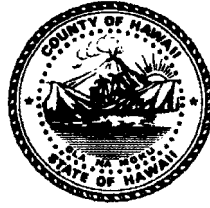


William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

June 13, 2014

Mr. Sidney M. Fuke
Planning Consultant
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

SUBJECT: Application: VARIANCE DECISION VAR-14-000215
Agent: SIDNEY FUKE, PLANNING CONSULTANT
Owner: STATE DHHL/FLORA B. SOLOMON, LESSEE
Request: Variance from Chapter 23, Subdivisions, Article 6, Division 2, Improvements Required, Section 23-84, Water Supply
Tax Map Key: 6-5-001:010 (SUB-13-001318)

Upon review of your variance application, the Planning Director certifies the **approval** of Variance VAR-14-000215 subject to variance conditions. The variance grants relief for SUB-13-001318 from constructing minimum County dedicable water supply system improvements required by Hawai'i County Code (HCC), Chapter 23 (Subdivisions).

The variance is from the proposed subdivision's minimum requirements pursuant to HCC, Chapter 23 (Subdivisions), Article 6, Division 2, Improvements Required, Section 23-84, Water Supply, (1)(2).

BACKGROUND

1. **Location.** The referenced TMK property, Parcel A, also being A Portion of Grant S-15,852, containing approximately 125.0 acres, is situated in Keoniki & Kauniho, Waimea, South Kohala, Hawai'i.
2. **County Zoning.** Agricultural – forty and one acres minimum (A-40a & A-1a) and Residential Single-Family – 10,000 square feet minimum (RS-10).
3. **State Land Use.** Agricultural (A) and Urban (U).

4. **General Plan.** Land Use Pattern Allocation Guide (LUPAG) map designates the property as Important Agricultural Lands (ial), Extensive Agricultural (ea) and Low Density Urban (ldu).
5. **Subdivision Code Requirements.** The subdivision code requires that subdivisions be served by a water system meeting the minimum requirements of the County Department of Water Supply (DWS) and be provided with water mains and fire hydrants installed to and within the subdivision in accordance with the rules and regulations of the DWS.
6. **Subdivision Request/PPM.** Subdivision application SUB-13-001318 was submitted to subdivide Parcel A into 3 lots consistent with the A-40a zoning. Further action on the subdivision application was deferred pursuant to letter dated March 17, 2014 in the subdivision file.
7. **Variance Application.** The variance request from water supply improvements was acknowledged by Planning Department letter dated March 17, 2014. This variance application requests the use of the one existing DWS service and individual rainwater catchment systems for two of the proposed lots in lieu of extending and/or upgrading the DWS water system or constructing a private water system conforming to DWS standards.
8. **Agency Comments and Requirements.**
 - a. State of Hawai'i-Department of Health (DOH): see attached memorandum dated May 12, 2014.
 - b. County of Hawai'i Fire Department (HFD): see attached memorandum dated May 21, 2014.
 - c. Department of Water Supply (DWS): see attached memoranda dated May 30, 2014 in response to this application and February 25, 2014 in response to the subdivision application.
 - d. No other agency comments were solicited and none were received.
9. **Notice to Surrounding Owners/Posted Sign.** The applicant submitted evidence, dated May 6, 2014, regarding the posting of a public notification sign on the subject property pursuant to Section 23-17(c) of the HCC. Pictures of the posted sign were also submitted. Further, verification was submitted that a notice of the application was sent on May 9, 2014 to the surrounding property owners as required by Section 23-17(a).
10. **Comments from Surrounding Property Owners or Public.** By letter dated May 19, 2014, written comments to this application were received from a surrounding property owner, Hawai'i Preparatory Academy (HPA), through its Chief Financial Officer, Robert McKendry advising of DWS' low water pressure situation in the area. HPA also expressed support of rainwater catchment systems for the subdivision lots not served by the DWS.

ANALYSIS OF GROUNDS FOR VARIANCE

No variance will be granted unless it is found that:

- (a) There are special or unusual circumstances applying to the subject real property which exist either to a degree which deprives the owner or applicant of substantial property rights that would otherwise be available or to a degree which obviously interferes with the best use or manner of development of that property.***

The Variance application meets criterion (a) for the following reasons(s):

The subdivision request is for three (3) lots in keeping with the existing A-40a zoning. Although a dedicable water system is a requirement of the code, the subject property can not be further served by the existing DWS system facilities, and it would be unreasonable to expect the owners to upgrade the existing DWS water system. At some 2,600 to 3,400 feet above mean sea level, it would be prohibitive to drill wells and provide other water system infrastructure to DWS standards. Therefore, it is reasonable that, in lieu of constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for the pending 3-lot subdivision, a more reasonable alternative can be allowed pursuant Planning Department Rule 22.

