



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
STREAM CHANNEL ALTERATION
PERMIT APPLICATION

For Official Use Only:
 RECEIVED
 COMMISSION ON WATER
 RESOURCE MANAGEMENT
 2025 DEC -1 PM 12:11

Instructions: Please print in ink or type and send one (1) completed hardcopy and one (1) digital copy of the application with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Applications must be accompanied by a non-refundable filing fee of \$25.00 payable to the Department of Land and Natural Resources. The Commission may not accept incomplete applications without the required signatures. For assistance, call the Stream Protection and Management Branch at 587-0234. For further information and updates to this application form, visit <http://dlnr.hawaii.gov/cwm>.

Check here to allow Commission staff to communicate primarily via e-mail.
 Legally required and other key correspondence will still be transmitted via postal mail.

PERMIT TYPE:

1. Permit Applying For: New After-The-Fact
 2. Type of Construction: Installation Modification Removal

APPLICANT INFORMATION

3. APPLICANT'S NAME / COMPANY: Frank L VanderSloot / Kealia Irrigation Company, Inc.
 Applicant's Contact Person: David Dance
 Applicant's Phone: 208-534-7865
 Applicant's Mailing Address: 4609 W. 65th S, Idaho Falls, ID, 83402
 Applicant's E-mail Address: ddance@rbm.us

Check here if project will impact multiple landowners. If project impacts multiple landowners, skip Item 4 below, then complete and attach Form LND-APP to identify and verify landowner's approval of proposed stream channel alteration work.

4. LANDOWNER'S NAME / COMPANY: Aaron Eddington / Cornerstone Hawaii Holdings
 Landowner's Contact Person: David Dance
 Landowner's Phone: 208-534-7865
 Landowner's Mailing Address: P.O. Box 50277, Idaho Falls, ID 83405
 Landowner's E-mail Address: ddance@rbm.us

5. CONSULTANT'S NAME / COMPANY: Gannett Fleming, Inc. (GFT Infrastructure Inc.)
 Consultant's Contact Person: Stewart Vaghti
 Consultant's Phone: 602-734-4882
 Consultant's Mailing Address: 3838 North Central Avenue, Suite 1900, Phoenix, AZ 85012-1957
 Consultant's E-mail Address: svaghti@gftinc.com

6. CONTRACTOR'S NAME / COMPANY: Devin Belnap
 Contractor's Contact Person: Devin Belnap
 Contractor's Phone: 208-534-7865
 Contractor's Mailing Address: 4609 W. 65th S, Idaho Falls, ID 83402
 Contractor's E-mail Address: dbelnap@rbm.us

STREAM INFORMATION

7. Island: (Check only one) Kauai Oahu Molokai Lanai Maui Hawaii

8. Tax Map Key(s) List all affected tax map key parcels.
 (4) 4-7-002:005, (4) 4-7-001:001

9. Stream / Gulch Name(s) List all affected streams and/or gulches.
 Anahola Stream, Kealia Stream

FOR OFFICIAL USE ONLY:
 SWHU ID: _____ FILE ID: _____
 LAT: _____ GWHU ID: _____ DOC ID: _____
 LON: _____ REACH ID: _____

GENERAL PROJECT INFORMATION

10. Project Type: Check all that apply.

- Bank Stabilization Bridge Channel Alignment Channel Lining Culvert Dam / Dike / Weir
 Desilting Area Drainage Outlet Dredging Ford Crossing Grading Levee / Flood Wall
 Restoration Retaining Wall Retention Basin Stream Gage Sewer Line Water Line
 Other - Describe:

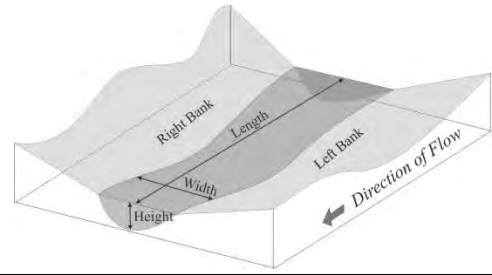
11. Project Site Location(s): Provide site coordinates of downstream-most point of project in degrees, minutes, seconds (NAD83).

Latitude: 22° 07' 52.0" Longitude: 159° 22' 16.8" Elevation: 768 ft. above mean sea level

12. Structure Dimensions: (feet)

Width:	15 ft
Height:	11 ft
Length:	28 ft
Diameter:	36 in

Provide generalized dimensions for the entire project / structure area. If the project includes a pipe (e.g., culvert, drain, etc.), provide the pipe diameter.



13. Structure Location:

Provide the general location of the stream channel alteration structure in relation to the streambank.

Left bank (downstream view)
 Right bank (downstream view)
 Across entire stream channel

14. State Land Use Classification: (Check all that apply) Agriculture Conservation Rural Urban

LEGAL REQUIREMENTS

If required, the permits or approvals below must be obtained before the Commission on Water Resource Management can legally issue a permit. Visit the Commission's Applications & Forms webpage (<http://dlnr.hawaii.gov/cwrm/info/forms/>) for links to agency websites/contact information.

15. Conservation District Use Permit (CDUP): To find out if your stream channel alteration project is located in a Conservation District (CD), you may visit to the Land Use Commission (LUC) website at <http://luc.hawaii.gov/maps> to view Land Use District Boundary maps. If the stream channel alteration will be located in a CD, contact the Department of Land and Natural Resources' Office of Conservation and Coastal Lands (OCCL) at (808) 587-0377 to determine if a CDUP is required.

- Stream channel alteration is in a Conservation District.
 Required. CDUP #: _____ Date CDUP approved: _____
 Not Required. Attach documentation from Office of Conservation and Coastal Lands (OCCL), Department of Land and Natural Resources.
 I have not checked with the OCCL about whether or not a CDUP is required.
 Stream channel alteration is not in a Conservation District.

16. Special Management Area Permit (SMAP): To determine if an SMAP is necessary, contact your County Planning Department.

- Required. SMAP #: _____ Date SMAP approved: _____
 Not Required. Attach documentation from applicable County agency.
 I have not checked with the County about whether or not an SMA Permit is required.

17. State Historic Preservation Division (SHPD), Department of Land and Natural Resources: If the parcel(s) affected by the stream alteration has been reviewed by the State Department of Land and Natural Resources Historic Preservation Division (SHPD or through an OEQC Environmental Review, Special Management Area Permit, etc.), check "yes" and attach any relevant documentation from SHPD. If the affected parcel(s) has not undergone SHPD review, attach a photograph of the affected area, a schematic diagram (showing the location, access road and infrastructure for the alteration), and a short description of the prior use(s) of the land on which the alteration resides.

*Please note: You are **strongly advised** to contact the SHPD to obtain a pre-review of your project. In the event that you do not get an HP pre-review and if during the course of either review or the permit itself it is determined that you need SHPD's concurrence, your application or permit may be held in abeyance or denied until issues with HP are resolved. To contact SHPD, please call (808) 692-8015.

- I have consulted the SHPD regarding potential impacts of stream channel alteration activities on historic sites. I have attached applicable documentation from the SHPD.
 I have not consulted with the SHPD regarding potential impacts of stream channel alteration activities on historic sites.

18. Chapter 343, Hawaii Revised Statutes, Hawaii Environmental Policy Act:

- An Environmental Assessment was completed, and
 An Environmental Impact Statement was required and has been accepted (attach letter of acceptance).
 Publication date in The Environmental Notice: _____
 A Finding of No Significant Impact has been determined (attach letter).
 Publication date in The Environmental Notice: April 2025

This project proposes:

- | | |
|---|--|
| <input type="checkbox"/> Use of state or county lands, or use of state or county funds | <input type="checkbox"/> A wastewater treatment unit |
| <input checked="" type="checkbox"/> Use within a state conservation district | <input type="checkbox"/> Waste-to-energy facility |
| <input type="checkbox"/> Use within a shoreline setback area | <input type="checkbox"/> Landfill |
| <input type="checkbox"/> Use within a national or Hawaii registered historic site | <input type="checkbox"/> Oil refinery |
| <input type="checkbox"/> Use within the Waikiki Special District | <input type="checkbox"/> Power-generating facility |
| <input type="checkbox"/> The construction, expansion or modification of helicopter facility | <input type="checkbox"/> None of the above 11 items |

OTHER REGULATORY REQUIREMENTS

If the proposed stream channel alteration is subject to the following permits or approvals, indicate by checking the appropriate box below and submit either the approval letter from the appropriate agency or attach a copy of the application form. If the proposed stream channel alteration is not subject to the following permits or approvals, indicate by checking the "N/A" (Not Applicable) field.

	<u>Attached</u>	<u>N/A</u>
19. U.S. Army Corps of Engineers (Harbors and Rivers Act, Section 404, Clean Water Act)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. State Department of Health, Clean Water Branch (Section 401, Clean Water Act, Water Quality Certification, Best Management Practices Plan)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. Right-of-Entry or Right-of-Way Permit if the proposed stream channel alteration includes State lands. (Chapter 171, Hawaii Revised Statutes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22. Hawaii Environmental Policy Act (Chapter 343, Hawaii Revised Statutes; Title 11, Chapter 200, Hawaii Administrative Rules)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23. Soll and Water Conservation District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24. County Certification of "No-Rise"	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25. County Grading Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26. County Discretionary Permit(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CULTURAL IMPACTS

Articles IX and XII of the State Constitution, other state laws, and the courts of the State, require government agencies to promote and preserve cultural beliefs, practices, and resources of Native Hawaiians and other ethnic groups. If there is not enough space available, please make a note in the field (e.g., "See attached") and attach all information with this application as requested.

27. Please provide the identity and scope of cultural, historical, and natural resources in which traditional and customary native Hawaiian rights are exercised in the area.

The proposed project was evaluated for its effects on the integrity of historic properties against HAR 13-284-7 criteria via a Reconnaissance Level Survey (RLS). Kaneha Reservoir (KA-015), ca. 1906, is considered a significant historic property and has been assigned State Inventory of Historic Places (SIHP) NO. 50-30-04-02522. Under HAR 13-284-6 the structure was determined to meet criterion "a" and "c". Per HAR 13-284-7, this project will result in an "Effect, with agreed upon mitigation commitments", the RLS is considered sufficient recordation to serve as mitigation. See attached RLS prepared by MASON, March 2024, and HRS 6E letter from SHPD.

Ka Pa'akai Pre Assessment Form was submitted for review by The State of Hawai'i Department of Land and Natural Resources (DLNR) and approval by the Aha Moku Council. The screening analysis determined in concurrence with the Aha Moku Council that no cultural/historical sites were found to be affected besides the dam itself, and a Ka Pa'akai Consultation Assessment was not required.

28. Identify the extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action.

The proposed work will change characteristics of the reservoir, but the State Historic Preservation District (SHPD) has no concerns about subsurface remains within the project area, due to the construction of the reservoir itself and minimal impact to already cleared areas where stockpiling and ingress/egress will occur. No impacts to traditional and customary Native Hawaiian rights are anticipated as a result of the project.

29. What feasible action, if any, could be taken by the Commission on Water Resource Management in regards to your application to reasonably protect Native Hawaiian rights?

The RLS conducted for this project is understood to be sufficient recordation, by documenting the resources' historical development and context, design and physical alterations, and architectural characteristics, including character-defining features, to serve as mitigation. The Contractor will be informed that in the unlikely event that subsurface historic resources are identified during the project work, work will be ceased and the SHPD contacted.

PROJECT DESCRIPTION

Please complete the following sections by providing detailed information on the project components identified below. If there is not enough space available, please make a note in the field (e.g., "See attached") and attach all information with this application as requested.

30. Describe the overall project scope and objectives.

Kaneha Dam, which is classified as a High Hazard Intermediate Dam by the Hawai'i Department of Land and Natural Resources (DLNR), was built in 1906 and is used for irrigation purposes. DLNR dam safety group has categorized this dam as in Poor condition and requiring modifications to meet the State of Hawai'i dam safety requirements and compliance with Hawai'i Administrative Rules (HAR) 13-190, and Hawai'i Revised Statutes (HRS) 179D. The Kaneha Dam Rehabilitation project addresses these concerns so the structure will meet current dam safety standards.

