

3/9/22

Aloha Water Commission,

My name is Kamaki Managan, and I am testifying on agenda item B4. Since I was young, I've been hunting pig. I feed my family by hunting pig in the forest. I support implementing an IIFS for Kawela Stream to help heal our forest and recharge our aquifer. Thank you for allowing me to testify.

Mahalo,
Kamaki.

3/9/22

Aloha Water Commission,

My name is Kahekili Pa Kala. I am testifying on agenda item B4. I am in support of Moloka'i No Ka Heke in their efforts to implement an IIFS for Kawela Stream. Restoring a continuous flow to Kawela Stream will benefit the ahupua'as nearshore ecosystems. Also, I support the submittal for the diverter to clean up the mess they left on our mountains. Beginning with these IIFS being set, maybe we can bring back these fishponds that these streams feed. Being that I've worked in fishpond restorations since high school, it would be nice to see more fishponds be restored and freshwater is the critical elements of the fishpond ecosystem.

Mahalo,
Kahekili Pa Kala

March 11, 2022
Via email to:
RAEANN.P.HYATT@HAWAII.GOV

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

Subject: **Written Testimony in Support of Kawela Stream Restoration**
Island of Molokai
For March 15, 2022 DLNR-CWRM Hearing

I am writing today in support of discontinuing Kawela Stream entirely as a water source for the entity generally known as Molokai Ranch on the island of Molokai. Responsible and knowledgeable parties, presenting data to the DNR March 15, 2022, visited other water intakes. They determined Kawela Stream water is not needed.

In-depth published research, by three professors holding PhD and Doctor degrees*, determined Molokai is one of a handful of self-sustaining locations on earth (Book: Sustainable Community Development*). In addition to the 19 pages dedicated to Molokai, on page 230 authors address "Investment in People". It states "...economic development is more likely to succeed if explicit attention is paid to the human factor. ...if local environments are to be protected and respected for the long-term future, the needs of People also must be considered deliberatively." Page 41 addresses "Molokai Ranch..." stating: "The task force asked Molokai Ranch to recognize traditional Hawaiian rights... based upon established customs and traditions." Molokai People's expectations are confirmed and supported world wide.

Molokai residents trust their natural resources will maintain them in a time of need, as in place historically. Molokai Ranch owners should not outsource their water needs in excess of usage beyond the borders of their legal properties. Their failure to file timely water usage reports to the DNR over the years implies to me a foxiness for non-compliance and self-service. The ranch no longer provides major employment or other benefits for residents and is taking rather than giving to the island.

Considering the isolation of the Hawaiian Islands, the People of Molokai rely on the government of Hawaii to enforce the laws and decide in the People's best interests, not bargain with a non-resident spirit whose presence doesn't contribute to the whole.

Thank you for your time and consideration.

Sincerely,

Rosalind (Roz) Casad

Physical: [REDACTED]

[REDACTED]
Kaunakakai, Hi. 96748
[REDACTED]

*Sustainable Community Development published in 1998 lists Molokai first under Rural Cases, "Molokai: A Study of Hawaiian Subsistence and Community Sustainability", researched and written by Jon Kei Matsuoka, Davianna Pomaika'i McGregor and Luciano Minerbi", pages 25 to 43.

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
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SUZANNE D. CASE
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CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

March 10, 2022

Ms. Suzanne D. Case, Chairperson and Members
Department of Land and Natural Resources
Commission on Water Resource Management
1151 Punchbowl Street, Board Room 132
Honolulu, Hawaii 96809

SUBJECT: Testimony on March 15, 2022 Agenda item B.5: Address Portions of CDR.5310.4 by Amending the Interim Instream Flow Standards For the Surface Water Hydrologic Units of Kawela (4037), Kaunakakai (4039), and Manawainui (4041), Moloka'i

Dear Ms. Case and Members:

The Division of Aquatic Resources (DAR), Hawaii Department of Land and Natural Resources is submitting written testimony in support of amending the Interim Instream Flow Standards (IIFS) for three streams in the Kawela surface water hydrologic unit, one stream in the Kaunakakai surface water hydrologic unit, and two streams in the Manawainui surface water hydrologic unit and the abandonment of three diversions in these hydrologic units, Moloka'i:

KAWELA HYDROLOGIC UNIT (4037): East Kawela Stream, East Kawela Tributary Stream, and West Kawela Stream

KAUNAKAKAI HYDROLOGIC UNIT (4039): Left Branch South Fork Kaunakakai Stream at Kamoku Intake

MANAWAINUI HYDROLOGIC UNIT (4041): SF Kuhuaawi Stream at Lualohe Intake, SF Kuhuaawi Stream at Kalihi Intake

The Division of Aquatic Resources is responsible for managing, conserving, and protecting Hawaii's aquatic resources statewide, which includes stream, estuary, and marine ecosystems. Surface stream flows are important to maintain and sustain the health of these ecosystems. The Interim Instream Flow Standard (IIFS) provides protection and balance for instream uses for biota and habitat versus noninstream uses such as agricultural, domestic/municipal, industrial purposes. Surface water flows in these hydrologic units, particularly in Kawela contribute to the health of stream native biota such as the 'o'opu and 'ōpae, and their habitat as well as the nearshore fisheries species such as 'ama'ama (*Mugil cephalus*) and āholehole (*Kuhlia sandvicensis*). The lower to middle reaches of Kawela Stream are dry or losing sections, so the restoration of stream flow would improve the frequency of the mauka to makai connectivity to the ocean and would support the amphidromous life cycle of the native stream biota. In previous

DAR stream surveys (1982-1995) conducted above these dry sections detected, three (3) species of 'o'opu (*Awaous hawaiiensis*, *Sicyopterus stimpsoni*, *Lentipes concolor*) and 'opae kala'ole (*Atyoida bisulcata*) again demonstrating the importance of flow restoration, groundwater recharge and rainfall in increasing stream connectivity to the ocean. Threatened/endangered species of damselfly (*Megalagrion pacificum*, *Megalagrion hawaiiense*, *Megalagrion xanthomelas*, *Megalagrion blackburni* and *Megalagrion calliphya*) were also observed in this watershed. Flow restoration would also contribute to groundwater recharge that would benefit nearshore habitat and spring flow to fish ponds.

