



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P. O. BOX 621
HONOLULU, HAWAII 96809

STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT

January 24, 2007
Honolulu, Oahu

Water Resources International, Inc.
**APPLICATION FOR AFTER-THE-FACT WELL CONSTRUCTION / PUMP
INSTALLATION PERMITS**
Hapuna 4 Well (Well No. 6047-05)
Well Construction: 12-inch Casing Diameter, 760-ft Deep Well
Pump Installation: 450 gpm for Irrigation use
TMK 6-2-001:051, Hawaii

DRILLER:

Water Resources International, Inc.
1100 Alakea Street #2900
Honolulu, HI 96813

WELL OWNER / LANDOWNER:

Mauna Kea Properties, Inc.
62-100 Kaunaoa Drive, 9th floor
Kamuela, HI 96743

SUMMARY OF REQUEST:

The applicant is requesting approval of after-the-fact well construction and pump installation permits for the Hapuna 4 Well (Well No. 6047-05) that was drilled on August 14, 2006.

DESCRIPTION:

Location: (See Exhibit 1)

Dimensions: (See Exhibit 2)

BACKGROUND:

On October 20, 2006, Blaise Clay and Howard Akagi of Water Resources International, and Tom Nance of Tom Nance Water Resource Engineering, met with staff to submit an after-the-fact well construction and pump installation permit. At that time, Mr. Nance indicated that a well was drilled but no permits were obtained. Staff was unaware of this well prior to the meeting. Mr. Nance explained that an application was filled out but never submitted to the Commission on Water Resource Management (CWRM), and that the well was constructed by the driller under the assumption that permits were obtained.

WATER AVAILABILITY:

Waimea Aquifer System of the W. Mauna Kea Sector
Estimated Sustainable Yield: 24 mgd
Current Aquifer System Pumpage (12-MAV as of 12/06): 9.937 mgd
Proposed Use: 0.650 mgd., Irrigation

ISSUES/ANALYSIS:

Violation

HAR §13-168-12(a) states that:

No well shall be constructed, altered, or repaired and no pump or pumping equipment shall be installed, replaced, or repaired without an appropriate permit from the commission.

Staff considers the construction of the well and the installation of the pump to be two separate violations. Refer to Exhibit 3 for a summary of the penalty calculations.

In accordance with penalty policy G-01-01, the finding of a violation is a minimum of \$250. Waimea is not a water management area, so there is no added component for WMA violations. Water Resources International (WRI) has not had past violations with the CWRM so there is no added component for repeat violations. Staff does not recommend a gravity component. Because WRI came in on their own volition, staff is recommending a mitigative component of \$50 per violation.

Further, the submission of after-the-fact well construction and pump installation permits constitutes compliance within the 30 days which, according to G-01-01 can reduce the total duration of the violation to 1 day.

Therefore, staff is recommending that WRI be fined \$400 for two violations at \$200 per violation.

Potential impacts of well

Agency Review: Copies of the application were sent to the Department of Health's Safe Drinking Water and Wastewater Branches. Additionally, notice of the application was published in the December 2006 bulletin. No comments or concerns were indicated.

There are six other wells within a mile of the proposed well. No adverse impacts to water resources are anticipated from pumpage of this well based on pump test results.

RECOMMENDATION:

That the Commission:

- A. Find Water Resources International in violation of HAR §13-168-12(a).

- B. Impose a fine of \$400 on the driller as summarized in Exhibit 3 payable within 30 days.
- C. That the Commission approve the issuance of well construction and pump installation permits for the Hapuna 4 Well (Well No. 6047-05), subject to the standard conditions in Exhibits 4 & 5, and the following special conditions:
 - 1. The well should not be used for drinking water unless it is properly tested and treated.
 - 2. If potable water is used to supply both domestic and irrigation purposes in a single system, the permittee shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water.
 - 3. That the permits will be issued after the fine described in Item B is paid by the applicant.
- D. Suspend any current, pending or future applications by the driller until the fines are paid and the driller completes the permit process for this well.

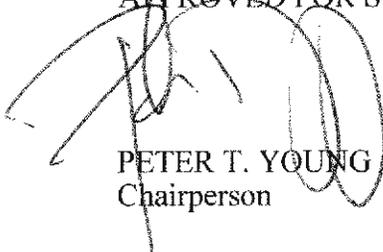
Respectfully submitted,



DEAN A. NAKANO
Acting Deputy Director

- Exhibit(s):
- 1. (Location Map)
 - 2. (Well As-Built)
 - 3. (Penalty Calculations)
 - 4. (Standard Well Construction Permit Conditions)
 - 5. (Standard Pump Installation Permit Conditions)

APPROVED FOR SUBMITTAL:



PETER T. YOUNG
Chairperson