The rehabilitation includes dewatering the reservoir and diverting flow from the reservoir during construction operations, leveling the embankment crest, removing soft materials from the upstream and downstream embankment shell foundations, re-grading the upstream and downstream slopes of the embankment, relocating the spillway to the right abutment and enlarging it to safely pass the probable maximum flood (PMF), sliplining an upstream portion of the existing outlet tunnel with a centralized and grouted HDPE pipe which will transition to a reinforced concrete encased HDPE pipe in the downstream unlined portion of the outlet tunnel, installing a reinforced concrete stilling basin, constructing a new seepage collection system, and installing instrumentation for monitoring purposes. The portion of the project involving work in the stream channel is the outlet tunnel and reinforced concrete stilling basin.

Dewatering operations will be developed by the Contractor and finalized and approved by the Design Engineer before construction begins. The reservoir pool is currently under restriction. To the extent practicable, Kaneha Reservoir will be drained for the duration of the Project to facilitate construction of the Project. The Owner will shutoff flow into irrigation ditches which feed the reservoir and will drain the lake to the extent possible prior to the start of work. The Contractor is aware that the maximum allowable rate of initial drawdown is one foot per day.

31. Describe existing stream channel and streamflow conditions at the site of the proposed stream channel alteration.

Kaneha Reservoir is a FEMA Zone A (non-detailed) 100-year floodplain as defined in the 2020 FEMA-issued Flood Insurance Study (FIS) (FIS No. 150002V001D, FIRM Nos. 1500020090F).

The existing outlet works facilities are located near Sta. 7+60D along the proposed dam baseline. A 5-foot wide by 5-foot tall, mostly unlined, horse-shoe shaped tunnel with inlet invert Elevation 777.9 feet begins at the upstream gate and passes through native soils beneath the left abutment of the dam and discharges into a concrete and masonry-lined channel downstream of the main embankment. Flow through the tunnel is controlled by one 42-inch gate installed over a 36-inch diameter opening. The gate is mounted on the upstream concrete intake structure and operated from the catwalk above using an operating wheel. Flows from the existing outlet works and existing right abutment spillway (only functions during high flows) currently flow into the Anahola Stream watershed. The proposed alteration to the outlet works will not alter flows.

The existing spillway at the right abutment will be abandoned and the proposed spillway will be relocated to the left abutment, and the embankment which creates the Small Pond will be breached in accordance with HAR 13-190.1-21(b). Flows from the relocated spillway will discharge into the remnant Small Pond and into the Kealia Stream watershed, where these historic stream flows flowed prior to the construction of the dam.

32. Identify and describe the project components outlined below

A. Materials

In-general the project materials are outlined below:

Embankment: onsite embankment soil, C33 sand or equivalent, No. 8 gravel or equivalent, CLSM backfill, riprap, riprap bedding, geotextile, aggregate base course, pvc pipe.

Spillway: Riprap, riprap bedding material, geotextile, reinforced concrete.

Outlet works: HDPE pipe, reinforced concrete, non-shrink grout.

Instrumentation: various instrumentation, reinforced concrete, non-shrink grout, C33 sand or equivalent, bentonite.

B. Quantities

Approximate quantities:

Approved embankment fill: 53000 cubic yards (cy) / Structural fill (aggregate base course): 910 cy / Rip rap d50 18": 3150 cy / Rip rap d50 10: 350 cy / Rip rap d50 6:: 2.5 cy / Geotextile: 6000 square yards (sy) / Toe drain pipe: 260 linear feet (lf) / steel reinforcement 28000 pounds (lbs) / cast-in-place concrete: 220 cy / C33 sand: 3750 cy / No. 8 gravel: 920 cy, rip rap bedding: 580 cy, new piezometers: 2 units / survey monuments: 8 units

C. Excavation

The existing main reservoir embankment will be over-excavated and expected to be replaced with the same material or an approved alternative. Additional excavation includes breach of the Small Pond, excavation and replacement of the ends of the equalizing tunnel, and lesser excavations for the new spillway and outlet works structures..

D. Fill

Fill consists of the following:

Approved Fill: embankment fill that is anticipated to consist of material excavated from the site.

Structural Fill: aggregate base course anticipated to conform to gradation requirements of Hawai'i DOT size 2-1/2 inch nominal base.

Fine Drain Fill: ASTM C33 fine aggregate or approved equivalent.

Course Drain Fill: ASTM No. 8 gravel or equivalent.

Controlled Low Strength Material: CLSM per Section 313 of the Kaua'i County Special Provisions for 1994 Standard Specifications.

Spoil material: material not meeting requirements above.

E. Disposal

During construction the Contractor is to provide on-site containers appropriate for storing waste material. Materials shall be removed from the site periodically and in a manner that complies with local codes, ordinances, regulations, and anti-pollution laws. Material meeting project spoil requirements may be spoiled onsite as indicated on the Contract Documents. Any surplus material or unsuitable materials must be removed from the site and disposed of following appropriate regulations and to the satisfaction of the Engineer.

F. Construction methods

Before any construction begins all applicable erosion and sediment (E&S) controls, diversion of water plans, safety plans, environmental protocols, and other critical operation plans will be completed and implemented. Construction methods generally include diversion of water tactics, excavation and backfill, and structural concrete placements. The outlet works rehabilitation will include sliplining the existing structure with an HDPE pipe and grouting the annulus, installing a new intake as determined in the field, installing a reinforced concrete tunnel at the downstream side and an impact basin. See construction plans and specifications submitted in DLNR Dam Safety Permit for additional details.

G. Temporary facilities

Temporary facilities include construction field offices, borrow material processing area, and temporary laydown areas, all of which are anticipated to be located within the agricultural land use boundary.

H Expected period of time required for construction

6 months

I. Liability during construction

The proposed project is anticipated to be an owner-build. The Contractor will be liable for all work as outlined in the project Contract Documents.

33. Describe the project's consistency with county zoning and development plans.

The site is comprised of the Main Reservoir (Agricultural District), and the Small Pond (Conservation District), that collectively makeup Kaneha Dam. The main reservoir. The Small Pond is considered an appurtenance to the structure. The proposed project will not permanently alter any existing land use or zoning patterns beyond what already exists and is therefore consistent with zoning and development plans.

It is the opinion of the Department that the anticipated proposed Kaneha Dam Rehabilitation work to be performed within the CD is considered repairs of the existing structure involving minor expansion or minor change of use beyond that previously existing. The new structure will be located generally on the same site and will have the same purpose as the structure being replaced. The proposed project is understood to have minimal or no significant effect on the environment and is, therefore, exempt from the preparation of an environmental assessment.

34. Identify potential alternatives to the project and describe the relative costs and benefits of each alternative.

Several potential alternatives were considered before selecting the proposed project.

Alternatives:

1. Decommission: This alternative meets DLNR dam safety requirements but removes the existing water resource and historic structure. Slight upfront financial savings would be incurred by the Owner, but possible larger losses in the long term due to the removal of the water/resource retaining structure that has existed since 1906. Flood control provided by the dam would be altered, but still in compliance with DLNR dam safety requirements in its decommissioned state.
2. Do-nothing - This alternative does not meet DLNR dam safety requirements. No immediate financial cost, possible high future financial cost. High risk to public and natural resources if structure is left in its "Poor" condition, per DLNR dam safety regulations.
3. Rehabilitate - The chosen project alternative is to rehabilitate the existing structure to meet DLNR dam safety requirements, maintain the existing historic structure in generally the same condition in which it currently exists, with only minor alterations that should equate to similarly minor impacts to existing resources and public welfare. The water resource would be maintained. The financial cost will be held by the Owner. Outlet flows will continue to flow into the Anahola Stream watershed. Spillway flows will be directed to the Kealia Stream watershed. Flood control will be improved as the new structure will be able to safely pass the design flood.

SUBMITTALS

Please submit the following plans, maps, or drawings in legible form, preferably on 8.5" by 11" sheets.

35. Location Map: Provide a location map of the proposed project relative to major roadways.

36. Plans / Elevations / Sections: Provide a plan view of the proposed stream channel alteration structure in relation to the stream channel and property boundaries. Elevation and section views of the structure in relation to the stream channel should also be provided if available.

SIGNATURES

Signing below indicates that the signatories understand and swear that the information provided is accurate and true to the best of their knowledge. Further, the signatories understand that if the permit requested is granted by the Commission on Water Resource Management (Commission), the permit shall be subject to the following conditions:

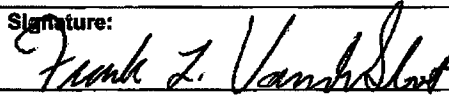
- 1) The proposed work is to be completed within two (2) years from the date of permit approval.
- 2) The permittee shall notify the Commission, by letter, of the actual dates of project initiation and completion.
- 3) The permittee shall submit a set of as-built plans and photographs to the Commission upon completion of the project.
- 4) The permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months.
- 5) If the commencement or completion date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.

37. APPLICANT

Print Name:

Frank L VanderSloot

Signature:



Date:

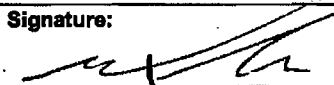
11/4/25

38. CONSULTANT

Print Name:

Stewart Vaghti

Signature:



Date:

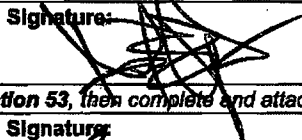
10/14/2025

39. CONTRACTOR

Print Name:

Devin Belnap

Signature:



Date:

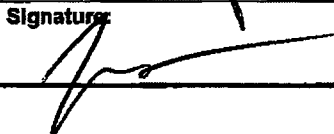
11/4/25

40. LANDOWNER (If multiple landowners, skip Section 53, then complete and attach Form SCAP-LND with appropriate landowner signatures.)

Print Name:

Aaron Eddington

Signature:



Date:

11/4/25

CHECKLIST FOR A COMPLETE APPLICATION and ITEM DESCRIPTIONS (ITEMS 1 - 14)

- Fill in the most recent application form (check <http://dlnr.hawaii.gov/cwrm> or call 587-0234 for updates).
- Fill in every line which includes Items 1-40, as indicated (total 8 pages).
- Enclose a check for \$25 payable to the Department of Land and Natural Resources.
- Mark the proposed stream channel alteration location on: the appropriate USGS quad map, TMK map, photo and schematic, and attach to the application.
- Attach Form LND-APP to identify and obtain authorizations for the project if multiple landowners will be impacted.
- Attach a grading plan and cross section profiles showing existing and finish grades, if available.
- Attach documentation from CDUP, SMAP, SHPD when applicable regarding Items 15-17.
- Attach letters from U.S. Army Corps of Engineers, Hawaii Department of Health, Office of Conservation and Coastal Lands, and appropriate county agencies regarding Items 18-26.
- Provide digital copies on CD-ROM or via e-mail, if available.
- Obtain the necessary signatures for the application form.

Send the application and maps, copies, and the filing fee to:

Commission on Water Resource Management

P.O. Box 621

Honolulu, HI 96809

PERMIT TYPE

1. **Permit Status:** Indicate whether this application is for a new stream channel alteration project (including medication or abandonment) or if the project has already been completed and an after-the-fact permit is being applied for.
2. **Type of Construction:** Is the permit application for the installation of a new stream channel alteration, or modification or removal of an existing stream channel structure.

APPLICANT INFORMATION

3. **Applicant's Information:** Fill in the information for the applicant. This should be the entity that will be responsible for the maintenance of the stream channel alteration when the project is completed.
4. **Landowner's Information:** Fill in the information for the landowner of the property where the stream channel alteration will be located.
5. **Consultant's Information:** Fill in the information for the consultant who will assist with plan and design preparation for the subject project.
6. **Contractor's information:** Fill in the information for the contractor who will perform the work on the subject stream channel alteration project.

STREAM INFORMATION

7. **Island:** The island name where the stream channel alteration will be located.
8. **TMK:** Tax Map Key number (generally there is no lot number, but where a parcel is divided into two lots, fill in the lot number)
9. **Stream / Gulch Name:** Name of the stream or gulch where the stream channel alteration will be located.

