

# UNOFFICIAL COMPILATION

## HAWAII ADMINISTRATIVE RULES

### TITLE 13

#### DEPARTMENT OF LAND AND NATURAL RESOURCES

#### SUB-TITLE 7. WATER RESOURCES

#### CHAPTER 168

#### WATER USE, WELLS, AND STREAM DIVERSION WORKS

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## Subchapter 1

### General Provisions

§13-168-1 Purpose. The primary purpose of this chapter is to carry out the intent of the State Water Code to assure maximum beneficial use of ground and surface waters of the state by establishing rules for reporting and gathering meaningful data on all water uses and sources. The rules in this chapter provide for the declaration and certification of all existing uses of surface and ground water; the registration of all existing wells and existing stream diversion works; the reporting of current uses of surface and ground water; the permitting of wells; the permitting of pump installations and repairs; and the permitting of stream diversion works. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §91-2)

§13-168-2 Definitions. As used in this chapter:

"Abandoned well" means any well that has been permanently discontinued. Any well shall be deemed abandoned which has been allowed to become unsealed, leaking, polluting, deteriorating in quality, uncontrollable, buried, or which is in such a state of disrepair that continued use for the purpose of obtaining ground water is impractical or unsafe.

"Chairperson" means the chairperson of the commission on water resource management.

"Commission" means the commission on water resource management.

"Department" means the department of land and natural resources.

"Deputy" means the deputy to the chairperson of the commission on water resource management.

"Diversion Works" (see "stream diversion works")

"Ground water" means any water found beneath the surface of the earth, whether or not in perched, dike-confined, or basal supply; in underground channels or streams; in standing, percolating, or flowing condition; or under artesian pressure.

"Installation of pumps and pumping equipment" means the placement and preparation for operation of pumps and pumping equipment, including all construction involved in making entrance to the well, and establishing seals and repairs to existing installations.

"Instream flow standard" means a quantity or flow of water or depth of water which is required to be present at a specific location in a stream system at certain specified

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times of the year to protect aquatic life, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses.

"Instream use" means beneficial uses of stream water for significant purposes which are located in the stream and which are achieved by leaving the water in the stream. Instream uses include, but are not limited to:

- (1) Maintenance of aquatic life and wildlife habitats;
- (2) Outdoor recreational activities;
- (3) Maintenance of ecosystems such as estuaries, wetlands, and stream vegetation;
- (4) Aesthetic values such as waterfalls and scenic waterways;
- (5) Navigation;
- (6) Instream hydropower generation;
- (7) Maintenance of water quality;
- (8) The conveyance of irrigation and domestic water supplies to downstream points of diversion; and
- (9) The protection of traditional and customary Hawaiian rights.

"Interim instream flow standard" means a temporary instream flow standard of immediate applicability, adopted by the commission without the necessity of a public hearing, and terminating upon the establishment of an instream flow standard.

"Noninstream use" means the use of stream water that is diverted or removed from its stream channel and includes the use of stream water outside of the channel for domestic, agricultural, and industrial purposes.

"Person" means any individual, firm, association, organization, partnership, estate, trust, corporation, or any governmental unit.

"Pump installation" means the installation, replacement, or repairs of any equipment and appurtenances utilized or intended for use in withdrawing or obtaining water from a water source.

"Pump installation contractor" means any person licensed in the State of Hawaii to install, replace, or repair pumps and pumping equipment.

"Pumps and pumping equipment" means all equipment and appurtenances utilized or intended for use in withdrawing or obtaining ground water. It includes seals, tanks, fittings, measuring devices, and controls.

"Reasonable-beneficial use" means the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is not wasteful and is both reasonable and consistent with the state and county land use plans and the public interest.

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"Repairs" means any replacement, change, or modification of any well, pump or pumping equipment, or stream diversion works. Routine maintenance is not included in this definition.

"Stream" means any river, creek, slough, or natural watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted. The fact that some parts of the bed or channel have been dredged or improved does not prevent the watercourse from being a stream.

"Stream channel" means a natural or artificial watercourse with a definite bed and banks which periodically or continuously contains flowing water. The channel referred to is that which exists at the present time, regardless of where the channel may have been located at any time in the past.

"Stream diversion" means the act of diverting, pumping or otherwise removing water from a stream into a channel, ditch, pipeline, or other conduit.

