



Status of Items Required in the December 2014 Preliminary Order Agenda Item C.2.a.

Meeting of the Commission on Water Resource Management
Kailua-Kona, Hawaii
May 20, 2015

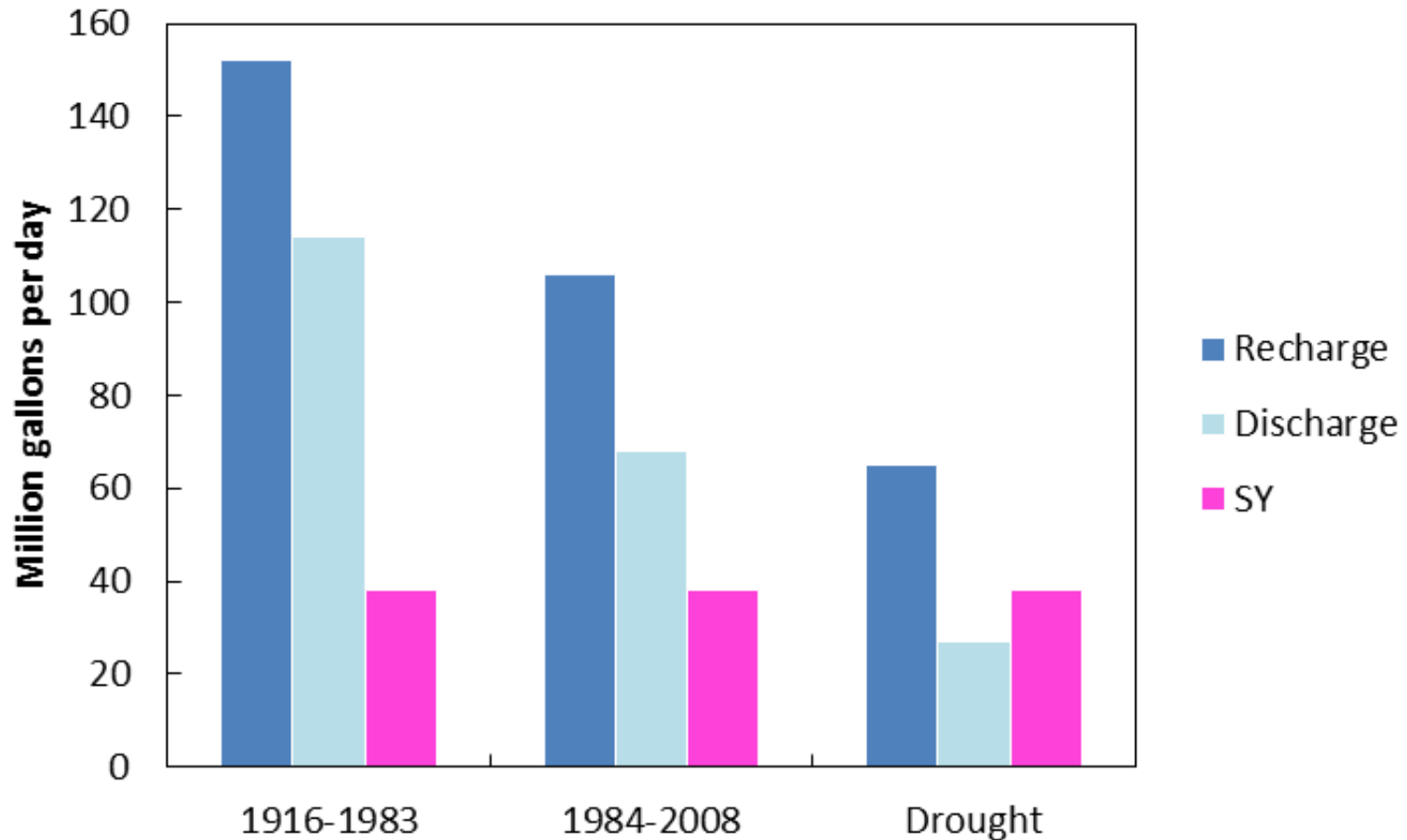
Agenda Item C.2.a.

