

**State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources**

20010524 P3:10

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PETITION TO AMEND INTERIM INSTREAM FLOW STANDARDS

WAIOKAMILO STREAM, EAST MAUI

Instructions: Please print in ink or type and send completed petition with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Petition must be accompanied by a non-refundable filing fee of \$25.00 payable to the Dept. of Land and Natural Resources. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225.

1. PETITIONER

Firm/Name Na Moku 'Aupuni o Ko'olau Hui c/o Native Hawaiian Legal Corporation
 Contact Person Alan Murakami, Attorney Ph. 521-2302
 Address 1164 Bishop Street, Honolulu, Hawai'i 96813

2. STREAMFLOW DATA

USGS stream gaging station UNGAGED. Period of Record NONE.
 Location/Reach SEE ATTACHED
 (Attach a USGS map, scale 1"=2000', and a property tax map showing diversion location referenced to established property boundaries.)

TABLE 1. PERIOD OF RECORD AVERAGE MONTHLY STREAMFLOW WITHIN THE AFFECTED STREAM REACH, IN CFS

| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Annual |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|

CURRENT DATA UNAVAILABLE.

Annual Median flow in cfs =

TABLE 2. PROPOSED AVERAGE MONTHLY STREAMFLOW DIVERSION FROM AFFECTED STREAM REACH, IN CFS

| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Annual |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|

NONE. UNDETERMINED; SUFFICIENT FOR TARO FARMING AND/OR GATHERING.

Annual Median flow in cfs =

RESTORATION

TABLE 3. AVERAGE MONTHLY STREAMFLOW IN AFFECTED STREAM REACH AFTER ~~RESTORATION~~ (min release flow), IN CFS

| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Annual |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|

NATURAL STREAMFLOW EXCEPT FOR EXERCISE OF APPURTENANT WATER RIGHTS.

Annual Median flow in cfs =

3. EXISTING INSTREAM AND OFFSTREAM WATER USES FOR ENTIRE STREAM REACH

| TMK | OWNER | USE |
|-----|-------|------------------------------|
| | | <u>RESEARCH IN PROGRESS.</u> |
| | | |
| | | |
| | | |
| | | |

(If more space is necessary, attach an extended list following above format)

4. ANTICIPATED IMPACTS ON STREAM AND BASIS FOR SUCH IMPACTS:

RESTORATION OF INSTREAM NATURAL HABITAT AND BIOTA, AND BENEFICIAL APPURTENANT AND GATHERING USES.

(Attach supporting documentation, plans, letters, etc.)

NATIVE HAWAIIAN LEGAL CORPORATION



Signature

Alan Murakami Partner
 Attorney for Na Moku 'Aupuni o Ko'olau Hui

May 24, 2001

Date

For Official Use
 Date Received _____
 Date Accepted _____

Waiokamilo Stream

Waiokamilo Stream is headed at about 3,500 ft altitude about 5 mi inland on the upland surface east of Keanae Valley (plate 1). The stream has a flat gradient near the coast where it flows on Hana Volcanics that covered alluvium at the mouth of Keanae Valley (Stearns and Macdonald, 1942). At about 2.5 mi inland, at the east wall of Keanae Valley, the stream altitude abruptly increases from about 800 ft up to 1,200 ft along the next 2,000 ft of stream length. The stream lies on Hana Volcanics along its entire length (Stearns and Macdonald, 1942). All base flow is captured by the Koolau Ditch diversion system at about 1,300 ft altitude (table 4). Several other diversions capture water for taro cultivation in the Wailua area.

Streamflow measurements made on May 11, 1999 during low-flow conditions show that the stream was dry from the Koolau ditch diversion as far downstream as Akeke Spring. The stream gained about 3.8 Mgal/d from the spring which discharges from a ridge of Honomanu Basalt (table 15). Downstream from the spring all the way to the coast, the stream loses water to the subsurface and to at least three diversions. The stream flows on Hana Volcanics along the entire section of stream that is losing water. The vertically extensive freshwater-lens system appears to exist in the Honomanu Basalt, but below the floor of Waiokamilo Stream in the overlying Hana Volcanics. A water budget was not calculated for this stream basin.

Streamflow

Estimates of streamflow and base flow are based on streamflow records of varying length and from different times. The error associated with comparing these records is not considered significant because the average annual values used in the comparisons are expected to be within about 10 percent of the true value in most cases. A statistical analysis of five streamflow records, each with more than 60 years of record, shows that the average annual discharge for any 10-year period within that record has a standard error of 12 percent when compared with the whole record (Fontaine, 1996). When the length of the subset is increased to a 50-year period, the standard error only improves to 5 percent. Thirty nine of the streamflow records for the study area are equal to or greater than 10 years long.

For this study, the length of the period of record at each gaging station was determined to be unimportant by comparing each record to three reference records from the study area. The three longest streamflow records, 5080 (73 years), 5180 (76 years), and 5870 (85 years) were chosen as reference records. For each other individual record, a time period equal to the length of that record was chosen. A subset of a reference record was then selected from this same time period and the average flow during that time period was compared with the total reference record to estimate the ratio of flow during the subset period to the reference period. This analysis was made for all three reference records and the result was averaged to obtain a period-of-record scale factor for each of the other records. The scale factor ranged from 0.88 to 1.13 (table 2). This variability is consistent with the statistical analysis reported by Fontaine (1996). This range of accuracy is considered sufficient for the type of comparisons made in this study, and therefore, no corrections were made to any of the records to account for differences in length or period of record.

Table 15. Streamflow, temperature, and specific conductance in Waiokamilo Stream, May 11, 1999, northeast Maui, Hawaii [ft, feet; Mgal/d, million gallons per day; °C, degrees Celsius; $\mu\text{S}/\text{cm}$, microsiemens per centimeter; --, not determined; all altitudes estimated from U.S. Geological Survey topographic map, Keanae and Nahiku quadrangles]

| Station number | Stream name | Altitude (ft) | Stream-flow (Mgal/d) | Water temperature (°C) | Water specific conductance ($\mu\text{S}/\text{cm}$) | Comments |
|----------------|-------------|---------------|----------------------|------------------------|--------------------------------------------------------|-------------------------------------------|
| Waiokamilo 1 | Waiokamilo | 80 | 0.47 | -- | -- | |
| Waiokamilo 2 | Waiokamilo | 110 | 0.52 | -- | -- | Includes some return flow from taro patch |
| Waiokamilo 3.1 | Waiokamilo | 220 | 0.36 | -- | -- | |
| Waiokamilo 3.2 | diversion | 220 | 0.70 | -- | -- | Taro-patch diversion |
| Waiokamilo 4.1 | Waiokamilo | 240 | 0.23 | 19.9 ^a | 123 ^a | Includes flow from unnamed spring |
| Waiokamilo 4.2 | Hamau | 250 | 0.83 | 20.3 ^a | 135 ^a | Tributary to Waiokamilo Stream |
| Waiokamilo 5 | Waiokamilo | 440 | 2.40 | 19.1 | 139 | Diversion takes nearly all flow |
| Waiokamilo 6 | Waiokamilo | 560 | 3.66 | 19.6 | 137 | Upstream from taro-patch diversion |
| Waiokamilo 7 | diversion | 540 | 0.25 | -- | -- | Diversion to taro patch |
| Waiokamilo 8 | Waiokamilo | 720 | 3.80 | 18.9 | 147 | Downstream from Akeke Spring |
| Waiokamilo 9 | Waiokamilo | 750 | 0.00 | -- | -- | Upstream from Akeke Spring |

^a Measured May 28, 1999