"Stream diversion works" means any artificial structure, excavation, pipeline, or other conduit constructed singly or in combination, for the purpose of diverting or otherwise removing water from a stream into a channel, ditch, tunnel, pipeline, etc.

"Stream reach" means a segment of a stream channel having a defined upstream and downstream point.

"Stream system" means the aggregates of water features comprising or associated with a stream, including the stream itself and its tributaries, headwaters, ponds, wetlands, and estuary.

"Surface water" means both contained surface water (that is, water upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other watercourses, lakes, reservoirs and diffused surface water (that is, water occurring upon the surface of the ground other than in contained waterbodies). Water from natural springs is surface water when it exits from the spring onto the earth's surface.

"Water" or "waters of the state" means any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground.

"Water management area" means a geographic area which has been designated pursuant to chapter 13-171 as requiring management of the ground or surface water resource, or both.

"Water source" means a place within or from which water is or may be developed, including but not limited to: (1)

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generally, an area such as a watershed defined by topographic boundaries, or a definitive ground water body; and (2) specifically, a particular stream, other surface water body, spring, tunnel, or well or related combination thereof.

"Well" means any excavation or opening into the ground, or an artificial enlargement of a natural opening drilled, tunneled, dug, or otherwise constructed for the location, exploration, development, injection, or recharge of ground water and by which ground water is drawn or is capable of being withdrawn or made to flow.

"Well construction" means the drilling, tunneling, digging or otherwise constructing of a well for whatever purpose, including any alteration or repairs of an existing well, but excluding the installation of pumps and pumping equipment.

"Well driller" means any person licensed in the State of Hawaii to construct, alter, or repair wells.

"Well seal" means an approved arrangement or device used to cap a well or to establish and maintain a junction between the casing or curbing of a well and the piping or equipment installed therein, the purpose or function of which is to prevent pollutants from entering the well at the other terminal. [Eff. MAY 27 1988] (Auth: HRS §§91-2, 174C-8) (Imp: HRS §§91-2, 174C-3, 174C-81, 174C-91)

§13-168-3 Penalties. (a) Any person who violates any provision of this chapter or any permit condition or who fails to comply with any order of the commission may be subject to a fine imposed by the commission. Such fine shall not exceed \$5,000 per violation. For a continuing offense, each day's continuance is a separate violation.

(b) No provision of this chapter shall bar the right of any injured person to seek other legal or equitable relief against a violator of this chapter. [Eff. MAY 27 1988; am AUG 09 2018] (Auth: HRS §174C-8) (Imp: HRS §174C-15)

### Subchapter 2

#### Water Use

§13-168-5 Declaration of water use. (a) Any person making a use of water from a well or stream diversion works in existence on the effective date of these rules in any area of the state shall file a declaration of the person's use with

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the commission within one year from the effective date of these rules.

(b) The commission shall cause notice of the rules to be published on three separate days in a newspaper of general circulation statewide and in a newspaper of areawide or countywide circulation. The commission shall also cause notice of the rules to be given by mail to any person required to file of whom the commission has or could readily obtain knowledge or who has requested mailed notice to be given when the commission adopts rules requiring the filing of declarations.

(c) Declarations by the user shall be made on forms provided by the commission and shall contain information including, but not limited to, the location of the water sources and all usage-related facts, or information within his knowledge or possession. The user shall include a declaration of the manner, purposes, and time in which the water source is being used and operated, the rate and volume of water being withdrawn or diverted therefrom, and the method or means of measuring and controlling the water taken or used. Each declaration shall contain a statement, signed and sworn to by the person required to file the declaration, or by some other person duly authorized in the person's behalf, to the effect that the contents thereof are true to the best of the person's knowledge and belief.

(d) If no declaration is filed, the commission, in its discretion, may conclusively determine the extent of the uses required of declaration.

(e) The commission shall act upon a declaration within six months after its filing. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-26, 174C-50)

§13-168-6 Certificate of water use. (a) When a declaration has been filed in accordance with this chapter and the commission has determined that the use declared is a reasonable and beneficial use, the commission shall issue or cause to be issued a certificate describing the use. The certificate shall be deemed to constitute a description of the use declared, but shall not constitute a property right or interest nor a determination that the use declared therein is a legal one. The certificate shall give rise to a rebuttable presumption in favor of the certificate holder that the use declared therein is reasonable and beneficial. Each certificate shall show the amount of water use declared, but such declared use shall be subject to verification and updating before being recognized by the commission in resolving claims relating to existing water rights and uses,

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including appurtenant rights, riparian and correlative use.

