



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

May 10, 2007
Honolulu, Hawaii

Application for a Stream Channel Alteration Permit (SCAP-KA-410)
Mr. Thomas A. Fee
Construction of Two Temporary Bridges Across
South Fork Wailua River (Waiahi Stream), Lihue-Koloa Forest Reserve, Kauai
(TMK: (4) 3-8-001:001)

APPLICANT:

Mr. Thomas A. Fee
Helber Hastert & Fee, Planners
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96804

LANDOWNER:

Grove Farm Company Inc.
3-1850 Kaumualii Hwy
Lihue, HI 96766

SUMMARY OF REQUEST:

Stream Channel Alteration Permit (SCAP) to construct two temporary bridges across the South Fork Wailua River (Waiahi Stream), Lihue-Koloa Forest Reserve, Kauai.

LOCATION:

South Fork Wailua River (Waiahi Stream), Lihue-Koloa Forest Reserve, Kauai.
Exhibit 1.

BACKGROUND:

Mr. Thomas Fee, Helber Hastert & Fee, Planners, is working with a film company to produce a movie in the Lihue-Koloa Forest Reserve on Kauai. The project is located on private property that is owned by Grove Farm; however, a portion of the site is located within the State Conservation District Resource sub-zone. Film production activities are expected to be completed by the end of 2007.

DESCRIPTION:

Two temporary bridges will be constructed across the South Fork Wailua River (Waiahi Stream). Temporary bridge number one will be located in the vicinity of the Lower Powerhouse area. Temporary bridge number two will be located in the vicinity of the Upper Powerhouse area of the South Fork of Wailua River.

Construction of the two temporary bridges will require placement of temporary concrete supports in the stream bed at two locations for about five months. After the completion of filming activities the supports will be removed, and the areas would be returned to pre-filming conditions, documented through the use of before and after photos. As a standard management practice, all stream areas will be kept clean of any debris, and no oils or solvents will be permitted near the stream. Construction and operation activities will comply with the State's Water Quality Standards.

Temporary Bridge No. 1 (Lower Powerhouse Area)

There is an existing concrete ford crossing across the South Fork Wailua River that is about 105 feet long and is passable for lighter vehicles during most of the year except during heavy rains (Exhibit 2A). A temporary vehicular bridge crossing will be constructed upstream from the existing ford crossing to accommodate heavy vehicular access to support film activities. The parallel stream crossing will provide access to the opposite stream bank and an alternative emergency access route, and avoid potential damage to the existing concrete ford.

Temporary bridge number one will be approximately 120' long by 8' wide and consist of seven pre-cast concrete supports (2'- 4' wide by 10' long by 2' deep) (Exhibit 3). Two supports will be placed away from the stream bank to anchor each end of the structure. At least three, and up to five of the concrete supports, will be placed in the stream bed with a 20 feet on center spacing. Some of the rocks under each of the footings may be temporarily moved to provide a level base and will be returned to original positions at the conclusion of filming.

A wooden "mat" material, especially fabricated for heavy vehicle loads, will be fastened to the top of the concrete supports in 4' wide by 40' long sections. A ramp will be built at each approach to the temporary bridge structure and be located away from the stream edges. Construction and removal activities will be done without any stream diversion or dewatering required.

Temporary Bridge No. 2 (Upper Powerhouse Area)

The Upper Powerhouse Area "Movie Prop" Bridge will be a temporary bridge constructed across an existing, 55 feet wide, concrete weir (Exhibit 2B). The preliminary concept for the bridge calls for 120'-140' long by 10' wide bridge span, placed on about ten footings, potentially pre-cast concrete, each approximately 2' by 2' by 16'- 20' long, arranged diagonally across the existing weir (Exhibit 4). Six to eight footings would be placed in the stream bed just above and below the weir, with the others placed outside of the stream banks. Footings will be placed

while the upstream diversion is working to minimize in-water work. No dewatering or soil fill is anticipated.

