

MINUTES
FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: February 21, 2008
TIME: 9:00 a.m.
PLACE: Kalanimoku Building
Conference Room 132

Chairperson Laura H. Thielen called the meeting of the Commission on Water Resource Management to order at 9:20 a.m.

The following were in attendance and/or excused:

MEMBERS: Ms. Laura Thielen, Mr. James Frazier, Mr. Neal Fujiwara
Ms. Meredith Ching

STAFF: Deputy Director Ken Kawahara, Robert Chong, Lenore Ohye, Roy Hardy, Ryan Imata, Chui Cheng

EXCUSED: Dr. Chiyome Fukino, Dr. Lawrence Miike, Ms. Donna Kiyosaki

COUNSEL: Linda Chow, Esq.

OTHERS: Bill Godwin, Beylik Drilling; Peri Manthos, Manthos Engineering; Howard Llyt, Hawaiian Dredging & Construction Co.; Colin Ching, Hawaiian Dredging & Construction Co.; Jan Reichelderfer, PB Americas; Randall Urasaki, PB Americas; Wendy Higashihara, PB Americas; Emilio Barraga, DOT; Albert Chung, DOT; Fred Camero, Beylik Drilling; Tom Nance, Tom Nance Water Resource Engineering

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. Amended September 19, 2007**
MOTION: (Fujiwara/Ching)
To approve the minutes as amended.
UNANIMOUSLY APPROVED AS AMENDED.

- 2. December 19, 2007**
MOTION: (Frazier/Fujiwara)
To approve the minutes.
UNANIMOUSLY APPROVED.

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B. ANNOUNCEMENTS

Deputy Director Ken Kawahara said it has been difficult finding qualified individuals for the Geologist II position and announced that one is scheduled to begin on March 17. There is an individual interested in the vacant Hydrologist position in the ground water regulation section and lives off island but within the state, who will be contacted for an interview.

Budget: Deputy Director Ken Kawahara said there are no hard numbers today, but there is concern with the downturn in revenues and anticipates that there may be some restrictions.

Hawaii Water Plan, Draft Water Resource Protection Plan: Staff went around the state for public hearings in December 2007. The deadline for comment was January 11, 2008, and staff is currently clarifying some of the comments. Staff will be meeting with the consultant tomorrow.

Staff received a request from the Waimea Water Roundtable to participate in a sustainable yield task force to review and reassess sustainable yields. An adhoc group comprised of private water consultants, U.S. Geological Survey (USGS) and the Honolulu Board of Water Supply (BWS) met yesterday at Honolulu BWS office. The next meeting will be scheduled in a couple of weeks to clarify some of the issues regarding sustainable yields.

Agricultural Water Use and Development Plan: Deputy Director Ken Kawahara said the pre-final, third update was completed. It will go to public hearings after Department of Agriculture addresses review comments by the June 2008 deadline.

Molokai Water Working Group: Molokai Water Working Group held five meetings and announced that Molokai Properties withdrew from participating in this group. The Group is trying to seek other funding to continue meeting until the Maui County WUDP process starts their meetings.

North Kona Water Working Group: Deputy Director Kawahara reported that they also received a request to help form a North Kona Water Working Group to address potential issues from future water developments. Staff will participate at the meeting scheduled for February 27.

East Maui Instream Flow Standards: The Commission was reminded that during the last week of November 2007, Division of Aquatic Resource (DAR) attempted to conduct stream surveys but it poured rain; tried again during the last week of January 2008, and was hit with a rainstorm. Deputy Director Kawahara reported that DAR will try again during a clear period in March.

Statewide Stream Diversion Verification Study: Deputy Director Kawahara said consultants completed most of the field work for Maui and are currently inputting data.

Contested Case Hearings for Na Wai Eha Interim Instream Flow Standards (IIFS) and High Level Water in Maui: Hearings Officer Dr. Miike conducted meetings from February 20-22, and hopes to finish the hearings this Friday.