GENERAL PROJECT INFORMATION

10. **Project Type:** Identify the type of work being performed, and select all that apply to the project.
11. **Project Site Location(s):** Fill in stream channel alteration location coordinates taken from a GPS unit at the project site. Units are Degrees, Minutes and Seconds (seconds should be filled out to at least one decimal place; e.g. 19°59'32.8"N, 155°14'51.5"W). If more than one site, attach separate sheet. Elevations should be provided in feet above mean sea level.
12. **Structure Dimensions:** What are the physical dimensions of the stream channel alteration structure that will be located in or adjacent to the stream channel?
13. **Structure Location:** Will the structure be located on the right or left bank (facing downstream) or across the entire stream channel?
14. **State Land Use Classification:** Identify the current State Land Use Classification.

Please see header descriptions for remaining Sections in completing Items 15 to 40.



Agency Letters – USACE, DOH, OCCL

SCAP – Dam Safety Permit No. 97, Kaneha Reservoir (KA-015)



GFT



**DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440**

May 8, 2023

**SUBJECT: Determination of No Permit Required, Kaneha Dam Rehabilitation,
Department of the Army File No. POH-2023-00044**

Frank VanderSloot
Melaleuca Inc.
4609 West 65th South
Idaho Falls, ID 83402

Dear Mr. VanderSloot,

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has received your request for a determination whether a Department of the Army (DA) permit is required for the proposed rehabilitation of the Kaneha Dam and Reservoir located in Kealia, Island of Kauai, Hawaii. Your request has been assigned Department of the Army (DA) file number POH-2023-00044. Please reference this number in all future correspondence with our office relating to this action.

We have reviewed your submittal pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344; "Section 404") and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403; "Section 10"). Section 404 requires DA authorization for the discharge (placement) of dredged and/or fill material into waters of the U.S., including wetlands. Section 10 requires DA authorization for the placement of structures in, under or over navigable waters of the U.S. and/or other work affecting the course, location, condition or navigable capacity of such waters. To determine if a DA permit is required for a proposed action, the Corps must first determine whether the proposed project is located within the Corps' geographic jurisdiction (i.e., whether the activity is located within a water of the U.S.). If the activity is within a water of the U.S., the Corps must then determine whether the proposed activity is a regulated activity under Section 10 and/or Section 404, or if the activity is exempt under Section 404(f) and is not recaptured. The determination provided in this letter pertains only to whether your proposed project is an activity we regulate; it does not address geographic jurisdiction.

Based on the information you provided, we have determined that your proposed project is an activity that is exempted under Section 404(f) of the Clean Water Act and therefore, a DA permit is not required. This determination of no permit required addresses only the proposed work activities described in your submitted documentation and does not convey our determination of the jurisdictional status of the property.

While a DA permit is not required for your proposed project, you are responsible for obtaining all other applicable Federal, state, or local authorizations required by law. Be advised, a DA permit may be required if you alter the method, scope, or location of your proposed work. You should contact our office if you are considering modifying your project.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should If you have any questions related to this determination, please contact me at (808) 835-4107 or via e-mail at Cristian.J.Cayanan@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at <https://regulatory.ops.usace.army.mil/ords/f?p=136:4>. For additional information about our Regulatory Program, please visit our web site at <http://www.poh.usace.army.mil/Missions/Regulatory.aspx>

Sincerely,

A handwritten signature in black ink, appearing to read 'CJ Cayanan', with a long horizontal flourish extending to the right.

CJ Cayanan
Regulatory Specialist, Regulatory Office

cc:

Alex Gehrlein, Gannet Fleming Inc. agehrlein@GFNET.com
Eric Schlosser, Gannet Fleming Inc. eschlosser@GFNET.com



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

WQC1092.FNL.22

April 28, 2022

David S. Hobbie
Regional Regulatory Chief
Honolulu District
Department of the Army
U.S. Army Engineer District, Honolulu
Fort Shafter, Hawaii 96858-5440

Dear Mr. Hobbie:

**Subject: Blanket Section 401 Water Quality Certification (WQC) for
Certain 2021 Department of the Army (DA)
Nationwide Permits (NWP) and Activities
File No. WQC1092**

Purpose. This letter is a blanket Section 401 WQC (Blanket Certification) and sets forth applicable qualifications and activity-specific conditions to certain NWPs and activities, as described below. This Blanket Certification may be utilized by any applicant that is seeking authorization and/or verification from the U.S. Army Corps of Engineers (USACE), Honolulu District of the Pacific Ocean Division (POH) for work in Waters of the United States.

This Blanket Certification supersedes and replaces previous WQC0901.FNL.20 issued in May and November of 2020 (WQC0901). The following shall apply:

1. Requirements and conditions set forth in WQC0901 which are not set forth in this Blanket Certification shall no longer be applicable;
2. Activities covered under WQC0901 shall be subject to this Blanket Certification, including requirements and conditions different from or in addition to WQC0901;
3. Pending applications, including those currently under review by USACE or the Department of Health (DOH), shall be subject to this Blanket Certification.

Note: A previous version of this Blanket Certification was public noticed on September 23 and 24, 2020, for the proposed 2020 NWPs. Since the aforementioned public notices, the NWPs were reissued and modified in 2021, the federal Section 401 WQC regulations were revised, and the State Section 401 WQC rules were revised. This Blanket Certification incorporates these revisions.

Overview. The DA has published a list of NWP and applicable general conditions that attach to those NWPs.¹ Certain NWPs may require a Section 401 WQC from the State of Hawaii. The DOH has the authority to issue a Blanket Certification and may qualify or condition the Blanket Certification. The conditions in this Blanket Certification become additional conditions to the NWPs. The qualifications would set forth the applicability of the Blanket Certification to a NWP or other described activity.

The DOH reviewed the NWP and General Conditions published in the Federal Register: Final Rules and the additional comments submitted by USACE POH. DOH believes that when all requirements and conditions contained in this Blanket Certification are fully complied with, there is a reasonable assurance that the activities will be conducted in a manner which will not violate the applicable State water quality standards and will comply with the applicable provisions of the CWA, Sections 301, 302, 303, 306, and 307.

The NWPs and activities in Item 2.a below do not require a Section 401 WQC. The NWPs and activities in Item 2.b below are covered under this Blanket Certification. The DOH has determined that projects authorized by the USACE POH for the NWPs and activities in Item 2.b below, subject to the requirements of the General Conditions in Item 3 below, will not cause adverse environmental impacts or effects; are in the public interest; and represent the optimum balance between economic development and environmental quality.

1. Term of this Blanket Certification

- a. This Blanket Certification becomes effective with respect to a specific project on **April 28, 2022**.
- b. This Blanket Certification will expire at midnight, **March 14, 2026**.
- c. This Blanket Certification's coverage is administratively extended to a certain project beyond midnight, March 14, 2026, when the USACE POH extends the project authorization/verification.

2. Coverage of this Blanket Certification

- a. The NWPs and activities listed below do not require a Section 401 WQC.
 - NWP 1 – Aids to Navigation
 - NWP 8 – Oil and Gas Structures on the Outer Continental Shelf

¹ The DA NWP authorizes activities under 1) Section 404 of the Clean Water Act (CWA), 2) Section 10 of the Rivers and Harbors Act of 1899 (RHA), and/or 3) a Letter of Permission. The NWPs were published on September 15, 2020, in the Federal Register, Volume 85, Number 179 and December 27, 2021, Volume 86, Number 245 (Federal Register).

- Projects in response to a public emergency proclaimed by the President of the United States or Governor of Hawaii where HRS Chapter 342D has been suspended
- Any emergency project as determined by the Director of Health
- Projects granted an exemption under Act 048 of 2017 (temporary exemption of certain bridge rehabilitation projects)
- Activities exempt under CWA, Section 404(f)(1)
- Directional drilling under a waterbody where entry and exit pits are located on land and all slurry/spoils/runoff is contained on land
- Structures over a waterbody where debris and other pollutants associated with the installation, construction, and operation do not enter the waterbody
- Installation of temporary Best Management Practices (BMPs) with inert material in State waters, excluding material used to divert or dam stream flow
- Comprehensive Environmental Response, Compensation, and Liability Act actions with oversight from DOH Hazard Evaluation and Emergency Response (HEER) Office and/or EPA
- DOH HEER response actions
- Bridge inspections
- Improvements or modifications to Department of Land and Natural Resources, Division of Boating and Ocean Recreation permitted existing offshore moorings installed prior to October 4, 2017
- Coral transplant with National Oceanic and Atmospheric Administration oversight
- Fireworks where visible debris is collected after event
- Lanterns and rubber duckies collected after event
- Ashes from funeral ceremonies 3 miles away from shore
- After-The-Fact applications for USACE POH enforcement actions²

b. The NWP and activities listed below are hereby granted coverage under this Blanket Certification in the State of Hawaii if the applicant of the activity/discharge complies with the General Conditions (Item No. 3) and USACE POH provides notification (Item No. 4). Any person, including any public body, conducting activities authorized by these NWP and activities that cannot or will not comply with this Blanket Certification must apply for and obtain an individual Section 401 WQC from DOH Clean Water Branch (CWB).

- NWP 2 – Structures in Artificial Canals
- NWP 3 – Maintenance

² DOH has decided not to process After-The-Fact applications so the USACE POH can proceed with their enforcement action.

- NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
- NWP 5 – Scientific Measurement Devices
- NWP 6 – Survey Activities
- NWP 7 – Outfall Structures and Associated Intake Structures
- NWP 9 – Structures in Fleeting and Anchorage Areas
- NWP 10 – Mooring Buoys
- NWP 11 – Temporary Recreational Structures
- NWP 12 – Oil or Natural Gas Pipeline Activities
- NWP 13 – Bank Stabilization
- NWP 14 – Linear Transportation Projects
- NWP 15 – U.S. Coast Guard Approved Bridges
- NWP 16 – Return Water from Upland Contained Disposal Areas
- NWP 17 – Hydropower Projects
- NWP 18 – Minor Discharge
- NWP 19 – Minor Dredging
- NWP 20 – Response Operations for Oil or Hazardous Substances
- NWP 22 – Removal of Vessels
- NWP 23 – Approved Categorical Exclusions
- NWP 25 – Structural Discharges
- NWP 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities
- NWP 28 – Modifications of Existing Marinas
- NWP 29 – Residential Developments
- NWP 31 – Maintenance of Existing Flood Control Facilities
- NWP 32 – Completed Enforcement Actions
- NWP 33 – Temporary Construction, Access and Dewatering
- NWP 35 – Maintenance Dredging of Existing Basins
- NWP 36 – Boat Ramps
- NWP 37 – Emergency Watershed Protection and Rehabilitation
- NWP 38 – Cleanup of Hazardous and Toxic Waste
- NWP 39 – Commercial and Institutional Developments
- NWP 40 – Agricultural Activities
- NWP 41 – Reshaping Existing Drainage Ditches
- NWP 42 – Recreational Facilities
- NWP 43 – Stormwater Management Facilities
- NWP 45 – Repair of Uplands Damaged By Discrete Events
- NWP 46 – Discharges in Ditches
- NWP 48 – Commercial Shellfish Mariculture Activities
- NWP 51 – Land-Based Renewable Energy Generation Facilities
- NWP 53 – Removal of Low-Head Dams
- NWP 54 – Living Shorelines

- NWP 55 – Seaweed Mariculture Activities
- NWP 56 – Finfish Mariculture Activities
- NWP 57 – Electric Utility Line and Telecommunications Activities
- NWP 58 – Utility Line Activities to Water and Other Substances
- NWP 59 – Water Reclamation and Reuse Facilities
- Letters of Permission – Section 10 only activities with no discharge of fill material
- Any activity conducted in compliance with DOH pre-approved Standard Operating Procedures

c. Limitations on Coverage

This Blanket Certification shall not cover:

- (1) Discharge(s) regulated under CWA, Section 402.
- (2) Any project that may result in downstream/downdrift post construction impacts to the physical, chemical, and/or biological environment.
- (3) Concrete lining any section of natural streambed or bank.³
- (4) Projects involving the removal of dams, impoundments, structures, or sand bars that will result in the downstream/downdrift mobilization of material, sediment, and/or water pollutants.
- (5) Waste Discharges to natural lakes and anchialine pools as specified in HAR 11-54 or any State waters.
“Waste” means sewage, industrial and agricultural matter, and all other liquid, gaseous, or solid substance, including radioactive substance, whether treated or not, which may pollute or tend to pollute the waters of this State. Hawaii Revised Statutes (HRS) §342D-1.
Non-contaminated and suitable dredge and fill material authorized under a 2021 NWP is not considered waste.
- (6) New sewage discharges and new industrial discharges to estuaries as specified in HAR 11-54. New industrial discharges do not include the repair and/or replacement within the footprint of an existing structure.
- (7) New sewage and industrial discharges to Embayments: Class AA and Class A as identified in HAR 11-54. New industrial discharges do not include the repair and/or replacement within the footprint of an existing structure.

