

MINUTES  
FOR THE MEETING OF THE  
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: September 18, 2002  
TIME: 9:00 am  
PLACE: DLNR Board Room  
Kalanimoku Bldg.

Chairperson Gilbert S. Coloma-Agaran called the meeting of the Commission on Water Resource Management to order at 9:05 a.m.

The following were in attendance:

**MEMBERS:** Mr. Gilbert S. Coloma-Agaran, Dr. Bruce Anderson, Ms. Meredith Ching, Mr. Clayton Dela Cruz, Mr. Brian Nishida, Mr. Herbert Richards, Jr.

**STAFF:** Linnel Nishioka, Ed Sakoda, Dean Nakano, Glenn Bauer, Dean Uyeno, Lenore Nakama, Tiffany Mathias

**COUNSEL:** Yvonne Izu

**OTHERS:** Rick Fontaine, Jim Anthony

All written testimonies submitted at the meeting are filed in the Commission office and are available for review by interested parties.

**1. Minutes of the August 21, 2002 meeting**

MOTION: (RICHARDS/DELA CRUZ)  
To approve the minutes.  
UNANIMOUSLY APPROVED.

**2. Old Business/Announcements by Deputy Director Linnel Nishioka**

None

**3. Watershed Coding: Building a Foundation (a powerpoint presentation by Dean Uyeno)**

Mr. Dean Uyeno gave a briefing on the watershed coding system. Mr. Uyeno talked about the purpose of why watershed coding should be standardized, the history of the watershed coding system, defining the system, implementing the coding system, and bringing these points together to make it work.

TESTIMONIES:

Dr. Jim Anthony stated that the efforts that have been extended by Mr. Uyeno and the Commission staff are to be applauded because he felt this is a step in the right direction. He stated also that it is not as comprehensive as expected but it was not the place to raise issues about details at this meeting. He said that all government agencies, concerned organizations and the community should band together to make this coding system work.

**4. Cooperative Agreement with U.S. Geological Survey for Statewide Hydrologic Data Collection and Water Resources Investigations for Fiscal Year (FY) 2003**

PRESENTATION OF SUBMITTAL: Glenn Bauer

RECOMMENDATIONS:

That the Commission approve the cooperative agreement between the Commission and the U.S. Geological Survey, and authorize the Chairperson to execute the appropriate documents.

Final contract execution shall be contingent upon receiving the Governor's approval in accordance with Executive Memorandum No. 01-06 and approval of the contract by the Department of the Attorney General.

MOTION: (RICHARDS/NISHIDA)

To approve the submittal.

UNANIMOUSLY APPROVED.

**5 U.S. Fish & Wildlife/U.S. Navy APPLICATION FOR A WATER USE PERMIT, Pearl Harbor National Wildlife Refuge Well (Well No. 2359-19), TMK 9-6-01:1, Future (Habitat Maintenance) Use for 0.180 mgd, Waipahu-Waiawa Ground Water Management Area, Oahu**

PRESENTATION OF SUBMITTAL: Lenore Nakama

RECOMMENDATIONS:

Staff recommends that the Commission approve the issuance of Water Use Permit No. 627 to U.S. Fish & Wildlife/U.S. Navy for the reasonable and beneficial use of 0.180 million gallons per day of brackish water for habitat maintenance from the Pearl Harbor National Wildlife Refuge Well (Well No. 2359-19), subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

1. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.

2. In the event that the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

MOTION: (RICHARDS/CHING)

To approve the submittal.

UNANIMOUSLY APPROVED.

**6. Waialua Sugar Company REVOCATION OF WATER USE PERMITS, Pump 10 (Well Nos. 3306-01 to 12; WUP No. 135), TMK 6-5-1:002, Mill Pumps (Well Nos. 3407-07 to 10, 13, 16, 17, 20 & 21; WUP No. 47), TMK 6-7-01:5, Waialua Ground Water Management Area, Oahu**

PRESENTATION OF SUBMITTAL: Lenore Nakama

RECOMMENDATIONS:

Staff recommends that the Commission:

1. Revoke WUP Nos. 47 and 135.
2. Commend WSCO for their voluntarily actions to expend the effort and financial resources to seal former agricultural wells that are no longer needed and may pose water resource threats, and also for their voluntary relinquishment of unused water allocations so that new reasonable-beneficial uses may proceed.

MOTION: (DELA CRUZ/NISHIDA)

To approve the submittal.

UNANIMOUSLY APPROVED.

**7. Agribusiness Development Corporation's Request for Extension of Time to Return Tunnel Water to Waikane Stream, December 28, 2001 LEGAL FRAMEWORK, FINDINGS OF FACT AND DECISION AND ORDER, Waiahole Ditch Combined Contested Case Hearing (CCH-OA95-1)**

PRESENTATION OF SUBMITTAL: Edwin Sakoda

AMENDED RECOMMENDATIONS:

That the Commission:

1. Find that ADC has shown diligence in proceeding with the project.
2. Extend the deadline for ADC to complete the project, from September 21, 2002 to November 22, 2002.
3. A report on the status of the project be made at the next Commission meeting in October 2002.

Commissioner Nishida recused himself from this submittal.

Mr. Sakoda received a call from Kapua Sproat of Earthjustice and stated that they had no objection to the extension although they may have objections if there are any further requests for extension.

An email from Alan Murakami of Native Hawaiian Legal Corporation on behalf of Denise Medeiros, is requesting that request for extension be denied. Because he was unable to appear he asked in the email the basis of the request.

TESTIMONY BY APPLICANT:

Mr. Alan Alfonso of ADC stated that the work should be completed by November 22, 2002.

Because the November Commission meeting will be on Maui, Deputy Director Nishioka suggested that ADC give an intermediate report in October on the progress of the project. ADC will probably know by then if the work will be completed or another extension is needed.

Mr. Paul Sullivan, Dept. of the Navy, stated that they support staff's recommendation on the extension.

MOTION: (RICHARDS/CHING)

To approve the submittal as amended.

UNANIMOUSLY APPROVED AS AMENDED.

At 10:02 am Chairperson Agaran entertained a motion to move into Executive Session.

MOTION: (RICHARDS/NISHIDA)

UNANIMOUSLY APPROVED.

This meeting was adjourned at 10:02 am.

Respectfully submitted,

FAITH F. CHING  
Secretary

APPROVED AS SUBMITTED:

LINNEL T. NISHIOKA  
Deputy Director