The above special and unusual circumstances would deprive the applicant from developing this property and interferes with the best use of this property.

Therefore, for this rural, agricultural subdivision, the best use and manner of the development allows for the use of individual rainwater catchment systems and an “out of bounds” agreement for one of the lots.

- (b) There are no other reasonable alternatives that would resolve the difficulty.***

The Variance application meets criterion (b) for the following reasons(s):

Constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for the pending 3-lot subdivision would be placing excessive demands upon the applicant because of the extensive improvements required to the existing DWS water system facilities.

Therefore, there are no reasonable alternatives that would resolve the difficulty.

- (c) The variance will be consistent with the general purpose of the district, the intent and purpose of this chapter, and the County general plan and will not be materially detrimental to the public welfare or cause substantial, adverse impact to an area’s character or to adjoining properties.***

The Variance application meets criterion (c) for the following reasons(s):

For this rural, agricultural subdivision, given that there is adequate rainfall (approximately 60 inches of rainfall annually) to support individual water catchment and this is a rural, agricultural large-lot subdivision, the granting of this variance would be consistent with the general purpose of the district. Water catchment is consistent with the intent of the policies of the general plan for this agricultural area. This will not be materially detrimental to the public welfare as it serves only private parties. Granting of the variance will not cause substantial, adverse impact to the area's character or to adjoining properties as rainwater catchment is the norm for this area and will not further strain the existing DWS water system. It may actually be beneficial to the area by reducing rain water runoff.

Given that the subject property has sufficient annual rainfall and that the existing DWS water system is presently strained for pressure, a water catchment variance would be consistent with the general purpose of the zoning district and the intents and purposes of the Zoning Code, Subdivision Code, Planning Department Rule 22 and the Hawai'i County General Plan.

DETERMINATION-VARIANCE CONDITIONS

The variance to permit the proposed 3-lot subdivision of the subject TMK property without providing dedicable water system improvements meeting DWS standards is hereby **approved** subject to the following variance conditions:

1. The applicant, owners, their assigns, or successors shall be responsible for complying with all stated conditions of approval.
2. Should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein shall be credited towards the requirements of the Unified Impact Fees Ordinance.
3. The owners, their assigns, or successors shall file a written agreement document with the Planning Department within one (1) year from the issuance of tentative subdivision approval. This written agreement shall contain deed language, being covenants, conditions, and restrictions, as outlined in this variance, affecting the lots created by the proposed subdivision which are not serviced by a County dedicable public water system. The agreement shall be duly recorded at the Bureau of Conveyances of the State of Hawai'i by the subdivider at their cost and expense. A copy of the recorded document shall be provided to the Planning Department.

In the event that there are any amendments or changes to the subdivision after the agreement is signed, the applicant shall be responsible for informing the County Planning Department of such amendments or changes so that the agreement can be amended concomitantly. Further, the recorded agreement shall be binding upon the owner(s), their successors or assigns and shall be incorporated as an exhibit and made part of each agreement of sale,

deed, lease, or similar documents affecting the title of the existing property or approved subdivided lots.