³ This type of activity is prohibited as it will result in adverse post construction impacts by eliminating ground water recharge, raising pH, and lowering dissolved oxygen or causing downstream bank erosion.

3. General Conditions

The applicant of the activity/discharge shall:

- a. Report any non-compliance with the conditions of this Blanket Certification to the USACE POH. Do not report or submit compliance related information to DOH. This Blanket Certification is a condition of the USACE POH permit.⁴
- b. Maintain records at the project site or in the nearby field office demonstrating that all Blanket Certification requirements have been fully complied with.
- c. Ensure that all activities are conducted in a manner that will comply with the "Basic Water Quality Criteria Applicable to All Waters" as specified in HAR 11-54.
- d. Ensure that all material(s) placed or to be placed in State waters are free of waste metal products, organic materials, debris, and any pollutants at toxic or potentially hazardous concentrations to aquatic life as specified in HAR 11-54.
- e. Ensure that the activities will not permanently interfere with or become injurious to any designated uses and/or existing uses of the receiving State water. Any permanent adverse impacts to the designated uses and/or existing uses of the receiving State water is a violation of HAR Chapter 11-54.
- f. Ensure that pollution control measures and BMPs are utilized that prevent water pollutants from leaving the in-water work area authorized by the USACE POH permit.⁵ Any visual plume emanating from the authorized in-water work area is a violation of HAR Chapter 11-54.
- g. Ensure that all construction debris from any portion of the activities (including but not limited to debris caused by hydraulic saws, water jets, or drilling equipment) are contained and prevented from entering or re-entering State waters. All construction debris and sidecast material shall be properly removed from the aquatic environment and disposed of at an upland State and county approved site. Before the start of the activities, a Solid Waste Disclosure Form for Construction Sites shall be completed and returned to the DOH's Solid and Hazardous Waste Branch,

⁴ With respect to USACE projects granted coverage under Item 2.c above, non-compliance reports from USACE POH should be submitted to DOH CWB.

⁵ With respect to USACE projects granted coverage under Item 2.c above, the relevant in-water work area is identified in the USACE project.

Office of Solid Waste Management. No construction material or construction related materials shall be stockpiled in the aquatic environment or stored or placed in ways that will disturb the aquatic environment. The Solid Waste Disclosure Form for Construction Sites is available online at:

<https://health.hawaii.gov/shwb/files/2018/04/swdiscformapr2018.pdf>.

- h. Utilize only BMPs that are inert and not sources of pollution themselves. Examples of inappropriate in-water porous material BMPs include but are not limited to: compost biosocks since they are a source of nutrients; and a soil berm since the soil particles will erode.
- i. Collect activity/discharge related water pollutants utilizing appropriate catchment/detention devices (e.g. construction debris, airborne particulates, dust, concrete slurry, concrete chips, concrete surface preparation washing effluent, excess water and overflow from boring related activity, horizontal directional drilling slurry, etc.) from localized work areas and minimize or prevent the release of these water pollutants into State waters, including the in-water work area.
- j. Utilize BMPs for all upland project activity to minimize the discharge of water pollutants into State waters, including the designated in-water work area.
- k. For a stream, ditch, or gulch: Allow unimpeded flow around the in-water work area to allow for aquatic animal migration and/or to prevent work site and downstream flooding situations. The unimpeded flow shall be equivalent to a 2-year, 24-hour duration storm event and/or the existing flow capacity of the stream, ditch, or gulch. Pumped diversions may be utilized if the stream, ditch, or gulch is dry or there is only standing/ponded water without the existence of living aquatic animals.
- l. Not discharge any type of wash water and/or effluent into State waters without first obtaining from DOH a National Pollutant Discharge Elimination System (NPDES) permit authorizing such type of water pollutant discharge to State waters.
- m. Not allow any concrete truck wash water to be disposed by percolation into the ground.
- n. Ensure that all areas temporarily impacted, either directly or indirectly, by the project construction activities are fully restored to its pre-construction conditions. For example: Incidental construction debris is cleaned up prior to removal of BMPs; remove all scientific measurement devices and any other structures or fills associated with installation and use of these

devices (e.g., foundations, anchors, buoys, lines, etc.) when no longer in use; etc.

o. When projects involve dredging/excavation activities:

- (1) Be required to check the DOH, HEER Office Sites, Incidents and Records through the “Viewer” in iHEER at: <https://eha-cloud.doh.hawaii.gov/iheer>.⁶**
- (2) Be required to contact the HEER Office at (808) 586-4249 and through e-permitting Form “Notification of Construction Activities” at Form Finder <https://eha-cloud.doh.hawaii.gov/epermit/finder> if contaminated soil, sediment, vapor, or groundwater is known to be present at your project site. The applicant shall notify the HEER Office at least 90 days prior to surface and subsurface disturbing activities that may disturb the ground surface at HEER sites. If the 90-days prior notification is missed, the applicant shall notify the HEER Office as soon as possible to avoid any potential delays regarding the covered project.**
- (3) Contain return flow or runoff from upland dredged spoils dewatering site(s)/disposal site(s), including the confined disposal facility (CDF), which shall be contained on land and not allowed to discharge and/or re-enter any State waters without first obtaining the required discharge permit from USACE POH or CWB. Unless authorized by a USACE POH or NPDES permit, the applicant shall not allow any runoff, return flow, or airborne particulate pollutants from the excavated or dredged material dewatering or stockpiling site, including the CDF, to enter or re-enter State waters.**
- (4) Properly deploy warning signs, which shall be maintained until the portion of the in-water work is completed and the affected area water quality has returned to its preconstruction condition and turbidity control devices have been removed from the waterway.**

p. When projects involve moorings:

- (1) Avoid locating moorings (including anchors and floats) in sensitive aquatic habitats such as coral reefs, fish spawning areas, and submerged aquatic vegetation (unless location is acceptable to the Department of Land and Natural Resources, Division of Aquatic Resources or the National Oceanic Atmospheric Administration);**
- (2) Ensure moorings (including anchors and floats) are made of clean, inert material. Treated lumber shall not be used as it may contain**

⁶ The HEER Office is currently updating site information for sites. Most, but not all, sites may be displayed on the viewer map. Site Document data upload is ongoing and not all documents may be currently available via this website. To get the complete record for the site, a record request form can be filled and submitted it to the HEER Office. Users will then be notified when they are able to download all information via the iHEER system website.

- compounds that can be released into the water and become toxic to the aquatic environment;
- (3) Pre-cast and cure concrete anchors, if required, away from State waters prior to use to prevent seepage of potentially toxic substances into the waterbody;
 - (4) Locate moorings in depths that allow structures and vessels to remain afloat at the lowest possible water levels and that prevent propellers from disturbing bottom sediments;
 - (5) Select mooring anchors of an adequate size to secure vessels or structures and prevent the anchor from shifting or dragging along the bottom of the State water;
 - (6) Size the length of mooring lines, chains, or cables to avoid excess line, chain, or cable accumulation on the bed of the State water;
 - (7) Ensure native beach material such as logs, sand, gravel, and boulders that are important components of fish habitat are not used as mooring structures and are left in place on the foreshore;
 - (8) Properly dispose of derelict or unused floats, lines, chains, or cables in accordance with appropriate laws and rules; and
 - (9) Ensure moorings are kept in good repair by regularly inspecting and maintaining the structure. Mooring maintenance must be performed into perpetuity (or until it is properly disposed of) or it will itself become a pollution source.
4. USACE POH shall e-mail to CWB (cleanwaterbranch@doh.hawaii.gov and darryl.lum@doh.hawaii.gov) a pdf copy of all issued final verifications. This Blanket Certification coverage shall become valid with respect to an activity only when USACE POH notifies CWB via email of a project authorization/verification and conditions of this Blanket Certification have been incorporated as part of the USCE POH final verification; provided, that this email notification requirement shall not apply to activities that do not require a pre-construction notification, and this Blanket Certification shall automatically become valid with respect to such activities.

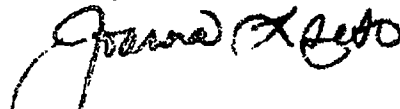
Mr. David S. Hobbie
April 28, 2022
Page 10

WQC1092.FNL.22

If you agree with the terms and conditions of this Blanket Certification, please sign and date below; make a copy for your administrative record; and submit this entire letter with your original signature to CWB within 14 calendar days from your signature date.

If you have any questions, please contact Mr. Darryl Lum of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


for
ELIZABETH A. CHAR, M.D.
Director of Health

- c: Regulatory Office, POH, COE [via e-mails linda.speerstra@usace.army.mil only]
- Ms. Debra Mendes, CZM Program, Office of Planning, DBEDT
[via e-mail debra.l.mendes@hawaii.gov only]
- U.S. Fish and Wildlife Service [via e-mail pifwo_admin@fws.gov only]
- U.S. National Marine Fisheries Service [via e-mail pirohonolulu@noaa.gov only]
- Division of Aquatic Resources, DLNR [via e-mail dlnr.aquatics@hawaii.gov only]
- CWRM, DLNR [via e-mail dlnr.cwrn@hawaii.gov only]
- OCCL, DLNR [via e-mail dlnr.occl@hawaii.gov only]
- DHO (Hawaii, Maui, Kauai) and EHS, Molokai/Lanai [via e-mail only]

I AGREE WITH THE TERMS AND CONDITIONS OF THIS LETTER:



4-28-22

David S. Hobbie
Regional Regulatory Chief
Honolulu District

DATE

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
Office of Conservation and Coastal Lands
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: TF

COR: KA 24-134

Carty S. Chang, Chief Engineer
Engineering Division, DLNR
1151 Punchbowl St, Room 221
Honolulu, HI 96813

Mar 27, 2024

SUBJECT: Dam Safety Permit – Agency Consultation Regarding Kaneha Reservoir (KA-0015)
Dam Safety Permit No. 97 Dam Remediation
Located off Kealia Road
Por. of Kealia Forest Reserve (Kamalomalo-Kealia, Sec.), Kawaihau, Kauai
Tax Map Keys (TMKs): (4) 4-7-001:001 and (4) 4-7-002:005

Dear Carty S. Chang:

The Office of Conservation and Coastal Lands (OCCL) has reviewed your letter and attachments regarding the subject matter. According to your letter, you are seeking agency comments on the proposed Dam Safety Permit application and remediation work of the Kaneha Reservoir. Proposed work to be done to the includes abandoning the existing spillway, installing a new spillway on the right abutment, flattening upstream and downstream slopes of the reservoir and its ponds, installing a new seepage and drainage system, installing a new slip line outlet with new HDPE conduit, and breaching the Small Pond and incorporating it into the new spillway design.

The OCCL regulates land uses in the State Land Use Conservation District through the issuance of Conservation District Use Permits and Site Plan Approvals to help conserve, protect, and preserve important natural and cultural resources. It appears TMK: (4) 4-7-001:001 is dual zoned with a majority of the parcel lying in the State Land Use Conservation District Protective, Limited, and Resource Subzones, and a portion of the parcel (northeast corner) in the State Land Use Agricultural District. TMK: (4) 4-7-002:005 appears to lie in the State Land Use Agricultural District.

According to the information submitted to this office, it appears a majority of the work to the Kaneha Reservoir and appurtenances will occur in the Agricultural District on TMK: (4) 4-7-002:005. Proposed activities to occur in the Conservation District appear to be breaching the

Small Pond embankment and incorporating it into the new spillway and abandoning equalizing tunnel.