(b) The commission shall hold a hearing upon an appropriate request by any person adversely affected by the certification or the refusal to certify the amount of water being used.

(c) Whenever a certified use of water is terminated, the person with the certificate shall file a report with the commission, providing all information required on forms provided by the commission. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-27, 174C-60)

§13-168-7 Report of water use. (a) The owner or operator of any well or stream diversion works from which water is being used shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage on a monthly (calendar or work schedule) basis. If a well or stream diversion works is one of a battery of interconnected water sources, a centralized measuring device or facility may be approved by the commission.

(b) The owner or operator of any well or stream diversion works or battery of such water sources shall file a report of total water usage on a regular monthly (calendar or work schedule) basis to the commission on forms provided by the commission on or before the end of the month following the month for which water usage is to be reported. The reports may include other use-related information such as type of use, salinity, and water level, as may be deemed appropriate and reasonable by the commission.

(c) At the discretion of the commission, requirements for measuring and reporting monthly water usage may be lessened, modified, or exempted for owners or operators of small, individual wells or stream diversion works. The lessening, modification, or exemption of such requirements shall be approved, disapproved, or otherwise decided by the commission on a case-by-case basis. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-50, 174C-82)

### Subchapter 3

#### Wells

§13-168-11 Registration of existing wells. (a) Within one year from the effective date of these rules, the owner or

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operator of any well in existence on the effective date of these rules shall register the well with the commission on forms provided by the commission. The owner or operator shall disclose the location of such well and all other facts or information related to its geology, hydrology, and construction. Registration shall include, but not limited to, such information as water use permit number, if any; location and dimensions of the well; state-assigned well number; depths and diameters of drilled hole and casing; range of water level and salinity; pumping test results, if any; installed pump description and operating capacity; method of measuring water usage; method of construction; and well driller, if known.

(b) The commission may deny the issuance of a water use permit as provided for under chapter 13-171 until such time as the applicant registers all wells which the applicant owns or operates. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-26, 174C-48, 174C53, 174C-83)

§13-168-12 Well construction and pump installation permits. (a) No well shall be constructed, altered, or repaired and no pump or pumping equipment shall be installed, replaced, or repaired without an appropriate permit from the commission. Each application for a well construction or pump installation permit shall be accompanied by a non-refundable filing fee of \$300.00, excepting government agencies, and shall be required for all areas of the state, including water management areas. The owner of a well shall make application or cause an application to be made by the well driller who will construct the well or by the pump installation contractor who will install the pump and pumping equipment, as the case may be.

(b) Applications for a well construction or pump installation permit shall be made on forms provided by the commission. The commission shall approve or disapprove an acceptably completed application within ninety calendar days of receipt by the commission. Each application shall contain the name of owner or operator; location; contractor's license number; purpose of well construction or pump installation; proposed withdrawal and use of water; water use permit information if applicable; type, size, and expected capacity of the well or pump; and such other information as the commission may require.

(c) The commission may issue or cause to be issued a permit only if the proposed construction complies with all applicable laws, rules, and standards. Before an application for a well construction permit is approved, the commission shall cause such application to be reviewed by the department



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of health for compliance with their rules and standards concerning, among other things, the appropriateness of the well location.

(d) Every well construction or pump installation permit for a new well or well without a previous pumping test shall require a pumping test to be performed. Measurements of time, pumping rate, drawdown, and chloride content, as appropriate and approved, shall be recorded and reported as required in §13-168-13.

(e) Every well construction and pump installation permit shall direct the well driller or pump installation contractor to file a well completion report, as provided in §13-168-13. The permit shall be prominently displayed at the site of the well at all times until the well construction or the pump installation is completed.

(f) The holder of a well construction permit, with the approval of the commission, may change the location of the well before construction is completed. An application to change the location shall state the location, proposed depth, method of construction, size, and expected capacity of the new well. The application to change the location shall also state the manner of sealing or plugging the abandoned well. The commission shall cause all such applications to be reviewed by the department of health for compliance with their rules and standards concerning, among other things, the appropriateness of the location of the well.