4. The subdivider and all grantees, successors, and assigns acknowledge that the parcels were created by a variance from the normal subdivision requirements of Hawai'i County, and that there are no longer any special or unusual circumstances applying to the property, and hence, no grounds exist or will exist for another variance from the Subdivision Code to permit further subdivision of the properties.
5. The owners, grantees, successors, and assigns agree and accept the fact that a County dedicable public water system will not be extended to serve the lots within proposed subdivision SUB-13-001318.
6. The owners, grantees, successors, and assigns agree and accept the fact that the County will not bear the responsibility of supplying dedicable public water improvements to the proposed lots. No further subdivision of the lots created will be permitted unless County dedicable public water system requirements and other requirements of HCC Chapter 23, Subdivisions, are met.
7. No condominium property regime shall be allowed on any lot created, nor shall an Ohana Dwelling Unit be permitted or allowed.
8. Any dwelling constructed on any created lot not associated with an "out of bounds" and/or "elevation" agreement(s) with DWS shall be provided with and maintain a private rainwater catchment system which includes a minimum 6,000-gallon water storage capacity for domestic consumption or potable uses. This private water storage system shall adhere to the University of Hawai'i's College of Tropical Agriculture and Human Resources' "Guidelines on Rainwater Catchment Systems for Hawai'i as well as the DOH requirements related to water testing and water purifying devices.
9. Each permitted dwelling shall also be provided with a minimum 3,000 gallon water storage capacity dedicated for fire fighting and emergency purposes. The location and capacity of the emergency water supply system, including the necessary compatible fire apparatus connector system, shall be as required by the HFD. The HFD also advises, as a precautionary measure for other uninhabited structures, that consideration be given to the provision of a similar water storage system for fire fighting and emergency purposes.
10. In the event that the County notifies the owner(s) of the lot(s) created, that the County water system has been upgraded or an improvement district initiated to enable dedicable service to these lots, the owner(s) of lot(s) shall participate in such improvement district or shall pay their pro-rata share of the upgrade and installation of laterals, as determined by the DWS.

Mr. Sidney M. Fuke
Planning Consultant
June 13, 2014
Page 6

11. The pending subdivision application's (SUB-13-001318) final plat map shall meet all the requirements of the Hawai'i County Zoning Code and the Subdivision Code that are not covered by this variance.
12. The subdivider, owner(s), their assigns or successors shall pay any outstanding real property taxes and comply with all other applicable State statutes and County ordinances pertaining to building improvements and land use.

Should any of the foregoing conditions not be complied with, the Planning Director may proceed to declare this Variance Permit null and void.

Sincerely,



DUANE KANUHA
Planning Director

JRH:nci

P:\Admin Permits Division\Variance\2014\VAR-14-000215DHHL-Solomon Water\APVL.doc

Encls: Agency Comments

xc: DWS-Engineering Branch
SUB-13-001318

xc w/encls: DHHL, West Hawai'i District Office (Kamuela)
P.O. Box 370
Kamuela, HI 96743

Flora B. Solomon c/o Power of Attorney: Alice Leiomalama Solomon
P.O. Box 519
Kamuela, HI 96743

D. Bugado, SKCDP Planner (via e-mail)
G. Bailado, GIS Section (via email)

William P. Honoi
Mayor



County of Hawaii
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Room 2501 • Hilo, Hawaii 96720
(808) 932-2900 • Fax (808) 932-2928

Darren J. Rosario
Fire Chief
Renwick J. Victorino
Deputy Fire Chief

MAY 23 2014
RECEIVED
COUNTY ENGINEER
7:21 AM

May 21, 2014

TO: DUANE KANUHA, PLANNING DIRECTOR
FROM: DARREN J. ROSARIO, FIRE CHIEF
SUBJECT: VARIANCE APPLICATION (VAR 14-000215)
AGENT: SIDNEY FUKU, PLANNING CONSULTANT
OWNER: STATE DHHL/FLORA B. SOLOMON, LESSEE
REQUEST: VARIANCE FROM CHAPTER 23, SUBDIVISIONS,
ARTICLE 6, DIVISION 2, IMPROVEMENTS REQUIRED, SECTION 23-
84, WATER SUPPLY
TAX MAP KEY: 6-5-001:020 (SUB 13-001318)

In regards to the above-mentioned Variance application, any future structures shall comply with alternative water supply for Fire Department use and the following shall be in accordance:

NFPA 1, UNIFORM FIRE CODE, 2006 EDITION

Note: NFPA 1, Hawaii's State Fire Code with County amendments. County amendments are identified with a preceding "C-" of the reference code.

Chapter 18 Fire Department Access and Water Supply

18.1 General. Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved.

18.1.1 Plans.

1. Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the review and approval prior to construction.

Specifications for fire hydrant systems shall be at prior to construction.