The proposed work to the Kaneha Reservoir in the Conservation District appears to be an identified land use that may applied for pursuant to Hawaii Administrative Rules (HAR) § 13-5-22 P-9 STRUCTURES, ACCESSORY (B-1) *Construction or placement of structures accessory to existing facilities or uses*. This requires site plan approval (SPA) from the OCCL. SPA applications can be found on our website at <https://dlnr.hawaii.gov/occl/forms-2/> and will need to be accompanied by the \$50 application fee.

The OCCL also notes that it appears that Engineering Division is processing the HRS 6E Intake Form. Please provide OCCL with an update or the State Historic Preservation Division (SHPD) HRS 6E determination letter as well as evidence of compliance with Hawaii Revised Statutes Chapter 343 with proposed SPA application.

Should you have any questions regarding this correspondence, feel free to contact Trevor Fitzpatrick of the Office of Conservation and Coastal Lands at (808) 798-6660 or trevor.j.fitzpatrick@hawaii.gov.

Sincerely,

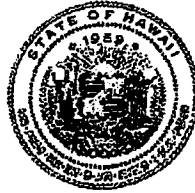
S Michael Cain

Michael Cain, Administrator
Office of Conservation and Coastal Lands

CC: *Kauai District Land Office*
County of Kauai Planning Department

JOSH GREEN, M.D.
GOVERNOR | KE KIA'AINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'AINA



STATE OF HAWAII | KA MOKU'AINA O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'AINA

ENGINEERING DIVISION
P.O. BOX 373
HONOLULU, HAWAII 96809

Feb 16, 2024

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAOLOAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

TO:

DLNR Agencies		Other Agencies	
X	Division of Aquatic Resources	X	County of Kauai - NFIP
X	Commission on Water Resource Mgt		City & County of Honolulu - NFIP
X	Division of Forestry & Wildlife		County of Maui - NFIP
	Historic Preservation Division (HICRIS)		County of Hawaii - NFIP
X	Land Division	X	Kauai Emergency Management Agency
X	Office of Conservation & Coastal Lands		Dept of Emergency Mgt - City & County of Hon
	Other Agencies		Maui County Emergency Management Agency
X	Department of Agriculture		County of Hawaii - Civil Defense
X	Department of Agriculture-ADC	X	HI EMA

FROM: Carty S. Chang, Chief Engineer *CS*
SUBJECT: Dam Safety Permit - Agency Consultation
Kaneha Reservoir (KA-0015)
Dam Safety Permit No. 97 Dam Remediation
LOCATION: Kaa'i, TMKs: (4)4-7-002:005, (4)4-7-001:001
APPLICANT: Cornerstone Hawaii Holdings, LLC

Transmitted for your review and information are the attached select pages from the subject Dam Safety Permit application. Please return to our office a signed copy of this transmittal with one of the choices below checked along with any comments by **March 29, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Gina Belleau of my staff at (808) 551-1288 or gina.c.belleau@hawaii.gov.

1. Dam Safety Permit Application
2. Plan set (selected sheets), and Select Specification Sheets
3. DLNR Dam Facility Data sheet

() We have no comments

() Comments are attached (separate document)

() Comments are noted below

Signed: *Trevor Fitzpatrick*

Print name: Trevor Fitzpatrick

Agency: OCCL

Date: 3/27/2024

Comments: _____

Bernard P. Carvalho, Jr.
Mayor



Larry Dill, P.E.
County Engineer

Nadine K. Nakamura
Managing Director

Lyle Tabata
Deputy County Engineer

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Lihu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

February 8, 2016

Kaua'i Ranch & Mimino Ranch
P.O. Box 510163
Keālia, HI 96751
Attention: Mr. Jeffery Rivera

SUBJECT: AGRICULTURAL EXEMPTION FROM THE SEDIMENT AND EROSION CONTROL ORDINANCE NO. 808, KAWAIHAU DISTRICT Application No. AE-2016-1
TMK: 4-7-001:001, 4-7-002:003, 4-7-002:005, 4-6-008:037, 4-7-009:023 POR

Dear Mr. Rivera:

We are exempting the grading, grubbing, and stockpiling operations for the captioned property under Section 22.7.6 of the County's Sediment and Erosion Control Ordinance No. 808. We are granting an agricultural exemption for the area and conservation practices specifically shown on your conservation plan that was approved by the East Kaua'i Soil and Water Conservation District on December 14, 2015. Grading, grubbing, and stockpiling permits are not required as long you are working with the East Kaua'i Soil & Water Conservation District and implementing the conservation practices in your plan to the standards and specifications set by the National Resources Conservation Service. Enclosed is the approved agricultural exemption which is subject to the conditions as noted.

Should you have any questions, please contact Paul Togioka at (808) 241-4889.

Sincerely,

MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/PT

Attachment

cc: Design & Permitting
Planning Department
Department of Finance

Ms. Jenna Dunn, USDA/NRCS, 4334 Rice Street, Suite 207, Lihu'e, HI 96766

Mr. Ed Kawamura, WK-SWCD, 4334 Rice Street, Suite 207, Lihu'e, HI 96766

APPLICATION NO. AE-2016-1

COUNTY OF KAUAI
Department of Public Works
Engineering Division

APPROVAL OF AGRICULTURAL EXEMPTION FROM THE COUNTY OF
KAUAI'S SEDIMENT AND EROSION CONTROL ORDINANCE NO. 808,
KAWAIHAU DISTRICT, TMK: 4-7-001:001, 4-7-002:003, 4-7-002:005,
4-6-008:037, 4-7-009:023 POR

TO: Kauai Ranch & Mimino Ranch
P.O. Box 510163
Keālia, HI 96751
Attention: Mr. Jeffery Rivera

This is to inform you that your Application No. AE-2016-1 for an Agricultural Exemption from the County of Kauai's Sediment and Erosion Control Ordinance No. 808 is approved subject to the following conditions:

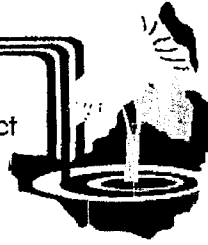
1. The graded or grubbed area is to be used exclusively for agricultural production.
2. The applicant agrees to continue or establish the agricultural operations within one year and agrees further not to take actions to change from the specified agricultural operations to a different type of land use for the period of time stated.
3. This exemption shall be good for ten (10) years from the date of approval unless revoked sooner for non-compliance of conditional requirements or the conservation plan is terminated sooner by the appropriate Soil and Water Conservation District Board.
4. This Agricultural Grading Exemption is specific to the applicant and TMK listed and is non-transferable.
5. Best agricultural management practices (Conservation Practices) shall be implemented at all times to the maximum extent practicable to prevent damage by sedimentation, erosion or dust to streams, water courses, natural areas and the property of others. It shall be the permittee's and the property owner's responsibility to ensure that best agricultural management practices (Conservation Practices) are satisfactorily implemented.

Date of Issue: 2/4/2016

Issued By: 
Design and Permitting Section

cc: Design & Permitting
Planning Department
Jenna Dunn, USDA/NRCS
Mr. Ed Kawamura, Jr., Chairman East Kauai SWCD

East Kauai
Soil & Water Conservation District



December 14, 2015

Kauai Ranch and Mimino Ranch
ATTN: Jeffery Rivera, Manager
PO Box 510163
Kealia, HI 96751

SUBJECT: Agriculture Exemption

Dear Kauai Ranch:

We approved your conservation plan for the **TMK: (4) 4-7-001:001, (4) 4-7-002:003, (4) 4-7-002:005, (4) 4-6-008:037, (4) 4-7-009:023** por (approx. 4652 acres) at the East Kauai Soil and Water Conservation District Board meeting on December 14, 2015. Your copy of the conservation plan will be sent to you by the NRCS. Please notify us if the TMK # shown in this letter is incorrect or if you notice any other errors that need to be corrected. By completing a conservation plan, you are demonstrating a commitment to soil and water conservation, and we appreciate that.

In issuing this conservation plan, the East Kauai Soil & Water Conservation District relied on the information and data which you provided to us. If, subsequent to the issuance of this approved conservation plan, such information and data prove to be false, incomplete or inaccurate, this approval may be modified, suspended or revoked, in whole or in part. Before you do anything to your property that is not included in your plan, it is necessary that you notify us. We can assist you in revising your conservation plan.

It is your responsibility to make sure that no historic sites are damaged by your activities. Your NRCS soil conservationist can advise you when a historic preservation review is required, if you are applying for federal assistance programs. In the event any unanticipated sites or remains such as shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or walls are encountered, you and/or your contractors shall stop work and contact the State Historic Preservation Division (SHPD) immediately by calling 808-692-8015.

This conservation plan does not supersede any Kauai County, State and Federal ordinances or regulations. It is your responsibility to obtain any required permits, and to comply with any zoning requirements. If you are applying for an agricultural exemption to Kauai County's Sediment and Erosion Control Ordinance, obtain an application form from Kauai County Department of Public Works. Note that if your plan proposes to use the land in the same way as it has been used in the past (limited to the same acreage, depth of tilling, and proposed use types), the agricultural exemption does not require a SHPD review of your plan. Implementation of conservation practices scheduled in your plan may require additional engineering design and specifications. This assistance can be provided by the USDA-NRCS office or by a private consultant.

We wish you success in your agricultural endeavors! If you have any questions, please contact the East Kauai District office at 245-9014, ext. 117.

Sincerely,



Ed Kawamura, Jr.
Chairman
East Kaua'i SWCD

cc: USDA-NRCS, Kaua'i County Department of Public Works, Kaua'i County Planning Department, and SHPD (Revision: Kauai Ranch and Mimino Ranch)



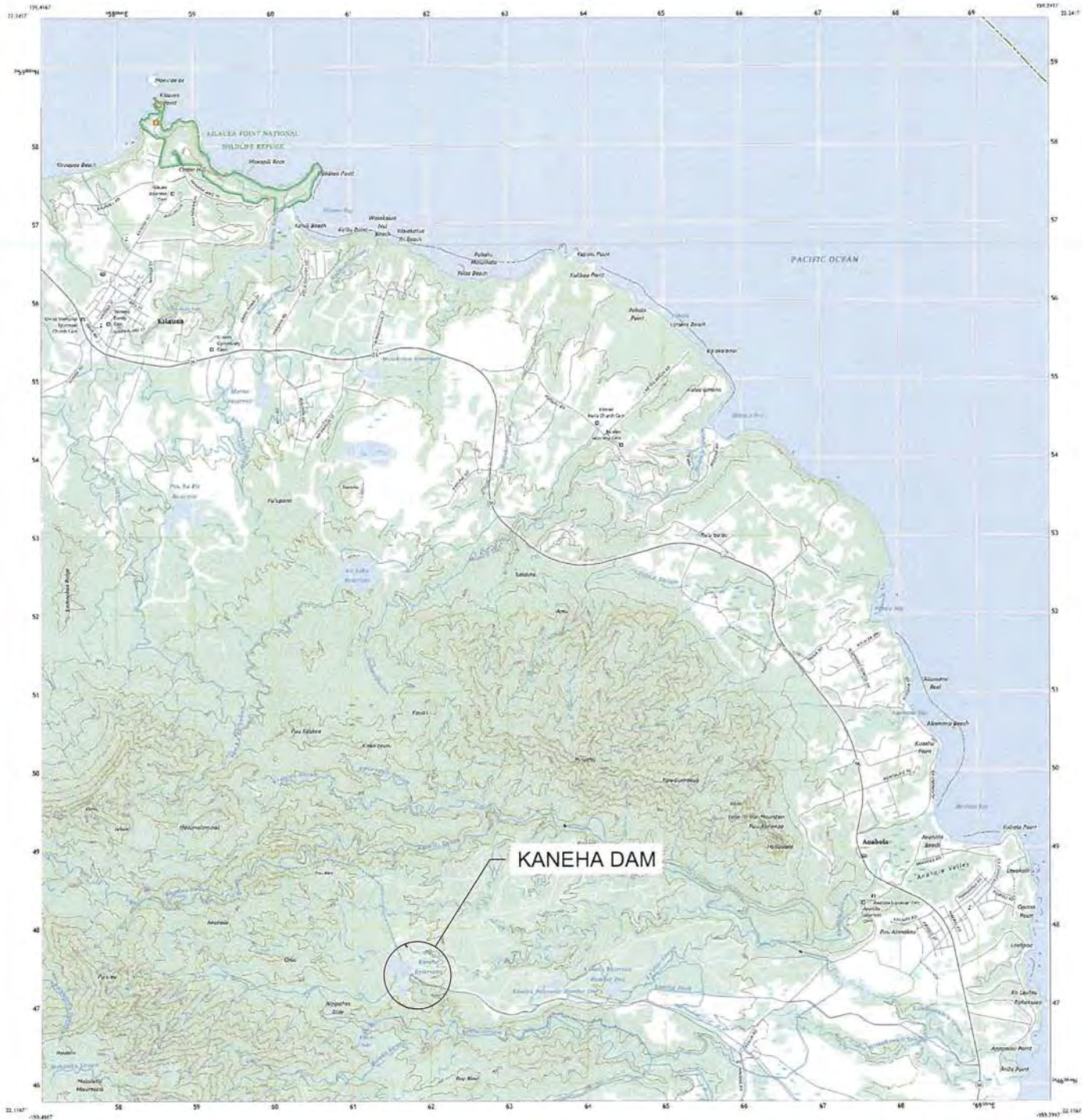


Stream Channel Alteration Location

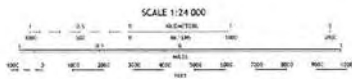
SCAP – Dam Safety Permit No. 97, Kaneha Reservoir (KA-015)