(g) An amended well construction permit may be issued by the commission if it determines that the proposed new well location will serve the same use as the original well, draw upon the same supply of water, and will not be contrary to any applicable law, rule, order, or regulation; and that the incomplete and abandoned well will be sealed or plugged in an approved manner.

(h) An applicant for a well construction or pump installation permit whose application or amended application is rejected may obtain a hearing before the commission by filing within thirty days of the mailing of the notice of rejection a written petition requesting such a hearing. The hearing shall be conducted pursuant to chapter 13-167.

(i) The commission may modify, suspend, or revoke a permit, after notice and hearing, on any of the following grounds:

- (1) Material misstatement or misrepresentation in the application for a permit;
- (2) Failure to comply with the provisions set forth in the permit;
- (3) Willful disregard or violation of any provision of this part or any rule adopted pursuant thereto; or

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- (4) Material change of circumstances or conditions existing at the time the permit was issued.
- (j) Every Well construction and pump installation permit issued or caused to be issued by the commission shall be for a specified period not to exceed two years, unless otherwise specified in the permit and shall contain the commencement and completion dates for the permitted activity. In determining the commencement and completion dates of the activity, the commission shall take into consideration the:
  - (1) Cost and magnitude of the project;
  - (2) Engineering and physical features involved;
  - (3) Existing conditions; and
  - (4) Public interest affected.
- (k) The commission may extend the completion dates of the activity prescribed in any permit upon a showing of good cause and good-faith performance. If the commencement or completion date is not complied with, the commission shall cause the permittee to be notified by certified mail that the permit shall be revoked within sixty days unless the permittee can show good cause that it should not be revoked. [Eff. MAY 27 1988; am AUG 09 2018] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-48, 174C-53, 174C-84)

§13-168-13 Well completion report. Within thirty days after the completion of any well, the well driller or pump installation contractor, as the case may be, shall file with the commission on forms provided by the commission a well completion report containing as appropriate:

- (1) State well number;
- (2) Date of completion;
- (3) Tax map key;
- (4) Well head, top of casing, and ground elevations;
- (5) Method of construction;
- (6) Depths, diameters, and other dimensions of drilled hole;
- (7) Depths, diameters, dimensions, and types of casing and grouting;
- (8) Driller's log of water levels, depths, thickness, and drilling characteristics of sub-surface formations;
- (9) Pumping test record, including times, rates of pumping, drawdown of the water level, and chloride content of the pumped water;
- (10) Elevation of static water level or artesian head;
- (11) Water temperature;
- (12) Chemical analyses of a water sample drawn from the well; and

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(13) Other information as may be required by the commission.

[Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-85)

§13-168-14 Well construction and pump installation standards. (a) The minimum standards referenced in this section, shall be such as to ensure the safe and sanitary maintenance and operation of wells, the prevention of waste, and the prevention of contamination of ground water aquifers. The standards for well construction specified in The Hawaii Well Construction and Pump Installation Standards, adopted by the Commission on Water Resource Management, and as may be amended, is hereby incorporated by reference.

(b) The minimum standards for the installation of pumps and pumping equipment shall also provide for the installation of devices to measure the amount of ground water being withdrawn from the wells. The Hawaii Well Construction and Pump Installation Standards, as may be amended, is hereby incorporated by reference.

(c) The well construction and pump installation standards referenced in this section shall serve as minimum guidelines and shall be subject to review and modification by the commission.

(d) If any well construction or pump installation standard is violated and as a consequence ground water is wasted or any well is contaminated, the commission, after giving notice of the defect to the owner of the land on which the well is located, and giving such owner a reasonable time to correct the defect, may itself correct the defect and charge the land owner for the cost of such correction. Such cost constitutes a lien on the land until paid. The lien may be foreclosed in any court of competent jurisdiction, and in such foreclosure suit, the court shall allow the commission reasonable attorney's fees. [Eff. MAY 27 1988; am MAR 21 1997] (Auth: HRS §174C-8) (Imp: HRS §§174C-82, 174C-86)

§13-168-15 Well inspection. Any authorized representative or employee of the department shall have free access to all wells and their appurtenances at any reasonable time to inspect, test, obtain data, or investigate any matter connected with the intent and purposes of these rules. However, the department shall first make a reasonable effort to notify the owner or operator of the well and obtain his consent and assistance. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §174C-82)

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§13-168-16 Abandoned wells. (a) The owner or operator of any well which has been determined by the commission or voluntarily declared by the owner or operator to be abandoned as defined in §13-168-2, after written notification, shall be required, at owner's or operator's expense, to re-case, cement, plug back, cap, or otherwise repair the well or fill and seal the well with cement in a manner approved by the commission.

