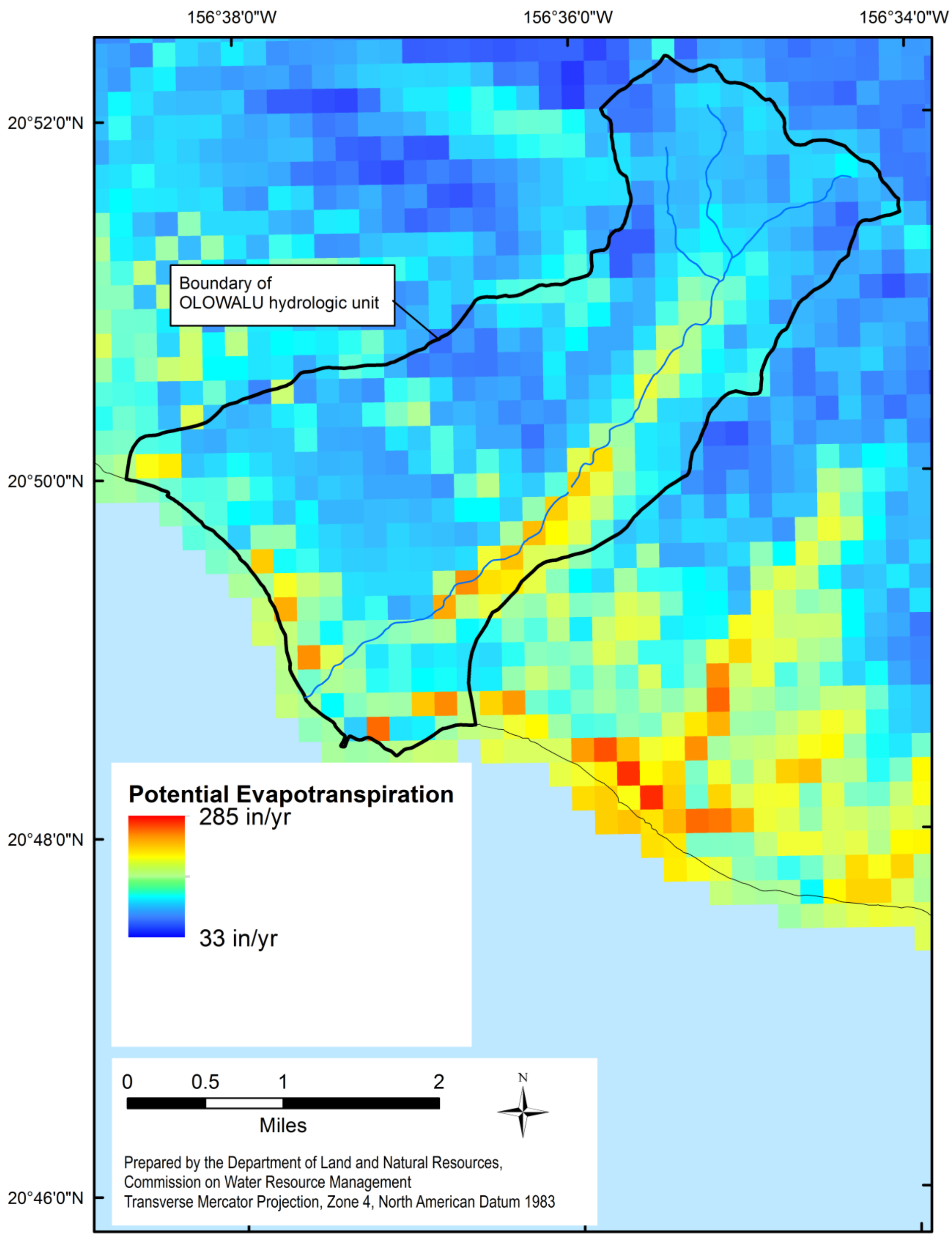


Figure 2-7. State land use district boundaries of the Olowalu hydrologic unit (Source: State of Hawaii, Office of Planning, 2015d).

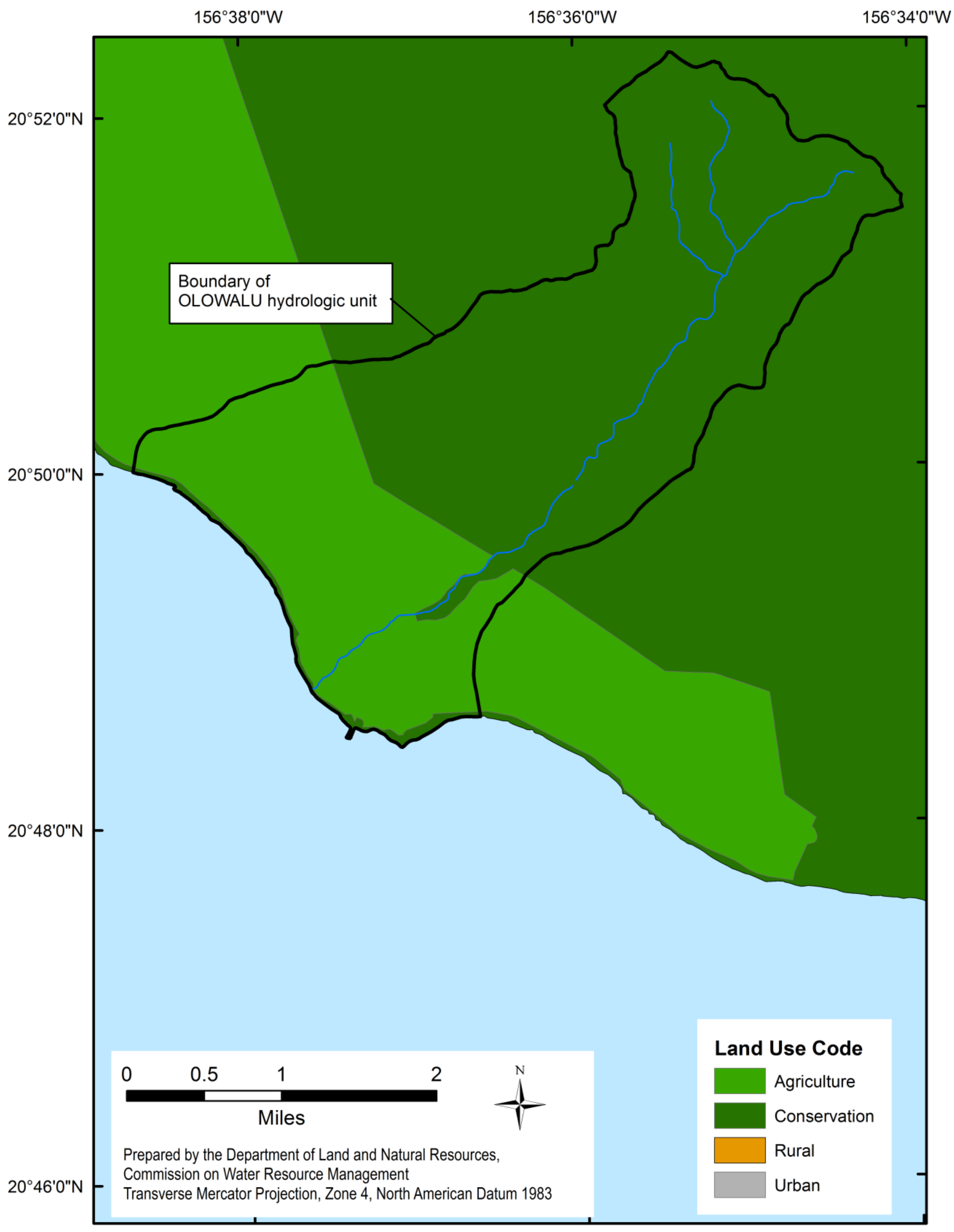


Figure 2-8. C-CAP land cover of the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015k).

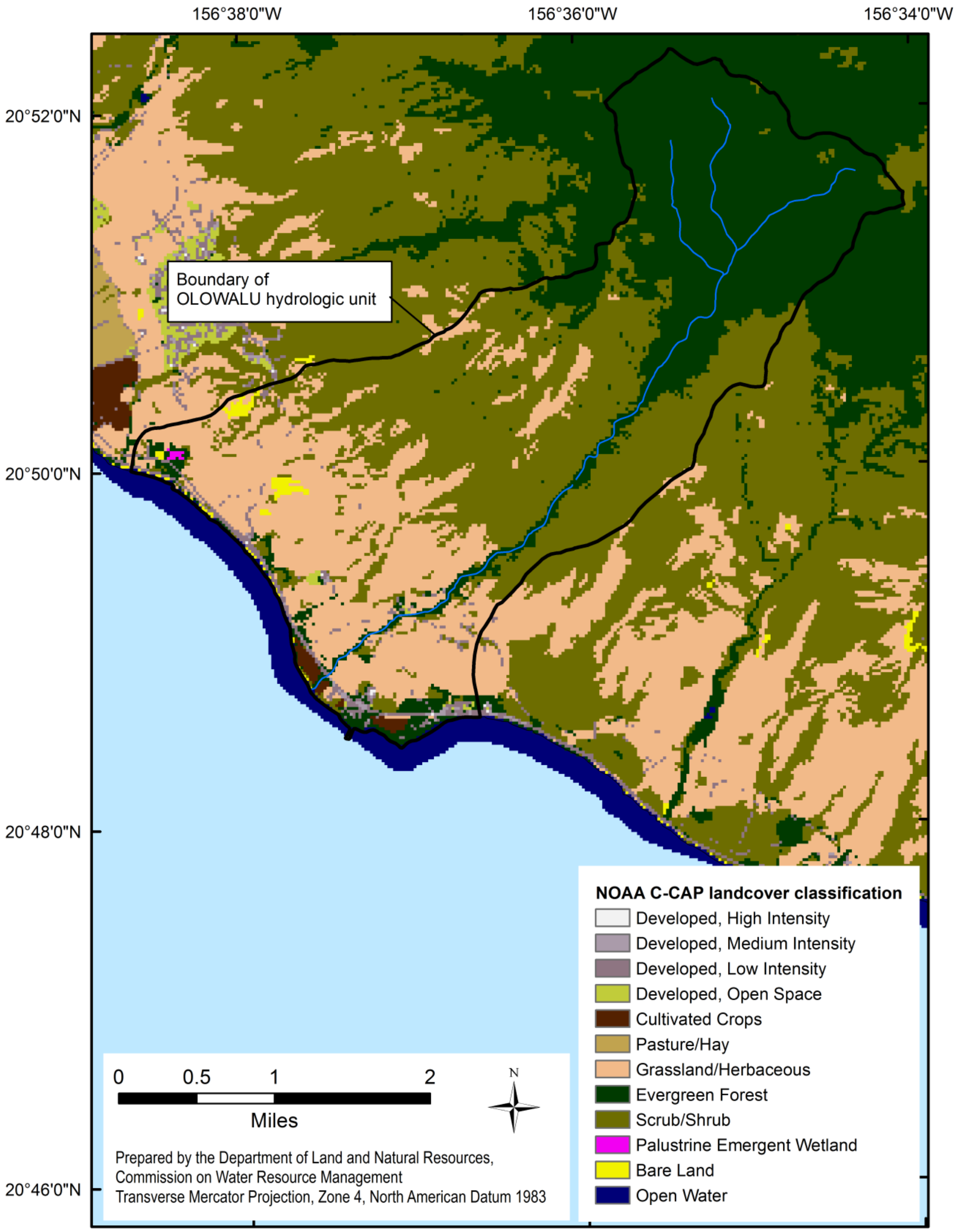


Figure 2-9. Hawaii GAP land cover classes of the Olowalu hydrologic unit (Source: State of Hawaii, Office of Planning, 2015f).

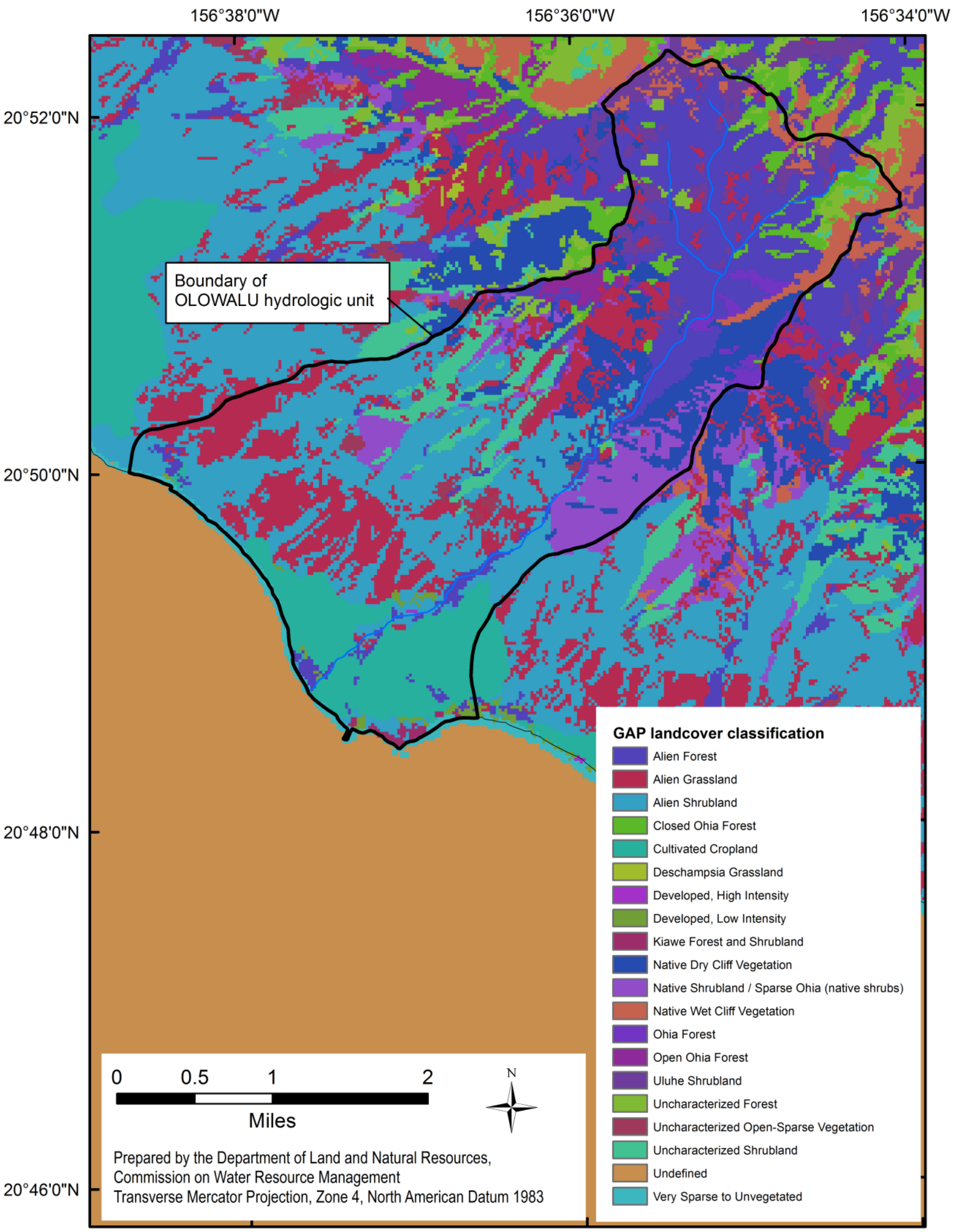
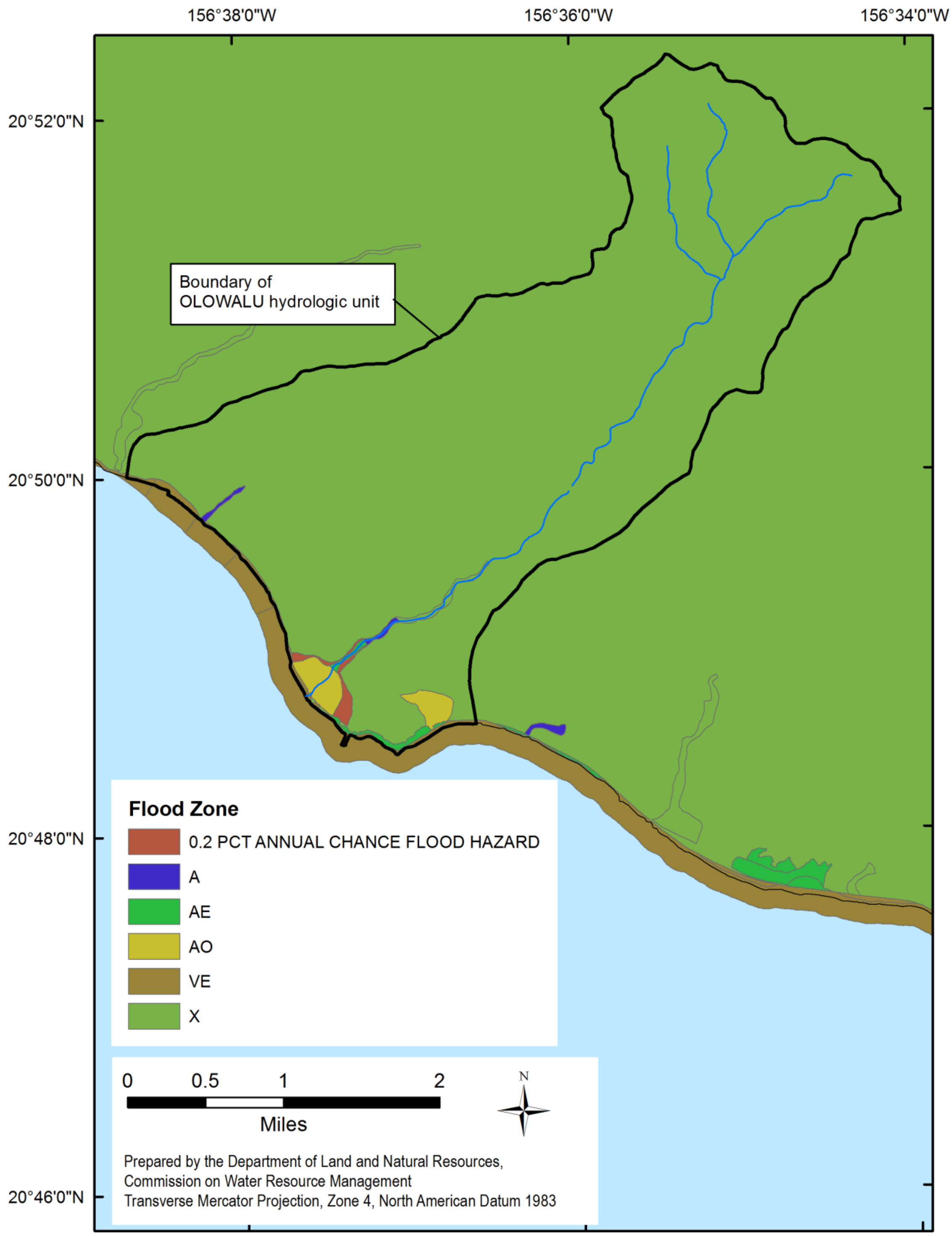


Figure 2-10. FEMA flood zone regions in Olowalu hydrologic unit (Source: Federal Emergency Management Agency, 2014).



3.0 Hydrology

The Commission, under the State Water Code, is tasked with establishing instream flow standards by weighing "the importance of the present or potential instream values with the importance of the present or potential uses of water for noninstream purposes, including the economic impact of restricting such uses." While the Code outlines the instream and offstream uses to be weighed, it assumes that hydrological conditions will also be weighed as part of this equation. The complexity lies in the variability of local surface water conditions that are dependent upon a wide range of factors, including rainfall, geology, and human impacts, as well as the availability of such information. The following is a summary of general hydrology and specific hydrologic characteristics for Olowalu Stream.

Streams in Hawaii

Streamflow consists of: 1) direct surface runoff in the form of overland flow and subsurface flow that rapidly returns infiltrated water to the stream; 2) ground water discharge in the form of base flow; 3) water returned from streambank storage; 4) rain that falls directly on streams; and 5) additional water, including excess irrigation water discharged into streams by humans (Oki, 2003). The amount of runoff and ground water that contribute to total streamflow is dependent on the different components of the hydrologic cycle, as well as man-made structures such as diversions and other stream channel alterations (e.g. channelizations and dams).

Streams in Hawaii can either gain or lose water at different locations depending on the geohydrologic conditions. A stream gains water when the ground water table is above the streambed. When the water table is below the streambed, the stream can lose water. Where the streambed is lined with concrete or other low-permeability or impermeable material, interaction between surface water and ground water is unlikely. Another way that ground water influences streamflow is through springs. A spring is formed when a geologic structure (e.g., fault or fracture) or a topographic feature (e.g., side of a hill or a valley) intersects ground water either at or below the water table. It can discharge ground water onto the land surface, directly into the stream, or into the ocean. Figure 3-1 illustrates a valley that has been incised into a high-level water table, resulting in ground water discharges that contribute directly to streamflow and springs that contribute to streamflow. At places where erosion has removed the caprock, ground water discharges either as springs or into the ocean as seeps.

Olowalu stream is gaining consistently above the upper diversion and the partial-record gaging station (USGS station number 205000156355801) at 560 ft elevation. When the upper diversion was active, 100% of baseflows were diverted from the stream, although some water was returned to the stream from the ditch via leakage. Since September 2016, the upper intake has not been active due to storm damage and the stream continues to flow past the upper diversion. From the upper diversion to the lower diversion, the stream loses flow at about 1.1 $ft^3 s^{-1} mi^{-1}$. The lower intake at an elevation of approximately 220 ft was re-established in November 2016 but diverts less water than the upper intake. In the lowest reaches, the stream is losing flow to groundwater.

Ground Water

Ground water is an important component of streamflow as it constitutes the base flow[5] of Hawaiian streams. When ground water is withdrawn from a well, the water level in the surrounding area is lowered. Nearby wetlands or ponds may shrink or even dry up if the pumping rate is sufficiently high (Gingerich and Oki, 2000). The long-term effects of ground water withdrawal can include the reduction of streamflow, which may cause a decrease in stream habitats for native species and a reduction in the amount of water available for irrigation. The interaction between surface water and ground water warrants a close look at the ground water recharge and demand within the State as well as the individual hydrologic units.

In Hawaii, ground water is replenished by recharge from rainfall, fog drip, and irrigation water that percolate through the plant root zone to the subsurface rock. Recharge can be captured in three major fresh ground water systems: 1) fresh water-lens system; 2) dike-impounded system; and 3) perched system. The fresh water-lens system provides the most important sources of ground water. It includes a lens-shaped layer of fresh water, an intermediate transition zone of brackish water, and underlying salt water. Vertically extensive fresh water-lens system can extend several hundreds or even thousands of feet below mean sea level. By contrast, a dike-impounded system is found in rift zones and caldera of a volcano where low-permeability dikes compartmentalize areas of permeable volcanic rocks, forming high-level water bodies. On Maui, dikes impound water to as high as 3,300 feet above mean sea level. A perched system is found in areas where low-permeability rocks impede the downward movement of percolated water sufficiently to allow a water body to form in the unsaturated zone above the lowest water table (Gingerich and Oki, 2000).

The hydrologic unit of Olowalu almost completely occupies the Olowalu aquifer system. A general overview of the ground water occurrence and movement in this area is described in Gingerich (1999b) and illustrated in Figure 3-1. Ground water is found in dike-impounded structures of Honolua and Wailuku Volcanics as well as in the fresh water-lens system making up the basal aquifer. Withdrawal from wells at or below sea level should not affect the high-elevation water table because the thick unsaturated zone will prevent any significant changes in the vertical flow gradient. However, during certain hydrologic conditions, there may be surface water-groundwater interactions, especially in the gaining reaches.

Olwalu Plantation Pioneer Mill drilled three wells for sugar cane irrigation from 1905-1933. Recently, one additional well was drilled to supply potable water for home development and domestic use. Detailed information for each well is specified in Table 3-1. As of 2016, the 12-month moving average for existing groundwater withdrawals from the Olowalu aquifer section was 0.136 mgd, although the last three months were unique as additional water was pumped to meet non-potable demand when the surface water system was not functional due to the September 2016 flood. Prior to the flood, the 12-month moving average was 0.057 mgd. This is well below the aquifer's current sustainable yield of 2 million gallons per day (State of Hawaii, Commission on Water Resource Management, 2015d). This water is for municipal use in domestic-residential single-family dwelling units or commercial use. Well 5134-01 is a high elevation development tunnel dug during the plantation era to supplement surface water.

[5] Base flow is the water that enters a stream from persistent, slowly varying sources (such as the seepage of ground water), and maintains stream flow between water-input events (i.e., it is the flow that remains in a stream in times of little or no rainfall).