GFT



Produced by the United States Geological Survey
 Work done in cooperation with the U.S. Army Corps of Engineers
 This map is a reproduction of a map published by the U.S. Army Corps of Engineers in 1982. It is not a substitute for a field sketch or a site visit. It is intended for general reference only. It is not intended for use in engineering or other professional work. It is not intended for use in any other way. It is not intended for use in any other way. It is not intended for use in any other way.

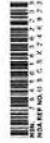


ROAD CLASSIFICATION

Expressway	Interstate	State Route	County Road	Local Road
Expressway	Interstate	State Route	County Road	Local Road



ANAHOLA, HI
2024



SITE LOCATION MAP
KEALIA KANEHA DAM REHABILITATION

FIGURE
1

DATE: JUNE 2025

SCALE: AS SHOWN

PROJECT NO: 073269

C:\Users\aghelein\Gannett Fleming Inc\073269-Kealia Kaneha Dam Rehabilitation - GF15_Working\10_Permits\SCAP\Attachments\Figures.dwg



KANEHA RESERVOIR

SPILLWAY WORK OUTSIDE OF CONSERVATION DISTRICT BOUNDARY

EMBANKMENT REPAIRS OUTSIDE OF CONSERVATION DISTRICT BOUNDARY

CONSERVATION DISTRICT BOUNDARY

SHALLOW EXCAVATION WITHIN CONSERVATION DISTRICT BOUNDARY

CONSERVATION DISTRICT BOUNDARY

NEW RIPRAP IN SPILLWAY

KEALIA STREAM

CONSERVATION DISTRICT SUBZONE R

SMALL POND

NEW RIPRAP IN SPILLWAY

EXCAVATE BREACH IN SMALL POND EMBANKMENT

CONSERVATION DISTRICT SUBZONE R

© 2023 Microsoft Corporation © 2023 Maxar ©CNES (2023) Distribution Airbus DS

REVISION NO.	DESCRIPTION	DATE

GANNETT FLEMING
 6400 S FIDDLERS GREEN CIR SUITE 1750, GREENWOOD VILLAGE, CO, 80111

Two working days before you dig
 CALL FOR THE BLUESTAKES
1-866-423-7287
 Hawaii One Call Center (HOCC)
 CALL COLLECT

DESIGNED:	RR
DRAWN:	AG
CHECKED:	ES
SCALE:	1"=100'

WORK AREA WITHIN CONSERVATION DISTRICT
AERIAL EXHIBIT B



JOB NO:	073269
DATE:	8/15/23
EX	

**PRELIMINARY
NOT FOR
CONSTRUCTION**

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION.

SIGNATURE _____
 LICENSE EXPIRATION DATE _____

C:\Users\agethrin\DC\AC\DC\GANNETT FLEMING INC\073269-Kealia_Kaneha_Dam_Rehabilitation\Project Files\Sheets\ESGD\H043_ Exhibit_2.dwg Plotted By: agethrin on Aug 28, 2023 at 3:56pm



OWNER: STATE OF HAWAII

OWNER: STATE OF HAWAII
TMK: (4) 4-7-001.002

OWNER: CONERSTONE II
TMK: (4) 4-7-002.005

OWNER: HAWAIIAN HOMELANDS
TMK: (4) 4-7-002.004

OWNER: CORNERSTONE IV
TMK: (4) 4-7-001.001

OWNER: CORNERSTONE IV
TMK: (4) 4-7-001.001

GATED INFLOW CANAL

SMALL POND

KEALIA STREAM

KANEHA RESERVOIR

LIMIT OF DISTURBANCE
~72 ACRES

LIMIT OF DISTURBANCE
~72 ACRES

MATCH LINE SHEET EX-2

C:\Users\jaghelein\DC\ACCDocs\GANNETT FLEMING INC\073269-Kealia_Dam_Rehabilitation\Project Files\Sheets\ESGD\HIBIT\KANEHA_SHIPD.dwg Plotted By: agebrlein on Sep 13, 2023 at 4:51pm

© 2023 Microsoft Corporation © 2023 Maxar ©CNES (2023) Distribution Airbus

PRELIMINARY
NOT FOR
CONSTRUCTION

REVISION NO.	DESCRIPTION	DATE

6400 S FIDDLERS GREEN CIR SUITE 1750, GREENWOOD VILLAGE, CO. 80111

Two working days before you dig
CALL FOR THE BLUESTAKES
1-866-423-7287
Have a One Call Center (MOOD)
CALL COLLECT

DESIGNED:
DRAWN:
CHECKED:
SCALE: 1" = 200'

KEALIA KANEHA DAM REHABILITATION

EXHIBIT 1

JOB NO:
073269
DATE:
EX-1

THIS WORK WAS PREPARED BY ME OR
UNDER MY SUPERVISION.
SIGNATURE
LICENSE EXPIRATION DATE

C:\Users\agel\OneDrive\GANNETT FLEMING INC\073269-Kealia_Kaneha_Dam_Rehabilitation\Project Files\Sheets\ES\GD\H\EXHIBIT\KANEHA_SHPD.dwg Plotted By: agehlein on Sep 13, 2023 at 4:55pm



© 2023 Microsoft Corporation © 2023 Maxar © CNES (2023) Distribution Airbus DS

PRELIMINARY
NOT FOR
CONSTRUCTION

REVISION NO.	DESCRIPTION	DATE

GANNETT FLEMING
6400 S FIDDLERS GREEN CIR SUITE 1750, GREENWOOD VILLAGE, CO, 80111

Two working days before you dig
CALL FOR THE BLUESTAKES
1-866-423-7287
Hawaii One Call Center (HOCC)
CALL COLLECT

DESIGNED:
DRAWN:
CHECKED:
SCALE: 1" = 200'

KEALIA KANEHA DAM REHABILITATION
EXHIBIT 2

JOB NO: 073269
DATE:
EX-2
SIGNATURE
LICENSE EXPIRATION DATE



Grading Plan and Profiles

SCAP – Dam Safety Permit No. 97, Kaneha Reservoir (KA-015)



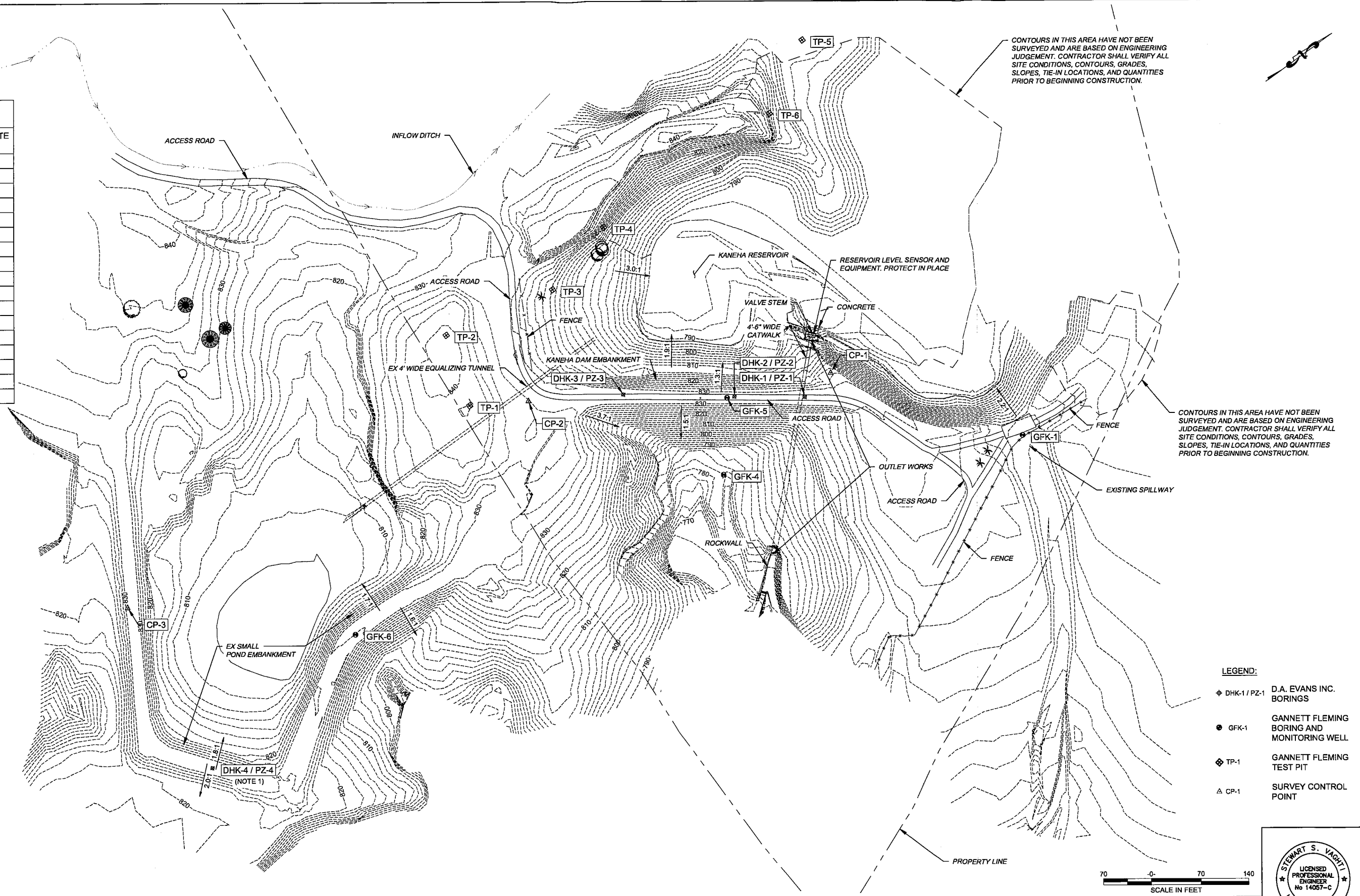
GFT

ACDDCSGANNETT FLEMING INC\073269-KEALIA_KANEHA_DAM_REHABILITATION\Project Files\Sheets\ES\GDH\EX CONDITIONS.dwg

Point Table

POINT	APPROXIMATE NORTHING	APPROXIMATE EASTING
CP-1	108353.72	1684018.05
CP-2	107976.73	1683792.25
CP-3	107333.92	1683691.18
DHK-1 / PZ-1	108302.67	1684023.65
DHK-2 / PZ-2	108221.27	1683963.53
DHK-3 / PZ-3	108093.66	1683866.31
DHK-4 / PZ-4	107295.56	1683949.05
GFK-1	108524.12	1684253.81
GFK-4	108141.73	1684045.09
GFK-5	108211.61	1683958.43
GFK-6	107576.07	1683916.23
TP-1	107904.75	1683747.69
TP-2	107937.57	1683645.54
TP-3	108100.24	1683683.29
TP-4	108213.03	1683654.58
TP-5	108603.56	1683604.92
TP-6	108503.19	1683663.28

NOTES:
 1. DHK-4/PZ-4 HAS BEEN GRADED OVER AND IS CURRENTLY LOST. CONTRACTOR TO LOCATE AND ABANDON IN PLACE.

