

MINUTES
FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: October 17, 2007
TIME: 9:00 am
PLACE: DLNR Board Room
Kalanimoku Building

Chairperson Laura H. Thielen called the meeting of the Commission on Water Resource Management to order at 9:03 A.M.

The following were in attendance and/or excused:

MEMBERS: Chairperson Laura Thielen, Ms. Meredith Ching, Mr. James Frazier, Mr. Neal Fujiwara, Dr. Lawrence Miike, Ms. Donna Kiyosaki

STAFF: Ken Kawahara, Lenore Nakama, Roy Hardy, Ed Sakoda, Neal Fujii, Chui Ling Cheng, Robert Chong, Dean Uyeno

EXCUSED: Dr. Chiyome Fukino

COUNSEL: Colin Lau, Esq.

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

A. APPROVAL OF MINUTES

MOTION: (Fujiwara/Kiyosaki)
To approve the minutes.
UNANIMOUSLY APPROVED AS AMENDED.

B. ANNOUNCEMENTS

Deputy Director Ken Kawahara welcomed Chiu Cheng, our new hydrologist in our Stream Protection Branch and updated that there are two remaining vacancies, a hydrologist and geologist; and also introduced new secretary, Kathleen Oshiro.

Mr. Kawahara announced that the Molokai Water Working Group is finalizing their membership and to reiterate the purpose of this group is to develop recommendations to aid Maui County in the eventual update of the Molokai Water Use and Development Plan.

Our draft Water Resource Protection Plan is available on our website posted on October 1st

and tentatively scheduled to hold statewide public meetings from December 7 to 17. Deadline for comments is January 11, 2008.

On October 18, staff will be participating in a panel of Hawaii Farm Bureau annual convention on the Big Island. Mr. Kawahara felt it was important to participate to express the Water Commission's role as it relates to agriculture water use and as an opportunity to promote future updates in the Agricultural Water Use and Development Plan.

Mr. Kawahara announced that this week is Earth Sciences Week and that the Governor and Lt. Governor issued a proclamation and a press release. At no cost to us, we received 50 tool kits that will be shared with schools and science teachers to use in their lesson plans.

Mr. Kawahara shared that at a Land Board meeting the revocable permit that was issued to the Kilauea Irrigation Company (KIC) on Kauai was revoked. The permit allowed KIC to divert water from Puu Ka Ele Stream into the Kaloko Reservoir. Because the KIC has not been able to secure insurance, the Land Board voted unanimously to revoke their permit. The diversion is still there but the Land Division is looking to close that diversion. This is of concern to the farmers who are downstream of the Kaloko Reservoir. Mr. Kawahara said the Water Commission staff is working with the Department of Agriculture and the Land and Engineering divisions. There will be a meeting with the farmers on October 29, 2007, to explore some of the other potential alternatives for them to get irrigation water. Mr. Kawahara said that the State's role is limited since makai of the diversion is mostly private lands. The Kauai Department of Water and the Mayor's Economic Development Department were also invited to attend.

Commissioner Neal Fujiwara added that there is an irrigation river base study that was completed and the contact is Natural Resource Conservation Service director, Larry Yamamoto.

E. STREAM PROTECTION AND MANAGEMENT

1. Application for a Stream Channel Alteration permit (SCAP.1726.8) Keanuiomano Stream, Kamuela, Hawaii, TMK: (3) 6-2-009:020 and 018

PRESENTATION OF SUBMITTAL: Ed Sakoda

Ed Sakoda presented the background information of the applicant's request to remove debris and boulders from three locations on his property, Lot 20, and to install a 12-inch diameter pipe within his easement on Lot 18.

Mr. Sakoda also indicated that the background information that reads March 1997, should be corrected to read February 2000.

Mr. Sakoda reviewed the Exhibits and recapped the comments and recommendations from various government agencies. Mr. Sakoda added that Ms. McCay left a message saying she

was not going to either approve or object to the permit but would appreciate if the property is surveyed.

RECOMMENDATIONS:

Staff recommends that the Commission approve a Stream Channel Alteration Permit to remove boulders and debris from three sites on Lot 20 and to install a 12-inch diameter pipe approximately 78 feet across Lot 18 up to the center of Keanuiomano Stream, Kamuela, Hawaii. The permit shall have a term of two (2) years subject to the Commission's standard permit conditions in Exhibit 8.

Ed Sakoda also added one correction to the standard conditions Exhibit 8, Item 1, meeting date of May 16, 2007, to be changed to October 17, 2007.

Chair Thielen clarified that the motion is to vote on this as is and to note that there are two separate actions (1-to remove boulders and debris, 2-to install a 12-inch diameter pipe) and an additional condition to dispose of debris properly.

Commissioner Frazier expressed his concern regarding the anchoring of the 12-inch diameter pipe in the streambed. If the pipe is not sufficiently anchored, it could wash away with another storm event.

MOTION: (Miike/Ching)

To approve the submittal as amended.

APPROVED AS AMENDED

OPPOSED: Frazier

2. Request to Enter Into a Contract for Professional Services to Conduct a Statewide Stream Channel Condition Inventory

PRESENTATION OF SUBMITTAL: Dean Uyeno

RECOMMENDATIONS:

Staff recommends that the Commission authorize the Chairperson to enter into a contract or contracts for professional services to conduct the statewide stream channel condition inventory to identify and delineate stream channel modifications. The terms of this contract(s) will be subject to the approval of the Chairperson and the Department's Deputy Attorney General. Contract execution will be done in accordance with Chapter 103D, HRS, and Chapter 3-122, Hawaii Administrative Rules.

MOTION: (Fujiwara/Frazier)

To approve the submittal.

UNANIMOUSLY APPROVED

H. NEXT COMMISSION MEETINGS

1. November 14, 2007 (checking room availability)

The meeting was adjourned at 10:00 a.m.

Respectfully submitted,

KATHLEEN K. OSHIRO
Secretary

APPROVED AS SUBMITTED:

KEN C. KAWAHARA
Deputy Director