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Next commission meeting on Maui: Comments were also received from the Maui Mayor's office, County Council and DWS on the Surface Water Designation for Na Wai Eha. The next commission meeting will be held on Maui and is scheduled for March 13; one of the major submittals is the Na Wai Eha surface water management area designation petition.

Deputy Director Kawahara informed the Commission that he and Planning Branch Chief Lenore Nakama (Ohye) attended meetings with the U.S. Bureau of Reclamation (Reclamation) in Boulder City, Nevada, last week. They were briefed on the storm water reclamation and reuse study for Hawaii that is actually being funded by [the Bureau of] Reclamation who is working with the consultant and also shared that we are the beneficiary of this study. This project consists of three main elements; 1) development of storm water reclamation and reuse framework, 2) refinement of opportunity in the Ewa plain, and 3) the analysis of technologies available for ground water recharge.

Deputy Director Kawahara reported that they also met with the Deputy Director of Reclamation's Lower Colorado Region [of the Bureau of Reclamation] and thanked her for their past support. They were informed that [the Bureau of] Reclamation is funding the emergency drought assistance to replace a well pump for Department of Agriculture's Waimanalo irrigation system. This is one of the projects in the Act 238 funding that was approved during the last Commission meeting which will make more of the state's money available for other drought mitigation projects.

Other Hawaii projects that Reclamation [the Bureau] is working on with the Honolulu Board of Water Supply is assessing potential small hydropower facilities in the central region of Oahu, providing technical assistance to our engineering division for dam inspections and the Department of Agriculture for partial funding the Agricultural for partial Water Use and Development Plan.

Act 238 \$4,000,000 Funding for Drought Mitigation Projects: Staff is working to execute the memorandums of agreement; the first is the Kohala Ditch \$500,000+.

American Water Works Association (AWWA): Neal Fujii and Jeremy Kimura of the CWRM staff attended the AWWA conference and will be briefing the Commission.

Future presentations: Deputy Director Kawahara will schedule DAR [Aquatics] to discuss their portion of the Instream Flow Standards, and also DOA, DLNR Engineering, and Department of Health on the water quality plan.

Legislation Session Bills: Some of the bills that were introduced were:

- Planning & Sustainability Department
- Amend water code to give more direction to DOA on preparing their AWUDP
- Bottled Water Bill Royalty or Surcharge
- IAL, Ag Water Public Trust though Water Code
- Gentleman or Fake Farms through well construction permits
- Drought Funding

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Chair Thielen asked if the Water Resource Protection Plan will come before the Commission for approval, and when. Deputy Director Kawahara said staff is sorting through comments and should be ready by the end of the fiscal year. Chair Thielen asked the members if it would be beneficial for them to have an in-depth briefing of the draft plan and the process. Commissioner Frazier felt that it would, particularly in light of the feedback from the public hearings. Chair Thielen asked if that it be scheduled for briefing in March or April.

Chair Thielen said that the Engineering Division is responsible for the State Water Projects Plan portion and asked if it will come before the Commission for approval. Deputy Director Kawahara believed it will and said they are working on the funding and the scope of work [done]. Chair Thielen said it probably won't be completed for a year given that the RFP for the contract just went out, but similarly perhaps after the draft comes out the Commission could be briefed and asked that Deputy Director Kawahara work with the Engineering division.

Chair Thielen said the State Agricultural Water Use and Development Plan is further along and a draft is completed. Deputy Director Kawahara said they are in the pre-final stage and will need to do a round of state wide public hearings. Chair Thielen asked Deputy Director Kawahara to work with Engineering and the Department of Agriculture [for the Commission to receive notices,] in order for Deputy Director Kawahara to attend hearings on these draft plans, as well as the other two sections of the four state plans, and hear the comments directly from the public.

Chair Thielen asked for status of the other water use development plans for the County of Maui, specifically Lanai and Maui islands. Deputy Director Kawahara said the counties of Honolulu and Hawaii are furthest along, Maui County is still trying to gather input to start writing their plan, and there is concern with a lot of ground water in Lanai. Kauai still hasn't gotten a consultant onboard. Chair Thielen said her impression is that Maui County is struggling with the complete update as they have a lot of issues on the island of Lanai and Molokai, where there is a significant amount community debate, but asked if he knew how far along the island of Maui is since this is where the focus is on the Interim Instream Flow Standards. Deputy Director Kawahara said he will get the status of the islands.