DAR supports CWRM staff recommendations to:

1. Staff recommends an interim IFS of a mean daily flow of 0.19 cfs (0.12 mgd) below the intake on East Kawela Stream at diversion 867. This flow approximately represents the Q₈₀ flow at USGS 16415000 above the intake. The interim IFS will support the outstanding or substantial recreational, ecological, and cultural resources present in Kawela Stream, including supporting habitat for threatened or endangered damselfly species, amphidromous aquatic biota, and ecologically and culturally important riparian species present in East Kawela Stream. The interim IFS will also improve ma uka to ma kai surface water connectivity and groundwater recharge supporting coastal spring flow critical for cultural and ecological systems.
Implementation would involve the release valve on the intake pipeline be modified with a meter to measure the flow rate of water returned to the stream at the intake.
2. Staff recommends an interim IFS of a mean daily flow of 0.011 cfs (0.007 mgd) below the Kamakou Intake at diversion 865 on the Left Branch of the South Fork of Kaunakakai Stream. This flow approximately represents the Q₈₀ flow above the intake. The interim IFS will support the habitat for endangered damselfly species and riparian vegetation present in Kaunakakai Stream important for traditional and cultural practices as well as aesthetic and recreational values.
Implementation would involve that the that the diversion be modified such that the intake pipeline only diverts flow greater than the interim IFS at diversion 865.
3. Staff recommends an interim IFS of a mean daily flow of 0.012 cfs (0.008 mgd) below the Lualohe intake at diversion 863 on SF Kuhuaawi Stream. This flow approximately represents the Q₈₀ flow above the intake. The interim IFS will provide high quality habitat for endemic threatened or endangered damselflies, promote the aesthetic and recreational values of the stream, and support culturally and ecologically important riparian plants.
Implementation would involve the diversion be modified such that the intake pipeline only diverts flow greater than the interim IFS at diversion 863.
4. Staff recommends that diversion 866 (East Kawela Tributary intake) be formally abandoned and all associated piping be removed as required by the Commission to provide high quality habitat for endemic threatened or endangered damselflies, promote the aesthetic and recreational values of the stream, increase the available habitat for endemic amphidromous fish, and support culturally and ecologically important riparian plants.
Implementation would involve Molokai Properties submit the Stream Diversion Works Permit for abandonment to be considered by Commission staff within 90 days.
5. Staff recommends that diversion 862 (West Kawela Intake) be formally abandoned and all associated piping be removed as required by the Commission to provide high quality habitat for endemic threatened or endangered damselflies, promote the aesthetic and recreational values of the stream, increase the available habitat for endemic amphidromous fish, and support culturally and ecologically important riparian plants

Implementation would involve Molokai Properties submit the Stream Diversion Works Permit for abandonment to be considered by Commission staff within 90 days.

6. Staff recommends that diversion 868 (Kalihi Intake) be formally abandoned and all associated piping be removed as required by the Commission to provide high quality habitat for endemic threatened or endangered damselflies.

Implementation would involve Molokai Properties submit the Stream Diversion Works Permit for abandonment to be considered by Commission staff within 90 days.

DAR agrees that the abandonment of the 3 stream diversions (866, 862, 868) should include the removal of all the associated piping, but would like to further recommend the removal of the associated diversion structures that may be a barrier to upstream and downstream migration and to improve the aesthetic value of the stream.

Thank you for your consideration of our testimony.

Sincerely,



Brian J. Neilson, Administrator
Division of Aquatic Resources

Aloha Commissioners,

I am in support of item 4B. The dam in Kawela Stream is over a hundred years old, and existed without much oversight. Today the amount of water available in the stream has changed. The Ranch's ask of water needs today from Kawela is 10 times greater than their actual use needs. The flow rate in 1992 was 100 cfs, and today it's a mere 10 cfs.

The needs of the life of the Stream are first, the Public Trust second, and the private needs are third. The time for an IIFS, or better yet removing the intake is long overdue and critical for the life of the stream, the fishponds, reefs, taro patches and families in the Kawela Ahupua'a.

The County of Maui has a ma or ground water well and the Kawela Plantation has several wells to serve their home owners. Kawela stream is the ma or water source for the future designated area for residential development on Molokai. It is important that Kawela stream not be diverted 2 miles away to Kaluako'i, but should be left in the stream to fill the Kawela aquifer. It is important to note that the plans of Singapore developer Uaco easure has been rejected by the Molokai community and their lands are now up for sale. It makes no sense to drain Kawela stream dry for ag use in Kaluako'i when there are 100 million gallons of reservoir capacity available for use today and a billion gallon Molokai Irrigation System for ag use.

Walter Ritte