Figure 3-1. Diagram illustrating the ground water system west of Keanae Valley, northeast Maui, Hawaii. Arrows indicate general direction of ground water flow (Source: Gingerich, 1999b).

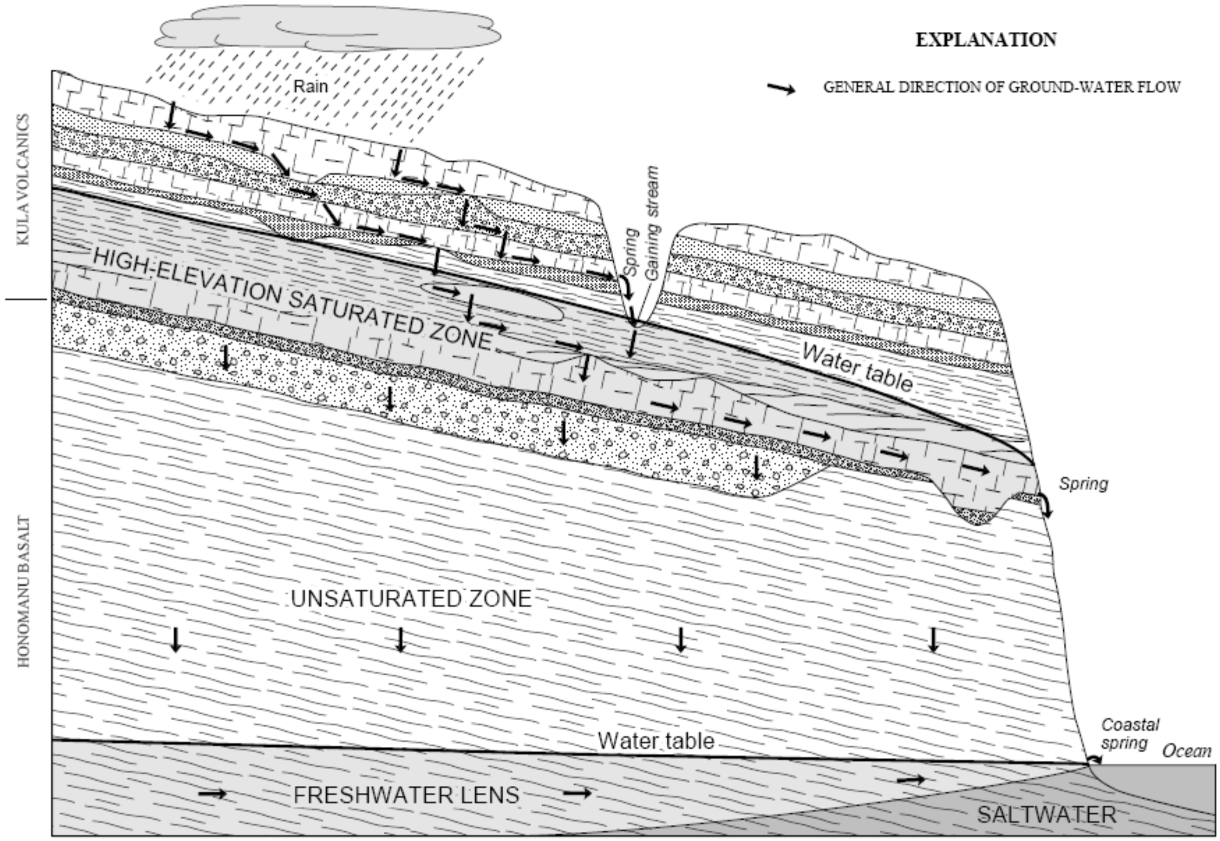


Table 3-1. Information of wells located in Olowalu hydrologic unit (Source: State of Hawaii, Commission on Water Resource Management, 2015d).

[Negative elevation values indicate feet below mean sea level; positive elevation values indicate feet above mean sea level. Pump rate measured in gallons per minute (gpm); -- indicates value is unknown.]

Well number	Well Name	Well Owner	Year drilled	Use	Ground elevation (feet)	Well depth (feet)	Pump elevation (feet)	Pump depth (feet)	Pump rate (gpm)
5134-01	Olowalu Tun	Pioneer Mill		IRR	1710				
5035-01	Olowalu Tunnel	Pioneer Mill	1912	ABNSLD	775				
4937-01	Olowalu Pump N	Olowalu Elua A	1933	UNU	165	300			3610
4936-01	Olowalu Elua	Olawalu Elua	1999	IRRLA	205	230	-5	210	250
4837-01	Olowalu Pump O	Olowalu Elua A	1905	UNU	20	20			2080

Streamflow Characteristics

Stream flow below the lower diversion (regulated flow) was monitored by the U.S. Geological Survey (USGS) from 1963 to 1973 (station #16646200) and peak streamflows were monitored by the USGS from 1961 to 2008 at the same station as depicted in Figure 3-2. Station 16646200 was only active for 10 years, but the dataset is complete. Historic regulated streamflow characteristics are provided in table 3-3. Dike-impounded groundwater supports continuous flow in the upper reaches of Olowalu Stream while the lowest reaches are losing reaches, with streamflow contributing to groundwater recharge (Figure 3-3). The closest long-term continuous stream flow monitoring stations maintained by the USGS are on Honokohau Stream (station #16620000) and Wailuku River (station #16604500). From 2012 to 2013, a low-flow partial record gaging station was established at a station upstream of the upper diversion and natural-flow duration discharges were estimated for the current period (1984-2013) as provided in Table 3-3.

Table 3-2. Selected flow duration discharge exceedance values from a historic (1964-1973) gaging station (#16646200) below the lower diversion and current (1984-2013) partial record gaging station above the upper diversion for the Olowalu hydrologic unit. Adjusted values are based on 1.169 cfs (-1.1 cfs/mile) loss between the upper and lower diversion (Source: Cheng 2014) [Flows are in cubic feet per second (cfs)]

	Discharge (Q) for a selected percentage ($_{xx}$) discharge was equaled or exceeded									
period	Q_{50}	Q_{55}	Q_{60}	Q_{65}	Q_{70}	Q_{75}	Q_{80}	Q_{85}	Q_{90}	Q_{95}
1964-1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1984-2013	6.1	5.6	5.2	4.8	4.5	4.2	4.0	3.7	3.4	3.1
adjusted 1984-2013	4.9	4.4	4.0	3.6	3.3	3.0	2.8	2.5	2.2	1.9

Long-term trends in flow

In a different study, the USGS examined the long-term trends and variations in streamflow on the islands of Hawaii, Maui, Molokai, Oahu, and Kauai, where long-term stream gaging stations exist (Oki, 2004). The study analyzed both total flow and estimated base flow at 16 long-term gaging stations. Figure 3-5 illustrates the results of the study for 7 long-term gaging stations around the islands. According to the analyses, low flows generally decreased from 1913 to 2002, which is consistent with the long-term downward trends in rainfall observed throughout the islands during that period. Monthly mean base flows decreased from the early 1940s to 2002, which is consistent with the measured downward trend of low flows from 1913 to 2002. This long-term downward trend in base flow may imply a reduction of ground water contribution to streams. For example, mean annual streamflow in the nearby Honokohau Stream (USGS station 16620000) streamflow has slowly declined from the 1914 to 2015. At this station, the 10-year moving average annual streamflow was 43.65 cfs in 1926 and 32.91 cfs in 2015. Changing streamflow characteristics could pose a negative effect on the availability of drinking water for human consumption and habitat for native stream fauna (Oki, 2004).

Figure 3-2. Ditches, diversions and USGS gaging stations in the Olowalu hydrologic unit (Source: State of Hawaii, Commission on Water Resource Management, 2015a).

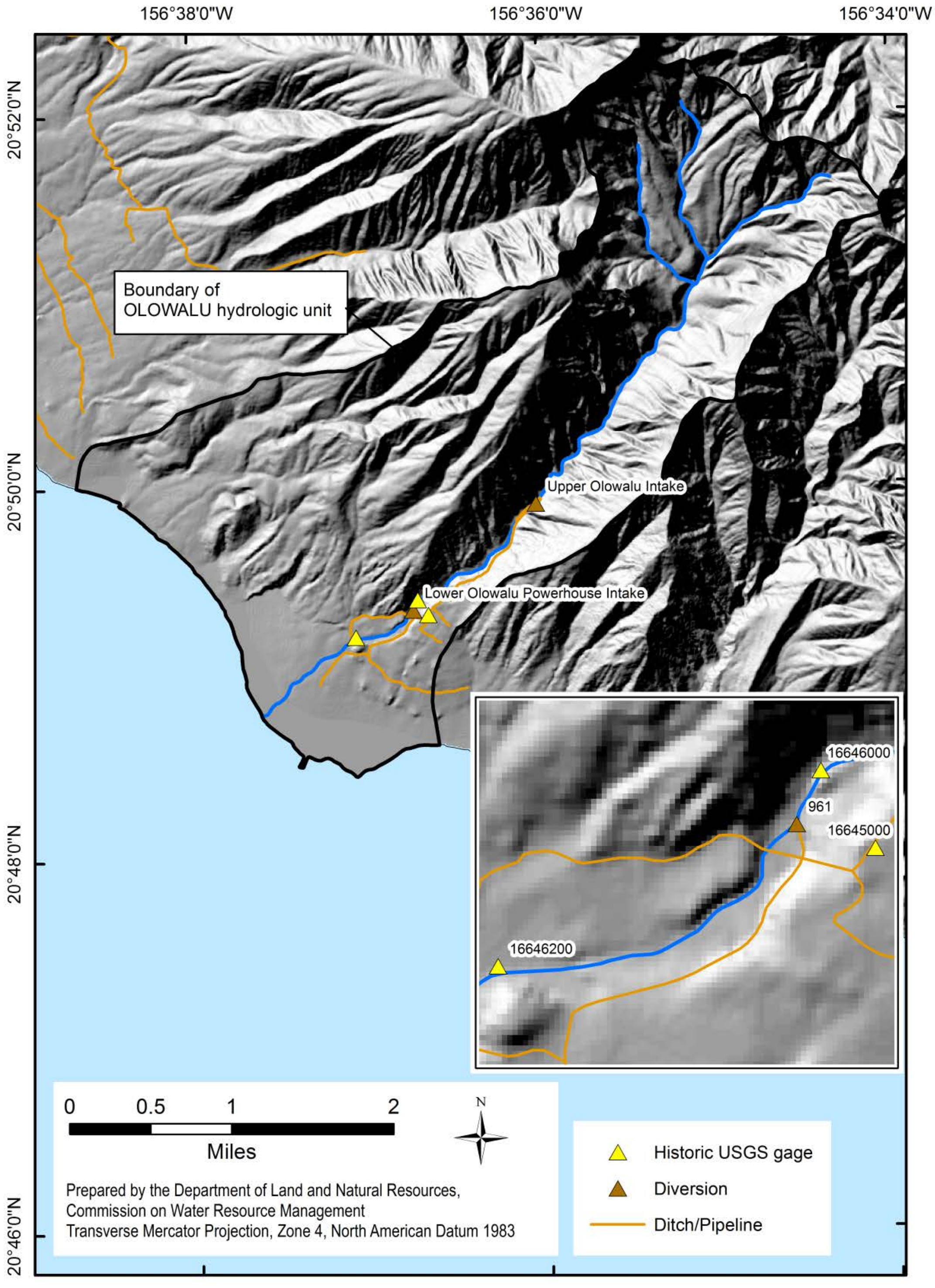


Figure 3-3. Seepage run results and median flow from partial record gaging stations of the Olowalu hydrologic unit (Source: State of Hawaii, Commission on Water Resource Management, 2015a; Cheng, 2014).

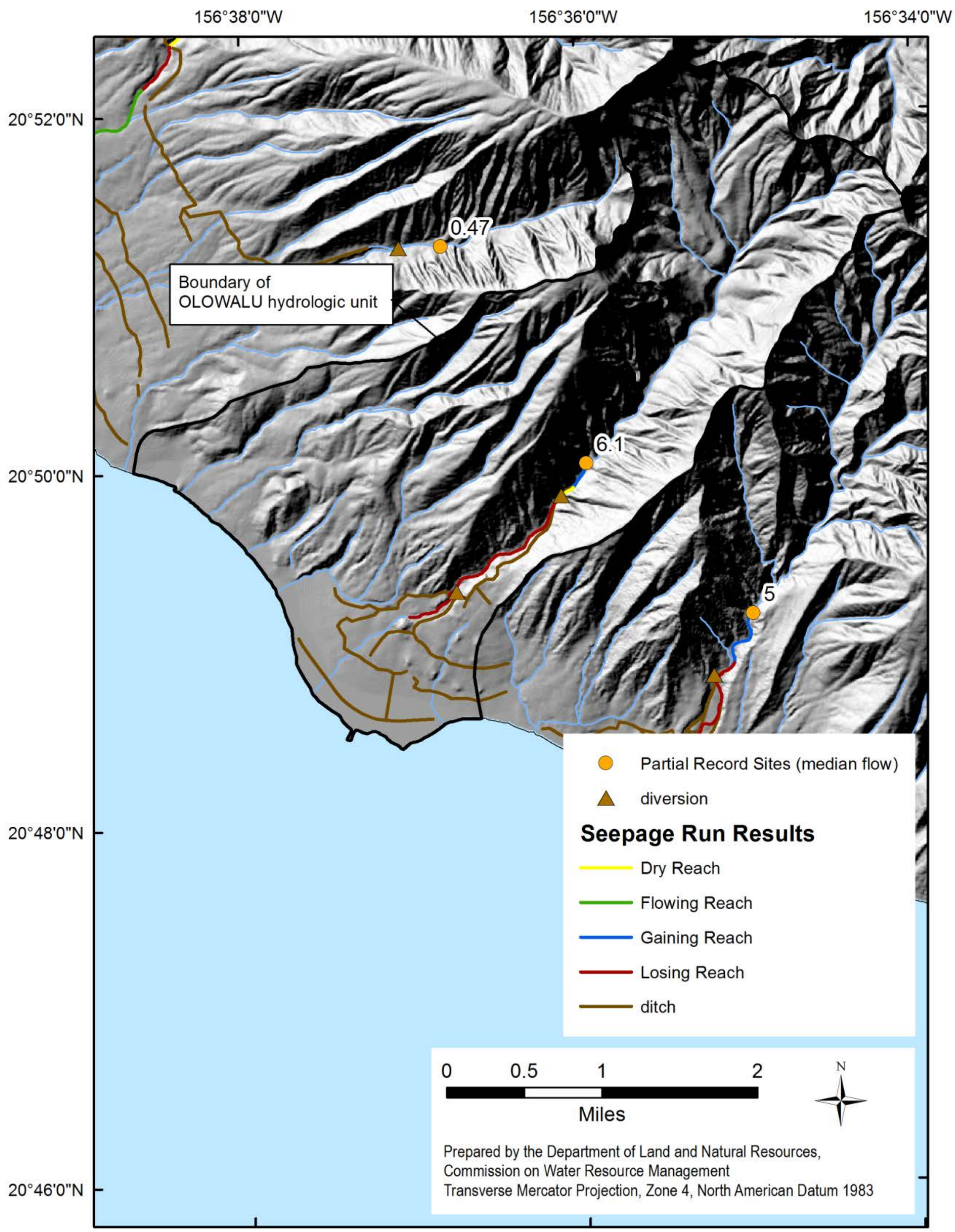


Figure 3-4. Aquifer system area and well locations (with well numbers) of the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015d; State of Hawaii, Commission on Water Resource Management, 2015f)

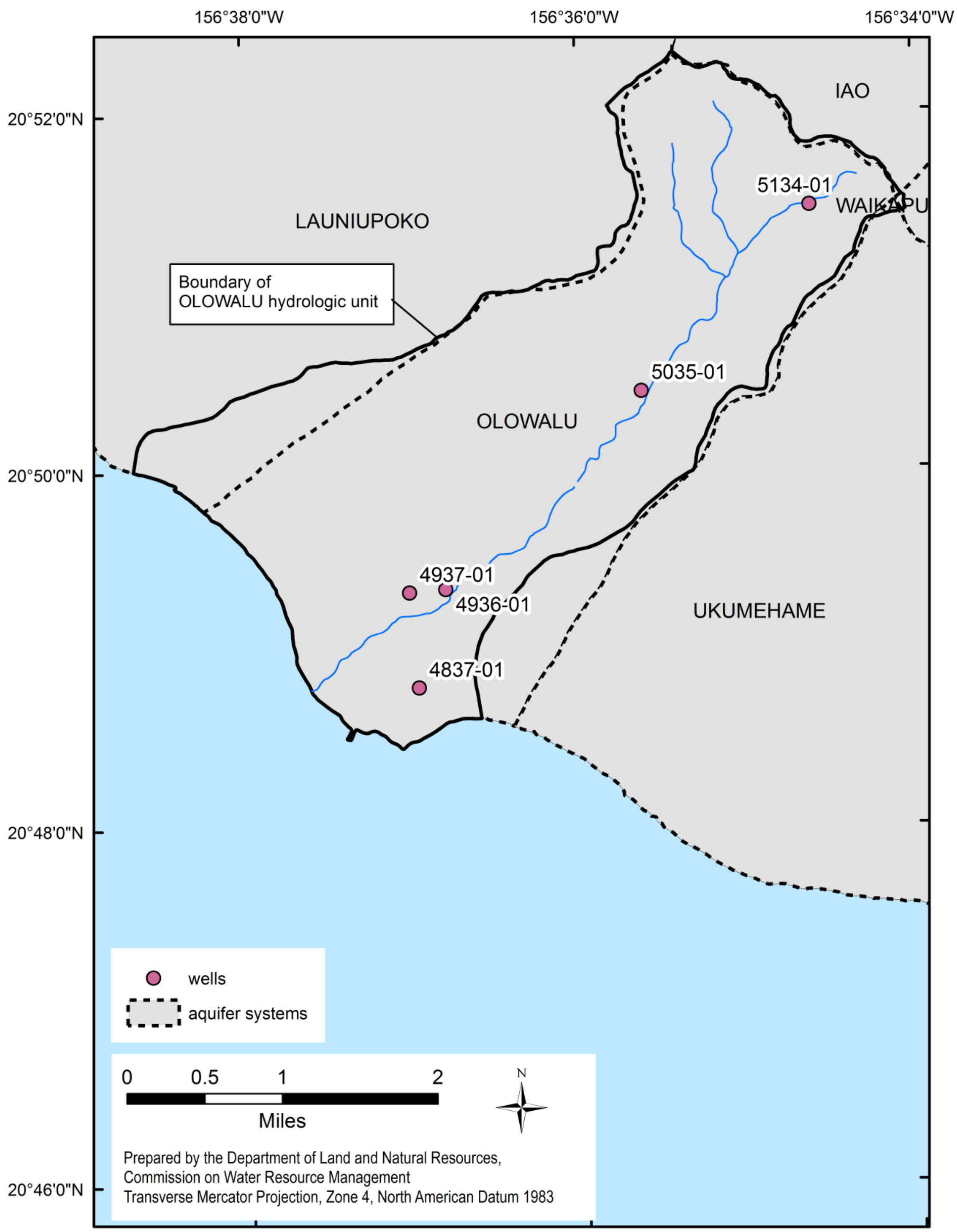
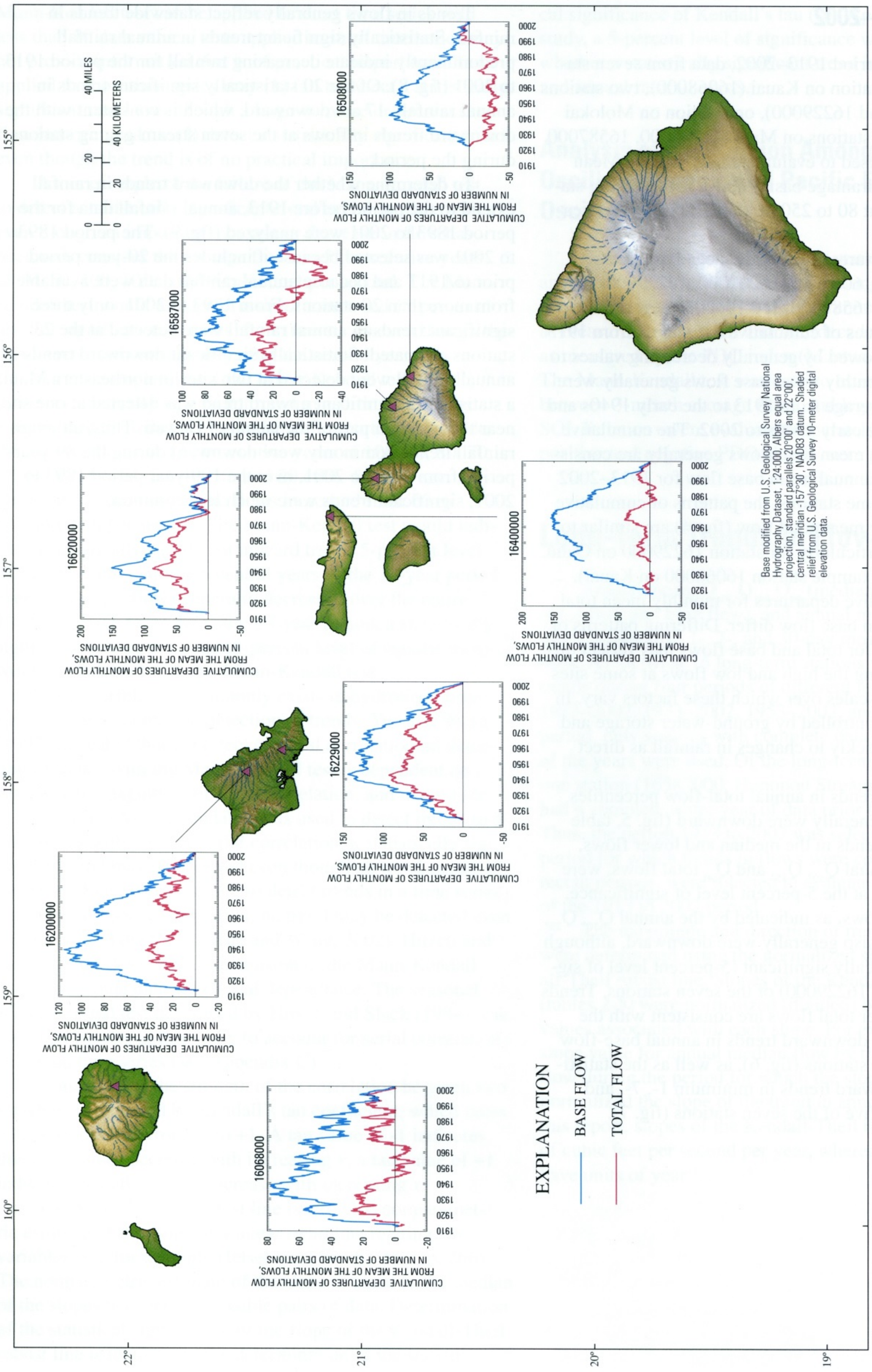


Figure 3-5. Cumulative departures of monthly mean flow from the mean of the monthly flows, Hawaii. This data is based on complete water years from 1913 through 2002. (Oki, 2004, Figure 4)



4.0 Maintenance of Fish and Wildlife Habitat

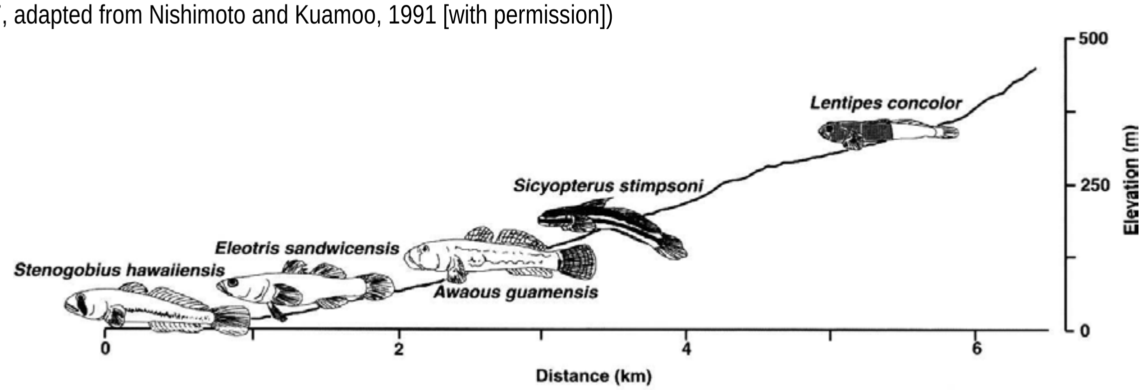
When people in Hawaii consider the protection of instream flows for the maintenance of fish habitat, their thoughts generally focus on just a handful of native species including five native fishes (four gobies and one eleotrid), two snails, one shrimp, and one prawn. Table 4-1 below identifies commonly mentioned native stream animals of Hawaii.