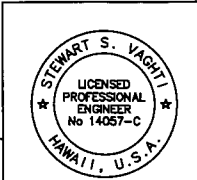


CONTOURS IN THIS AREA HAVE NOT BEEN SURVEYED AND ARE BASED ON ENGINEERING JUDGEMENT. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS, CONTOURS, GRADES, SLOPES, TIE-IN LOCATIONS, AND QUANTITIES PRIOR TO BEGINNING CONSTRUCTION.

CONTOURS IN THIS AREA HAVE NOT BEEN SURVEYED AND ARE BASED ON ENGINEERING JUDGEMENT. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS, CONTOURS, GRADES, SLOPES, TIE-IN LOCATIONS, AND QUANTITIES PRIOR TO BEGINNING CONSTRUCTION.

LEGEND:

- ◆ DHK-1 / PZ-1 D.A. EVANS INC. BORINGS
- GFK-1 GANNETT FLEMING BORING AND MONITORING WELL
- ◆ TP-1 GANNETT FLEMING TEST PIT
- ▲ CP-1 SURVEY CONTROL POINT



REVISION NO.	DESCRIPTION	DATE
4	FINAL DESIGN FOR PERMIT	APR 2025
3	FINAL DESIGN	DEC 2024
2	100% DESIGN	AUG 2023
1	90% DESIGN	JUNE 2023
0	30% DESIGN	JAN 2023

GANNETT FLEMING
 8400 S FIDDLERS GREEN CIR SUITE 1750, GREENWOOD VILLAGE, CO, 80111

Two working days before you dig
 CALL FOR THE BLUESTAKES
1-866-423-7287
 Hawaii One Call Center (1-800)
 CALL COLLECT

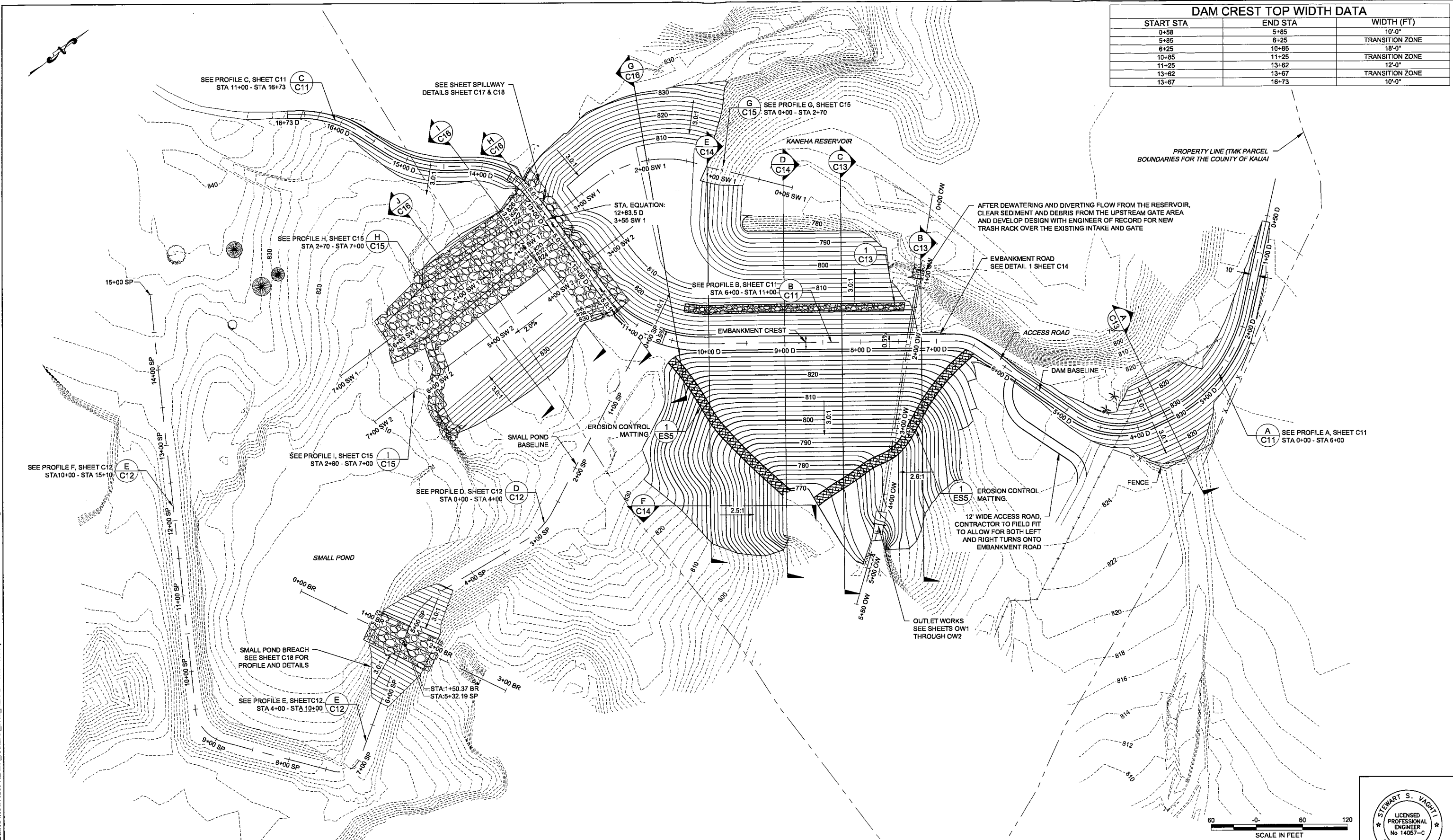
DESIGNED: RR
 DRAWN: AG
 CHECKED: AL
 SCALE: 1" = 70'

KEALIA KANEHA DAM REHABILITATION
EXISTING CONDITIONS AND BORING PLAN

JOB NO: 073269
 DATE: 4/17/25
 C1

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION.
 SIGNATURE: 4/30/2026
 LICENSE EXPIRATION DATE

DAM CREST TOP WIDTH DATA		
START STA	END STA	WIDTH (FT)
0+58	5+85	10'-0"
5+85	6+25	TRANSITION ZONE
6+25	10+85	18'-0"
10+85	11+25	TRANSITION ZONE
11+25	13+62	12'-0"
13+62	13+67	TRANSITION ZONE
13+67	16+73	10'-0"



ACDDDCS\GANNETT_FLEMING\INC\073269-KEALIA_KANEHA_DAM_REHABILITATION\Project Files\Sheets\ES\GD\HEMBANKMENT.dwg

REVISION NO.	DESCRIPTION	DATE
4	FINAL DESIGN FOR PERMIT	APR 2025
3	FINAL DESIGN	DEC 2024
2	100% DESIGN	AUG 2023
1	90% DESIGN	JUNE 2023
0	30% DESIGN	JAN 2023

GANNETT FLEMING
 6400 S FIDDLERS GREEN CIR SUITE 1750, GREENWOOD VILLAGE, CO. 80111

Two working days before you dig
 CALL FOR THE BLUESTAKES
1-866-423-7287
 Hawaii One Call Center (HODOC)
 CALL COLLECT

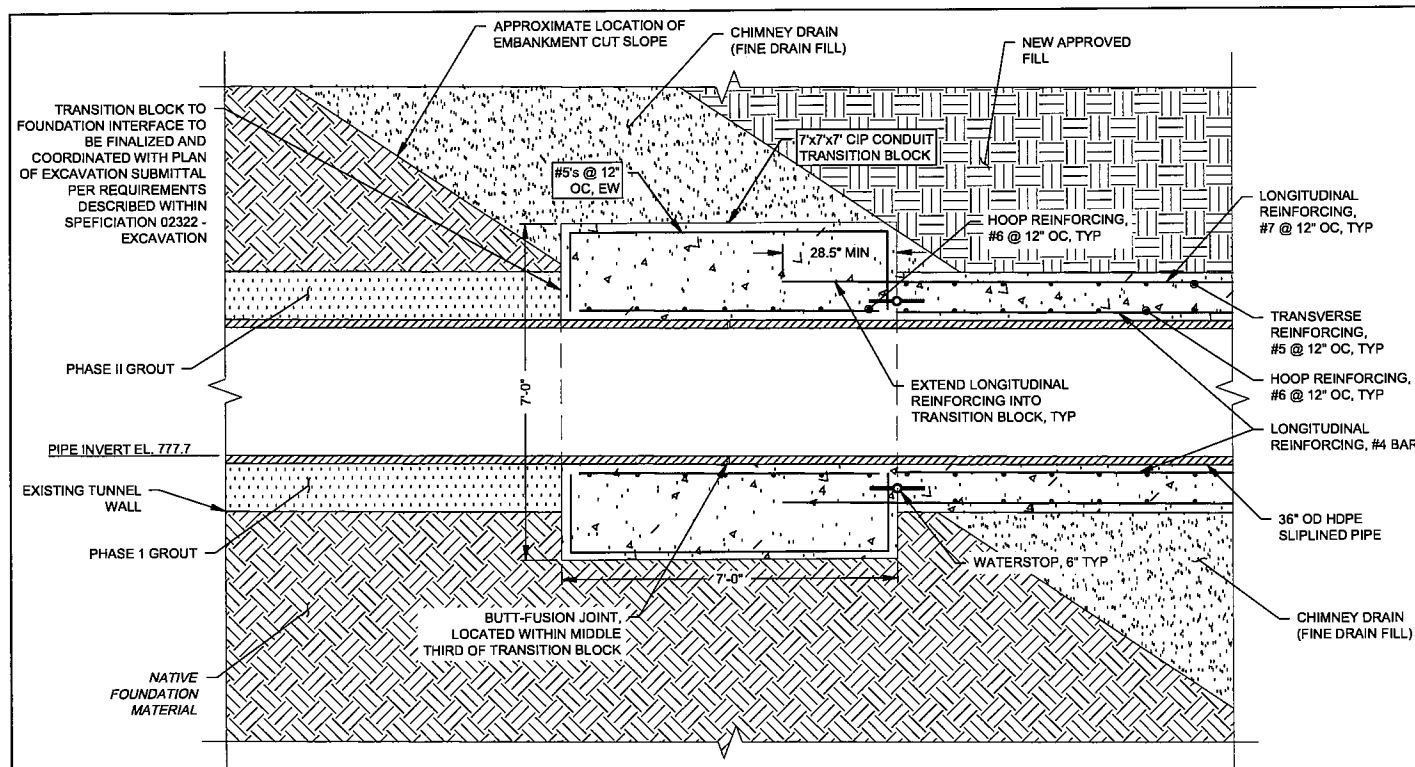
DESIGNED: RR
 DRAWN: AG
 CHECKED: AL
 SCALE: 1" = 60'