Deputy Director Kawahara said that DAR is working on the Watershed Atlas and plans to finish the island of Maui first. Chair Thielen asked when it was anticipated to bring the first instream flow standard to the Commission for approval. Deputy Director Kawahara reported that there are five watersheds for East Maui. Information packets are being prepared and on April 10, staff will be on Maui for an informational gathering meeting at the Haiku Community Center, and hope to have it for the Commission by the end of June for review.

Chair Thielen asked if this is the first time this Commission will be reviewing the Interim Instream Flow Standards brought forward by the staff. Roy Hardy said that on the Big Island in Waipio Valley, there was an attempt to change the updates to the lower Hamakua Ditch, pre-earthquake, but it was shelved due to objections. Chair Thielen asked the commissioners if it would be helpful to have a briefing from DAR and CWRM staff to understand what is going into recommendations for these Interim Instream Flow Standards, and to have the briefing after the public hearings.

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Commissioner Ching said it would be the first Interim Instream Flow Standard the commission will work on and was not clear what the staff's approach is to be able to come out with a recommendation.

C. GROUND WATER REGULATION

1. Cancellation of Water Use Permit No. 743 and Declaratory Ruling DEC-ADM08-A2, for Administrative Cancellation of Water Use Permits, Basin Project Inc., John Dominis Restaurant Well (Well No. 1751-09), TMK 2-1-060:013, Oahu.

PRESENTATION OF SUBMITTAL: Ryan Imata

Ryan Imata announced that based on consultation with Deputy AG, the declaratory ruling portion of this submittal will be eliminated.

RECOMMENDATIONS:

That the Commission:

1. Permanently cancel Water Use Permit No. 743;
2. Adopt the following Declaratory Ruling DEC-ADM08-A2:

The Commission delegates to the Chairperson the authority granted under 174C-58 HRS to cancel any Water Use Permit, permanently and in whole, with the written consent of the permittee(s). When the permittee is not the land owner of the source, the source landowner's written consent shall also be required. Additionally, where there are public trust end use issues involved, consent needs to be obtained from the affected parties for the request to be administratively approved; otherwise such a written request will be brought before the Commission for action. All actual cancellations shall be published in the Commission's monthly bulletin.

Mr. Imata presented the details for the cancellation. Chair Thielen noticed that a copy of the letter requesting cancellation was not provided and asked Ryan Imata if one was available.

Commission Frazier said the letter is from the applicant but questioned if there was one from the landowner. Mr. Imata said he did follow-up with the landowner, Hawaii Community Development Authority, and added that it took awhile to bring it to the commission because the new prospective owner had to be consulted. Mr. Imata said he had the landowner's response in an email and also the cancellation letter. Chair Thielen asked Mr. Imata to bring both documents during Item D1 presentation.

2. **Application for a Water Use Permit, Kelena Farms LLC, WSCo Pump 25 (Well No. 3203-01), TMK 6-4-003:001, WUP No. 826, Future (Agricultural) Use for 1.441 mgd, Wahiawa Ground Water Management Area, Oahu.**

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PRESENTATION OF SUBMITTAL: Ryan Imata

Ryan Imata stated that in summary, the applicant is requesting a water use permit for potable ground water to supply agricultural demand for various diversified agricultural crops.

Mr. Imata stated that the resource can accommodate the requested allocation.

Mr. Imata referred to the Quantity Justification, (page 3, item II) and said that the Deputy AG was consulted after the submittal was completed. Based on this consultation, staff revised the recommended allocation to reflect the actual amount requested. The applicant requested 1.441 mgd for irrigation for a variety of crops. Mr. Imata explained that the term 'on a yearly basis' was not clear in the submittal and clarified it to mean that only one crop will be grown per year. Mr. Imata said that the Commission calculated a demand for comparison purposes using the Irrigation Water Requirement Estimation Demand Support System (IWREDSS) program, a computer program developed for the Commission in conjunction with College of Tropical Agriculture and Human Resources (CTAHR) from UH to estimate crop demands in specific locations. Mr. Imata said that based on this program, sweet potato required the most irrigation water. Mr. Imata stated that staff amended the recommendation to approve the requested allocation of 1.441 mgd because it is less than what was calculated for sweet potatoes using the IWREDSS program.