Table 4-1. List of commonly mentioned native stream organisms. (Source: State of Hawaii, Division of Aquatic Resources, 1993)

Scientific Name	Hawaiian Name	Type
Awaous guamensis	‘O‘opu nakea	Goby
Lentipes concolor	‘O‘opu hi‘ukole (alamo‘o)	Goby
Sicyopterus stimpsoni	‘O‘opu nopili	Goby
Stenogobius hawaiiensis	‘O‘opu naniha	Goby
Eleotris sandwicensis	‘O‘opu akupa (okuhe)	Eleotrid
Atyoida bisulcata	‘Opae kala‘ole	Shrimp
Macrobrachium grandimanus	‘Opae ‘oeha‘a	Prawn
Neritina granosa	Hihiwai	Snail
Neritina vespertina	Hapawai	Snail

Hawaii’s native stream animals have amphidromous life cycles (Ego, 1956) meaning that they spend their larval stages in the ocean (salt water), then return to freshwater streams to spend their adult stage and reproduce. Newly hatched fish larvae are carried downstream to the ocean where they become part of the planktonic pool in the open ocean. The larvae remain at sea from a few weeks to a few months, eventually migrating back into a fresh water stream as juvenile *hinana*, or postlarvae (Radtke et al., 1988). Once back in the stream, the distribution of the five native fish species are largely dictated by their climbing ability (Nishimoto and Kuamoo, 1991) along the stream’s longitudinal gradient. This ability to climb is made possible by a fused pelvic fin which forms a suction disk. *Eleotris sandwicensis* lacks fused pelvic fins and is mostly found in lower stream reaches. *Stenogobius hawaiiensis* has fused pelvic fins, but lacks the musculature necessary for climbing (Nishimoto and Kuamoo, 1997). *Awaous guamensis* and *Sicyopterus stimpsoni* are able to ascend moderately high waterfalls (less than ~20 meters) (Fitzsimons and Nishimoto, 1990), while *Lentipes concolor* has the greatest climbing ability and has been observed at elevations higher than 3,000 feet (Fitzsimons and Nishimoto, 1990) and above waterfalls more than 900 feet in vertical height (Englund and Filbert, 1997). Figure 4-1 illustrates the elevational profile of these native fresh water fishes.

Figure 4-1. Elevational profile of a terminal-estuary stream on the Big Island of Hawaii (Hakalau Stream). (Source: McRae, 2007, adapted from Nishimoto and Kuamoo, 1991 [with permission])



The maintenance, or restoration, of stream habitat requires an understanding of and the relationships among the various components that impact fish and wildlife habitat, and ultimately, the overall viability of a desired set of species. These components include, but are not limited to, species distribution and diversity, species abundance, predation and competition among native species, similar impacts by alien species, obstacles to migration, water quality, and streamflow. The Commission does not intend to delve into the biological complexities of Hawaiian streams, but rather to present basic evidence that conveys the general health of the subject stream. The biological aspects of Hawaii's streams have an extensive history, and there is a wealth of knowledge, which continues to grow and improve.

Hawaii Stream Assessment

One of the earliest statewide stream assessments was undertaken by the Commission in cooperation with the National Park Service's Hawaii Cooperative Park Service Unit. The 1990 Hawaii Stream Assessment (HSA) brought together a wide range of stakeholders to research and evaluate numerous stream-related attributes (e.g., hydrology, diversions, gaging, channelizations, hydroelectric uses, special areas, etc.). The HSA specifically focused on the inventory and assessment of four resource categories: 1) aquatic; 2) riparian; 3) cultural; and 4) recreational. Though no field work was conducted in its preparation, the HSA involved considerable research and analysis of existing studies and reports. The data were evaluated according to predefined criteria and each stream received one of five ranks (outstanding, substantial, moderate, limited, and unknown). Based on the stream rankings, the HSA offered six different approaches to identifying candidate streams for protection: streams with outstanding resources (aquatic, riparian, cultural or recreational), streams with diverse or "blue ribbon" resources, streams with high quality natural resources, streams within aquatic resource districts, free flowing streams, or streams within the National Wild and Scenic Rivers database.

Due to the broad scope of the HSA inventory and assessment, it continues to provide a valuable information base for the Commission's Stream Protection and Management Program and will continue to be referred to in various sections throughout this report. The HAS did not recommend that the Olowalu hydrologic unit streams be listed as candidate streams for protection based on its riparian, aquatic, cultural and recreational resources. Two out of four group one native species have been observed in Olowalu stream: nakea (*Awaous stamineus*) and nopili (*Sicyopterus stimpsoni*). Additionally, two group two native species have been observed in the stream. As a consequence, the Olowalu Stream was listed as having substantial aquatic resources.

The HSA inventory was general in nature, resulting in major data gaps, especially those related to the distribution and abundance of aquatic organisms – native and introduced – inhabiting the streams. The State of Hawaii Division of Aquatic Resources (DAR) has since continued to expand the knowledge of aquatic biota in Hawaiian streams. Products from their efforts include the compilation and publication of an *Atlas of Hawaiian Watersheds and Their Aquatic Resources* for each of five major islands in the state (Kauai, Hawaii, Oahu, Molokai, and Maui). Each atlas describes watershed and stream features, distribution and abundance of stream animals and insect species, and stream habitat use and availability. Based on these data, a watershed and biological rating is assigned to each stream to allow easy comparison with other streams on the same island and across the state. The data presented in the atlases are collected from various sources, and much of the stream biota data are from stream surveys conducted by DAR. Currently, efforts have been focused on updating the atlases with more recent stream survey data collected statewide, and developing up-to-date reports for Commission use in interim IFS recommendations. A copy of the updated inventory report for Olowalu Stream is in Appendix A. The following is a brief summary of findings.

- **Point Quadrat Survey.** In Olowalu Stream the native freshwater shrimp *Atyoida bisulcata* was observed in the middle and upper reach categories (middle, upper, headwaters). No native fish were observed in lower reaches due to the lack of consistent stream flow. Two native species, *S. stimpsoni* and *A. guamensis* were found in the middle and upper reaches. Six introduced species were identified in the stream including tilapia. Although the post larval recruitment of native fish was not surveyed, diversions that fully dewater streams restrict the upstream passage of larval and adult stream animals. Streamflow restoration would likely benefit recruitment and survival of native species in the lower, middle and upper reaches.

- **Insect Survey.** Olowalu Stream did not meet the DAR qualification for native insect diversity (>19 spp) and native macrofauna diversity (>5 spp.) giving it a low score for native species. Olowalu Stream supports the native dragonflies (*Anax strenuous*) and native damselflies (*Megalagrion spp.*). The native damselfly is currently proposed for listing as Endangered under the federal Endangered Species Act. Streamflow restoration may increase insect biota diversity.

- **Watershed and Biological Rating.** The Olowalu watershed has a average ranking for Maui and average statewide for land cover. The lack of estuarine and shallow marine areas associated with Olowalu ranks it low for Maui and the state, while its stewardship rating is about average. The Olowalu Stream has a low ranking for stream size with an average reach diversity resulting in a average total watershed rating. The average number and diversity of native species found thoroughout the watershed gives it an average native species and total biological rating for the island and the state. These scores combined with Olowalu Stream's relatively average rating for introduced genera resulted in its average total overall rating.

When active, the upper diversion in Olowalu Stream blocks the migration of native amphidromous animals. At high flows, stream diversions are overtopped and streamflow is continuous from the upper reaches to the sea. When flow returns to normal level, diversions quickly remove water from the stream, leaving sections dry. This prevents the upstream migration of native stream animals, restricts surviving adult animals to the disconnected deep pools, entrains larve in the ditches, and results in postlarvae recruits being stranded at the stream mouth. The diversions also significantly reduce baseflows in the stream, limiting overall habitat for native species. Restoration of streamflow and increased connectivity could lead to the development of a richer and more native-dominated community in the stream, although there is potential for introducing species from invasive-dominated reaches to native-dominated reaches and ditches. The lower diversion is less of a barrier to upstream migration as water continuously overtops the diversion, although the concrete on the downstream side of the dam is being undercut and the overhanging portion likely impedes upstream movement.

Another important consideration of fish and wildlife habitat is the presence of critical habitat. Under the Endangered Species Act, the U.S. Fish and Wildlife Service is responsible for designating critical habitat for threatened and endangered species. Though there are very few threatened or endangered Hawaiian species that are directly impacted by streamflow (e.g., Newcomb's snail), the availability of surface water may still have indirect consequences for other species. However, there is currently no critical habitat in the lower reaches.

Table 4-2. Number of sites surveyed with identified species and mean (standard deviation, s.d.) number of native aquatic species by survey year based on point-quadrat survey methods. (Source: State of Hawaii Division of Aquatic Resources, 2015)

	1961		1994	
	sites	Mean (s.d.)	sites	Mean (s.d.)
Atyoida bisulcata	2	n/a	29	12.34 (24.8)
Macrobrachium grandimanus	--	--	--	--
Awaous guamensis	2	n/a	1	--
Stenogobius hawaiiensis	--	--	--	--
Eleotric sandwicensis	--	--	--	--
Sicyopterus stimpsoni	2	n/a	1	--
Lentipes concolor	--	--	21	2.19 (2.11)
Neritina granosa	--	--	--	--
Neritina vespertina	--	--	--	--

Figure 4-2. Location of *Atyioda bisulcata* observations from 1961 and 1994 surveys in the Olowalu hydrologic unit. (Source: State of Hawaii Division of Aquatic Resources, 2015)

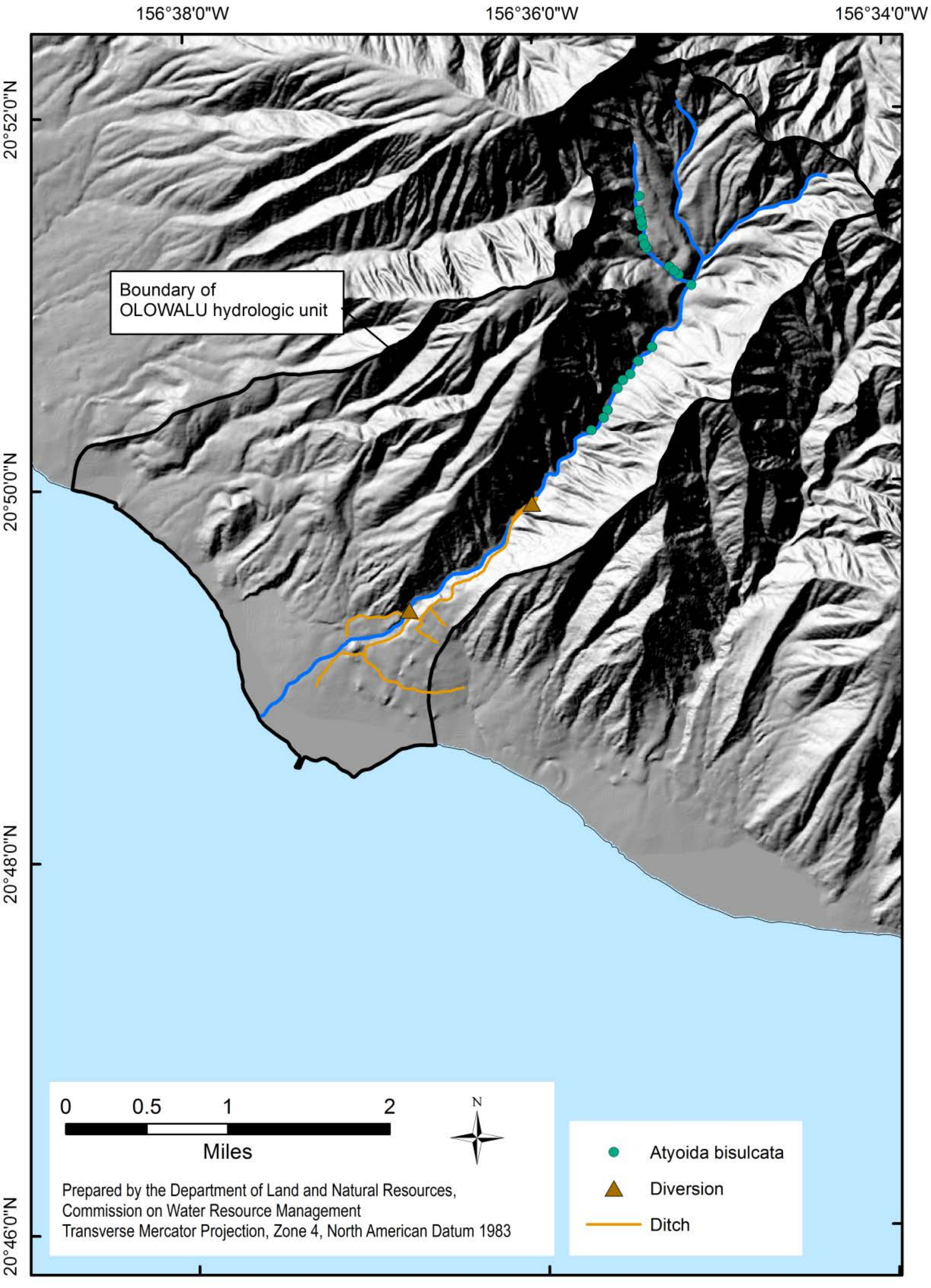


Figure 4-3. Location of *Awaous stamineus* observations from 1961 surveys in the Olowalu hydrologic unit. (Source: State of Hawaii Division of Aquatic Resources, 2015)

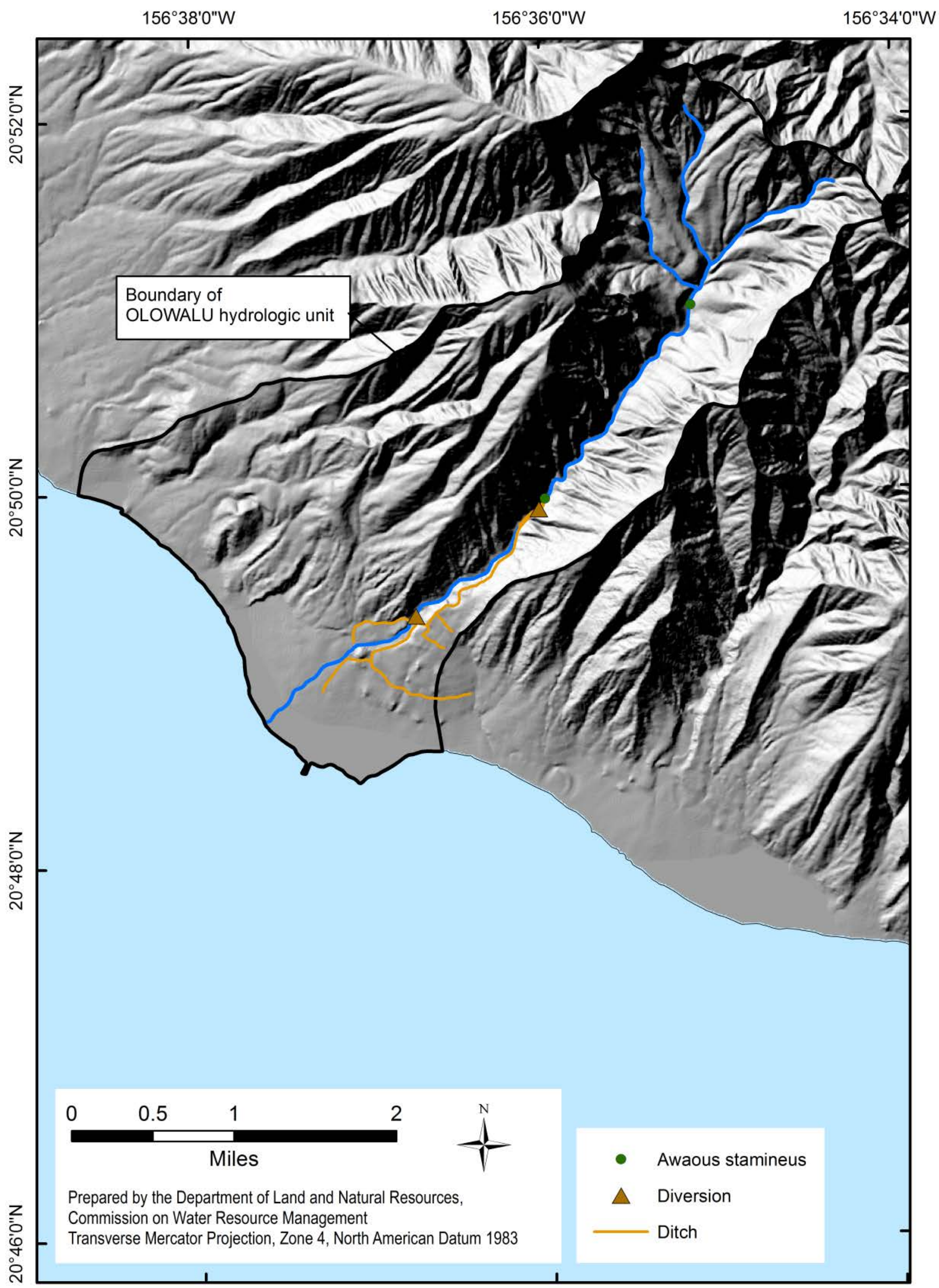
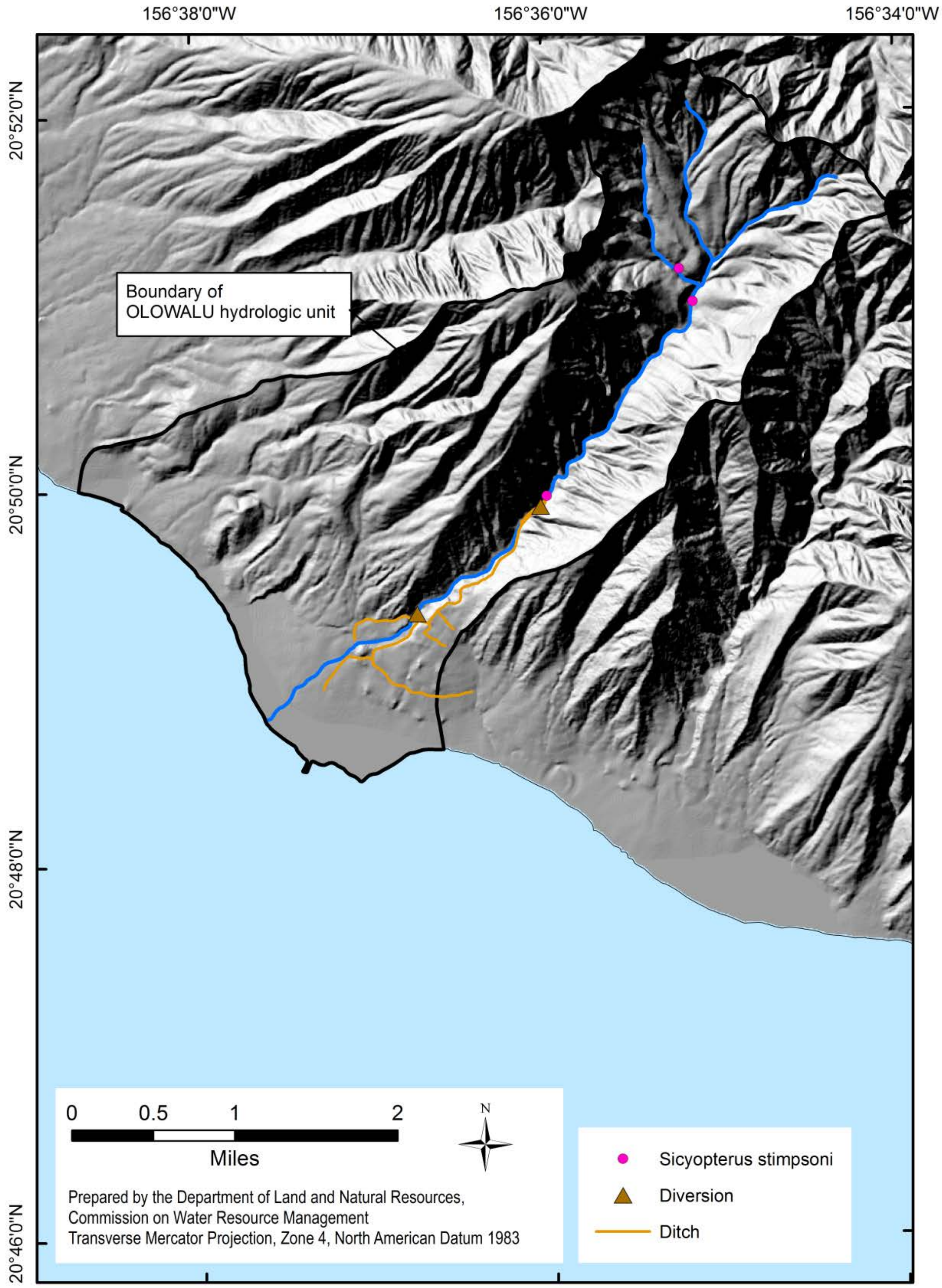


Figure 4-4. Location of *Sicyopterus stimpsoni* observations from 1961 and 1994 surveys in the Olowalu hydrologic unit. (Source: State of Hawaii Division of Aquatic Resources, 2015)



5.0 Outdoor Recreational Activities

Water-related recreation is an integral part of life in Hawaii. Though beaches may attract more users, the value of maintaining streamflow is important to sustaining recreational opportunities for residents and tourists alike. Streams are often utilized for water-based activities, such as boating, fishing, and swimming, while offering added value to land-based activities such as camping, hiking, and hunting. Growing attention to environmental issues worldwide has increased awareness of stream and watershed protection and expanded opportunities for the study of nature; however, this must be weighed in conjunction with the growth of the eco-tourism industry and the burdens that are placed on Hawaii's natural resources.

The Hawaii Stream Assessment did not find any stream recreational opportunities in the Olowalu hydrologic unit and the regional committee classified the stream as "limited" (National Park Service, Hawaii Cooperative Park Service Unit, 1990). However both tourists and local residents are often seen recreating along the lower reaches of Olowalu Stream and there is a hiking trail that follows the stream up the valley, although access to this trail is not easy.

Mammal hunting is permitted in Unit A on the island of Maui in the state-owned portions of the West Maui Forest Reserve that includes the Olowalu hydrologic unit. The portion the Olowalu hydrologic unit in this hunting area is approximately 3.95 square miles or 47.5 percent of the hydrologic unit (Figure 5-1).

Since changes to streamflow and stream configurations have raised concerns regarding their impact to on-shore and near-shore activities, the Commission attempted to identify these various activities in relation to Olowalu Stream. A 1981 Maui Resource Atlas, prepared by the State of Hawaii Department of Transportation's Harbors Division, inventoried coral reefs and coastal recreational activities. Looking at available GIS data, the Commission identified the following activities that were known to occur or observed at or near Olowalu: pole and line fishing, gill netting, torch fishing, sport diving and throw netting, surfing, and shell collecting, among others (Figure 5-2).