SCANNED
JUN 2 - 2014
092021



NEIL ABERCROMBIE
3-78-2007



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

MEMORANDUM

DATE: May 12, 2014
TO: Duane Kanuha
Planning Director, County of Hawaii
FROM: Newton Inouye
District Environmental Health Program Chief
SUBJECT: Application: VARIANCE (VAR-14-000215)
Agent: SIDNEY FUKU, PLANNING CONSULTANT
Owner: STATE DHHL/FLORA B. SOLOMON, LESSEE
Request: Variance from Chapter 23, Subdivisions, Article 6, Division 2,
Improvements Required, Section 23-84, Water Supply
Tax Map Key: 6-5-001:010 (SUB-13-001318)

The Department of Health's Safe Drinking Water Branch authority on drinking water quality is based on the definition of a "public water system." A "public water system" means a system which provides water for human consumption through pipe or other constructed conveyance if such system has fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. All public water systems are regulated by the Department of Health and shall be in compliance with the Hawaii Administrative Rules, Title 11, Chapter 20. Recommend the subdivision lots be connected to an existing public water system.

Concerns on water quality for lead, copper, algae and microbiological and chemical contaminations in private water systems have identified the need for self monitoring. The Department of Health does not support the use of these private rain catchment systems for drinking water purposes since the quality may not meet National Primary Drinking Water Standards for potable drinking water for human consumption. The U.S. Environmental Protection Agency (EPA) defines human consumption to include drinking, bathing, showering, cooking, dishwashing, maintaining oral hygiene and includes hand washing.

091783

WORD: VAR-14-000215

18.3.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

18.3.6 Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

18.3.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

C~ 18.3.8 Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for firefighting.

Buildings 2001- 3000 square feet, shall have a minimum of 6,000 gallons of water available for firefighting.

Buildings, 3001- 6000 square feet, shall have a minimum of 12,000 gallons of water available for firefighting.

Buildings, greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(6) of this code.

NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:

(1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting;

C~ 18.1.1.2.1 **Fire Hydrant use and Restrictions.** No unauthorized person shall use or operate any Fire hydrant unless such person first secures permission or a permit from the owner or representative of the department, or company that owns or governs that water supply or system. Exception: Fire Department personnel conducting firefighting operations, hydrant testing, and/or maintenance, and the flushing and acceptance of hydrants witnessed by Fire Prevention Bureau personnel.

18.3 Water Supplies and Fire Hydrants

18.3.1* A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural. Occupancies, the requirements of section 18.3.1 may be modified by AHJ.

18.3.2* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

18.3.3* The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

18.3.4 Fire Hydrants and connections to other approved water supplies shall be accessible to the fire department.

Duane Kanuha
May 21, 2014
Page 5

greater than 2000 square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.

- (5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact the Fire Prevention Bureau at (808) 932-2912.



DARREN J. ROSARIO
Fire Chief

GA/c

Duane Kanuha
May 21, 2014
Page 4

- (2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:

- (a) 4" for C900 PVC pipe;
- (b) 4" for C906 PE pipe;
- (c) 3" for ductile Iron;
- (d) 3" for galvanized steel.

- (3) The Fire Department Connection (FDC) shall:

- (a) be made of galvanized steel;
- (b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
- (c) be located between 8 ft and 16 ft from the Fire department access.
The location shall be approved by the AHJ;
- (d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
- (e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;
- (f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
- (g) also comply with section 13.1.3 and 18.2.3.4.6.1 of *this code*;

- (4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus' conducting drafting operations at once, in mind.

- (5) Inspection and maintenance shall be in accordance to NFPA 25.

- (6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appurtenances of the system.

EXCEPTIONS TO SECTION 18.3.8:

- (1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.
- (2) Buildings less than 800 square feet in size that meets the minimum Fire Department Access Road requirements.
- (3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.
- (4) For one and two family dwellings, agricultural buildings, and storage sheds



DEPARTMENT OF WATER SUPPLY - COUNTY OF HAWAII
 345 KEKUAO'A STREET, SUITE 20 • HILO, HAWAII 96720
 TELEPHONE (808) 961-8050 • FAX (808) 961-8657

February 25, 2014

TO: Mr. Duane Kanuha, Director
 Planning Department

FROM: Quirino Antonio, Jr., Manager-Chief Engineer

SUBJECT: **SUBDIVISION APPLICATION NO. 13-001318**
APPLICANT - STATE OF HAWAII/FLORA B. SOLOMON
TAX MAP KEY 6-5-001:010

RECEIVED
 PLANNING DEPARTMENT
 FEB 27 10 29 AM '14


We have reviewed the subject application and have the following comments and conditions.