Mr. Imata indicated that the Division of Aquatic Resources of DLNR expressed concern regarding impacts to aquatic resource values in the area. Mr. Imata addressed this concern by stating that a pump test would reveal possible adverse impacts from well pumpage.

RECOMMENDATIONS:

Staff recommended that the Commission approve the issuance of Water Use Permit No. 826 to Kelena Farms LLC for the reasonable and beneficial use of ~~1.861~~ 1.441 million gallons per day of potable water for agricultural use from the WSCo Pump 25 Well (Well No. 3203-01), 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.
3. Prior to use, a pump test shall be conducted in accordance with the Hawaii Well Construction and Pump Installation Standards and the results shall be analyzed and approved by Commission staff. If significant and possibly adverse impacts are discovered as a result of the pump test, appropriate steps as directed by Commission staff must be implemented and approved by the Commission prior to any consumptive use.

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Commissioner Ching felt confused about why the Commission would approve the requested allocation when staff calculated a different amount using the irrigation model. Commissioner Ching questioned why the Commission would reduce an allocation if the allocation calculated using the model was lower, but would not increase the allocation from what was requested if the model presented a higher number.

Discussion took place on the applicant's request and the model's accuracy. Chair Thielen referred to page 3, item II, Efficiency of Use, and asked if the model uses maximum water efficiency standards or standard irrigation practices. Mr. Imata said the parameter pertaining to efficiency in the model is application of drip irrigation, but does not account how they are changing the irrigation with changing climate. Mr. Imata explained that the model produces 40 pages of data that includes rainfall statistics based on ten years of rainfall information from the data station in Kunia. Roy Hardy added that the model does not get down to the level of detail that lysimeters provide in the soil, which are examples of real-time irrigation practices.

Commissioner Fujiwara asked if Dr. Ali Fares calibrated the model. Roy Hardy said it is based on historical data. Mr. Imata said Dr. Fares' preliminary model was tested with data in Florida and is the model that the IWREDSS model is based on.

Commissioner Ching said they should use it as a guideline and to take the time to understand why the model may be different from what is happening in the ground and not accept it as the absolute number.

Commissioner Fujiwara said he ran some figures and it seems all right and asked how much of the 620 acres is in sweet potato. Mr. Imata explained again that it was one crop per year.

Tom Nance said their number is less than what the model predicated because Larry Jeffs lets the land stand fallow for a good part of the year. Mr. Nance stated that the use rate while the crop is growing is in fact substantially higher than what the model is showing and lower because it's averaged over the year.

Commissioner Fujiwara said that the water needs of the other crops listed is roughly half of what the sweet potato requires.

Tom Nance commented on staff's requirement for a pump test. Specifically, because this well withdraws water from the high level aquifer while the inverts of the stream are hundreds of feet above the groundwater being tapped, there will be no stream impacts. Mr. Nance further stated that a pump test will be very expensive. Mr. Nance said that any impacts would have been evident in 30 years of pumpage.

Mr. Imata said if the pump test analysis does not indicate a recharge boundary, then it would refute Aquatic Resources assertion that pumpage from the well will have negative stream impacts. Mr. Nance argued that no pump test is necessary to show a non-impact, since the stream inverts are hundreds of feet above ground water.

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Chair Thielen asked staff if the test was requested solely because DAR was concerned about stream impacts. Mr. Imata responded, yes. Chair Thielen asked if it was accurate that the streams are hundreds of feet above ground water. Mr. Imata responded, yes. Chair Thielen asked if there is a likelihood that pumping this well would have an impact on the streams. Mr. Nance said he would have to analyze data miles and miles down stream where the invert is actually lower than the ground water being tapped but at that point, it dropped from the high water aquifer to the basal aquifer and it is impossible to determine.