Figure 5-1. Public hunting areas for game mammals in Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2002b)

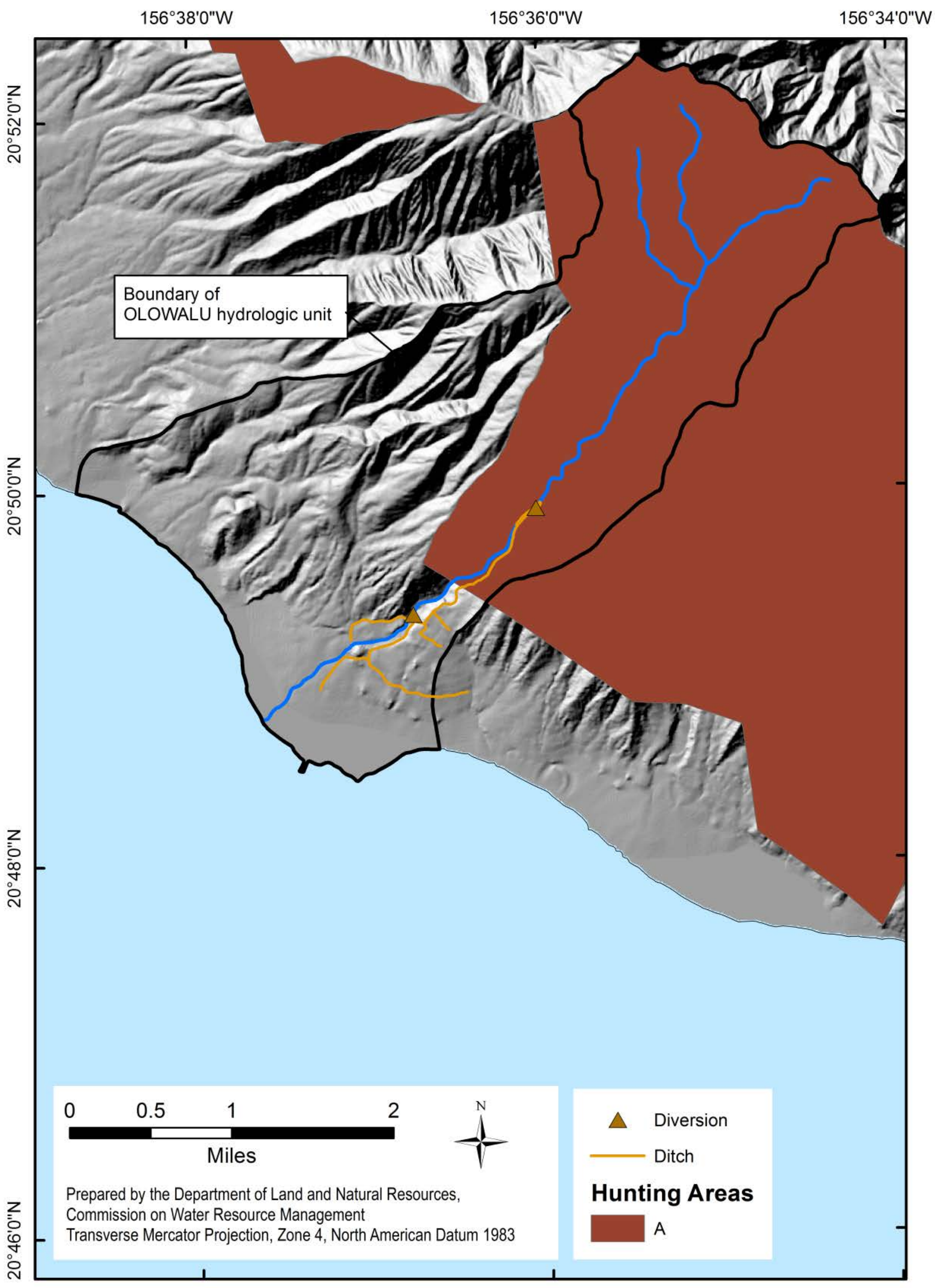
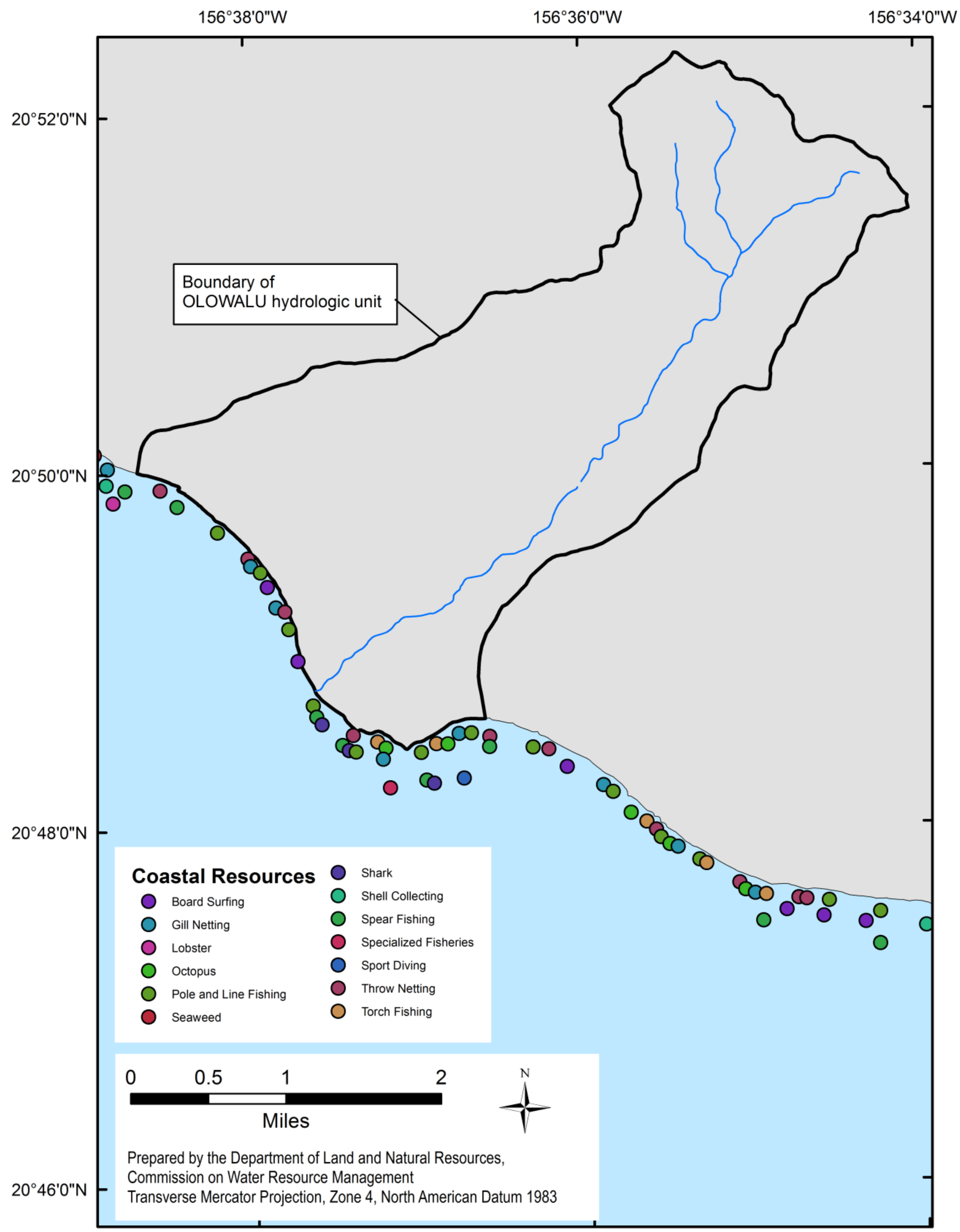


Figure 5-2. Recreational and aesthetic points of interest as well as coastal resources for Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 1999, 2002c; 2004a)

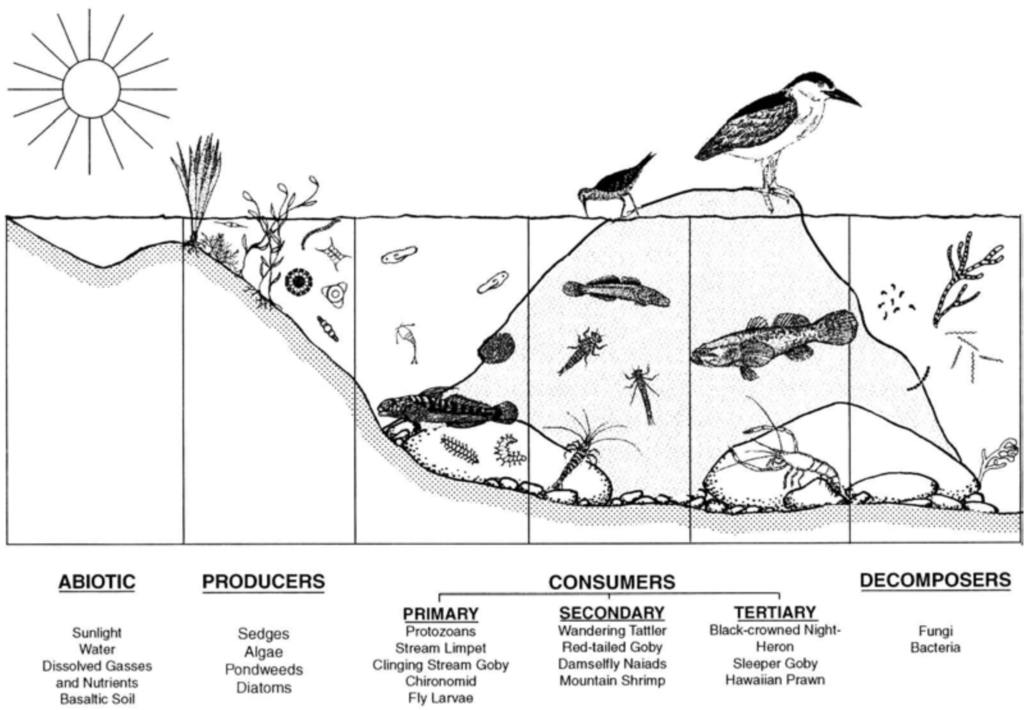


6.0 Maintenance of Ecosystems

An ecosystem can be generally defined as the complex interrelationships of living (biotic) organisms and nonliving (abiotic) environmental components functioning as a particular ecological unit. Depending upon consideration of scale, there may be a number of ecosystem types that occur along a given stream such as estuaries, wetlands, and stream vegetation, according to the State Water Code. Figure 6-1 provides a simplified ecosystem represented in a Hawaiian stream. The entire hydrologic unit, as it relates to hydrologic functions of the stream, could also be considered an ecosystem in a very broad context.

The HSA determined that Olowalu Stream did not deserve to be a candidate stream for protection based on its lack of Diversity of Resources scoring (no outstanding riparian, cultural, and recreational resources) and its Blue Ribbon Resources scoring (no outstanding riparian and recreational resources). Detrimental organisms (non-native species that have a negative effect on the ecosystem) were not considered in the final ranking; however their presence and abundance are considerable ecosystem variables. The destruction to both vegetation and soil resources in the Olowalu hydrologic unit by determintal organisms is considered a major factor in alterations to the hydrology and water quality of the stream.

Figure 6-1. Simplified ecosystem illustrated in a Hawaiian stream. (Source: Ziegler, 2002, illustration by Keith Kruger).



The Hawaiian resource-use concept of ahupuaa is closely related to the Western concepts of ecosystem maintenance. Native Hawaiians generally utilized natural resources within the limits of their ahupuaa; therefore, it was important to manage and conserve these resources. Likewise, watershed resources must be properly managed and conserved to sustain the health of the stream and the instream uses that are dependent upon it.

The riparian resources of Olowalu Stream were classified by the HSA (National Park Service, Hawaii Cooperative Park Service Unit, 1990) and ranked poorly according to a scoring system using six of the seven variables (Table 6-1).

Table 6-1. Hawaii Stream Assessment indicators of riparian resources for Olowalu hydrologic unit.

Category	Value
Listed threatened and endangered species: These species are generally dependent upon undisturbed habitat. Their presence is, therefore an indication of the integrity of the native vegetation. The presence of these species along a stream course was considered to be a positive attribute; with the more types of threatened and endangered species associated with a stream the higher the value of the resource. Only federally listed threatened or endangered forest or water birds that have been extensively documented within the last 15 years were included.	9
Recovery habitat: Recovery habitat consists of those areas identified by the USFWS and DLNR as essential habitat for the recovery of threatened and endangered species. Streams that have recovery habitat anywhere along their length were included.	None
Other rare organisms and communities: Many species that are candidates for endangered or threatened status have not been processed through all of the requirements of the Endangered Species Act. Also a number of plant communities associated with streams have become extremely rare. These rare organisms and communities were considered to be as indicative of natural Hawaiian biological processes as are listed threatened and endangered species.	n/a
Protected areas: The riparian resources of streams that pass through natural area reserves, refuges and other protected areas are accorded special protection from degradation. Protected areas were so designated because of features other than their riparian resources. The presence of these areas along a stream, however, indicates that native processes are promoted and alien influences controlled.	None
Wetlands: Wetlands are important riparian resources. They provide habitat for many species and are often important nursery areas. Because they are often extensive areas of flat land generally with deep soil, many have been drained and converted to agricultural or urban uses. Those that remain are, therefore, invaluable as well as being indicators of lack of disturbance.	W (Palustrine wetland)
Native forest: The proportion of a stream course flowing through native forest provides an indication of the potential "naturalness" of the quality of a stream's watershed; the greater the percentage of a stream flowing through native forest most of which is protected in forest reserves the more significant the resource. Only the length of the main course of a stream (to the nearest 10 percent) that passes through native forest was recorded.	20%
Detrimental organisms: Some animals and plants have a negative influence on streams. Wild animals (e.g., pigs, goats, deer) destroy vegetation, open forests, accelerate soil erosion, and contaminate the water with fecal material. Weedy plants can dramatically alter the nature of a stream generally by impeding water flow. Three species, California grass, hau, and red mangrove, are considered to have the greatest influence. The presence of any of these animals or plants along a stream course was considered a potentially negative factor, while the degree of detriment is dependent on the number of species present.	1 (Pigs)

For the purpose of this section, management areas are those locales that have been identified by federal, state, county, or private entities as having natural or cultural resources of particular value. The result of various government programs and privately-funded initiatives has been a wide assortment of management areas with often common goals. Such designated areas include forest reserves, private preserves, natural area reserves, wildlife sanctuaries, national parks, historic landmarks, and so on. In Olowalu, about 47.5 percent of the hydrologic unit falls within the West Maui Forest Reserve (Table 6-2).

Table 6-2. Management areas located within Olowalu hydrologic unit. (Source: State of Hawaii, Division of Forestry and Wildlife, 2008a).

Management Area	Managed by	Area (mi^2)	Percent of Unit
West Maui Forest Reserve	State Division of Forestry and Wildlife	21.815	47.5
The West Maui Forest Reserve is one of nine reserves on the Island of Mauai that are managed by the State Department of Land and Natural Resources (DLNR)'s Division of Forestry and Wildlife. These reserves are established as multi-use land areas that incorporate various, and often competing, public uses and benefits. The management goals of the Forest Reserve System include: 1) Protect and manage forested watersheds for production of fresh water supply for public uses now and into the future; 2) Maintain biological integrity of native ecosystems; 3) Provide public recreational opportunities; and 4) Strengthen the economy by assisting in the production of high quality forest products in support of a sustainable forest industry. The primary goals of reserve are to manage the lands for sustainable game hunting, protect existing rare native biological resources and provide native and non-native timber resources.			

In addition to the individual management areas outlined above, Watershed Partnerships are another valuable component of ecosystem maintenance. Watershed Partnerships are voluntary alliances between public and private landowners who are committed to responsible management, protection, and enhancement of their forested watershed lands. There are currently nine partnerships established statewide, three of which are on Maui. Table 6-3 provides a summary of the partnership area, partners, and management goals of the West Maui Mountains Watershed Partnership.

Table 6-3. Watershed partnerships associated with the Olowalu hydrologic unit. (Source: State of Hawaii, Division of Forestry and Wildlife, 2008b)

Management Area	Year Established	Total Area (mi^2)	Area (mi^2)	Percent of Unit
West Maui Mountains Watershed Partnership	1998	78.125	50,000	47.5
The West Maui Mountains Watershed Alliance (WMMWA) is comprised of the County of Maui Department of Water Supply, Hawaii State Department of Land and Natural Resources (Division of Forestry and Wildlife, Kaanapali Land Management Corp., Kahoma Land Company L.L.C., Kamehameha Schools, Makila Land Company L.L.C., Maui Land Pineapple Company, Inc., and The Nature Conservancy of Hawaii, and Wailuku Water Company, L.L.C. The management priorities of the WMMWP include: 1) Baseline watershed forest health and threat assessments; 2) Establishment of forest health monitoring transects; 3) Fencing to control movement of feral animals, especially pigs and deer; 4) Staff control to remove pest animals from upper watershed; and 5) Pest plant control, particularly of priority weed species such as *Psidium cattleianum*. As of 2013, 19.44 miles of fencing have been built, of which 4.43 miles are pig and deer fencing (8-foot) and 14.91 miles are pig (4-foot) fencing resulting in 21,084 acres of protected lands.				

In 1974, the U.S. Fish and Wildlife Service (USFWS) initiated a National Wetlands Inventory that was considerably broader in scope than an earlier 1954 inventory that had focused solely on valuable waterfowl habitat. The inventory for Hawaii was completed in 1978 and utilized a hierarchical structure in the classification of various lands. The USFWS defines wetlands as "lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water" (Cowardin et al., 1979). Very little of the Olowalu hydrologic unit is classified as wetlands (Table 6-4 and Figure 6-2). Palustrine wetlands are nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, or wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 percent.

Table 6-4. Wetland classifications for Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015n)

System Type	Class	Regime	Area (mi^2)	Percent of Unit
Palustrine	Open Water / Riverine	Seasonal non-tidal	0.0354	0.43
Palustrine	Emergent Wetland	Seasonal non-tidal	0.0052	0.06

A series of vegetation maps describing upland plant communities was prepared as part of a USFWS survey in 1976 to 1981 to determine the status of native forest birds and their associated habitats. Table 6-5 and Figure 6-3 present the portion of the hydrologic unit (~1000 feet above mean sea level) that was surveyed and the degree of disturbance of native forest. Over half of the unit is dominated by introduced species, while only 21 percent of the unit is dominated by native species.

Table 6-5. Distribution of native and alien plant species for Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015f)

Canopy Type	Area (mi^2)	Percent of Unit
Communities totally dominated by native species of plants	1.742	21.0
Communities that are totally dominated by introduced plants; virtually no native species remaining	4.772	57.4

The density of threatened and endangered plant species is high at elevations above 1,200 feet, resulting in the majority of the Olowalu hydrologic unit, roughly 57 percent, with a potential to support a high density of threatened and endangered plant species (Table 6-6).

Table 6-6. Density of threatened and endangered plants for Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015i)

Density	Area (mi^2)	Percent of Unit
Very High concentration of threatened and endangered species	3.242	38.9
High concentration of threatened and endangered species	1.615	19.4
Medium concentration of threatened and endangered species	2.071	24.9
Low concentration of threatened and endangered species	0.438	5.2

A working paper is being developed by the University of Hawaii's Economic Research Organization (UHERO), entitled *Environmental Valuation and the Hawaiian Economy*, which discusses the use of existing measures of economic performance and alternative statistical devices to provide an economic valuation of threatened environmental resources. The paper focuses on the Koolau, Oahu watershed and illustrates three categories of positive natural capital (forest resources, shoreline resources, and water resources) against a fourth category (alien species) that degrades natural capital. In the case of the Oahu Koolau forests, a benchmark level of degradation is first defined for comparison against the current value of the Oahu Koolau system. The Oahu Koolau case study considers a hypothetical major disturbance caused by a substantial increased population of pigs with a major forest conversion from native trees to the non-indigenous Miconia (*Miconia calvescens*), along with the continued "creep" of urban areas into the upper watershed (Kaiser, B. et al., n.d.).

Recognizing that in the United States, the incorporation of environmental and natural resource considerations into economic measures is still very limited, the paper provides the estimated Net Present Value (NPV) for "Koolau [Oahu] Forest Amenities." These values are presented in Table 6-7.

Following upon the results of the Oahu Koolau case study, some of the most valuable aspects of the forested areas are believed to be ecotourism, aesthetic pleasure, species habitat, water quality, and water quantity. Certain areas of Olowalu provide critical habitat for native forest birds, endangered plants and invertebrates in Maui.

Table 6-7. Estimated Net Present Value (NPV) for Koolau [Oahu] Forest Amenities. (Source: Kaiser, B. et al., n.d.)

Amenity	Estimated Net Present Value (NPV)	Important limitations
Ground water quantity	$4.57 to $8.52 billion NPV	Optimal extraction assumed.
Water quality	$83.7 to $394 million NPV	Using averted dredging cost estimates.
In-stream uses	$82.4 to $242.4 million NPV	Contingent valuation estimate for a single small fish species.
Species habitat	$487 to $1,434 million NPV	Contingent valuation estimate for a single small bird species.
Biodiversity	$660,000 to $5.5 million NPV	Average cost of listing 11 species in Koolaus.
Subsistence	$34.7 to $131 million NPV	Based on replacement value of pigs hunted.
Hunting	$62.8 to $237 million NPV	Based on fraction of hunting expenditures in state. Does not include damages from pigs to the other amenities.
Aesthetic values	$1.04 to $3.07 million NPV	Contingent valuation; Households value open space for aesthetic reasons.
Commercial harvests	$600,000 to $2.4 million NPV	Based on small sustainable extraction of koa.
Ecotourism	$1.0 to $2.98 billion NPV	Based on fraction of direct revenues to ecotourism activities.
Climate control	$82.2 million	Based on replacement costs of contribution of all tropical forests to carbon sequestration.
Estimated value of joint services:	**$7.444 to $14.032 billion**	

Figure 6-2. Reserves and wetlands for the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2007b; 2015n)

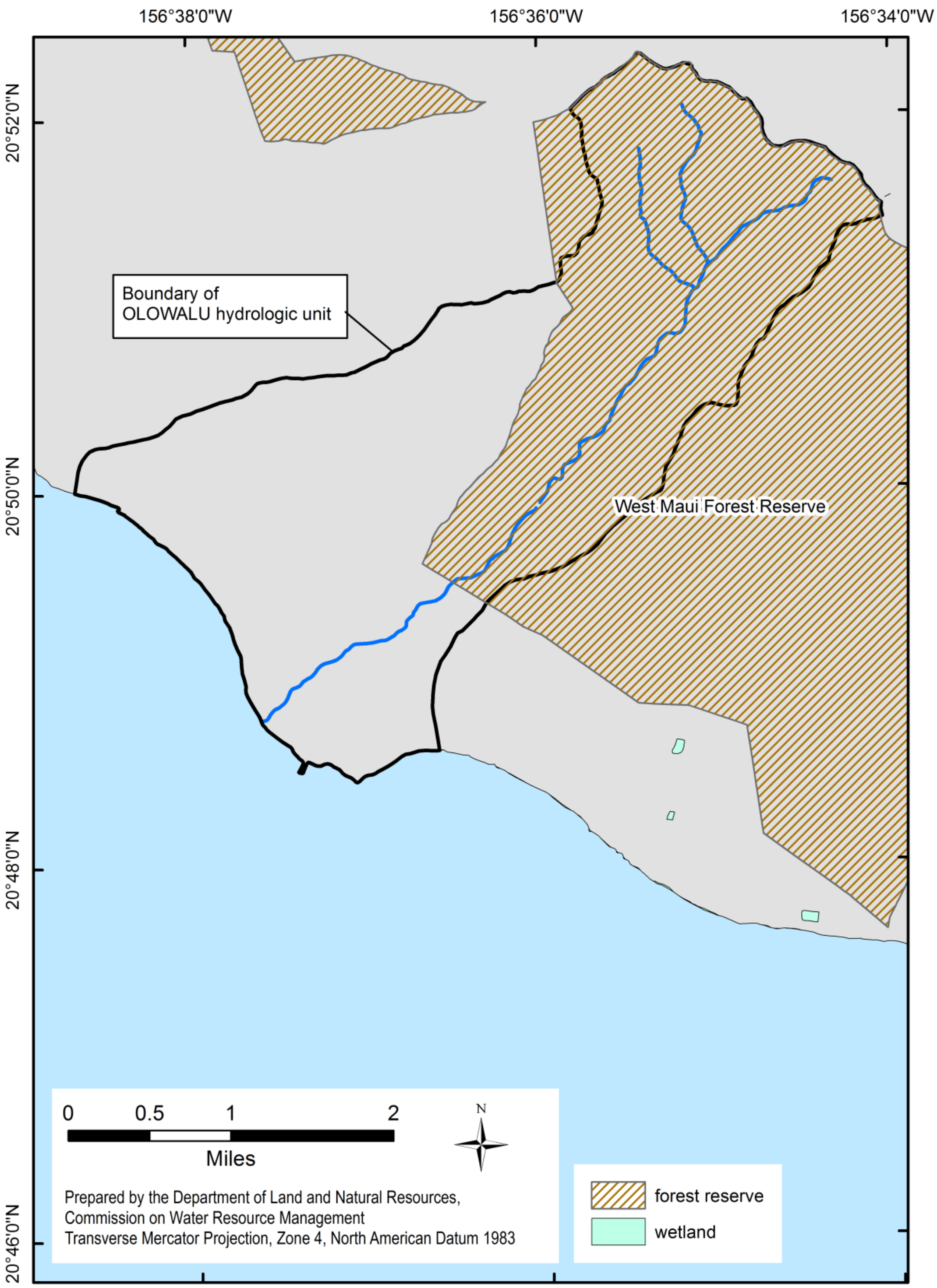


Figure 6-3. Distribution of critical habitat for particular endangered species including flies, flowering plants, birds and snails in the Olowalu hydrologic unit. (Source: Scott et al., 1986; State of Hawaii, Office of Planning, 1996; 2004b)