Basic bridge construction materials include concrete, fir lumber, bamboo, galvanized metal fittings, and cable. Some of the larger rocks under the footings may be temporarily moved to provide a level base and will be returned to original positions at the end of filming. The bridge will be disassembled, and the site restored to its pre-existing condition at the end of filming activities.

ANALYSIS:

The applicant has contacted the U.S. Army Corps of Engineers (COE) and must comply with their jurisdictional determinations and regulations.

The State Department of Health Clean Water Branch made the following comments which were also sent to the applicant:

- 1) The applicant must contact the COE to see if a Department of the Army (DA) permit is required for the project.
- 2) A National Pollutant Discharge Elimination System (NPDES) permit for storm water associated with construction activities will be required if the land disturbance area is one acre or more.
- 3) Discharge of explosives (for special effects) in State waters should be avoided, and Best Management Practices (BMPs) shall be properly applied to control/collect the debris.
- 4) All discharges related to the project construction or operation activities must comply with the State's Water Quality Standards.

The Department of Land and Natural Resources (DLNR) Land Division had no comments on the project. The Department of Hawaiian Home Lands and DLNR Forestry and Wildlife had no major concerns. Kauai County Public Works concluded that there were no floodplain issues.

DLNR Division of Aquatic Resources commented that there are virtually no native Hawaiian fish, crustaceans or mollusks in this reach of the South Fork Wailua River because of the large population of alien and predatory small mouth bass and due to substantial stream dewatering and diversions which decrease the habitat of native amphidromous species and block their migratory pathways.

DLNR Office of Conservation and Coastal Lands (OCCL) staff conducted a site visit on April 24, 2007, and OCCL approved a request for road maintenance repairs to Grove Farm's back country access road. On May 3, 2007, OCCL approved a Conservation District Use Permit (CDUP) pursuant to CDUP SH-1050. The CDUP is subject to 19 conditions plus three additional conditions. The purpose of the CDUP was to simplify the permit process for film making in Hawaii to the extent that such activities do not cause undesirable effects to the state, its people, and the environment.

The State Historic Preservation Division staff conducted a site visit on April 23, 2007, and indicated that there were no historic preservation concerns associated with the proposed filming activities.

U.S. Fish and Wildlife Service, DLNR Engineering Division and State Parks, Office of Hawaiian Affairs, and the University of Hawaii, Environmental Center did not submit comments as of the date of preparation of this submittal.

RECOMMENDATION:

That the Commission approve a Stream Channel Alteration Permit to construct two temporary bridges across the South fork Wailua River (Waiahi Stream), Lihue-Koloa Forest Reserve, Kauai. The permit shall be valid for one (1) year subject to the Commission's standard conditions in Exhibit 5. The temporary bridges shall be removed and the stream restored by May 10, 2008.

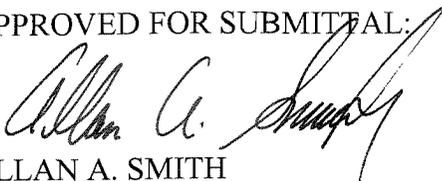
Respectfully submitted,



W. ROY HARDY
Hydrologic Program Manager

- Exhibit(s):
1. Location map
 2. Photos of existing concrete ford crossing and existing concrete weir
 3. Temporary Vehicle Bridge Plan
 4. Special Effects Bridge Concept Plans
 5. Standard Stream Channel Alteration Permit Conditions

APPROVED FOR SUBMITTAL:



ALLAN A. SMITH
Interim Chairperson

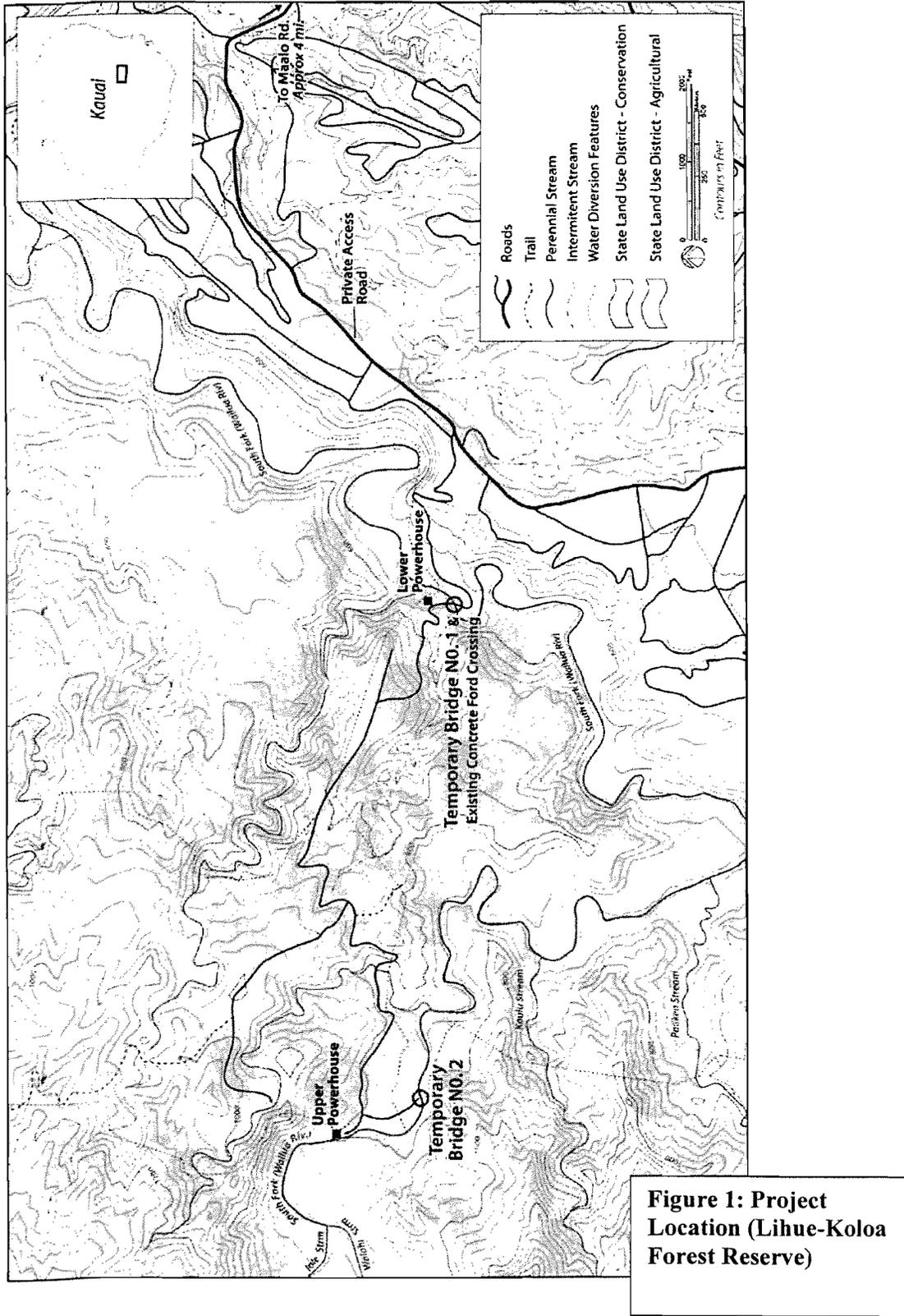