(b) The owner or operator of such abandoned well shall not commence the required remedial work until an application has been made and a well construction permit has been obtained.

(c) Within thirty days after completion of the required work, the owner shall file with the commission a well abandonment report containing the owner's name and address; the water use permit number, if any; the name and address of the well driller who performed the work; the reason for abandonment; a complete description of the work performed; and such other information as the commission may require. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§174C-82, 174C-87)

### Subchapter 4

#### Stream Diversion Works

§13-168-31 Registration of existing stream diversion works. Within one year from the effective date of these rules, the owner or operator of any stream diversion works in any area of the state shall register such facility with the commission. Registration shall be on the forms provided by the commission and shall include information such as location, dimensions, elevations, divertible capacity, construction plans, method of measuring flows, and all other facts or information reasonably required. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §174C-92)

§13-168-32 Stream diversion permits. (a) No person shall construct or alter a stream diversion works, other than in the course of normal maintenance, without first obtaining a stream diversion permit from the commission. The commission may impose such reasonable conditions as are necessary to

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assure that the construction or alteration of such stream diversion works will not be inconsistent with the general plan and land use policies of the state and the affected county. An application for a stream diversion permit shall be accompanied by a non-refundable filing fee of \$25.00, excepting government agencies, and shall be required for all areas of the state including water management areas. The owner of the stream diversion works shall make application or cause an application to be made.

(b) Each application for a stream diversion permit shall be made on forms provided by the commission and shall contain the following:

- (1) Name and address of the applicant;
- (2) Name and address of the owner or owners of the land upon which the works are to be constructed and a legal description of such land;
- (3) Location of the works;
- (4) Engineering drawings showing the detailed plans of construction;
- (5) Detailed specifications of construction;
- (6) Name and address of the person who prepared the plans and specifications for construction;
- (7) Name and address of the person who will construct the proposed work;
- (8) General purpose of the proposed works; and
- (9) Such other information as the commission may require.

(c) The commission may issue or cause to be issued a stream diversion permit if the proposed construction complies with all applicable laws, rules, and standards. The commission shall approve or disapprove an acceptably completed application within ninety calendar days of receipt by the commission. The commission may approve in whole, approve in part, approve with modifications, or disapprove an application for a stream diversion permit.

(d) In reviewing an application for a permit, the commission shall cooperate with persons having direct interest in the stream diversion works and be guided by the following general considerations:

- (1) The quantity and quality of the stream water or the stream ecology shall not be adversely affected.
- (2) Where instream flow standards or interim instream flow standards have been established pursuant to chapter 13-169, no permit should be granted for any diversion works which diminishes the quantity or quality of stream water below the minimum established to support identified instream uses, as expressed in the standards.

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(3) The proposed diversion works shall not interfere substantially and materially with existing instream or noninstream uses or with diversion works previously permitted.

(e) Notwithstanding subparagraph (d) above, the commission may approve a permit pursuant to subparagraph (c) above, in those situations where it is clear that the best interest of the public will be served, as determined by the commission.

(f) Every permit approved and issued by the commission shall be for a specified period, not to exceed two years, unless otherwise specified in the permit.

(g) Every permit approved and issued by the commission shall contain the commencement and completion dates for the permitted activity. In determining the commencement and completion dates of the activity, the commission shall take into consideration the:

- (1) Cost and magnitude of the project;
- (2) Engineering and physical features involved;
- (3) Existing conditions; and
- (4) Public interests affected.

(h) The commission may extend the completion dates of the activity prescribed in any permit upon a showing of good cause and good-faith performance.

(i) If the commencement or completion date is not complied with, the commission shall notify the permittee by certified mail that the permit shall be revoked within sixty days unless the permittee can show good cause that it should not be revoked.