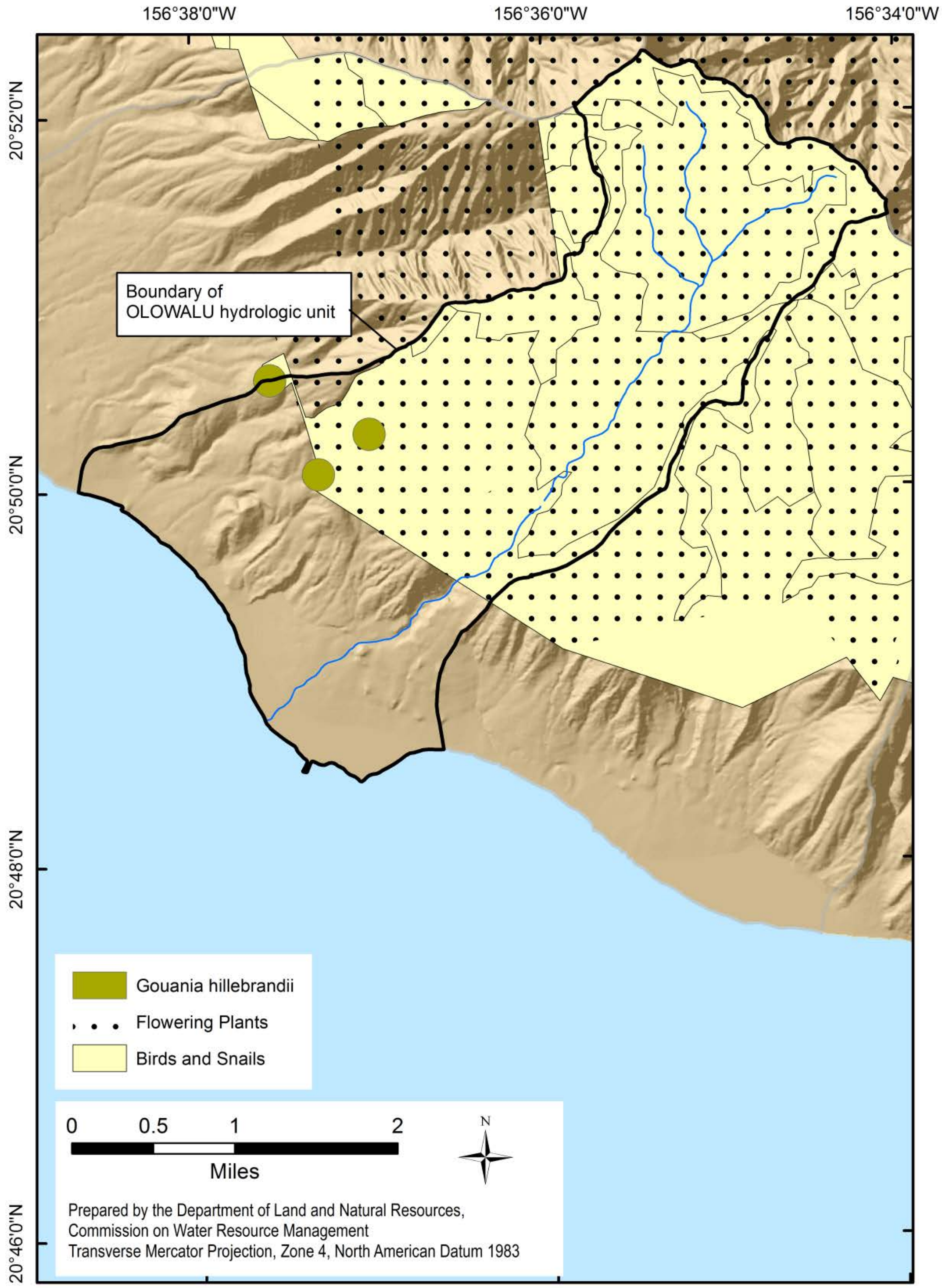
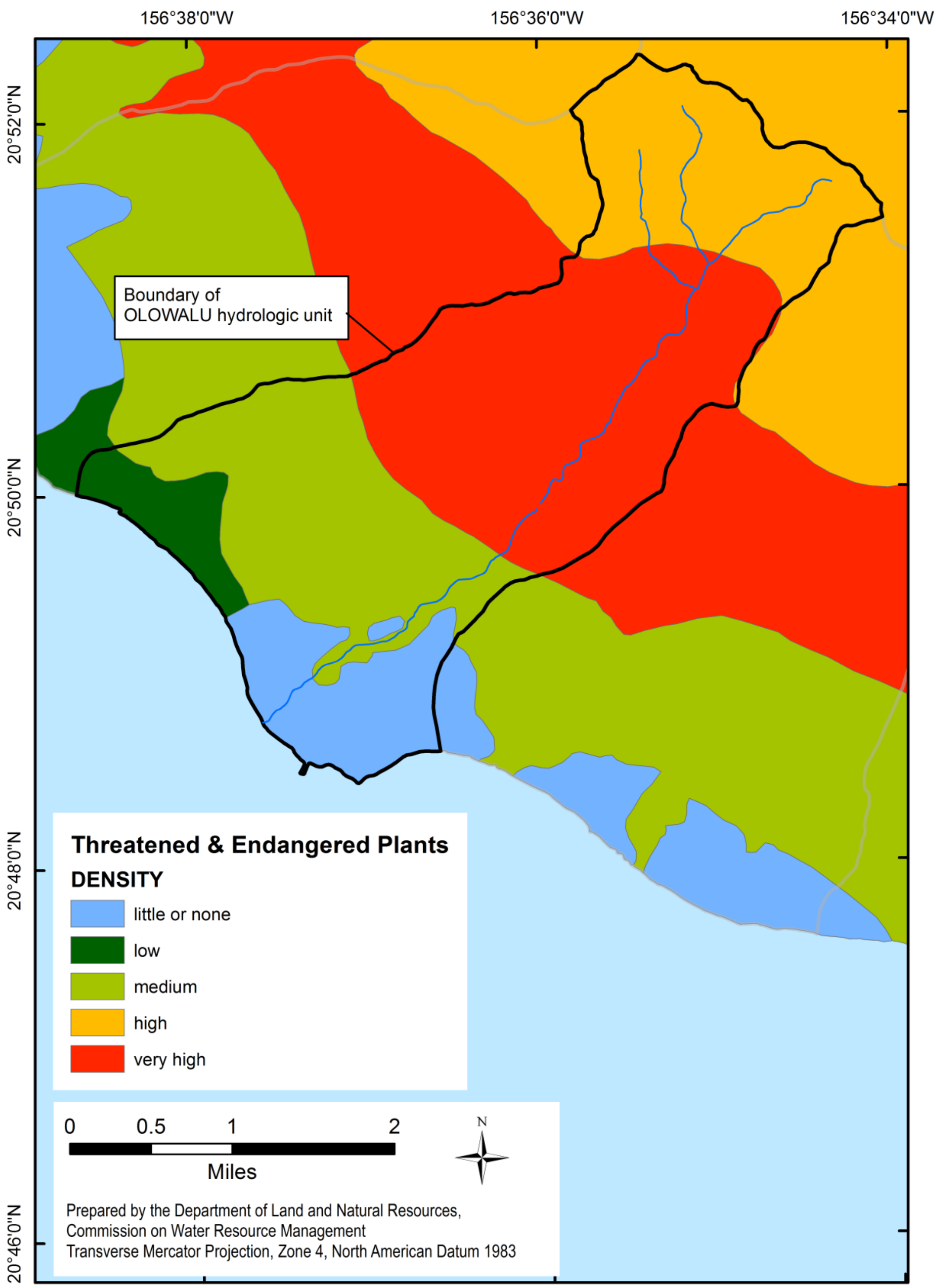


Figure 6-4. Density of threatened and endangered plants in the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015h)



7.0 Aesthetic Values

Aesthetics is a multi-sensory experience related to an individual's perception of beauty. Since aesthetics by definition is a subjective observation, a stream's aesthetic value cannot be determined quantitatively (Wilson Okamoto & Associates, Inc., 1983). However, there are certain elements, either within or surrounding a stream, which appeal to an observer's visual and auditory senses, such as waterfalls and cascading plunge pools. Visitors and residents can identify a point that has aesthetic value and continue to return to such a point to gain that value. Such points can potentially be identified, as maped in Figure 5-2. However, the points listed are not exhaustive and it is beyond the scope of this report to list all potential aesthetic values.

The headwaters of Olowalu Stream originate in the West Maui Mountains, a unique ecological region home to endemic and endangered birds, plants, and insects. There is a hiking trail through the valley that follows Olowalu Stream which many people enjoy using for its aesthetic beauty.

In a 2007 Hawaii State Parks Survey, released by the Hawaii Tourism Authority (OmniTrak Group Inc., 2007), scenic views accounted for 21 percent of park visits statewide. Other aesthetic-related motivations include viewing famous landmarks (9 percent), hiking trails and walks (7 percent), guided tour stops (6 percent), and viewing of flora and fauna (2 percent). On the island of Maui, out-of-state visitors' most common reasons to visit state parks for scenic views (26 percent) was the number one reason for visiting a park above outings with family and friends (25 percent). By contrast, residents primarily used state parks on Maui for outings with family and friends (33 percent) followed by ocean/water activity (23 percent) and then scenic views (11 percent). Overall, Maui residents were very satisfied with scenic views giving a score of 9.7 (on a scale of 1 to 10, with 10 being outstanding), with out-of-state visitors giving a score of 9.3.

8.0 Navigation

The State Water Code, Chapter 174C, HRS, includes navigation as one of nine identified instream uses; however, it fails to further define navigation. Navigational water use is largely defined as water utilized for commercial, and sometimes recreational, transportation. In the continental United States, this includes water used to lift a vessel in a lock or to maintain a navigable channel level. Under the provisions of the Clean Water Act, navigable waters also include wetlands (State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources, n.d.).

Hawaii streams are generally too short and steep to support navigable uses. If recreational boating (primarily kayaks and small boats) is included under the definition of navigation, then there are only a handful of streams statewide that actually support recreational boating and even fewer that support commercial boating operations. Kauai's Wailua River is the only fresh water waterway where large boat commercial operations exist, and no streams are believed to serve as a means for the commercial transportation of goods.

The hydrologic unit of Olowalu is not known to support any instream uses of navigation.

9.0 Instream Hydropower Generation

The generation of hydropower is typically accomplished through instream dams and power generators; however, the relatively short lengths and flashy nature of Hawaii's streams often require water to be diverted to offstream power generators. In these "run-of-river" (i.e., utilizes water flow without dams or reservoirs) designs, water is diverted through a series of ditches, pipes, and penstocks to the powerplant, and then returned to the stream. Some designs call for the powerplant to be situated such that the drop of water level (head) exiting the plant can be sent to fields for crop irrigation.

Olowalu Sugar Company originally generated electricity by droping water from the upper ditch through a penstock into a turbine in the base of the valley near the lower diversion. This provided electricity for Olowalu town. The hydropower plant was abandoned many decades ago and only the concrete footprint is left. There is no existing hydropower in the Olowalu hydrologic unit.

10.0 Maintenance of Water Quality

The maintenance of water quality is important due to its direct impact upon the maintenance of other instream uses such as fish and wildlife habitat, outdoor recreation, ecosystems, aesthetics, and traditional and customary Hawaiian rights. There are several factors that affect a stream's water quality, including physical, chemical, and biological attributes. The State of Hawaii Department of Health (DOH) is responsible for water quality management duties statewide. The DOH Environmental Health Administration oversees the collection, assessment, and reporting of numerous water quality parameters in three high-priority categories:

- Possible presence of water-borne human pathogens;
- Long-term physical, chemical and biological components of inland, coastal, and oceanic waters; and
- Watershed use-attainment assessments, identification of sources of contamination, allocation of those contributing sources, and implementation of pollution control actions.

The Environmental Health Administration is also responsible for regulating discharges into State waters, through permits and enforcement actions. Examples include federal National Pollutant Discharge Elimination System (NPDES) permits for storm water, and discharge of treated effluent from wastewater treatment plants into the ocean or injection wells.

Sediment and temperature are among the primary physical constituents of water quality evaluations. They are directly impacted by the amount of water in a stream. The reduction of streamflow often results in increased water temperatures, whereas higher flows can aid in quickly diluting stream contamination events. According to a book published by the Instream Flow Council, "[w]ater temperature is one of the most important environmental factors in flowing water, affecting all forms of aquatic life (Amear et al, 2004)." While this statement is true for continental rivers, fish in Hawaii are similar, but their main requirement is flowing water. Surface water temperatures may fluctuate in response to seasonal and diurnal variations, but only a few degrees Celsius in natural streams, mainly because streams in Hawaii are so short. However, temperatures in streams with concrete-lined channels, and dewatered streams, may fluctuate widely due to the vertical solar contact. Surface water temperatures may also fluctuate widely due to water column depth, channel substrate, presence of riparian vegetation, and ground water influx. Surface water also differs considerably from ground water, generally exhibiting lower concentrations of total dissolved solids, chlorides, and other major ions, along with higher concentrations of suspended solids, turbidity, microorganisms, and organic forms of nutrients (Lau and Mink, 2006). Findings of a 2004 USGS National Water Quality Assessment (NAWQA) Program report identified land use, storm-related runoff, and ground water inflow as major contributors of surface water contaminants (Anthony et al., 2004). Runoff transports large amounts of sediment from bare soil into surface water bodies, with consequences for in-stream and near-shore environments. Based on landscape modeling, the Waimea hydrologic unit generates 12,300 tons of sediment per year (Kim Falinski, pers. Comm.). Areas with more exposed soil, tend to generate higher quantities of sediment (Figure

Water body types can be freshwater, marine, or brackish. They can be further delineated as inland fresh waters, estuaries, embayments, open coastal waters, and oceanic waters (HAR 11-54-5 to 11-54-6). Each water body type has its own numeric criteria for State of Hawaii Water Quality Standards (WQS).

Fresh waters are classified for regulatory purposes, according to the adjacent land's conservation zoning. There are two classes for the inland fresh waters. Class 1 inland waters are protected to "remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source." These waters are used for a number of purposes including domestic water supply, protection of native breeding stock, and baseline references from which human-caused changes can be measured. Class 2 inland waters are protected for uses such as recreational purposes, support of aquatic life, and agricultural water supplies.

Class 1 waters are further separated into Classes 1a and 1b. Class 1a waters are protected for the following uses: scientific and educational purposes, protection of native breeding stock, baseline references from which human-caused changes can be measured, compatible recreation, aesthetic enjoyment, and other non-degrading uses which are compatible with the protection of the ecosystems associated with waters of this class. Streams that run through natural reserves, preserves, sanctuaries, refuges, national and state parks, and state or federal fish and wildlife refuges are Class 1a. Streams adjacent to the most environmentally sensitive conservation subzone, "protective," are Class 1b, and are protected for the same uses as Class 1a waters, with the addition of domestic water supplies, food processing, and the support and propagation of aquatic life (HAR 11-54-3). These classifications are used for regulatory purposes, restricting what is permitted on the land around receiving waters. For example, public access to Class 1b waters may be restricted to protect drinking water supplies.

Land use affects water quality because direct runoff (rainfall that flows overland into the stream) can transport sediment and its chemical contaminants into the stream. According to the U.S. Environmental Protection Agency (USEPA), "[a] TMDL or Total Maximum Daily Load is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. Water quality standards are set by States, Territories, and Tribes. They identify the uses for each waterbody, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing as well as ecological health), and the scientific criteria required to support those uses. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the waterbody can be used for the purposes the State has designated. The calculation must also account for seasonal variation in water quality. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs (USEPA, 2008)."

The DOH, Environmental Health Administration maintains the State of Hawaii Water Quality Standards (WQS), a requirement under the Federal Clean Water Act (CWA) regulated by the EPA. The CWA aims to keep waters safe for plants and animals to live and people to wade, swim, and fish. Water Quality Standards are the measures that states use to ensure protection of the physical, chemical, and biological health of their waters. "A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses (CWA §131.2)." Each state specifies its own water uses to be achieved and protected ("designated uses"), but CWA §131.10 specifically protects "existing uses", which it defines as "…those uses actually attained in the water body on or after November 28, 1975, whether or not they are included in the water quality standards (CWA §131.3)."[1] Although the State WQS do not specify any designated

[1] Existing uses as defined in the CWA should not be confused with existing uses as defined in the State Water Code, although there is some overlap and linkage between the two. Under the Water Code, if there are serious threats to or disputes over water resources, the Commission may designate a "water management area." Water quality impairments, including threats to CWA existing uses, are factors that the Commission may consider in its designation decisions. Once such a management area is designated, people who are already diverting water at the time of designation may apply for water use permits for their "existing uses." The Commission then must weigh if the existing use is "reasonable and beneficial." The Water Code defines "reasonable-beneficial use" as "the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is both reasonable and consistent with the state and county land use plans and the public interest." The relationships between a Commission existing use and a CWA existing use can help determine the appropriateness of the use and its consistency with the public interest.

uses in terms of traditional and customary Hawaiian rights, the "protection of native breeding stock," "aesthetic enjoyment," and "compatible recreation" are among the designated uses of Class 1 inland waters, and "recreational purposes, the support and propagation of aquatic life, and agricultural and industrial water supplies" are among the designated uses of Class 2 inland waters. This means that uses tied to the exercise of traditional and customary Hawaiian rights that are protected by the State Constitution and the State Water Code (Section 12.0, Protection of Traditional and Customary Hawaiian Rights), including but not limited to gathering, recreation, healing, and religious practices are also protected under the CWA and the WQS as designated and/or existing uses. Therefore, the Commission's interim IFS recommendation may impact the attainment of designated and existing uses, water quality criteria, and the DOH antidegradation policy, which together define the WQS and are part of the joint Commission and DOH obligation to assure sufficient water quality for instream and noninstream uses.

State of Hawaii WQS define: 1) the classification system for State surface waters, which assigns different protected uses to different water classes; 2) the specific numeric or narrative water quality criteria needed to protect that use; and 3) a general antidegradation policy, which maintains and protects water quality for the uses defined for a class. Quantitative and qualitative data are utilized. Numeric water quality criteria have specific concentrations (levels of pollutants) that must be attained based on water body type, e.g. fresh water stream. Qualitative standards are general narrative statements that are applicable to all State waters, such as "all waters shall be free of substances attributable to domestic, industrial, or other controllable sources of pollutants (State of Hawaii, Department of Health, 2004)." Conventional pollutants include nutrients and sediments. Toxic pollutants include pesticides and heavy metals. Indicator bacteria are utilized to assess bacterial levels. Biological assessments of aquatic communities are also included in the data collected.

Once data are gathered and evaluated for quality and deemed to be representative of the waterbody segment, a decision is made as to whether the appropriate designated uses are being attained. This set of decisions are then tabulated into a report to the EPA that integrates two CWA sections; (§) 305(b) and §303(d). This Integrated Report is federally required every even-numbered year. CWA §305(b) requires states to describe the overall water quality statewide. They must also describe the extent to which water quality provides for the protection and propagation of a balanced population of shellfish, fish, and wildlife and allows recreational activities in and on the water. Additionally, they determine whether the designated uses of a water body segment are being attained, and if not, what are the potential causes and sources of pollution. The CWA §303(d) requires states to submit a list of Water-Quality Limited Segments, which are waters that do not meet state water quality standards and those waters' associated uses. States must also provide a priority ranking of waters listed for implementation of pollution controls, which are prioritized based on the severity of pollution and the uses of the waters. In sum, the §303(d) list leads to action.

The sources for the 2014 Integrated Report are Hawaii's 2012 §303(d) list, plus readily-available data collected from any State water bodies over the preceding 6 years (State of Hawaii, Department of Health, 2007). Per §303(d), impaired waters are listed after review of "'all existing and readily available water quality-related data and information' from a broad set of data sources" (State of Hawaii, Department of Health, 2004, p.57). However, available data are not comprehensive of all the streams in the State. According to the Hawaii Administrative Rules Title 11 Chapter 54 (HAR 11-54) all State waters are subject to monitoring; however, in the most recent list published (from the 2012 list that was published in 2014), only two streams statewide had sufficient data for evaluation of whether exceedence of WQS occurred. Olowalu Stream did not appear on the 2012 List of Impaired Waters in Hawaii, Clean Water Act §303(d) but there was insufficient data for decision-making; therefore, no decision was made pertaining to the attainment of WQS or the applicable designated uses.

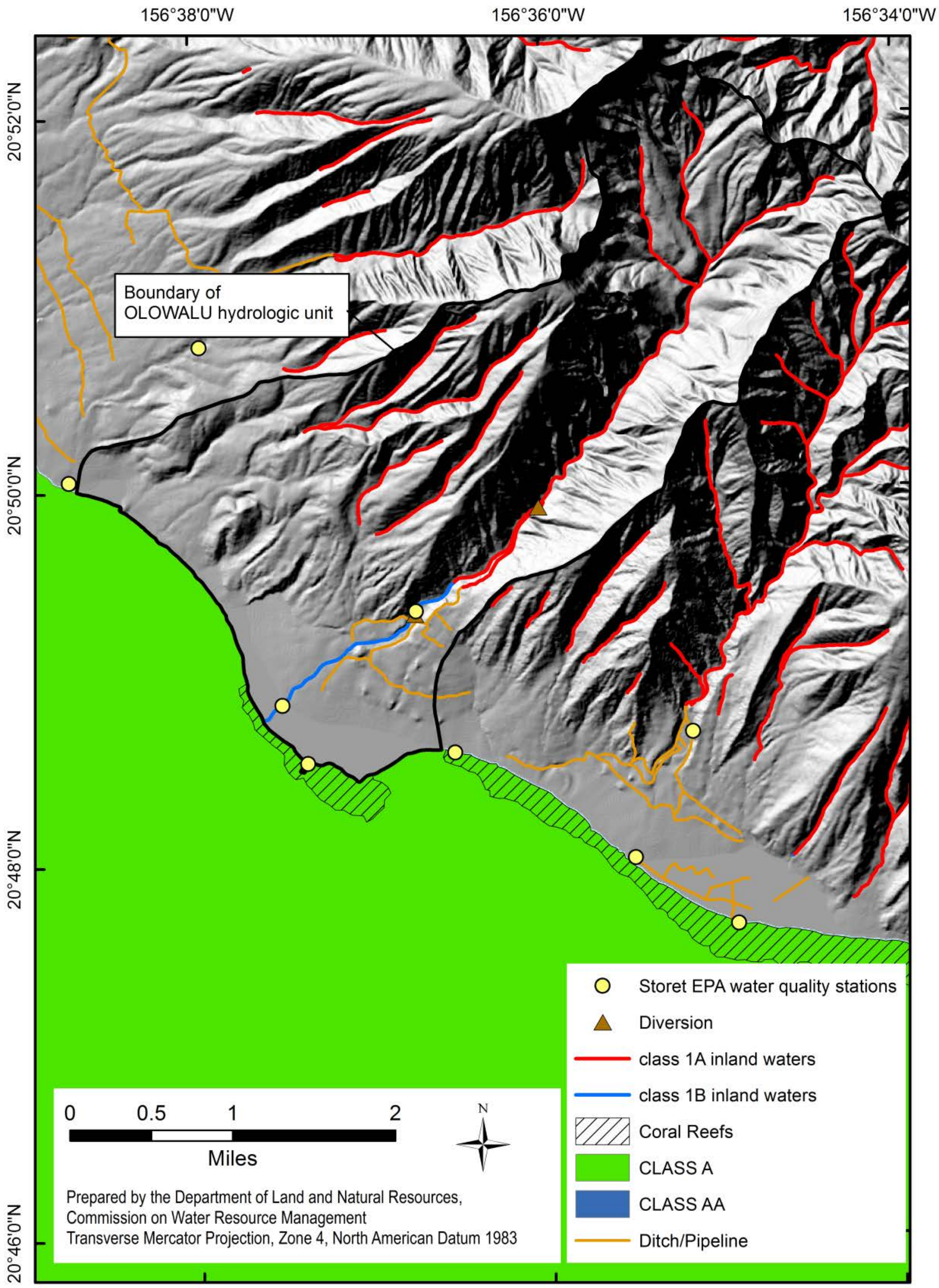
The 2006 Integrated Report indicates that the current WQS require the use of *Enterococci* as the indicator bacteria for evaluating public health risks in the waters of the State; however, no new data were available for this parameter in inland waters. As mentioned in Section 5.0, Outdoor Recreational Activities, DOH maintains WQS for inland recreational waters based on the geo-mean statistic of *Enterococci*: 33 colony-forming units per 100 mL of water or a single-sample maximum of 89 colonies per 100 mL. This is for full-body contact (swimming, jumping off cliffs into waterfall pools, etc.). If *Enterococci* count exceeds those values, the water body is considered to be impaired. DOH Clean Water Branch efforts have been focused on coastal areas (State of Hawaii, Department of Health, 2006, Chapter II, p.20). The marine recreational zone, which extends from the shoreline seaward to 1,000 feet from shore, requires an *Enterococci* geo-mean of less than 7 colony-forming units per 100 mL of water to protect human health (HAR 11-54-8.)