Chair Thielen asked the commission staff if they felt that was accurate or whether there is a possibility that it would affect the streams. Mr. Imata said that there was a possibility that it might affect the resources several miles down gradient. Mr. Hardy said the impacts are possibly down gradient at the shoreline and would be hard to measure, but leakage from high-level water makes its way down to the basal portions of the aquifer. Mr. Hardy said staff doesn't expect to see anything but it's a matter of documenting and providing evidence, and that if there is 30 years worth of data that can show that there has been no affect then an analysis can be done, but staff hasn't done that.

Commissioner Frazier asked if policies are written on new wells rather than established wells. Mr. Hardy replied yes, in terms of doing pump tests.

Commissioner Frazier asked Mr. Nance what the record of history was and what kind of records would be available. Mr. Nance said it has been used intermittently off and on as necessary, developed by Castle and Cooke, and added that the pumping data has been supplied to the Commission.

Mr. Nance shared his view that running a pump test according to the commission standards, using the number of days depending on the size of the pump is excessive. Mr. Nance said they withdraw water from the high level aquifer and agreed with Mr. Hardy that the high level aquifer drains in to the basal aquifer. Mr. Nance said it would take a hundred year travel time down to where the stream would intersect the basal aquifer. Mr. Nance feels that nothing worthwhile will come out of a test that costs \$25,000, and in terms of Aquatic Resources concern about impacts, a pump test requirement is absurd.

Mr. Hardy agreed with Mr. Nance that it's highly unlikely staff would see anything in the water level data that would justify that there is a recharge boundary indicating surface water impacts, but added that staff would never know until a pump test was actually done.

Chair Thielen asked if it was possible to show it from historical records. Mr. Hardy said possibly. Mr. Imata explained that a pump test would be a continuous running of the pump and not on demand.

Mr. Nance explained that if they run a pump test, there are two boundary effects; one is a confining member like a dike, the other is somehow it intersects the stream and now stream water is being drawn and that would fatten. Mr. Nance continued, "the realities are it will flatten anyway because if the curve is expanded out to a point of drawing enough water to come into equilibrium we may see a flattening of the slope and for somebody to interpret that I'm drawing water from a stream is a

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stretch if the groundwater I'm drawing on is hundreds of feet below the stream and it's intermittent."

Chair Thielen said she's confused because it seems that staff is agreeing with Mr. Nance, and asked if so, why the recommendation was in there. Mr. Hardy explained that it was the nature of hydrology, you never really know unless you get the data. Mr. Hardy said that the pump tests that are placed in the well construction standards themselves are minimal and there really ought to be even more data collection because the data we do get from the pumping well itself are in fact subject to other interferences within the well and somewhat basically flawed but it's the best information that we have. For example, to truly see the recharge boundaries where water levels flattens out, two monitoring wells are needed and most people do not have resources to use two monitoring wells and the commission in the past felt the well itself a practical way of doing things. The closest thing is to look at the pumping well itself.

Commissioner Frazier asked if DAR was here and listening to these arguments what would do you think their position would be. Mr. Hardy said actually they were objecting to the well but these issues were discussed with them and they backed off. They understood the hydrologic difficulties and backed off the objections.

Chair Thielen said the two streams are each half a mile from the well and intermittent streams, and asked if these are valid concerns from a hydrological perspective and if the pump test is going to provide adequate information to validate the concerns or not. Mr. Hardy replied very unlikely but it might. Mr. Hardy said the reason to ask for the pump test is to document that it does not appear that the streams are being impacted by this pump.

Commissioner Ching asked if DAR qualified what the aquatic resource values in the area are. Mr. Imata and Mr. Hardy answered no. Mr. Imata added that if a new well is being drilled, they would have to run the proper pump tests regardless whether there will be effects on the resource or not, particularly for a big pump like this. He also added that there are no pump tests on file.

