



# University of Hawai'i at Mānoa

## Environmental Center

A Unit of Water Resources Research Center  
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June 23, 1994  
RP:0161

Ms. Rae M. Loui  
Commission on Water Resources Management  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dear Ms. Loui:

### Well Construction Permit/Interim Instream Flow Standard Amendment Upper Makaleha Springs Kapaa, Kauai

The referenced document addresses construction of a cut off trench to tap spring water and installation of approximately 4,000 feet of an 8-inch pipeline to transmit water to an existing Kauai County storage tank.

The review was conducted with the assistance of Chris Welch of the Environmental Center.

The development of this potable water source for Kapaa-Wailua has been and remains highly controversial. The application to construct a well at Makaleha Springs seems premature, given the substantive issues that are currently outstanding.

Of primary concern is the impact that any stream or source alteration would have on endemic biota of Makaleha Springs stream. The Revised Final Environmental Impact Statement (RFEIS) for the Upper Makaleha Springs Water Resource Development, Section 4.4.3, left this issue as unresolved. According to the preface of the Hawaii Stream Assessment, the State Water Code mandates that the Commission on Water Resources Management protect and preserve, as a part of the public trust, river systems that have unique attributes ("high natural quality or ... significant scenic value"). One of these attributes includes the presence of aquatic resources that may be deemed special to the State of Hawaii or County of Kauai. The Hawaii Stream Assessment finds that "Concern about the scarcity of Lentipes concolor seemed to make any stream where it is at least

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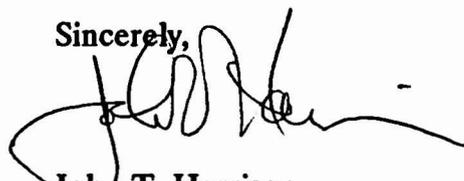
common a potentially very important resource, i.e. Outstanding." Thus the need to maintain the population of Lentipes must be resolved before the referenced permit is approved.

Recent findings augment existing concern over the aquatic resources of Makaleha Springs Stream and the impact of water development on it. New research has found populations of the rare Erinna newcombi, or Newcomb's Snail, in the area immediately above Makaleha Springs Stream. The find could have major ramifications on any attempted construction or diversion of waters from the spring. If the Newcomb's Snail is listed by the Fish and Wildlife Service as an Endangered Species, the mitigative measures necessary to ensure a surviving population of the snail could render development of this water source impractical. The cost of potential mitigation for a species being listed as endangered was never introduced into any of the alternatives in the RFEIS. However, presence of the Newcomb's Snail necessitates the inclusion of the potential cost of working with endangered species into the calculations of obtaining water from Makaleha Springs. This new cost criterion demands that a re-evaluation of alternatives be done for the project.

In the light of the noted findings, we suggest that the project needs further research and evaluation. Perhaps a less intrusive alternate methodology, such as implementing water appropriate conservation strategies island wide, would achieve the desired project goal in a less destructive manner. We recommend that approval of the permit for well construction and the petition to alter the instream flow standard be withheld until further documentation is presented concerning Newcomb's snail and its potential impact on the project as it is currently designed.

Thank you for the opportunity to comment on this document.

Sincerely,



John T. Harrison  
Environmental Coordinator

cc: OEQC  
Roger Fujioka  
Chris Welch