The 2012 Integrated Report also states: "Public health concerns may be underreported. *Leptospirosis* is not included as a specific water quality standard parameter. However, all fresh waters within the state are considered potential sources of *Leptospirosis* infection by the epidemiology section of the Hawaii State Department of Health. No direct tests have been approved or utilized to ascertain the extent of the public health threat through water sampling. Epidemiologic evidence has linked several illness outbreaks to contact with fresh water, leading authorities to issue blanket advisories for all fresh waters of the state (State of Hawaii, Department of Health, 2007, Chapter II, p.3)."

Olowalu Stream is classified as Class 1a inland waters from its headwaters to the boundary of the forest reserve as the surrounding land is in the conservation subzone "protective." Below this, the stream is classified as Class 1b inland waters to the coastline. It should be noted that the conservation subzone map utilized for this interpretation is general and elevations are not exact. It should also be noted that there is no direct relationship between elevation and attainment of water quality standards.

Marine water body types are delineated by depth and coastal topography. Open coastal waters are classified for protection purposes from the shoreline at mean sea level laterally to where the depth reaches 100 fathoms (600 feet). Marine water classifications are based on marine conservation areas. The objective of Class AA waters is that they "remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions." Class A waters are protected for recreational purposes and aesthetic enjoyment; and protection of fish, shellfish, and wildlife. Discharge into these waters is permitted under regulation. The marine waters at the mouth of the Olowalu hydrologic unit are Class A waters. Figure 10-1 shows the Olowalu hydrologic unit, including inland and marine (coastal) water classifications.

Figure 10-1. Water quality standards and monitoring locations for the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015e; 2008). The classifications are general in nature and should be used in conjunction with Hawaii Administrative Rules, Chapter 11-54, Water Quality Standards.



11.0 Conveyance of Irrigation and Domestic Water Supplies

Under the State Water Code, the conveyance of irrigation and domestic water supplies to downstream points of diversion is included as one of nine listed instream uses. The thought of a stream as a conveyance mechanism for noninstream purposes almost seems contrary to the concept of instream flow standards. However, the inclusion of this instream use is intended to ensure the availability of water to all those who may have a legally protected right to the water flowing in a stream. Of particular importance in this section is the diversion of surface water for domestic purposes. In its August 2000 decision on the Waiahole Ditch Combined Contested Case Hearing, the Hawaii Supreme Court identified domestic water use of the general public, particularly drinking water, as one of, ultimately, four trust purposes.

Neither the State nor the County keeps a comprehensive database of households whose domestic water supply is not part of a municipal system (i.e. who use stream and / or catchment water). The County of Kauai Department of Water Supply does not have data for water users who are not on the county system and may be using catchment or surface water for domestic use. The State of Hawaii Department of Health Safe Drinking Water Branch administers Federal and State safe drinking water regulations to public water systems in the State of Hawaii to assure that the water served by these systems meets State and Federal standards. Any system which services 25 or more people for a minimum of 60 days per year or has at least 15 service connections is subject to these standards and regulations. Once a system is regulated by the Safe Drinking Water Branch, the water must undergo an approved filtration and disinfection process when it has been removed from the stream. It would also be subject to regulatory monitoring. The Olowalu Water Company supplies potable and non-potable water to customers in the Olowalu hydrologic unit.

12.0 Protection of Traditional and Customary Hawaiian Rights

The maintenance of instream flows is important to the protection of traditional and customary Hawaiian rights, as they relate to the maintenance of stream resources (e.g., hihiwai, opae, oopu) for gathering, recreation, and the cultivation of taro. Article XII, Section 7 of the State Constitution addresses traditional and customary rights: "The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights." Case notes listed in this section indicate, "Native Hawaiian rights protected by this section may extend beyond the ahupua'a in which a native Hawaiian resides where such rights have been customarily and traditionally exercised in this manner. 73 H.578, 837 P.2d 1247."

It is difficult to fully represent in words the depth of the cultural aspects of streamflow, including traditions handed down through the generations regarding gathering, ceremonial and religious rites, and the ties to water that are pronounced in Hawaiian legend and lore. "There is a great traditional significance of water in Hawaiian beliefs and cultural practices…The flow of water from mountain to sea is integral to the health of the land. A healthy land makes for healthy people, and healthy people have the ability to sustain themselves (Kumu Pono Associates, 2001b, p.II:8)."

Taro cultivation is addressed in this section of the report as well as the next section, 13.0 Noninstream Uses. This is because instream flow standards take into account both social and scientific information. For sociological and cultural purposes, taro cultivation can be considered an instream use as part of the "protection of traditional and customary Hawaiian rights," that is specifically listed as an instream use in the Water Code. Taro cultivation can also be considered a noninstream use since it removes water from a stream (even if water from taro loi is later returned to the stream). It could be argued that for scientific analysis, taro cultivation is an instream use since taro loi provide habitat for stream biota, but because the water is physically taken out of the stream, it is also a noninstream use. Another way to look at the approach of indentifying taro cultivation as both instream and noninstream uses is that when the Commission addresses taro cultivation as an instream use, it is generally in the context of traditional and customary Hawaiian rights; whereas when the Commission addresses taro cultivation as a noninstream use, it is approaching the issue from the aspects of agriculture and water use.

In ancient Hawaii, the islands (*moku*) were subdivided into political subdivisions, or ahupuaa, for the purposes of taxation. The term ahupuaa in fact comes from the altar (*ahu*) that marked the seaward boundary of each subdivision upon which a wooden head of a pig (*puaa*) was placed at the time of the *Makahiki* festival when harvest offerings were collected for the rain god and his earthly representative (Handy et al., 1972). Each ahupuaa had fixed boundaries that were usually delineated by natural features of the land, such as mountain ridges, and typically ran like a wedge from the mountains to the ocean thus providing its inhabitants with access to all the natural resources necessary for sustenance. The beach, with its fishing rights, were referred to as *ipu kai* (meat bowl), while the upland areas for cultivation were called *umeke ai* (poi container hung in a net) (Handy et al., 1972). As noted earlier in Section 6.0, Maintenance of Ecosystems, Western concepts of ecosystem maintenance and watersheds are similar to the Hawaiian concept of ahupuaa, and so the Commission's surface water hydrologic units often coincide with or overlap ahupuaa boundaries. The hydrologic unit of Hanehoi includes parts of the ahupuaa of Waipionui, Honopou, and Hanehoi as shown in Figure 12-2. The ahupuaa boundaries are delineated based on the USGS Digital Line Graphs. These boundaries may be different from the information listed on legal documents such as deeds.

An appurtenant water right is a legally recognized right to a specific amount of surface freshwater – usually from a stream – on the specific property that has that right. This right traces back to the use of water on a given parcel of land at the time of its original conversion into fee simple lands: When the land allotted during the 1848 Mahele was confirmed to the awardee by the Land Commission and/or when the Royal Patent was issued based on such award, the conveyance of the parcel of land carried with it the appurtenant right to water if water was being used on that land at or shortly before the time of the Mahele (State of Hawaii, Commission on Water Resource Management, 2007).

An appurtenant right is different from a riparian right, but they are not mutually exclusive. Riparian rights are held by owners of land adjacent to a stream. They and other riparian landowners have the right to reasonable use of the stream's waters on those lands. Unlike riparian lands, the lands to which appurtenant rights attach are not necessarily adjacent to the freshwater source (i.e., the water may be carried to the lands via auwai or ditches), but some pieces of land could have both appurtenant and riparian rights.

Appurtenant rights are provided for under the State Water Code, HRS §174C-101, Section (c) and (d) as follows:

- Section (c). Traditional and customary rights of ahupuaa tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778 shall not be abridged or denied by this chapter. Such traditional and customary rights shall include, but not be limited to, the cultivation or propagation of taro on one's own kuleana and the gathering of hihiwai, opae, oopu, limu, thatch, ti leaf, aho cord, and medicinal plants for subsistence, cultural, and religious purposes.

- Section (d). The appurtenant water rights of kuleana and taro lands, along with those traditional and customary rights assured by this section, shall not be diminished or extinguished by a failure to apply for or to receive a permit under this chapter.

The exercise of an appurtenant water right is still subject to the water use permit requirements of the Water Code, but there is no deadline to exercise that right without losing it, as is the case for correlative and riparian rights, which must have been exercised before designation of a water management area.

In August 2000, the Hawaii Supreme Court issued its decision in the Waiahole Ditch Combined Contested Case Hearing, upholding the exercise of Native Hawaiian and traditional and customary rights as a public trust purpose. These rights are described in the Commission's 2007 *Water Resource Protection Plan – Public Review Draft*, incorporating a later revision[1] as follows:

> Appurtenant water rights are rights to the use of water utilized by parcels of land at the time of their original conversion into fee simple lands i.e., when land allotted by the 1848 Mahele was confirmed to the awardee by the Land Commission and/or when the Royal Patent was issued based on such award, the conveyance of the parcel of land carried with it the appurtenant right to water.[2] The amount of water under an appurtenant right is the amount that was being used at the time of the Land Commission award and is established by cultivation methods that approximate the methods utilized at the time of the Mahele, for example, growing wetland taro.[3] Once established, future uses are not limited to the cultivation of traditional products approximating

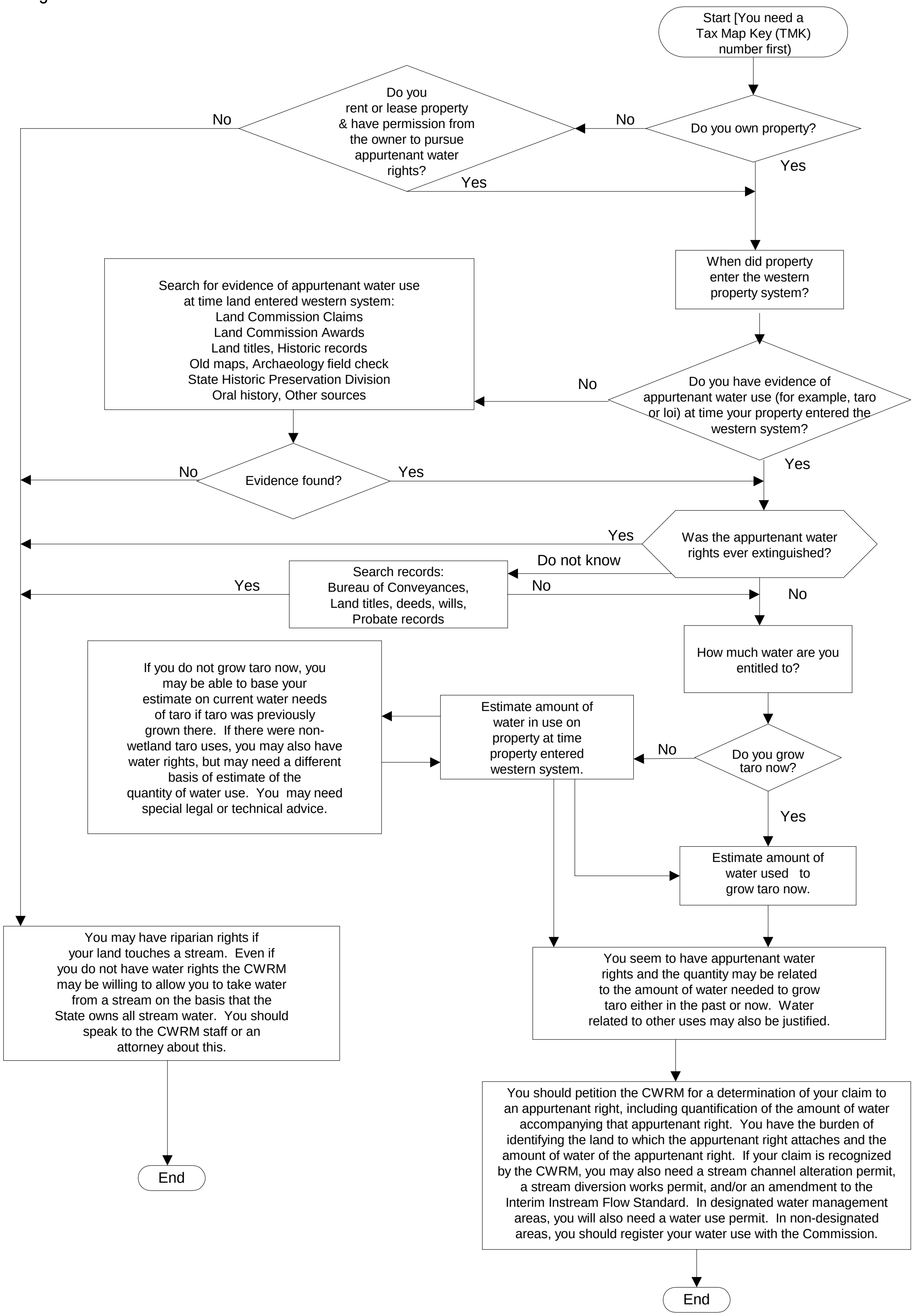
[1] Although the final Water Resource Protection Plan had not been printed as of the date of this report, most edits had already been incorporated into the latest version, which the Commission utilized for this report.
[2] 54 Haw. 174, at 188; 504 .2d 1330, at 1339.
[3] 65 Haw. 531, at 554; 656 P.2d 57, at 72.

those utilized at the time of the Mahele[4], as long as those uses are reasonable, and if in a water management area, meets the State Water Code's test of reasonable and beneficial use ("the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is both reasonable and consistent with the State and county land use plans and the public interest"). As mentioned earlier, appurtenant rights are preserved under the State Water Code, so even in designated water management areas, an unexercised appurtenant right is not extinguished and must be issued a water use permit when applied for, as long as the water use permit requirements are met [Figure 12-1].

The Hawaii Legislative Session of 2002 clarified that the Commission is empowered to "determine appurtenant rights, including quantification of the amount of water entitled to by that right," (HRS §174C-5(15)). In those cases where a Commission decision may affect an appurtenant right, it is the claimant's duty to assert the appurtenant right and to gather the information required by the Commission to rule on the claim. The Commission is currently in the process of developing a procedural manual to aid in the understanding and assembling of information to substantiate an appurtenant rights claim.

[4] *Peck v Bailey*, 8 Haw. 658, at 665 (1867).

Figure 12-1. Generalized process for determining appurtenant water rights. This process is generalized and may not fully explain all possible situations. It does not apply to Hawaiian Homes Lands. If you are Native Hawaiian you may have other water rights.



The Commission conducted a cursory assessment of tax map key parcels to identify their associated Land Commission Awards, in an attempt to identify the potential for future appurtenant rights claims within the hydrologic unit of Olowalu. Table 12-2 presents the results of the Commission's assessment.

Figure 12-2. Tax map key parcels with associated Land Commission Awards for the Olowalu hydrologic unit.

[LCA is Land Commission Award; Gr. is Grant; por. is portion; and G.L. is Government Lease]

TMK	Landowner	LCA	Grants/Leases	Notes
4-8-003-006	State of Hawaii		Gr. 11073	por. of SOH DOT right of way
4-8-003-006	State of Hawaii	3772:1, 3888		por. of SOH DOT right of way
4-8-003-011	John M. and Annie P. Kaaea	5829-E:11		
4-8-003-012			por of GR. 4973	
4-8-003-018	Hawaii Conference Foundation			
4-8-003-020	Pioneer Mill Co.	5207		
4-8-003-021	Pioneer Mill Co.	10128		
4-8-003-022	Pioneer Mill Co.	5620		
4-8-003-023	Pioneer Mill Co.	5620		
4-8-003-024	Emily Napaepae	8546:1		
4-8-003-041	Pioneer Mill Co.	7719		
4-8-003-042	Pioneer Mill Co.	5829		
4-8-003-043	Pioneer Mill Co.	1742:2		
4-8-003-044	Pioneer Mill Co.	5620:1		
4-8-003-045	Pioneer Mill Co.	5620:4		
4-8-003-046	Pioneer Mill Co.	6728:2		
4-8-003-047	Pioneer Mill Co.	240		
4-8-003-048	Pioneer Mill Co.	5952:1		
4-8-003-049	Pioneer Mill Co.	8817:1		
4-8-003-050	Pioneer Mill Co.	4376:1		
4-8-003-051	Pioneer Mill Co.	3772:3		
4-8-003-052	Pioneer Mill Co.	3772:2		
4-8-003-053	Pioneer Mill Co.	9906		
4-8-003-054	Pioneer Mill Co.	8573:2		
4-8-003-055	Pioneer Mill Co.	10128:3		
4-8-003-056	Pioneer Mill Co.		Gr. 15:2	
4-8-003-057	Pioneer Mill Co.	5829-F:2		
4-8-003-058	Pioneer Mill Co.	10128:4		
4-8-003-059	Pioneer Mill Co.	5113		
4-8-003-060	Pioneer Mill Co.	1742:1		
4-8-003-061	Pioneer Mill Co.	5829-E:3		
4-8-003-062	Pioneer Mill Co.	6058:3		
4-8-003-063	Pioneer Mill Co.	10128:5		
4-8-003-064	Pioneer Mill Co.	5829-D		
4-8-003-065	Pioneer Mill Co.	4376:2		
4-8-003-066	Pioneer Mill Co.	10714		
4-8-003-067	Pioneer Mill Co.	6547		
4-8-003-068	Pioneer Mill Co.	10128:2		
4-8-003-069	Pioneer Mill Co.	8657		
4-8-003-070	Pioneer Mill Co.	8668		
4-8-003-071	Pioneer Mill Co.	5929-F:1		
4-8-003-072	Pioneer Mill Co.	10592:2		
4-8-003-073	Pioneer Mill Co.	6058:1		
4-8-003-074	Pioneer Mill Co.	4376:3		
4-8-003-075	Pioneer Mill Co.	5952:2		
4-8-003-076	Pioneer Mill Co.		Por. Gr. 11073	
4-8-003-077	Pioneer Mill Co.	10128:1		
4-8-003-079	Pioneer Mill Co.	Por. 6058:4		
4-8-003-080	Pioneer Mill Co.	5728:1		
4-8-003-081	Pioneer Mill Co.	8817:2		
4-8-003-082	Pioneer Mill Co.	8817:3		
4-8-004-001	John M. Kaaea		Gr. 10229	
4-8-004-002	Louise & Abraham Kaahui		Por. Gr. 10825	
4-8-004-003	Edward & Marlene Kaahui		Por. Gr. 10825	
4-8-004-004	Vicent & Adeline Rodrigues	8573:1	Por. Gr. 10825	
4-8-004-009	Robert & Margaret Santos	Por. 10128:5		
4-8-004-010	Agawa & Lillian K.	Por. 10128:5		
4-8-004-011		Por. 10128:5		

Table 12-2. Continued. Tax map key parcels with associated Land Commission Awards for the Olowalu hydrologic unit.

[LCA is Land Commission Award; Gr. is Grant; por. is portion; and G.L. is Government Lease; L.C.App.is Land Court Application]

TMK	Landowner	LCA	Grants/Leases	Notes
4-8-004-017	Stanley & Aletheia Rodrigues	Por. 10128:5		
4-8-004-018	John & Jacquelyn Kaahui		Por. Gr. 10825	
4-8-004-019		Por. 10128:5		

In accordance with the State Water Code and the Supreme Court's decision in the Waiahole Ditch Combined Contested Case Hearing, the Commission is focused on the assertion and exercise of appurtenant rights as they largely relate to the cultivation of taro. Wetland kalo or taro (*Colocasia esculenta* (L.) Schott) is an integral part of Hawaiian culture and agricultural tradition. The preferred method of wetland taro cultivation, where terrain and access to water permitted, was the construction of loi (flooded terraces) and loi complexes. These terraces traditionally received stream water via carefully engineered open channels called auwai. The auwai carried water, sometimes great distances, from the stream to the loi via gravity flow. In a system of multiple loi, water may either be fed to individual loi through separate little ditches if possible, or in the case of steeper slopes, water would overflow and drain from one loi to the next. Outflow from the loi may eventually be returned to the stream.

The loi also served other needs including the farming of subsidiary crops such as banana, sugar cane, and ti plants that were planted on its banks, and the raising of fish such as oopu, awa, and aholehole within the waters of the loi itself. At least 85 varieties of taro were collected in 1931, each of which varied in color, locale, and growing conditions. The water needs of taro under wet conditions depend upon: 1) climate; 2) location and season (weather); 3) evaporation rate; 4) soil type; 5) ground water hydrology; 5) water temperature; and 6) agronomic conditions (crop stage; planting density and arrangement; taro variety; soil amendment and fertilization regime; loi drainage scheme; irrigation system management; and weed, pest, and disease prevalence and management).

Taro Production

In 2002, the State Office of Hawaiian Affairs cosponsored a "No Ka Lo‘i Conference", in the hopes of bringing together taro farmers from around the state to share knowledge on the cultivation of taro. An outcome of the conference was an acknowledgement that farmers needed to better understand the water requirements of their taro crops to ensure and protect their water resource interests. The result of this effort was a 2007 USGS wetland kalo water use study, prepared in cooperation with the State Office of Hawaiian Affairs, which specifically examined flow and water temperature data in a total of 10 cultivation areas on four islands in Hawaii.

The study reiterated the importance of water temperature in preventing root rot. Typically, the water in the taro loi is warmer than water in the stream because of solar heating. Consequently, a taro loi needs continuous flow of water to maintain the water temperature at an optimum level. Multiple studies cited in Gingerich, et al., 2007, suggest that water temperature should not exceed 77ºF (25ºC). Low water temperatures slow taro growth, while high temperatures may result in root rot (Penn, 1997). When the flow of water in the stream is low, possibly as a result of diversions or losing reaches, the warmer water in the taro loi is not replaced with the cooler water from the stream at a quick enough rate to maintain a constant water temperature. As a result, the temperature of the water in the taro loi rises, triggering root rot.

The 2007 USGS study noted that "although irrigation flows for kalo cultivation have been measured with varying degrees of scientific accuracy, there is disagreement regarding the amount of water used and needed for successful kalo cultivation, with water temperature recognized as a critical factor. Most studies have focused on the amount of water consumed rather than the amount needed to flow through the irrigation system for successful kalo cultivation (Gingerich, et al., 2007)." As a result, the study was designed to measure the throughflow of water in commercially viable loi complexes, rather than measuring the consumption of water during taro growth.

Because water requirements for taro vary with the stage of maturity of the plants, all the cultivation areas selected for the study were at approximately the same stage (i.e. near harvesting, when continuous flooding is required). Temperature measurements were made every 15 minutes for approximately 2 months. Flow measurements were collected at the beginning and the end of that period. Data were collected during the dry season (June – October), when water requirements for cooling kalo are higher. Surface water temperatures generally begin to rise in April and remain elevated through September, due to increased solar heating. Water inflow temperature was measured in 17 loi complexes, and only three had inflow temperatures rising above 27ºC (the threshold temperature above which wetland kalo is more susceptible to fungi and associated rotting diseases).

The average and median inflows from all 10 cultivation areas studied are listed in Table 12-4 below. The study indicated that the "values are consistent with previously reported inflow and are significantly higher than values generally estimated for consumption during kalo cultivation." It should also be noted that farmers were interviewed during field visits; most "believed that their supply of irrigation water was insufficient for proper kalo cultivation."

The study results are presented in Table 12-5 (discharge measurements) and Table 12-6 (water-temperature statistics).