Chair Thielen asked Mr. Nance if he was raising objections to the reason for the pump test here but if he saw a problem requiring running a pump test when new wells are dug. Mr. Nance said absolutely not, that CWRM should require it. Chair Thielen asked why it shouldn't be required of this well if no pump test was done in the past. Mr. Nance said it had a 3,000 a minute gallon pump in it for more than 25 years and used for that period of time.

Commissioner Frazier asked if it would be costly or timely in order to find the data that was collected for the use of that pump. Mr. Nance said it was filed with the water commission. Mr. Nance stated that the well hasn't been used for some time. Mr. Imata said he wasn't sure that monthly pumpage would allow us to analyze any kind of effects on the resource.

Roy Hardy said there might be the pumpage information if there is historic data but it probably wouldn't include the water levels and added that water levels are the key when doing analysis. The pump test analysis monitors the pumpage, chlorides and water levels closely as they are all related to one another.

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Chair Thielen asked what information the commission staff would obtain from the pump test that the Commission doesn't have in the historical records that would be helpful for the groundwater management. Mr. Hardy stated that the water level data is closely watched during a pump test. Mr. Hardy stated that he believes that even if there were monthly data for water levels with monthly pumpage, it probably wouldn't be a fine enough resolution where you could see these changes in the way the water level and if it's indicating some type of boundary, whether it be a recharge or confining.

Commissioner Ching asked if this information would be useful to the water commission staff and not necessarily to determine the stream impacts. Mr. Imata said it would be useful in proving non-interference. Mr. Imata stated that it is the applicants' burden to prove that there is no interference with other existing legal uses and based on what is on file staff cannot say 100% there is no interference. An alternative would be for Mr. Nance to show in lieu of a pump test that there is no impact on aquatic resources.

Chair Thielen asked if DAR did not have these concerns and there were no streams nearby, would the commission want a pump test in order to have this other data. Mr. Hardy said that in general it is an internal policy to require a pump test if one wasn't done before, because one of the things that comes out of the pump test as well in addition to the impact on the streams are the qualities of the aquifer itself which is then used in the future for other needs such as numerical models.

Mr. Nance said when this well was drilled they did expect to hit basal groundwater and hitting high level it kind of added to the information that the high level aquifer was further north than thought and it may be possible that there is an original pump test submitted to the commission and if possible that it can come out of Castle and Cooke's files, asked if that could be submitted in lieu of doing the pump test. Mr. Hardy agreed that it would be fine.

Chair Thielen summarized the staff recommendation with two amendments, 1) to change the 1.861 mgd to 1.441 mgd; and 2) to amend item 3 to be, a pump test shall be conducted or data from a prior pump test be provided to the commission.

MOTION: (Fujiwara/Ching)

To approve the submittal as amended.

UNANIMOUSLY APPROVED AS AMENDED.

3. Application for After-the-Fact Pump Installation Permit and Violation, Beylik Drilling and Pump Service, Kukuihaele Well (Well No. 6734-03), Pump Installation: 50 gpm for Municipal use, TMK: 4-8-008:026, 48-160 Mud Lane Road, Hawaii.

PRESENTATION OF SUBMITTAL: Ryan Imata

Ryan Imata presented the background information of this after-the-fact pump installation permit and violation. Mr. Imata reviewed the Administrative and Civil Penalty Guideline, the Penalty Policy and the Standard Pump Installation Permit Conditions which were the basis for determining the fine

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and pointed out that the start date used is February 7, 2007 and end date of April 17, 2007, as illustrated in the tabulation table on page 4.

RECOMMENDATIONS:

Staff recommended that the Commission:

- A. Find Beylik in violation of HAR §13-168-12(a).
- B. Impose a fine of \$345 on Beylik as summarized in Exhibit 2, payable within 30 days.
- C. Approve the issuance of an after-the-fact pump installation permit for the Kukuihaele Well (Well No. 6734-03) to Beylik, subject to the standard conditions in Exhibit 3, and the following special conditions:
 - 1. The well should not be used for drinking water unless it is properly tested and treated.
 - 2. That the permit will be issued after the fine described in Item B is paid by the applicant.
- D. Suspend any current, pending or future applications by Beylik until the fines are paid and Beylik completes the permit process for this well.