- Preliminary Findings of Fact
- Explore & Negotiate of Alternative Paths of Action
 - Petition for Declaratory Orders
 - Draft Settlement Concepts
- Status of Additional Information
 - Water for Cultural & Natural Resources
 - Traditional & Customary Practices

Preliminary Findings of Fact

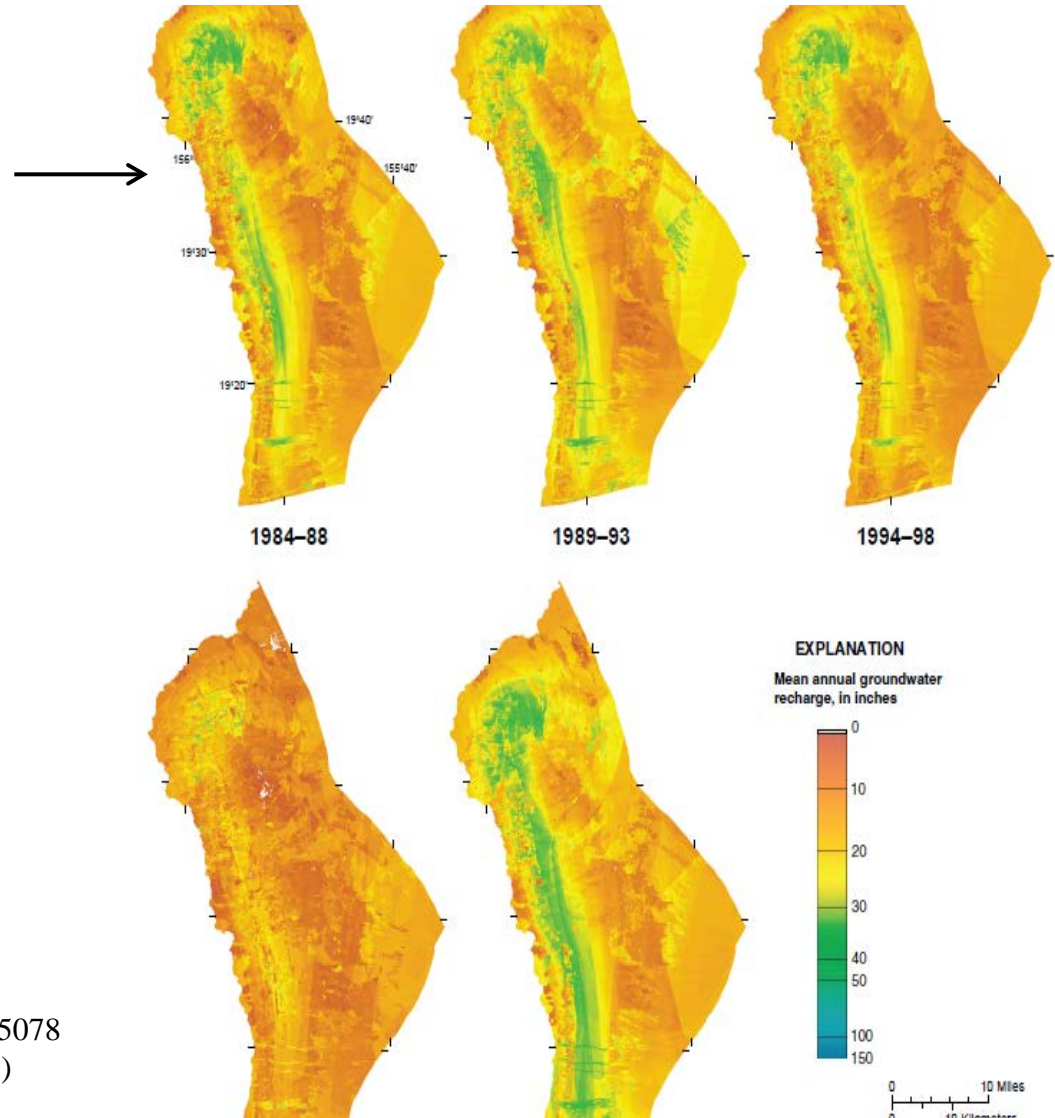
- *“Leaving more than 50 percent of the recharge in the ground to follow its natural course acknowledges the inefficiencies of the infrastructure as well as the need to maintain a sustainable balance with the natural environment. It is, by definition, ‘precautionary.’” (p. 21)*
- *“As long as there is some source of freshwater, whether it be from rainfall, surface runoff, or ground water flow, the biological and ecological integrity of aquatic resources within this area will not be compromised. (see Exhibit D)” (p. 39)*

Preliminary Findings of Fact



Preliminary Findings of Fact

- Recharge is not evenly distributed



USGS SIR 2011-5078
(Engott 2011)