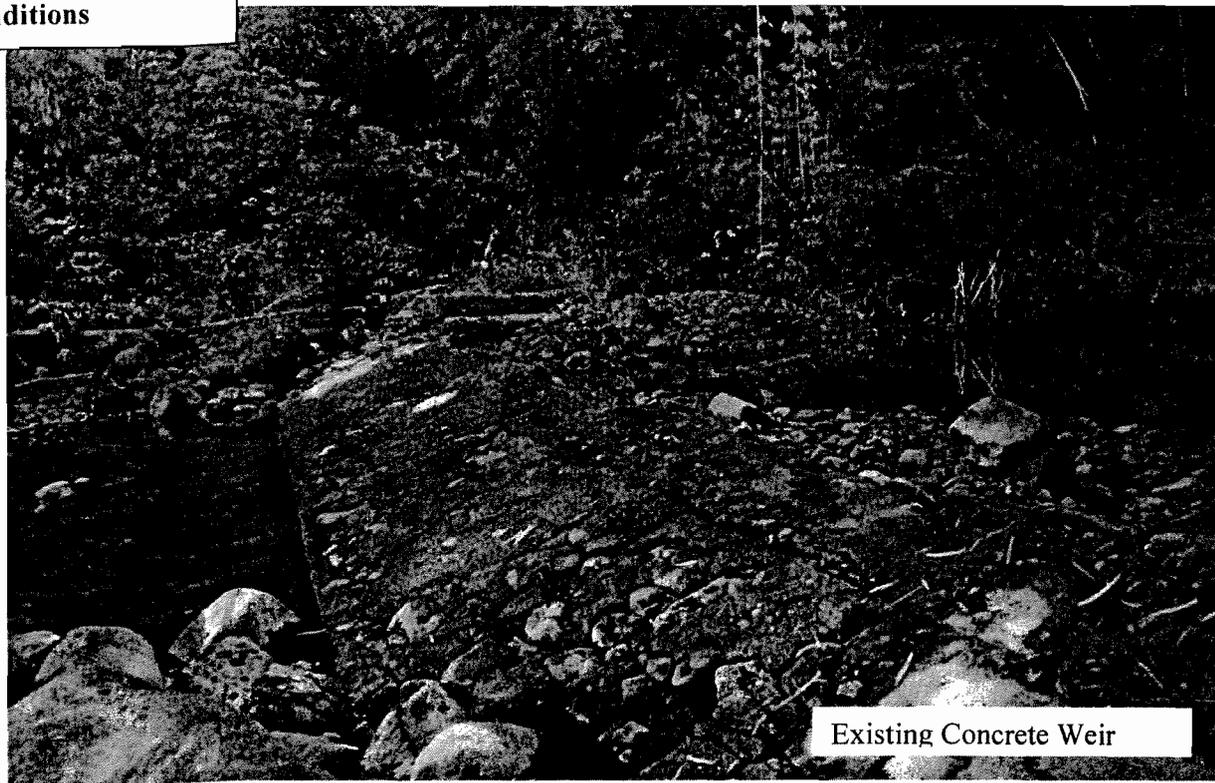
Figure 1: Project Location (Lihue-Koloa Forest Reserve)