Bill Godwin of Beylik, who wasn't employed with the Hawaii division of Beylik at the time, said they'd gladly accept the fine.

Fred Camero, project manager for Beylik Drilling on the Big Island added that the pump was installed in December 2006, on an emergency work order from Hawaii Department of Water Supply and flew equipment in. Mr. Camero's understanding at that time, based on the fact that it was an emergency job, was that a pump installation permit could be applied for after-the-fact, so a permit was not posted at the jobsite.

MOTION: (Frazier/Ching)

To approve the submittal.

UNANIMOUSLY APPROVED.

D. STREAM PROTECTION AND MANAGEMENT

- 1. Application for a Stream Channel Alteration Permit (SCAP.1820.3), New Pedestrian/Bicycle Bridge Across Honouliuli Stream, West Loch, Oahu, TMK: (1) 9-1-017:060**

PRESENTATION OF SUBMITTAL: Robert Chong

Robert Chong presented background information on the applicant's, the State Department of Transportation Highways Division, project for a new pedestrian/bicycle bridge across Honouliuli

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Stream, West Loch, Oahu. The new 250 feet long and eight feet wide pedestrian/bicycle bridge will increase pedestrian and bicyclist safety along Fort Weaver Road. In addition, Honouliuli Stream will be dredged to restore the stream channel to its original 1984 channel depth.

Mr. Chong reviewed the activities of excavation, installation of bypass pipes to handle streamflow, placement of geotextile fabric to control erosion, installation of concrete piles, and use of riprap boulders to prevent scouring of the bridge piers. Construction work is planned for the dry summer season when stream flow is either very low or non-existent.

Mr. Chong summarized comments from the U.S. Army Corps of Engineers, State Department of Health Clean Water Branch, City and County of Honolulu Department of Planning and Permitting, and Division of Aquatic Resources.

RECOMMENDATIONS:

That the Commission approve a Stream Channel Alteration Permit to construct a new pedestrian/bicycle bridge across Honouliuli Stream adjacent to Fort Weaver Road, West Loch, Oahu. The permit shall have a term of two (2) years subject to the Commission's standard permit conditions in Exhibit 5.

Commissioner Frazier asked what the risk is of debris backing up and blocking the stream flow by placing pylons under the bridge.

Randal Urasaki of PB Americas explained that the new pedestrian bridge piers were designed to line up with the existing bridge piers so that they would not block debris coming from upstream and that the actual height of the pedestrian bridge is actually higher than the existing bridge so there would be even more clearance.

Discussion took place on who is responsible for cleaning the stream; the State is responsible its portion in the right-of-way; and the City and County is responsible for upstream of the State right-of-way, or whoever owns the property.

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

Motion made to go to recess.
MOTION: (Frazier/Ching)
UNANIMOUSLY APPROVED

Returned to Item C1, GROUND WATER REGULATION

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Cancellation of Water Use Permit No. 743 and Declaratory Ruling DEC-ADM08-A2, for Administrative Cancellation of Water Use Permits, Basin Project Inc., John Dominis Restaurant Well (Well No. 1751-09), TMK 2-1-060:013, Oahu.

Ryan Imata presented copies of the letter from Basin Project, Inc.'s request to cancel their water use permit and the last page of an email from Richard Kuitunen of HCDA, landowner, that there were no objections to cancellation of the well permit (both copies were made a part of this record).

As mentioned during staff presentation, item #2 was eliminated from staff's recommendations.

RECOMMENDATION:

That the Commission:

1. Permanently cancel Water Use Permit No. 743;

MOTION: (Ching/Frazier)

To approve the submittal as amended.

UNANIMOUSLY APPROVED AS AMENDED.

E. NEXT COMMISSION MEETINGS (TENTATIVE)

1. March 13, 2008 on Maui
2. April 16, 2008

Meeting was adjourned.

Respectfully submitted,

KATHLEEN OSHIRO
Secretary

APPROVED AS SUBMITTED:

KEN C. KAWAHARA
Deputy Director