Please be informed that much of the subject property is outside of the Department's pressure service zone. Parcels that are partially or completely outside of the pressure service zone are limited to one unit of water. There is an existing 5/8-inch meter servicing the subject parcel, which is adequate for only one dwelling unit and is limited to one unit of water. One unit of water allows for an average of up to 400 gallons per day.

The Department's existing water system facilities cannot support the proposed subdivision at this time. Extensive improvements and additions, which may include, but not be limited to, source, storage, booster pumps, transmission, and distribution facilities, must be constructed. Currently, sufficient funding is not available from the Department for such improvements and no time schedule is set.

Should there be any questions, please contact Mr. Larry Beck of our Water Resources and Planning Branch at 961-8070, extension 260.

Sincerely yours,


 Quirino Antonio, Jr., P.E.
 Manager-Chief Engineer

LB:dfg
 copy - Inaba Engineering

090208



DEPARTMENT OF WATER SUPPLY - COUNTY OF HAWAII
 345 KEKUAO'A STREET, SUITE 20 • HILO, HAWAII 96720
 TELEPHONE (808) 961-8050 • FAX (808) 961-8657

May 30, 2014

TO: Mr. Duane Kanuha, Director
 Planning Department

FROM: Quirino Antonio, Jr., Manager-Chief Engineer

SUBJECT: **VARIANCE (VAR-14-000215)**
SUBDIVISION APPLICATION NO. 13-001318
APPLICANT: STATE DHHL/FLORA B. SOLOMON
TAX MAP KEY 6-5-001:010

RECEIVED
 PLANNING DEPARTMENT
 30 MAY 20 10 26 AM '14


We have reviewed the subject variance application for the proposed three-lot subdivision and have the following comments.

As noted in our memorandum to your department of February 25, 2014, there is an existing 5/8-inch meter to Tax Map Key 6-5-001:010. Should the variance be allowed, our Department asks that the applicant please notify us in writing as to which subdivided lot the existing account will be assigned so that we may update our records.

Our Department may require an out-of-bounds agreement and an elevation agreement with schematic, depending on which lot is assigned the meter. It should be noted that a 5/8-inch meter shall not be shared by more than one parcel and shall not serve more than one dwelling. Lots involved in agricultural activity are required to have a backflow prevention assembly installed on the customer side of the meter, and one will need to be installed if one does not already exist.

Should there be any questions, please contact Mr. Lawrence Beck of our Water Resources and Planning Branch at 961-8070, extension 260.

Sincerely yours,


 Quirino Antonio, Jr., P.E.
 Manager-Chief Engineer

LB:dmj
 copy - Mr. Sidney M. Fuke, Planning Consultant

092130



PLANNING DEPARTMENT
2014 MAY 20 PM 3:30

May 19, 2014

Mr. Duane Kanuha, Director
Hawai'i County Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

Re: Water Variance Application
Applicant: State DHHL/Flora B. Solomon, Lessee
Waimea, South Kohala, HI, TMK: (3) 6-05-001: 010 (SUB 13-001318)

Dear Mr. Kanuha,

We are writing to comment on the enclosed water variance application for one of our neighbors. We have had a close and cordial relationship with the Solomon family since their lease was initiated, highlighted by the wonderful opportunity to educate Solomon family children. HPA endorses the granting of this water variance as explained by Mr. Fuke with the following considerations.

The proposal to use catchment water for potable and agricultural uses is quite acceptable to us, with the ability to haul water in times of low rainfall. However, using the existing 5/8" meter to service the entire property is problematic. DWS standards allow for 600 gallons per day through a 5/8" meter. To use this one residential meter for all structures and pasturing animals or other agricultural purposes for 125 acres will create increased capacity and pressure problems for the surrounding property owners. We already experience problems with low water pressure on our campus. Pressure to our highest elevation building currently fluctuates between 35 and 60 pounds per square inch. Because of this low water pressure situation we needed to install an expensive (\$1.3 million) pump and water line system using our pool as a reservoir to provide necessary protection in case of fire.

Should the variance be granted, we request a condition be placed on the variance approval that catchment is used to service the subdivision and that the DWS closely monitor the usage of the existing meter to ensure no excess usage is taking place.

Please contact me at 808-881-4013 or rmckendry@hpa.edu for any additional information, or if you would like to meet with us regarding water issues in our area.

Sincerely,

Robert McKendry
Chief Financial Officer

Enclosures