

MINUTES
FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: November 13, 2007
TIME: 10:00 a.m.
PLACE: DLNR Board Room
Kalanimoku Bldg.

Chairperson Laura H. Thielen called the meeting of the Commission on Water Resource Management to order at 10:08 a.m.

The following were in attendance and/or excused:

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

STAFF: Ken Kawahara, Lenore Oyhe, Edwin Sakoda, Roy Hardy, Ryan Imata, Neal Fujii, Robert Chong

EXCUSED: Dr. Chiyome Fukino

COUNSEL: Julie China, Esq.

OTHERS: Sean Ginella, Bob Miyasato

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

1. October 17, 2007

MOTION: (Frazier/Ching)
To approve the minutes.
UNANIMOUSLY APPROVED.

B. ANNOUNCEMENTS

Deputy Director Ken Kawahara announced that both Commissioners Donna Kiyosaki and Laura Thielen were confirmed during the Senate Special Session. Mr. Kawahara stated that the interview process is being completed for the Geologist II position and proceeding with internal recruitment for the vacant Hydrologist position. Mr. Kawahara continued with updates:

Minutes

October 18: staff participated in a panel discussion at the Hawaii Farm Bureau annual convention on the Big Island. Items discussed in Kona were interim instream flow standards and enforcement, the Agricultural Water Use and Development Plan, the Hawaii Water Plan, Drought, Water Allocations, Designations, and whether the water code sufficiently encourages agriculture.

October 29: staff, the Land and Engineering divisions, and the Department of Agriculture, met with farmers on Kilauea, Kauai, to explore possible alternatives for irrigation water since the Land Board voted to revoke the permit that allows water to be diverted into Kaloko Reservoir and subsequently reaches farmers.

November 7, Molokai working group: staff attended the fourth meeting. The group decided to allow the meeting to be video taped by the public access television station and also heard USGS presentation on Molokai's water resources and the recent groundwater modeling efforts.

November 15: staff will do a presentation on the Water Resources Protection Plan update and sustainable impacts for Waimea and Anaehoomalu at the Waimea Roundtable meeting; and also attend a meeting regarding water issues for governmental agencies at NELHA.

November 16: staff will present at the Hawaii Water Works Association's Potable Well Drilling Workshop in Hilo.

Ken Kawahara indicated that during the last week of November, commission staff as well as the division of Aquatic Resources will be in east Maui to conduct stream surveys as part of the process for amending the east Maui Interim Instream Flow Standards, and will meet with stream diversion verification consultants as part of our statewide field investigations.

Ken Kawahara distributed a handout on the statewide public meetings schedule for the draft of the Water Resource Protection Plan; each meeting will be held at 6:00 p.m.

Mr. Kawahara announced that beginning in December, hearings officer Dr. Miike will be conducting contested case hearings for Na Wai Eha Interim Instream Inflow Standards and high level water. Mr. Kawahara will also follow up with Maui for additional comments on the surface water designation on Na Wai Eha.

Staff participated in a conference call with Environmental Protection Agency (EPA), WaterSense coordinator, and met new members of this growing network to protect and increase sustainability of our water supply infrastructure. WaterSense is a partnership sponsored by the EPA to promote water efficient products and practices.

Minutes

C. GROUND WATER REGULATION

1. Sean Ginella, APPLICATION FOR A WATER USE PERMIT, Kawela Mauka, Well (Well No. 4100-06), TMK 5-7-001:036, WUP No. 812, Future (Agricultural) Use for 0.150 mgd, Kawaioloa Ground Water Management Area, Oahu

PRESENTATION OF SUBMITTAL: Ryan Imata

Ryan Imata presented the background information of the applicant's water use permit application to supply a future agricultural subdivision currently in the planning/design stage. Mr. Imata also added a correction to include the word 'non' before the word potable in all references in the submittal.

RECOMMENDATIONS:

Because the application (with the modification of the requested amount to 0.102 mgd) satisfies all of the criteria of Section 174C-49(a), staff recommended that the Commission approve the issuance of water use permit no. 812 to Sean Ginella for the reasonable and beneficial use of 0.102 million gallons per day of non-potable water for Agricultural use from the Kawela Mauka Well (Well No. 4100-06), 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 30 (thirty) days after the permittee receives notice of the tax map key change.

Discussion followed regarding water use and rainfall. Applicant Sean Ginella confirmed that the pasture will be used for horses.

Commissioner Fujiwara suggested that information be provided on rainfall and vegetation for future pasture irrigation requests.

Chairperson Thielen requested that upon completion of the irrigation demand model, staff shall calculate the demand for this application and forward the results to the applicant.

MOTION: (Frazier/Miike)
To approve the submittal.
UNANIMOUSLY APPROVED.

D. NON-ACTION ITEMS

1. Update on Drought-Related Activities

Neal Fujii's drought update presentation outlined the current rainfall conditions across the State of Hawaii, forecasted drought conditions, and the status of funding opportunities for drought mitigation measures.

The year-to-date rainfall totals for October were still below normal in most areas of the State. The U.S. Drought Monitor shows that drought conditions have improved in most areas of the State since August 2007. The U.S. Seasonal Drought Outlook indicates that there should be improvement in drought conditions through February 2008. The Climate Prediction Center is forecasting a 40% chance of wetter than normal conditions for the State of Hawaii, and a 40% chance of warmer than normal temperatures for all islands except the Big Island.

Staff requested release of Act 238, Session Laws of Hawaii, funding for drought mitigation projects in the four Counties. There are five drought/wildland fire mitigation projects on the Island of Hawaii which are under consideration for funding by the Federal Emergency Management Agency. The Bureau of Reclamation is assisting the State of Hawaii Department of Agriculture with a drought mitigation well project for the Waimanalo Irrigation System in Hawaii.

E. NEXT COMMISSION MEETINGS (TENTATIVE)

December 19, 2007

January 16, 2008

The meeting was adjourned at 10:50 a.m.

Respectfully submitted,

KATHLEEN OSHIRO
Secretary

APPROVED AS SUBMITTED:

KEN C. KAWAHARA
Deputy Director