Table 11-1. Summary of water use calculated from loi and loi complexes by island, and the entire state. (Source: Gingerich et al., 2007, Table 10)

[gad = gallons per acre per day; na = not available]

Island	Complex				Loi			
	Number	Average water use (gad)	Average windward water use (gad)	Average leeward water use (gad)	Number	Average water use (gad)	Average windward water use (gad)	Average leeward water use (gad)
Kauai	6	120,000	97,000	260,000	2	220,000	220,000	na
Oahu	5	310,000	380,000	44,000	4	400,000	460,000	210,000
Maui	6	230,000	230,000	na	na	na	na	na
Hawaii	2	710,000	710,000	na	na	na	na	na
Average of all measurements		260,000	270,000	150,000		350,000	370,000	210,000
Median of all measurements		150,000	150,000	150,000		270,000	320,000	210,000

Table 11-2. Water-temperature statistics based on measurements collected at 15-minute intervals for loi complexes on the island of Maui. (Source: Gingerich et al., 2007, Table 7)

[ºC = degrees Celsius; na = not applicable]

Geographic designation	Area	Station	Period of record	Temperature (ºC)			Temperature measurements greater that 27ºC (percent)
				Mean	Range	Mean daily range	
Windward	Waihee	Ma08A-CI	7/29/2006 - 9/22/2006	21.6	19.9 - 24.0	2.0	0.0
		Ma08B-CIL	7/29/2006 - 9/22/2006	24.9	20.3 - 34.0	7.6	25.4
		Ma08B-CO	7/29/2006 - 9/22/2006	25.5	20.0 - 35.5	5.7	27.0
Windward	Wailua (Lakini)	Ma09-CIT	7/30/2006 - 9/21/2006	20.7	18.5 - 23.4	2.3	0.0
		Ma09-CO	7/30/2006 - 9/21/2006	23.2	18.4 - 31.7	7.4	16.9
Windward	Wailua	Ma10-CI	7/30/2006 - 9/21/2006	22.5	20.5 - 25.9	1.9	0.0
Windward	Wailua (Waikani)	Ma11-CI	7/30/2006 - 9/21/2006	22.2	21.0 - 24.0	0.7	0.0
		Ma11-CO	7/30/2006 - 9/21/2006	26.1	22.1 - 31.8	3.3	29.1
Windward	Keanae	Ma12-CI	7/31/2006 - 9/21/2006	20.0	19.0 - 21.9	1.0	0.0
		Ma12-CO	equipment malfunction	na	na	na	na

Historical uses can also provide some insight into the protection of traditional and customary Hawaiian rights. Without delving into the extensive archive of literature (refer to Kumu Pono Associates, 2001a), Handy et al., in *Native Planters of Old Hawaii* (1972), provide a limited regional description as follows:

> East of Maliko the number of named *ahupua'a* is evidence of habitation along this coast.
>
> Two *kama'aina* at Ke'anae said that there were small *lo'i* developments watered by Ho'olawa, Waipi'o, Hanehoi, Hoalua, Kailua, and Na'ili'ilihaele Streams, all of which flow in deep gulches. Stream taro was probably planted along the watercourses well up into the higher *kula* land and forest taro throughout the lower forest zone. The number of very narrow *ahupua'a* thus utilized along the whole of the Hamakua coast indicates that there must have been a very considerable population. This would be despite the fact that is an area of only moderate precipitation because of being too low to draw rain out of trade winds flowing down the coast from the rugged and wet northeast Ko'olau area that lies beyond. It was probably a favorable region for breadfruit, banana, sugar cane, arrowroot; and for yams and *'awa* in the interior. The slopes between the gulches were covered with good soil, excellent for sweet-potato planting. The low coast is indented by a number of small bays offering good opportunity for fishing. The *Alaloa*, or 'Long-road,' that went around Maui passed through Hamakua close to the shore, crossing streams where the gulches opened to the sea.

Individual cultural resources of Olowalu Hydrologic Unit were not classified by the Hawaii Stream Assessment (HSA), but generally classified based on the Historic Preservation Division database. Data were collected in three general areas of: 1) archaeological; 2) historical; and 3) modern practices.

Archaeological data were originally compiled by the State Historic Preservation Division and are only current to 1990, the date of the HSA (Table 12-8).

Fishponds

Fishponds are another integral part of traditional Hawaiian culture, which speaks volumes of native Hawaiian skill and knowledge of aquaculture, which has also seen a resurgence of interest in recent years. Fishponds are found throughout the Hawaiian Islands and were either man-made or natural enclosures of water used for the raising and harvesting of fish and other aquatic organisms. Kikuchi (1973) identified six main types of fishponds, two of which are associated with streams (*loko wai*, *loko ia kalo*) and one type is associated with fresh water springs (*kaheka* or *hapunapuna*).

- Type III – *Loko Wai*: An inland fresh water fishpond which is usually either a natural lake or swamp, which can contain ditches connected to a river, stream, or the sea, and which can contain sluice grates. Although most frequently occurring inland, *loko wai* are also located along the coast near the outlet of a stream.
- Type IV – *Loko Ia Kalo*: A fishpond utilizing irrigated taro plots. *Loko ia kalo* are located inland along streams and on the coast in deltas and marshes.
- Type VI – *Kaheka* and *Hapunapuna*: A natural pool or holding pond. The majority, if not all of these types of ponds, are anchialine ponds with naturally occurring shrimp and mollusks.

According to a 1990 Hawaii Coastal Zone Management Program *Hawaiian Fishpond Study for the Islands of Hawaii, Maui, Lanai, and Kauai,* there are no fishponds present in the Olowalu hydrologic unit (DHM, Inc., 1990).

Pre-European Contact Agriculture

Prior to European contact, Hawaiian irrigated wetland and dryland (rainfed) agriculture dominated river valleys and flood plains. Large systems of intensively cultivated taro required consistent and plentiful surface water diverted through an auwai (furrow or ditch) from a stream or spring with sufficient volume. Agriculture is an integral part of traditional Hawaiian culture and has also seen a resurgence of interest in recent years. Recently published datasets (see Ladefoged et al. 2009), have provided new insights in understanding the extent of both wetland and dryland agriculture pre-European contact (Figure 12-4). Due to the limited surface water supply, Launiupoko probably supported wetland taro only in the middle reaches in the valley, whereas dryland agriculture was more common in the lower reaches. This is consistent with conversations staff have had with current cultural practictioners in the area.

Table 11-3. Cultural resource elements evaluated as part of the Hawaii Stream Assessment for Olowalu Stream.

Category	Value
Survey coverage: The extent of archaeological survey coverage was analyzed and recorded as complete, partial, very limited, and none. Few valleys are completely surveyed. Many have little or no survey coverage.	Limited
Predictability: The ability to predict what historic sites might be in unsurveyed areas was scored as high, medium, or low predictability or unable to predict. A high score was assigned if archaeologists were able to predict likely site patterns in a valley given historic documents, extensive archaeological surveys in nearby or similar valleys, and/or partial survey coverage. A low score was assigned if archaeologists were unable to predict site patterns in a valley because of a lack of historical or archaeological information. A medium score was assigned to all other cases.	All others

Number of Sites: The actual number of historic sites known in each valley is straightforward yet very time consuming to count. Instead, archaeologists used survey information to estimate the number of sites in each valley. These figures, adequate for this broad-based assessment, are only rough estimates.	3
Valley significance as a Whole District: The overall evaluation of each valley's significance was made considering each valley a district. The significance criteria of the National and Hawaii Registers of Historic Places were used. Criterion A applies if the district is significant in addressing broad patterns of prehistory or early history. Criterion B applies if the district is associated with important people (rulers) or deities. Criterion C applies if the district contains excellent examples of site types. Criterion D applies if the district is significant for information contained in its sites. Finally, Criterion E applies if the district is culturally significant for traditionally known places or events or for sites such as burials, religious structures, trails, and other culturally noteworthy sites.	ADE
Site Density: The density patterns of historic sites make up a variable extremely important to planners. Three ranks were assigned: low for very few sites due either to normal site patterning or extensive land alteration, moderate for scattered clusters of sites, and high for continuous sites. Valleys with moderate or high density patterns are generally considered moderate or high sensitivity areas.	Very few sites
Site Specific Significance: The site specific significance variable was developed for valleys that had low densities of sites (very few sites) due either to normal site patterning or to extensive land alteration. An example of the first type might be a valley with housing sites on the side but too narrow for taro or housing sites on the valley floor. The second type might be a valley in which there had been sugar cane cultivation but a large heiau was left. The site specific significance of these valleys was categorized as either: 1) sites significant solely for information content which can undergo archaeological data recovery; or 2) sites significant for multiple criteria and merit preservation consideration. Those categorized as meriting preservation consideration would likely include large heiau, burial sites, and excellent examples of site types.	None
Overall Sensitivity: The overall sensitivity of a valley was ranked very high, high, moderate, low, or unknown. Very high sensitivity areas have moderate or high densities of sites with little or no land alteration. They are extremely important archaeological and/or cultural areas. High sensitivity areas have moderate or high densities of sites with little or no land alteration. Moderate sensitivity areas have very few sites with the sites meriting preservation consideration due to multiple criteria or moderate densities of sites with moderate land alteration. Low sensitivity areas have very few sites due to normal site patterning or due to extensive land alteration. The sites present are significant solely for their informational content, which enable mitigation through data recovery. Those valleys where no surveying had been undertaken and the ability to predict what might be found was low were ranked unknown.	Medium
Historic Resources: Several types of sites were considered by inclusion in this section, particularly bridges, sugar mills and irrigation systems. Those that are listed on the State or National register were inventoried, but none of them assessed.	No
Taro Cultivation: Streams and stream water have been and continue to be an integral part of the Hawaiian lifestyle. The committee identified a number of factors important to current Hawaiian practices. These include current taro cultivation, the potential for taro cultivation, appurtenant rights, subsistence gathering areas, and stream-related mythology. The committee felt that a complete assessment of the cultural resources of Hawaii's streams should include these items but, due to limits of information, only the current cultivation of taro was included.	Yes

Hawaiian Home Lands

Another component in the assessment of traditional and customary Hawaiian rights is the presence of Department of Hawaiian Home Lands (DHHL) parcels within the surface water hydrologic unit. The mission of DHHL is to effectively manage the Hawaiian Home Lands trust and to develop and deliver land to native Hawaiians (PBR Hawaii, 2004). In June 2004, DHHL published the Muai Island Plan which served to examine infrastructure needs, provide development cost estimates, and identify priority areas for homestead development. Of the more than 31,000 acres of DHHL land on the island of Maui, no parcels occur within or nearby the Olowalu hydrologic unit.

Figure 12-3. Traditional ahupuaa boundaries in the vicinity of Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015j)

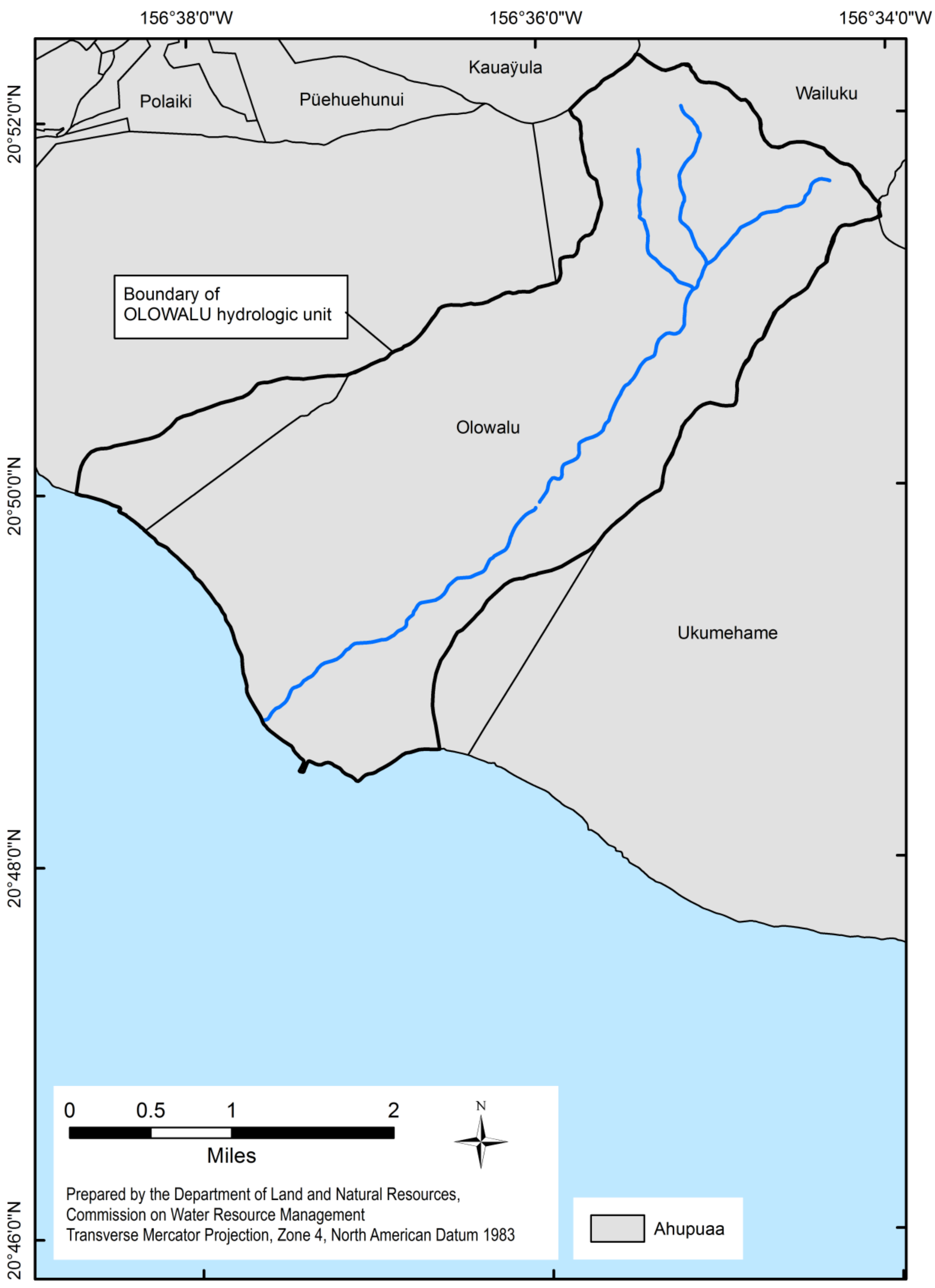
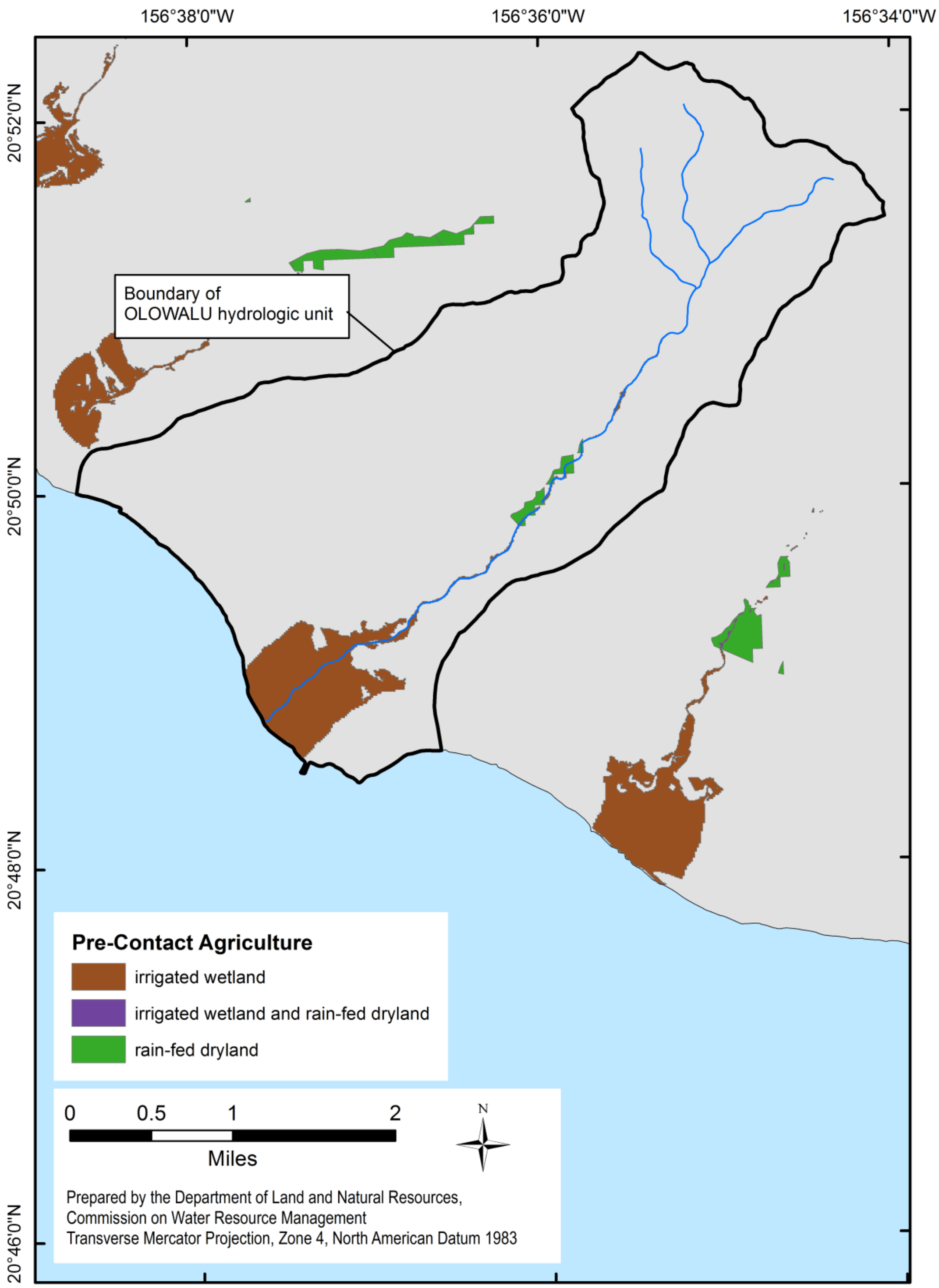


Figure 12-4. Zones of intensive agriculture in the Olowalu hydrologic unit pre-European contact. (Source: Ladefoged, 2009)



13.0 Noninstream Uses

Under the State Water Code, noninstream uses are defined as "water that is diverted or removed from its stream channel…and includes the use of stream water outside of the channel for domestic, agricultural, and industrial purposes." Article XI, Section 3 of the State Constitution states: "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally sustainable lands." Water is crucial to agriculture and agricultural sustainability. Article XI, Section 3 also states, "Lands identified by the State as important agricultural lands needed to fulfill the purposes above shall not be reclassified by the State or rezoned by its political subdivisions without meeting the standards and criteria established by the legislature and approved by a two-thirds vote of the body responsible for the reclassification or rezoning action. [Add Const Con 1978 and election Nov 7, 1978]." It is the availability of water that allows for the designation of Important Agricultural Lands. The Hawaii Farm Bureau Federation, Hawaii's largest advocacy organization for general agriculture, states that agriculture is a public trust entity worthy of protection, as demonstrated in its inclusion in the State Constitution. They, on behalf of farmers and ranchers, point to the importance of large-scale agriculture to sustainability and self-sufficiency of our islands, particularly in times of catastrophe when imports are cut off.

In most cases, water is diverted from the stream channel via a physical diversion structure. Diversions take many forms, from small PVC pipes in the stream that remove relatively small amounts of water, to earthen auwai (ditches), hand-built rock walls, and concrete dams that remove relatively larger amounts of water.

Water Leaving the Olowalu Stream

Water is most often used away from the stream channel and is not returned; however, as in the case of taro fields, water may be returned to the stream at some point downstream of its use. While the return of surface water to the stream would generally be considered a positive value, this introduces the need to consider water quality variables such as increased temperature, nutrients, and dissolved oxygen, which may impact other instream uses. Of the two diversions originally registered (Table 13-1), the upper diversion was damaged by a flood in September 2016, and the lower diversion was rebuilt. Thus while there is extensive monitoring data for the upper diversion, this is no longer applicable.

In addition to the amount of water currently (or potentially) being diverted offstream, the Commission must also consider the diversion structure and the type of use, all of which impact instream uses in different ways. The wide range of diversion structures, as noted above, is what makes regulation of surface water particularly difficult, since one standard method cannot be depended upon for monitoring and measuring flow. The ease of diverting streamflow, whether by gravity-flow PVC pipe, pump, or a dug channel, also plays a role in the convenience of diverting surface water and the abundance of illegal, non-permitted diversions.

Upon the enactment of the State Water Code and subsequent adoption of the Hawaii Administrative Rules, the Commission required the registration of all existing stream diversions statewide. The Commission categorized the diversions and filed registrations according to the registrant's last name or company name. While it is recognized that the ownership and/or lease of many of the properties with diversions has changed since then, the file reference (FILEREF) remains the name of the original registrant file (Table 13-1) with locations are depicted in Figure 13-1. The Commission's records for the hydrologic unit of Olowalu indicate that the reported mean daily flow diverted from 1983 to 1988 was 3.83 mgd (range 1.30 mgd to 7.13 mgd). Based on plantation records, the median and mean flow diverted from 1956-1975 was 4.08 mgd and 4.73 mgd, respectively (Hatton 1967). Since the enactment of HAR Title 13 Chapter 168, stream diversion works permits are required for the construction of new diversions or alteration of existing diversions, with the exception of routine maintenance.

Table 13-1. Current surface water diversions in Olowalu Stream (Source: State of Hawaii, Commission on Water Resource Management, 2015)

FILE REF	Name	Operator	History	Use	Estimated Medium Flow
PIONEER MILL	Upper Olowalu Diversion	West Maui Land Co.	Olowalu Sugar diversion taken over when company merged with Pioneer Mill	Irrigation of homes and one sod/tree nursery (~7 acres)	2.13 mgd
PIONEER MILL	Lower Olowalu Diversion	West Maui Land Co.	Olowalu Sugar diversion taken over when company merged with Pioneer Mill	Two systems of two loi each	0.0 mgd

Data from staff site visits may be found in Table 13-3.

Table 13-2. Registered diversions in the Olowalu hydrologic unit.
[Source of photos are denoted at the end of each description; CWRM, Commission on Water Resource Management;Arrows ( )indicate general direction of natural water flow to and out of diversions; Chevrons ( ) indicate direction of diverted surface water flow]

Event ID	File Reference	Tax Map Key	Diversion Amount (cfs)	Active (Yes/No)	Verified (Yes/No)	Riparian (Yes/No)	Rights Claim (Yes/No)
REG.961.6	PIONEER MILL	4-8-001	5.94	Yes	Yes		

Olowalu Stream is diverted by a concrete dam across the channel that captures 100% of base flow. Water is diverted into a tunnel to the Upper Olowalu Ditch. Following the September 2016 flood, the intake and tunnel were damaged and no water is being diverted at this location resulting in water flowing over the intake.

Photos. a) Upstream view of water flowing over the upper diversion structure on Olowalu Stream (CWRM, 01/2017); b) Below the upper diversion structure on Olowalu Stream (CWRM, 01/2017); c) Upper diversion structure from left bank (CWRM, 01/2017); d) View of retaining wall on left bank upstream from diversion structure (CWRM, 01/2017).

a)

b)

c)

d)

Table 13-2. Continued. Registered diversions in the Olowalu hydrologic unit.

Event ID	File Reference	Tax Map Key	Diversion Amount (cfs)	Active (Yes/No)	Verified (Yes/No)	Riparian (Yes/No)	Rights Claim (Yes/No)
REG.961.6	PIONEER MILL	4-8-3-010	0	Yes	Yes		

Lower Diversion on Olowalu Stream. Following the September 2016 flood, the lower diversion was repaired and relied upon as the primary surface water source for non-potable water by the Olowalu Water Co.

