

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

PETITION TO AMEND INTERIM INSTREAM FLOW STANDARDS

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 Earthjustice
Contact Person D. Kapua Sproat Ph: (808) 599-2436
Address 223 S. King St., Suite 400, Honolulu, HI 96813

2. STREAMFLOW DATA See Petition Parts IV(A),

USGS stream gaging station V, and Exhibits 1-13 Period of Record _____
Location/Reach _____
(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
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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
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Annual Median flow in cfs = _____

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

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
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Annual Median flow in cfs = _____

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

TMK _____ OWNER _____ USE _____
See Petition Part VI, and Exhibits 15-16

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

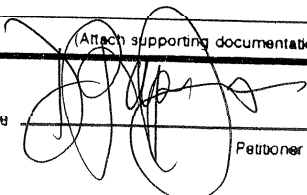
4. ANTICIPATED IMPACTS ON STREAM AND BASIS FOR SUCH IMPACTS: See Petition Part VII

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

June 25, 2004

Date

Signature



Petitioner

For Official Use C
Date Received _____

CHECKLIST FOR THE PREPARATION OF STREAM RELATED APPROVALS

DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

PART A - GENERAL INFORMATION
[Required for all applications]

- A-1 Applicant
Name See attached. See also Petition Part III.
Organization _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
- A-2 Contact Person/Agent
Name D. Kapua Sproat
Organization Earthjustice
Address 223 South King Street, Suite 400
City Honolulu State HI Zip 96813
Phone (808) 599-2436 Fax (808) 521-6841

A-3 RELATED PERMITS

If your proposed project is subject to the following permits/approvals submit either the approval letter of the appropriate agency or attach a copy of application form. If the project is not subject to the following permits/approvals indicate "N/A".

- a. Corps of Engineers (Harbors and Rivers Act, Section 404, Clean Water Act)..... X N/A
- b. Department of Health (Best Management Practice Plan)..... X N/A
- c. Right of Entry Permit if the project includes State lands (Chapter 171, HRS)..... X N/A
- d. Conservation District Use (Title 13, Chapter 2, HAR)..... X N/A
- e. Hawaii Environmental Policy Act (Chapter 343, HRS; Title 11, Chapter 200, HAR)..... X N/A
- f. County grading permit X N/A
- g. Soil and Water Conservation District..... X N/A
- h. County flood ordinance(s)..... X N/A
- i. County CZM Special Management Area..... X N/A
- j. County discretionary permit(s) X N/A

A-4 Landowner's Signature

Please secure the appropriate landowner's signature. If the land is owned by a government agency please secure the appropriate agency's signature.

Tax Map Key(s):	Landowner's Signature
N/A _____	N/A _____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

A-5 Island Maui A-15 District Wailuku

A-6 Stream Name(s)

Waihe'e Stream & tributaries _____

North & South Waiehu Streams & tributaries _____

'Iao Stream & tributaries _____

Waikapu Stream & tributaries _____

A-7 State Land Use Classification

Agriculture Conservation

Urban Rural

If the proposed project involves more than one land use classification attach map showing alteration on each land use district. N/A

A-8 Please describe this project's consistency with county zoning and development plans. N/A