(j) A permit may be revoked in whole or in part for any:

- (1) Material false statement in the application or in any report or statement of fact required pursuant to this chapter;
- (2) Violation of this chapter relative to the permit; or
- (3) Violation of the conditions of the permit.

(k) In any proceeding to revoke a permit in whole or in part, the commission shall give written notice to the permit holder the facts or conditions which warranted the action and provide the permit holder the opportunity for a hearing.

[Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§174C-5, 174C-71, 174C-93)

§13-168-33 Stream diversion completion report. Within thirty days after the completion of construction or alteration of any stream diversion work, the permittee shall file a

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written statement of completion with the commission. The report shall describe the nature and extent of the work performed, including relevant maps and diagrams showing the location and details of the stream diversion work. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§174C-71, 174C-94)

§13-168-34 Stream diversion works inspection. Any authorized representative or employee of the department shall have free access to all stream diversion works and appurtenances at any reasonable time to inspect, obtain data, or investigate any matter connected with the intent and purposes of these rules. However, the department shall first make a reasonable effort to notify the owner or operator of the stream diversion works and obtain his consent and assistance. [Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§174C-93, 174C-95)

§13-168-35 Abandoned stream diversion works. (a) The owner of any stream diversion works wishing to abandon or remove such works shall first obtain a stream diversion permit issued or caused to be issued by the commission. No abandonment work shall be undertaken by the applicant until such a permit is issued by the commission.

(b) Each application for a stream diversion permit to perform abandonment work shall be made on forms furnished by the commission, shall not require a fee, and shall include:

- (1) The name and address of the applicant;
- (2) The location and description of the proposed stream diversion work abandonment;
- (3) An assessment of the impact the abandonment will have on the stream environment;
- (4) Relevant maps, plans, and drawings; and
- (5) Other information as may be necessary for the commission to determine the merits of the proposed stream channel alteration, including any hazards to public health, safety, or welfare, and the desirability of issuing a permit.

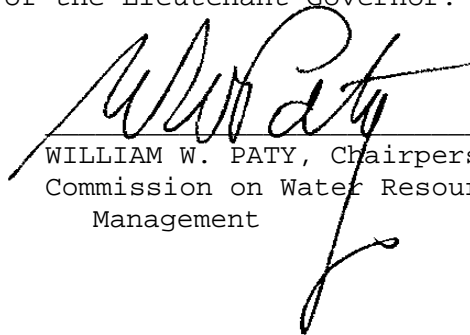
[Eff. MAY 27 1988] (Auth: HRS §174C-8) (Imp: HRS §§174C-71, 174C-95)

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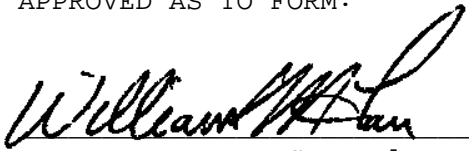
DEPARTMENT OF LAND AND NATURAL RESOURCES

Chapter 13-168, Hawaii Administrative Rules, on the Summary page dated April 20, 1988 was adopted on April 20, 1988; following public hearings held on Oahu on March 22, 1988; on Maui on March 17, 1988; on Molokai on March 21, 1988; on Kauai on March 23, 1988; and on Hawaii on March 15, 16, 1988; after public notice was given in the Honolulu Star Bulletin, Hawaii Tribune Herald, Maui News and the Garden Island on February 24, 1988 and March 8, 1988.

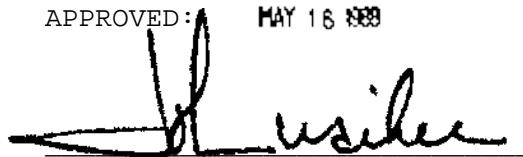
The adoption of chapter 13-168 shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
WILLIAM W. PATY, Chairperson  
Commission on Water Resource  
Management

APPROVED AS TO FORM:

  
Deputy Attorney General

Dated: 5/3/88

APPROVED: **MAY 16 1988**  
  
JOHN WAIHEE, Governor  
State of Hawaii

\_\_\_\_\_  
Date Filed



# UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendments to Chapter 13-168  
Hawaii Administrative Rules

January 23, 1997

## SUMMARY

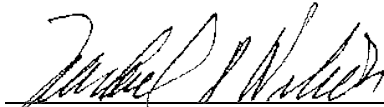
1. §13-168-14 is amended.

UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

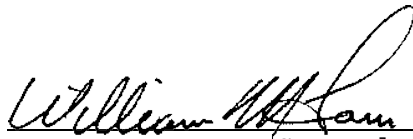
The amendments to chapter 13-168, Hawaii Administrative Rules, on the Summary page dated January 23, 1997, were adopted on January 23, 1997, following public hearings held on the islands of Oahu on July 17, 1996, Maui on July 22, 1996, Hawaii (Kona) on July 22, 1996, Kauai on July 23, 1996, Hawaii (Hilo) on July 29, 1996 and Molokai on August 5, 1996. Public notices were given in the Honolulu Advertiser on June 17, 1996, Molokai Advertiser-News on June 19, 1996, West Hawaii Today on June 17, 1996, Hawaii Tribune Herald on June 17, 1996, The Garden Island on June 17, 1996, and Maui News on June 17, 1996.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.



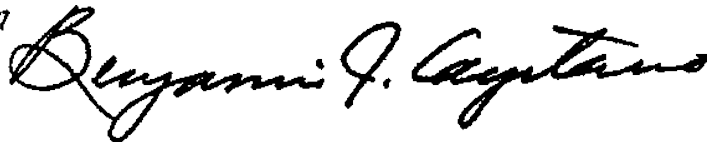
MICHAEL D. WILSON, Chairperson  
Commission on Water Resource  
Management

APPROVED AS TO FORM:



Deputy Attorney General

2/7/97



BENJAMIN J. CAYETANO  
Governor  
State of Hawaii

Date: 3/10/97

MAR 11 1997

Filed

# UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendments to Chapters 13-167, 13-168, and 13-169,  
Hawaii Administrative Rules

April 17, 2018

## SUMMARY

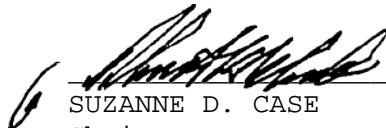
1. §13-167-10 is amended.
2. §13-168-3 is amended.
3. §13-169-3 is amended.

UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

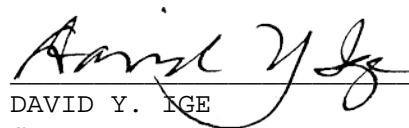
Amendments to chapters 13-167, 13-168, and 13-169, Hawaii Administrative Rules, on the Summary page dated April 17, 2018, were adopted on April 17, 2018, following public hearings held on October 30, 2017, November 6, 2017, November 8, 2017, November 9, 2017, and November 17, 2017, after public notice was given in the Honolulu Star-Advertiser, The Garden Island, West Hawaii Today, Hawaii Tribune-Herald, and The Maui News, on September 15, 2017.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
\_\_\_\_\_  
SUZANNE D. CASE  
Chairperson  
Commission on Water Resource  
Management

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Attorney General

  
\_\_\_\_\_  
DAVID Y. IGE  
Governor  
State of Hawaii

Date: 07-30-2018

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LIEUTENANT GOVERNOR S

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# UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendment to Chapter 13-168  
Hawaii Administrative Rules

April 17, 2018

## SUMMARY

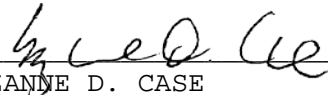
1. §13-168-12 is amended.

UNOFFICIAL COMPILATION

DEPARTMENT OF LAND AND NATURAL RESOURCES

An amendment to chapter 13-168, Hawaii Administrative Rules, on the Summary page dated April 17, 2018, was adopted on April 17, 2018, following public hearings held on October 30, 2017, November 6, 2017, November 8, 2017, November 9, 2017, and November 17, 2017, after public notice was given in the Honolulu Star-Advertiser, The Garden Island, West Hawaii Today, Hawaii Tribune-Herald, and The Maui News, on September 15, 2017

This amendment shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
\_\_\_\_\_  
SUZANNE D. CASE  
Chairperson  
Commission on Water Resource  
Management

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Attorney General

  
\_\_\_\_\_  
DAVID Y. IGE  
Governor  
State of Hawaii

18 JUL 30 PM 3:58

Date: 07-30-2018

OFFICE OF THE LIEUTENANT GOVERNOR

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