Photos. a) Diversion structure across the channel from left bank (CWRM, 02/2017); b) Diversion structure across the channel from right bank (CWRM, 03/2017); c) intake structure on left bank (CWRM, 03/2017); d) Lower Olowalu Ditch (CWRM, 03/2017)

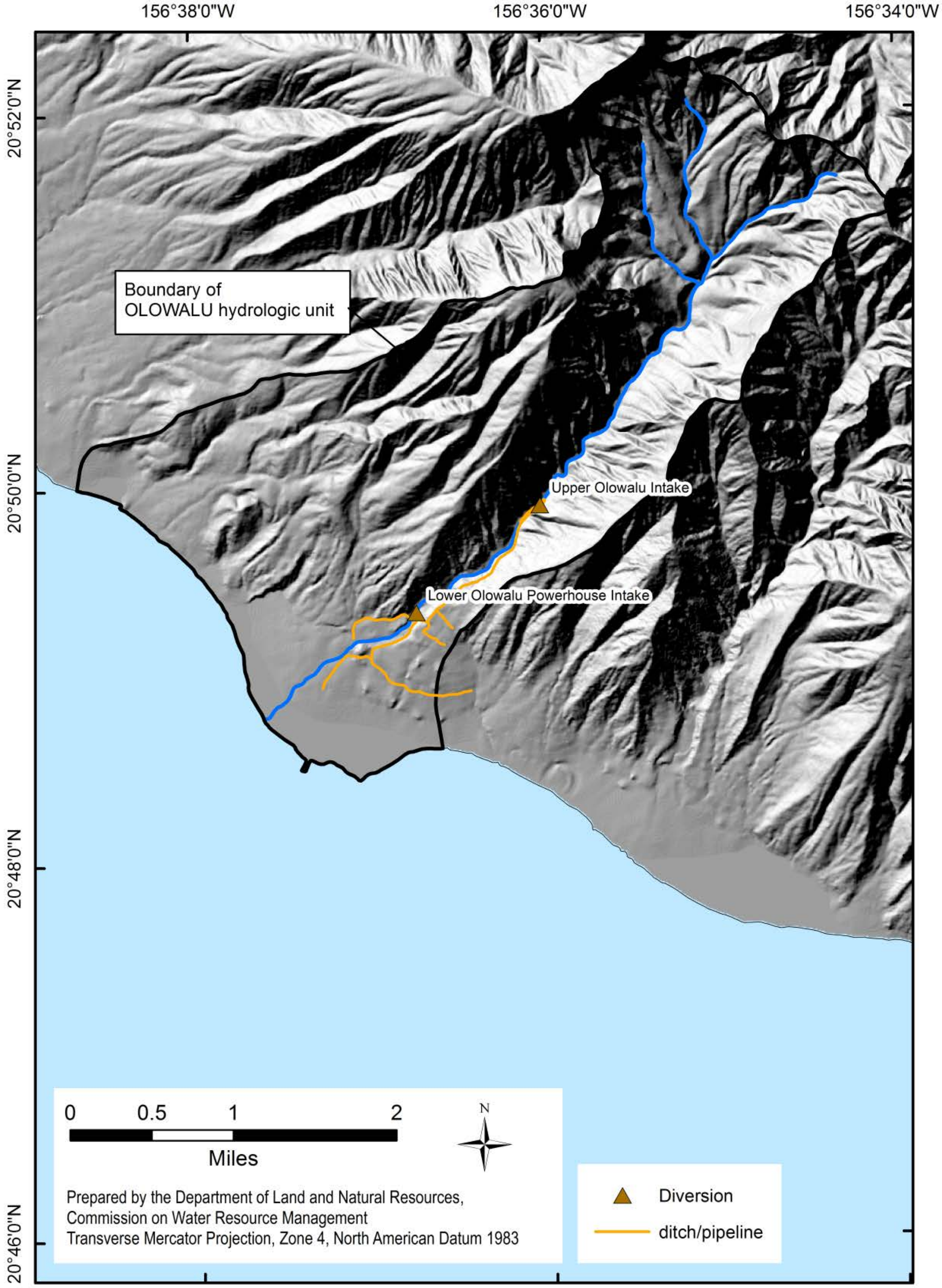
a)

b)

c)

d)


Figure 13-1. All registered diversions and ditches identified in the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2004d; State of Hawaii, Commission on Water Resource Management, 2015g)



Modifications of Ditch Systems and Groundwater Recharge

Following the establishment of instream flow standards, one of the proposed measures to increase streamflow may be to decrease the amount of water diverted from streams. Such a measure has important implications to ground water recharge because it affects the amount of water available for irrigation. The effects of irrigation water on ground water recharge can be analyzed using the water budget equation[1]. Engott and Vana (2007) at the USGS conducted a study that estimated each of the water budget components for west and central Maui using data from 1926 to 2004. Components of the water budget include rainfall, fog drip, irrigation, runoff, evapotranspiration, and recharge. Results of the study were separated into six historical periods: 1926-79, 1980-84, 1985-89, 1990-94, 1995-99, and 2000-04. From 1979 to 2004, ground water recharge decreased 44 percent from 693 million gallons per day to 391 million gallons per day (Figure 13-2). The low recharge rate in 2004 coincides with the lowest irrigation and rainfall rates that were 46 percent and 11 percent lower than those in 1979, respectively. During this period, agricultural lands decreased 21 percent from 112,657 acres in 1979 to 88,847 acres in 2004. Further analysis revealed that a 20 percent decrease in irrigation rate could result in a 9 percent reduction in recharge. A similar study by Izuka et al. (2005) reported that a 34 percent decrease in irrigation rate constituted a 7 percent reduction in recharge in the Lihue basin in Kauai, Hawaii.

Droughts, or periods of lower than average rainfall, have been shown to drastically decrease ground water recharge (Figure 13-3). The period of drought that occurred in 1998-2002, during which rainfall was at least 30 percent lower than the average annual rainfall was estimated to reduce recharge by 27 percent in west and central Maui (Engott and Vana, 2007). In the island of Kauai, the drought conditions reduced recharge in Lihue basin by 34-37 percent (Izuka et al., 2005). Even though droughts can have exacerbating effects on ground water recharge, these effects are transient and are usually mitigated by periods of higher than average rainfall (Engott and Vana, 2007). However, prolonged loss in irrigation water caused by decrease in the amount of water diverted at the ditches has greater effects on the long term trends of ground water levels.

[1] Water-budget is a balance between the amount of water leaving, entering, and being stored in the plant-soil system. The water budget method/equation is often used to estimate ground water recharge.

Figure 13-2. Estimated recharge for six historical periods between 1926 and 2004, central and west Maui, Hawaii. (Source: Engott and Vana, 2007)

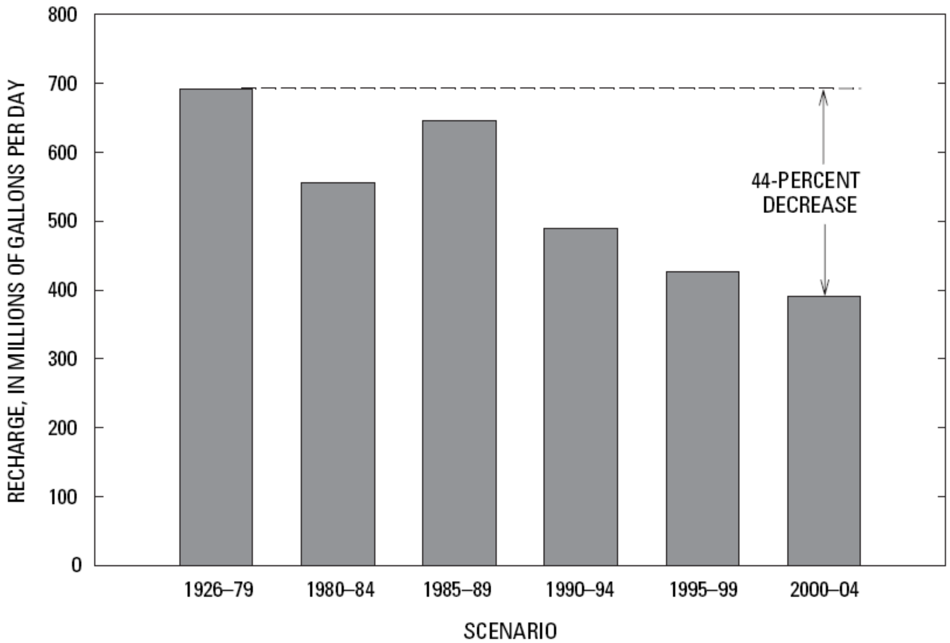
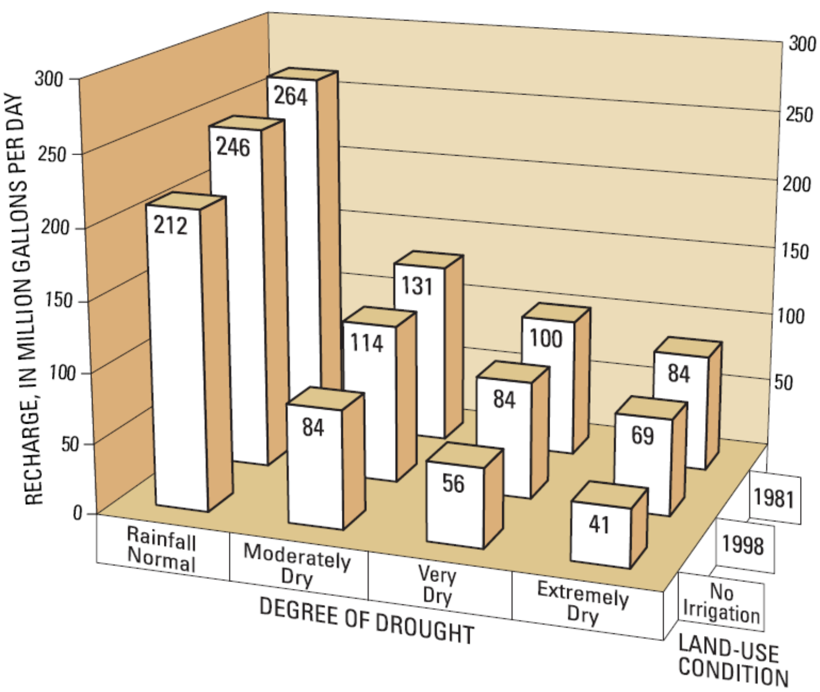


Figure 13-3. Summary of estimated recharge, in million gallons per day, for various land-use and rainfall conditions in the Lihue Basin, Kauai, Hawaii. (Source: Izuka et al., 2005)



Utilization of Important Agricultural Lands

The Agricultural Lands of Importance to the State of Hawaii (ALISH) were completed by the State Department of Agriculture (HDOA) in 1977, with the assistance of the Soil Conservation Service (SCS), U.S. Department of Agriculture, and the College of Tropical Agriculture, University of Hawaii. Three classes of agriculturally important lands were established for Hawaii in conjunction with the SCS in an effort to inventory prime agricultural lands nationwide. Hawaii's effort resulted in the classification system of lands as: 1) Prime agricultural land; 2) Unique agricultural land; and 3) Other important agricultural land. Each classification was based on specific criteria such as soil characteristics, slope, flood frequency, and water supply. ALISH was intended to serve as a long-term planning guidance for land use decisions related to important agricultural lands. HDOA is currently in the process of developing agricultural incentives based on classifications of Important Agricultural Lands. Nearly 8 percent of Olowalu is designated agricultural land (Table 13-4). Decreasing the amount of water diverted at the ditches located affects the amount of water available for the irrigation of crops on these agricultural lands.

Table 13-3. Agricultural Lands of Importance to the State of Hawaii and area distributions in the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015g)

Type	Area (mi^2)	Percent of Unit
Prime agricultural land	0.236	2.8
Other lands	0.419	5.0

From 1978 to 1980, HDOA prepared agricultural land use maps (ALUM) based on data from its Planning and Development Section and from SCS. The maps identified key commodity areas (with subclasses) consisting of: 1) Animal husbandry; 2) Field crops; 3) Orchards; 4) Pineapple; 5) Aquaculture; 6) Sugarcane; and Wetlands (Table 13-5).

Table 13-4. Agricultural land uses and area distributions in the Olowalu hydrologic unit. (Source: State of Hawaii, Office of Planning, 2015h)

Commodity	Area (mi^2)	Percent of Unit
Sugarcane	0.933	11.2

Though both ALISH and ALUM datasets are considerably outdated, many of the same agricultural assumptions may still hold true. The information is presented here to provide the Commission with present or potential noninstream use information (Figure 13-4 and 13-5).

Figure 13-4. Agricultural land use for the Olowalu hydrologic unit based on the Agricultural Lands of Importance for the State of Hawaii (ALISH) classification systems. (Source: State of Hawaii, Office of Planning, 2015g)

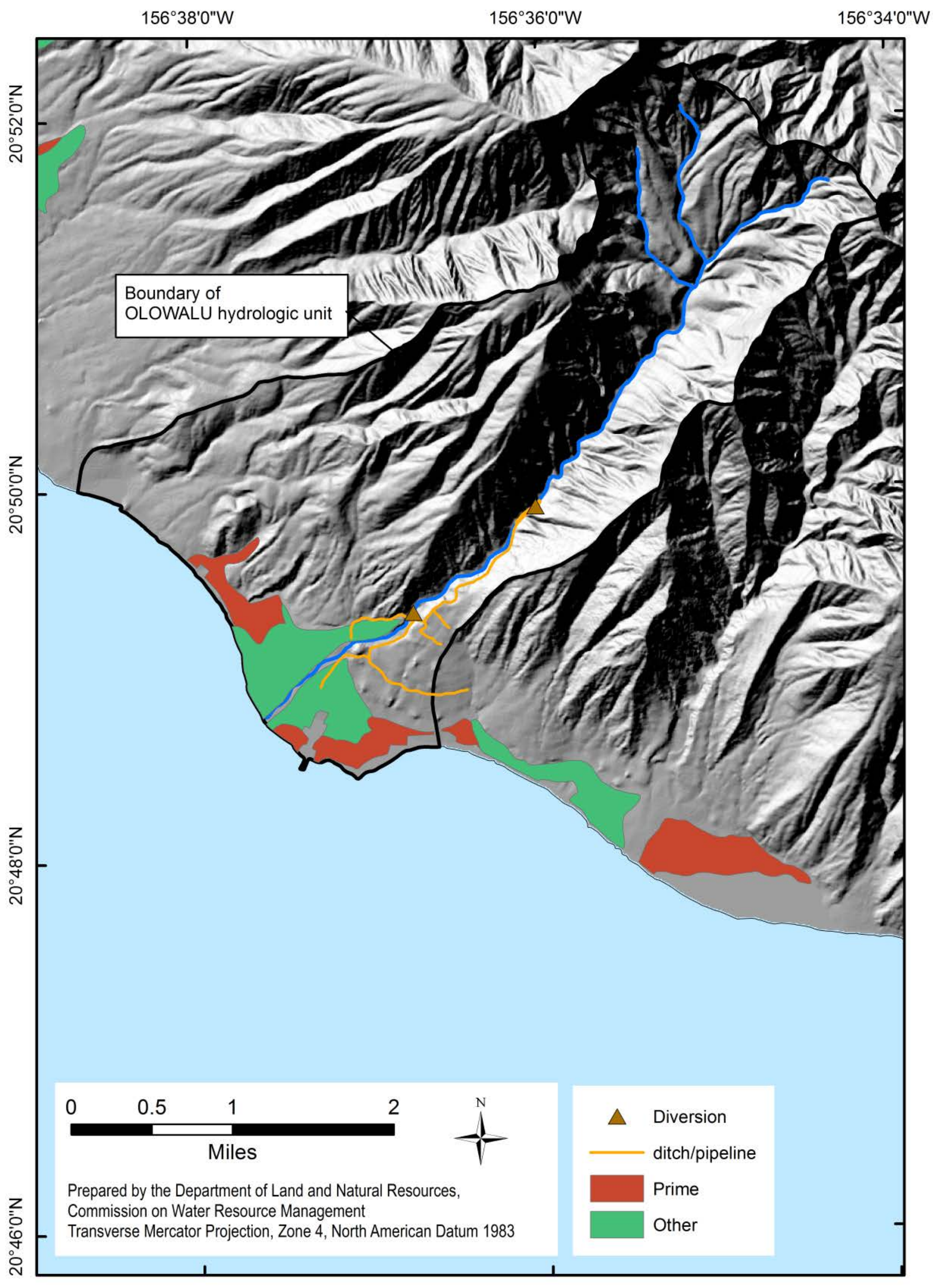
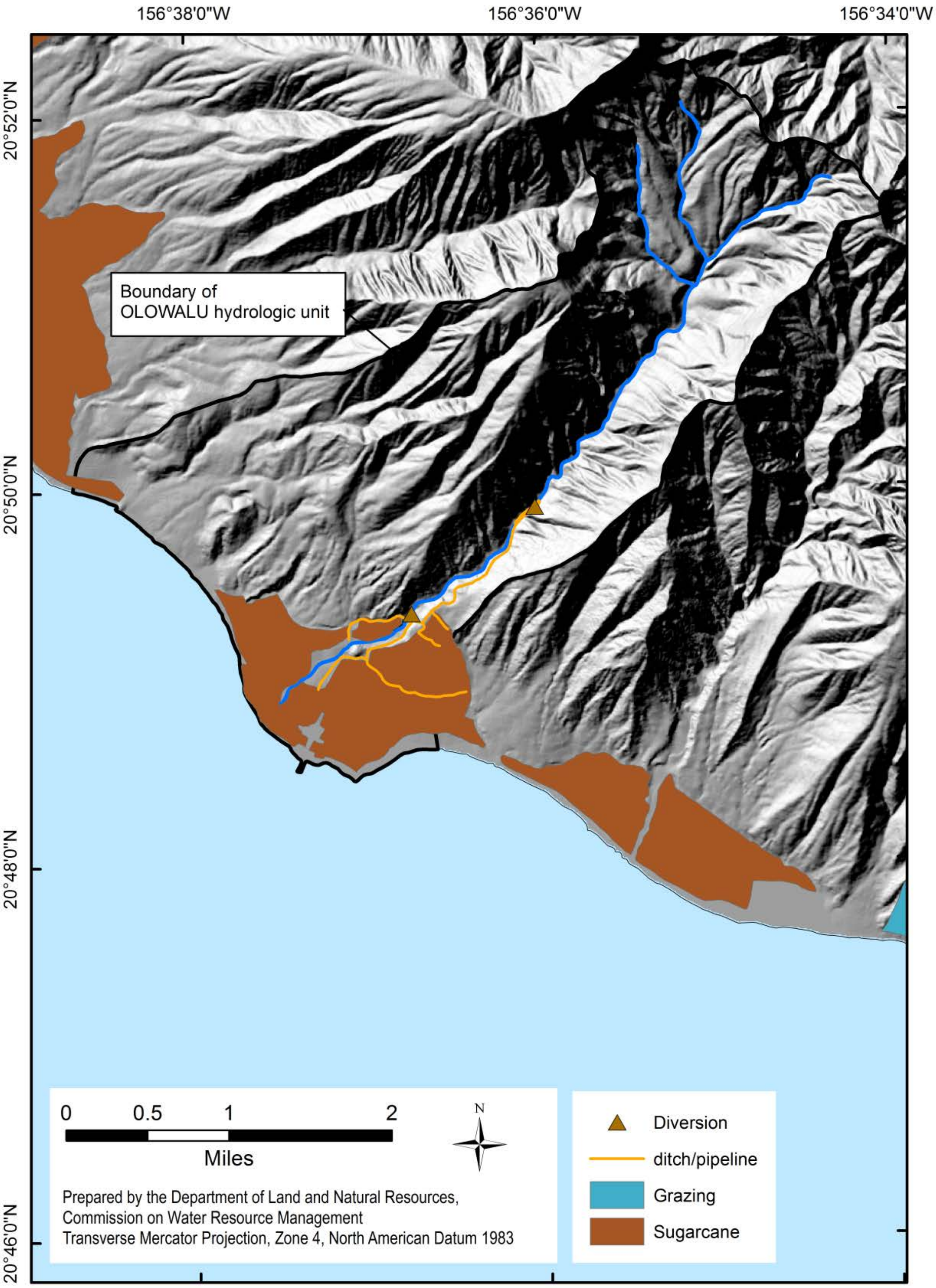


Figure 13-5. Designated agricultural land use for the Olowalu hydrologic unit based on the Agricultural Land Use Map (ALUM). (Source: State of Hawaii, Office of Planning, 2015h)



Diverted Water from Olowalu Stream

During the sugarcane production era, Pioneer Mill Co. diverted an average of 4.78 mgd from Olowalu Stream at the upper diversion between 1956 and 1975. In their registration, Pioneer Mill Co. reported an average of 3.84 mgd diverted between 1983 and 1988 (Figure 13-6). By contrast, the average diverted flow for the most recent nine years is 2.81 mgd (Figure 13-7).

Figure 13-6. Mean daily flow (million gallons per day, mgd) diverted by Pioneer Mill from Olowalu Stream at the upper diversion into Olowalu Ditch calculated from monthly data from 1983-1987. (Source: Pioneer Mill Co Registration, DIV.956.6)

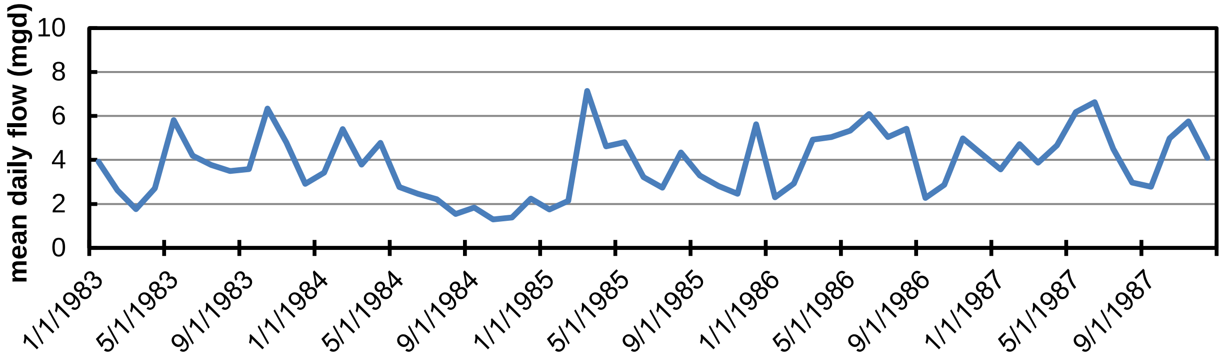
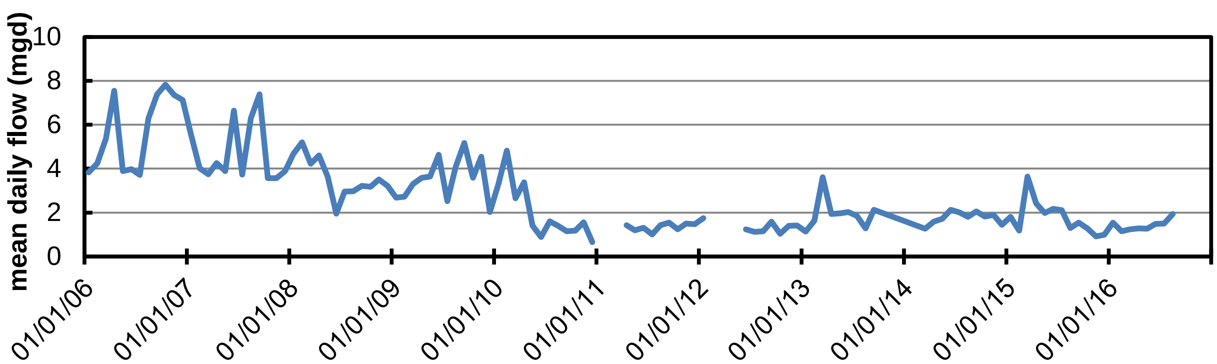


Figure 13-7. Mean daily flow (million gallons per day, mgd) diverted by Olowalu Water Co. from Olowalu Stream at the upper diversion into Olowalu Ditch calculated from monthly data from 2006-2016. (Source: Pioneer Mill Co Registration, DIV.956.6)



Irrigation Needs of the Olowalu Service Area

Calibration and validation of the model was based on the crop water requirement data for different crops from the Hawaii region United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS) Handbook 38 (NRCS-USDA, 1996). Relative errors between the net irrigation requirements (NIR) estimated by the model and those estimated by NRCS range from less than 1 percent to a 26 percent overestimate. This difference may be attributed to the general nature of the technique NRCS used in estimating NIR. Results of the regression analysis indicate a good correlation ($R^2 = 0.97$) between the two techniques; however, the NIR calculations by NRCS were consistently 8 percent higher than those of the IWREDSS model. Overall, the model is an appropriate and practical tool that can be used to assess the IRR of crops in Hawaii.

Understanding that water demand is highly site, weather, application, and crop dependent, IWREDSS can still provide a useful approximation of water needs. According to the simulation results, the IRR for gardening and landscaping is 5315 and 5297 gallons per acre per day, respectively (Table 13-5). The model calculates IRR based on long-term rainfall records available at the weather stations located nearest to the fields. Thus, the estimated IRR represents an average value for average weather conditions as opposed to wet or dry year conditions. However, the estimated IRR for the relative drought year frequencies could be extrapolated to represent the highest demand scenarios.

Table 13-5. Mean rrigation demand estimates for four crops based on IWREDSS modeled results given a 50 ft depth to water table as well as Irrigation Requirement (IRR) in gallons per acre per day for three drought scenaris.

crop	Net IRR (gallons per acre per day)	Mean annual irrigation demand (gal/acre) for drought frequency		
		1 in 5 (20%)	1 in 10 (10%)	1 in 20 (5%)
garden	5315	5687	5831	5938
pasture (kikuyu grass)	5597	6042	6216	6348
landscaping (turf)	5297	5664	5806	5912
taro (flood)	13,589	14,395	14,701	14,930

Currently, there are nine commercial agriculture lots totaling 49.41 acres and 69 homestead or non-agriculture lots with a total of 28.3 acres of landscaping. The non-profit Maui Cultural Lands has nine loi but they are currently not in use despite the availability of water. Based on the total agriculture and landscaping water demands, there is an estimated demand of 487,000 gallons of non-potable water per day. Olowalu Water Company is currently diverting on average approximately 2 million gallons per day.

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15.0 Appendices

Appendix A	Olowalu Stream, Maui, Hawaii. June 2008.
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