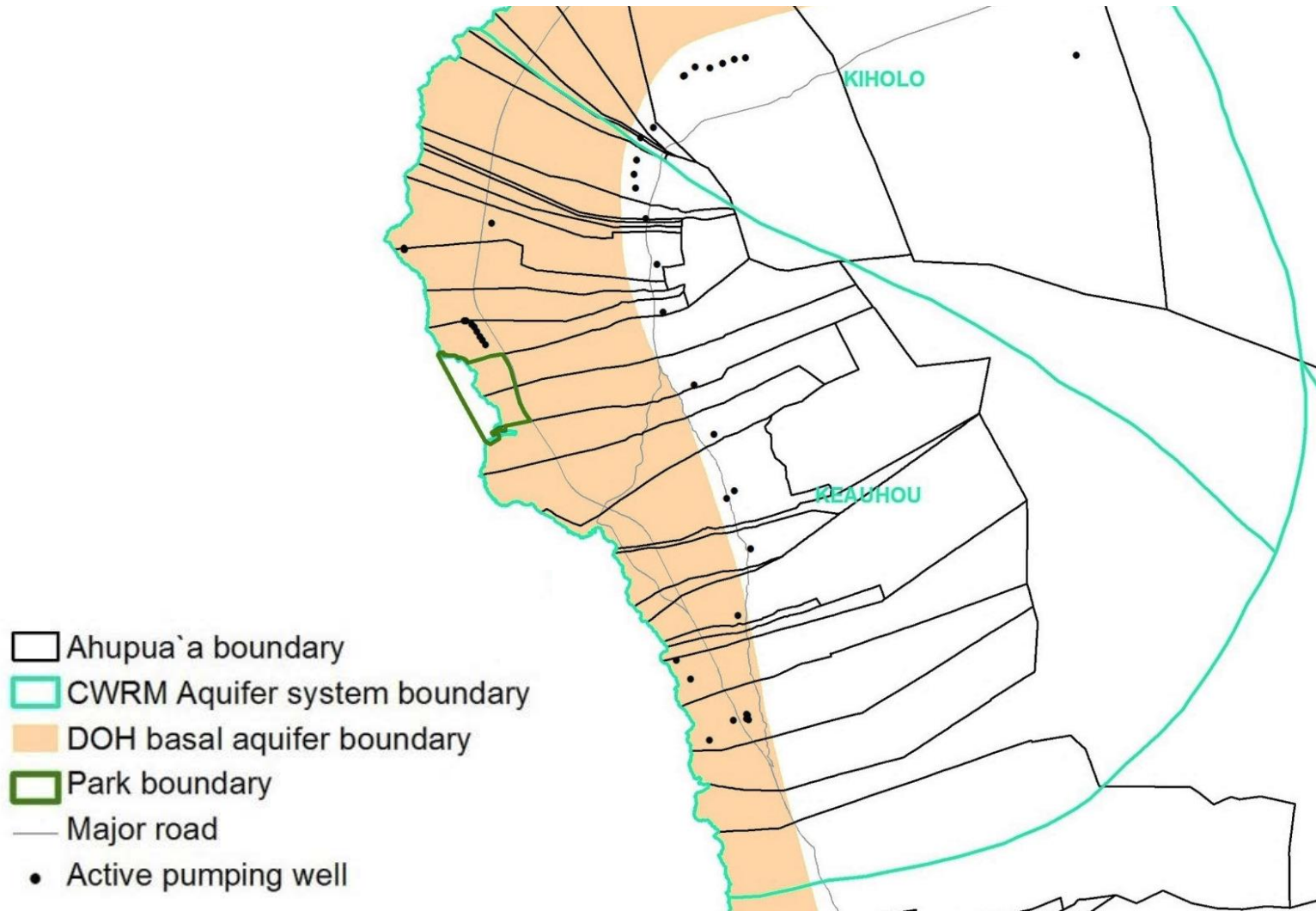
Preliminary Findings of Fact

- **Withdrawals are not evenly distributed**
- Withdrawals **2 times** greater in the Park's 4 ahupuaa than in the Keauhou Aquifer System as a whole
- Reported use at **77%** of SY of Park's 4 ahupuaa
- PFOF Future use at **105%** of SY of Park's 4 ahupuaa

Explore & Negotiate Alternatives

- Petition for Declaratory Orders
- Clarify question of law
 - Meaning of “geographic area” in State Water Code
 - Does not require additional factual information
- Area where withdrawals may threaten public trust resources in the park is much smaller than area of Keauhou Aquifer System

Explore & Negotiate Alternatives



Explore & Negotiate Alternatives

- Draft Settlement Concepts
- Goal: Maintain existing conditions in the park
- Depend in part on Declaratory Order
- Reduce area of concern by over 50%
- Maintains operational flexibility for water managers
 - e.g., new wells can be constructed as needed
- Sets triggers for designation

Status of Additional Information

- Water to Support Cultural & Natural Resources
- Existing Flows
- Information to Support Need for Existing Flows
 - Deadline?

Status of Additional Information

- Legal and Procedural Background to Request for Information on Traditional & Customary Practices
- Historic Practices
- Current and Planned Practices
- NPS Management of Practices

Kaloko-Honokōhau National Historical Park

www.nps.gov/kaho



National Park Service
U.S. Department of the Interior