Existing Concrete Ford Crossing

2A

Figure 2: Existing Conditions

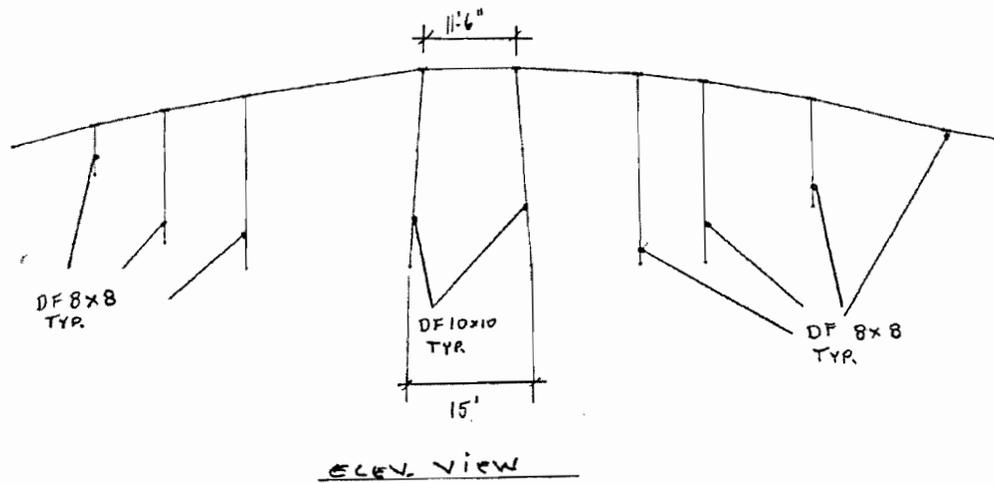


Existing Concrete Weir

2B

EL.

Figure 5: Special Effects Bridge Concept Plans



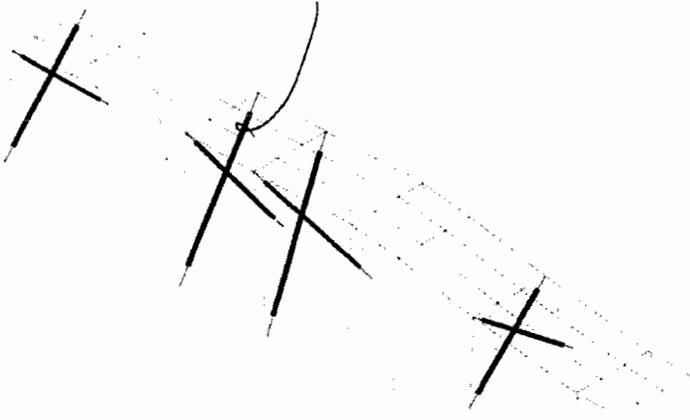
Tropicworks Productions
TRS
PRO-???

Wooden Bridge

Apr 24, 2007 at 4:28 PM

EL.

ALL X-BRACES SHOWN ARE
2- DF 2x6



Tropicworks Productions
TRS
PRO-???

Wooden Bridge

Apr 24, 2007 at 5:01 PM

May 4, 2007

STANDARD STREAM CHANNEL ALTERATION PERMIT CONDITIONS

1. The permit application and staff submittal approved by the Commission at its meeting on May 10, 2007, shall be incorporated herein by reference.
2. The applicant shall comply with all other applicable statutes, ordinances, and regulations of the Federal, State and County of Kauai governments.
3. The applicant, his successors, assigns, officers, employees, contractors, agents, and representatives, shall indemnify, defend, and hold the State of Hawaii harmless from and against any claim or demand for loss, liability, or damage including claims for property damage, personal injury, or death arising out of any act or omission of the applicant or his successors, assigns, officers, employees, contractors, and agents under this permit or related to the granting of this permit.
4. The applicant shall notify the Commission, by letter, of the actual dates of project initiation and completion. The applicant shall submit a set of as-built plans and photos of the completed work to the Commission upon completion of this project. This permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The proposed work under this stream channel alteration permit shall be completed within one (1) year from the date of permit approval, unless otherwise specified. The permit may be extended by the Commission upon showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Commission no later than three (3) months prior to the date the permit expires. If the commencement or completion date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.
5. Before proceeding with any work authorized by the Commission, the applicant shall submit one set of construction plans and specifications to determine consistency with the conditions of the permit and the declarations set forth in the permit application.
6. The applicant shall utilize appropriate erosion control measures during construction, and shall perform construction activities only during periods of low stream flow. The applicant shall prevent debris and construction materials, including cement, petroleum products, and other pollutants, from entering the stream. Wash and dust control water shall be properly disposed.
7. In the event that subsurface cultural remains such as artifacts, burials or deposits of shells or charcoal are encountered during excavation work, the applicant shall stop work in the area of the find and contact the Department's Historic Preservation Division (692-8015) immediately. Work may commence only after written concurrence by the State Historic Preservation Division.