KEALIA KANEHA DAM REHABILITATION
PLAN OF MODIFICATIONS

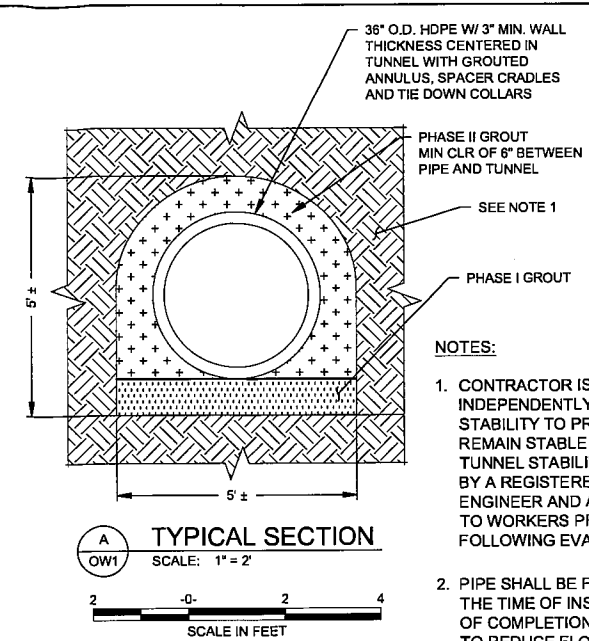
JOB NO: 073269
 DATE: 4/17/25
C9



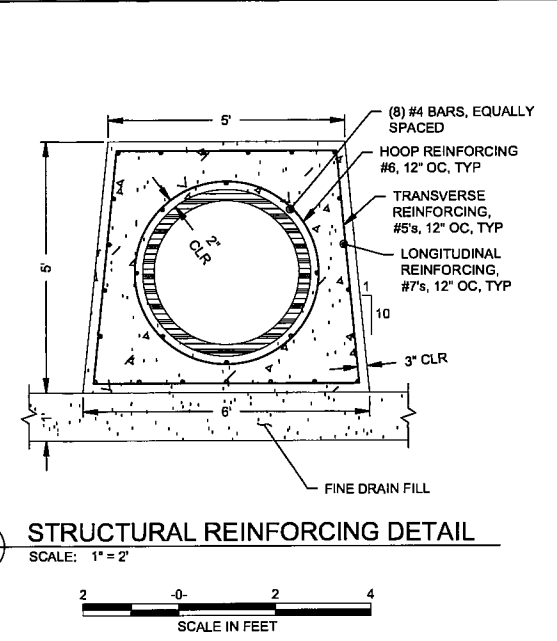
THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION.
 SIGNATURE: 4/30/2026
 LICENSE EXPIRATION DATE



1 CONDUIT TRANSITION BLOCK DETAIL
SCALE: 1" = 2'
SCALE IN FEET

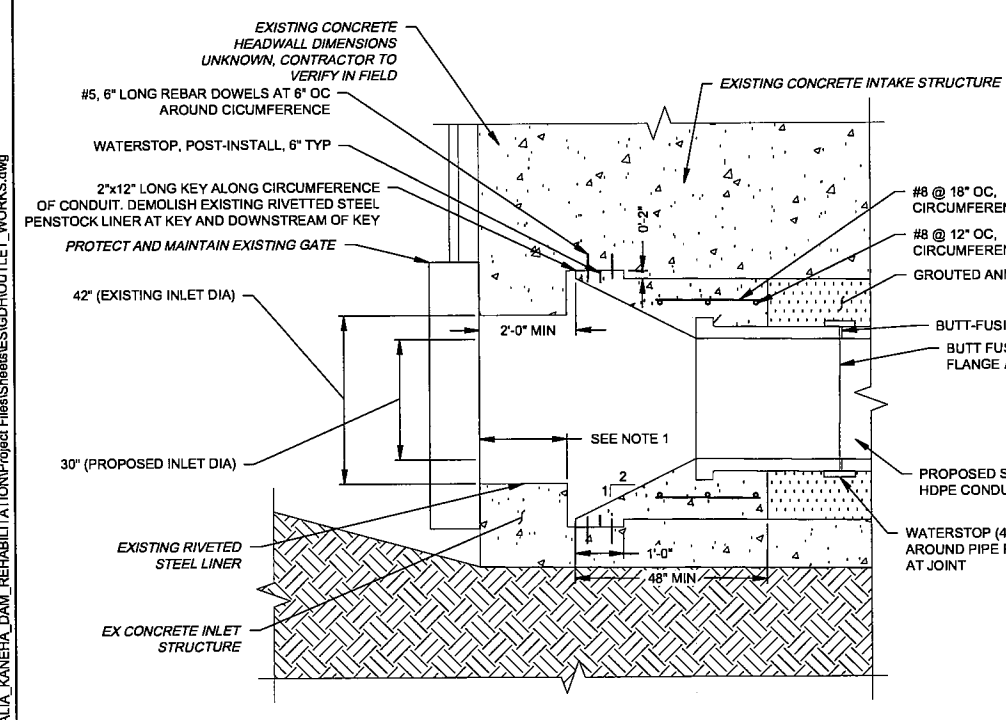


A TYPICAL SECTION
SCALE: 1" = 2'
SCALE IN FEET



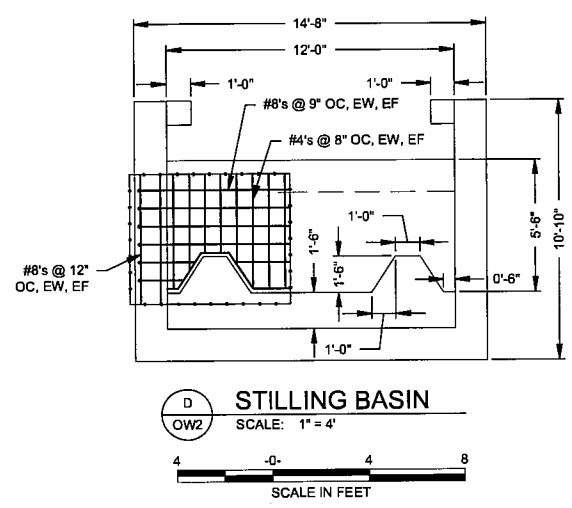
B C 2 STRUCTURAL REINFORCING DETAIL
SCALE: 1" = 2'
SCALE IN FEET

NOTES:
1. CONTRACTOR IS REQUIRED TO INDEPENDENTLY EVALUATE THE TUNNEL STABILITY TO PROVE THE TUNNEL WILL REMAIN STABLE DURING CONSTRUCTION. TUNNEL STABILITY SHALL BE EVALUATED BY A REGISTERED PROFESSIONAL ENGINEER AND ADEQUATE PROTECTION TO WORKERS PROVIDED IF REQUIRED FOLLOWING EVALUATION.
2. PIPE SHALL BE FILLED WITH WATER FROM THE TIME OF INSTALLATION TO THE TIME OF COMPLETION OF PHASE II GROUTING TO REDUCE FLOTATION.

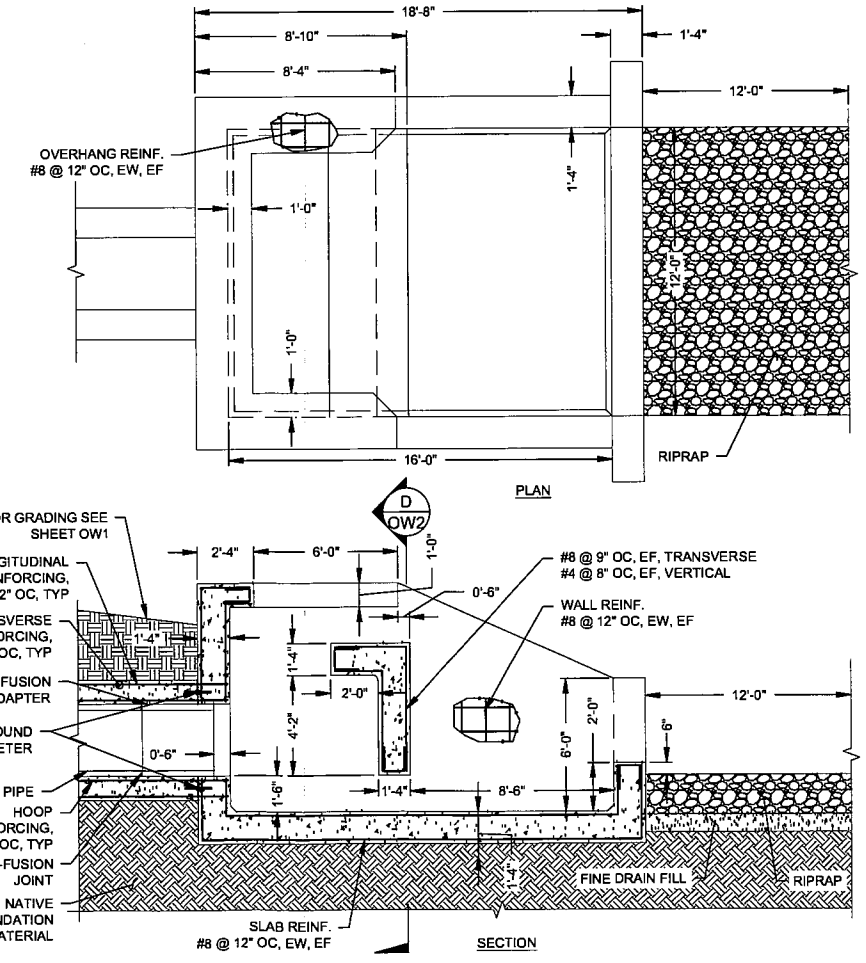


3 INLET TRANSITION DETAIL
SCALE: 1" = 2'
SCALE IN FEET

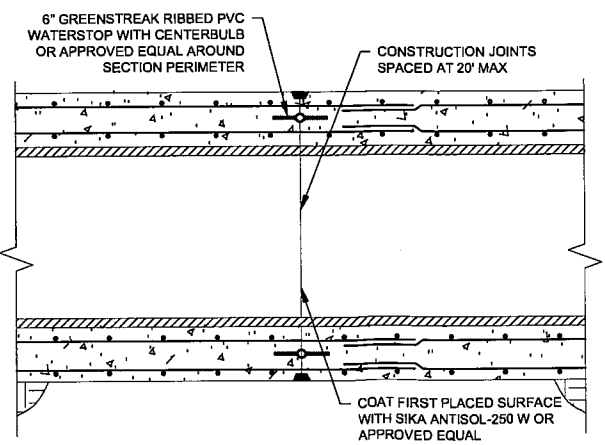
NOTES:
1. FIELD VERIFY EXISTING INLET STRUCTURE DIMENSIONS.
2. DESIGN DETAIL IS BASED ON LIMITED INFORMATION AND IS TO BE REVIEWED AND POTENTIALLY UPDATED FOLLOWING FIELD OBSERVATION OF INLET.



D STILLING BASIN
SCALE: 1" = 4'
SCALE IN FEET



5 STILLING BASIN DETAIL
SCALE: 1" = 4'
SCALE IN FEET



4 CONSTRUCTION JOINT DETAIL
SCALE: 1" = 2'
SCALE IN FEET

REVISION NO.	DESCRIPTION	DATE
4	FINAL DESIGN FOR PERMIT	APR 2025
3	FINAL DESIGN	DEC 2024
2	100% DESIGN	AUG 2023
1	90% DESIGN	JUNE 2023
0	30% DESIGN	JAN 2023

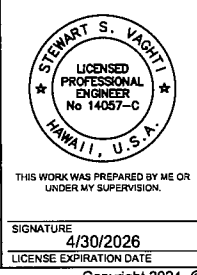


Two working days before you dig
CALL FOR THE BLUESTAMP
1-866-423-7287
Have it One Call Center (HOC) CALL COLLECT

DESIGNED: RR
DRAWN: AG
CHECKED: AL
SCALE: 1" = 20'

KEALIA KANEHA DAM REHABILITATION
OUTLET WORKS MODIFICATIONS SECTIONS

JOB NO: 073269
DATE: 4/17/25
OW2



ACCDOS\GANNETT FLEMING\INC073269-KEALIA_KANEHA_DAM_REHABILITATION\Project Files\Sheet\ES\GDB\HOUTLET_WORKS.dwg



No-Rise Certification

SCAP – Dam Safety Permit No. 97, Kaneha Reservoir (KA-015)



GFT

“No-Rise” Certification Form

This is to certify that I am a duly qualified registered professional civil engineer licensed to practice in the State of Hawaii.

It is further to certify that the attached technical data supports the fact that proposed Kaneha Dam Rehabilitation will not impact the 100-year flood elevations, floodway elevations, or floodway widths on Kapaa Stream at published sections in the Flood Insurance Study for Kauai County dated February 26, 2021 and will not impact the 100-year flood elevations, floodway elevations, or floodway widths at unpublished cross-sections in the vicinity of the proposed development.

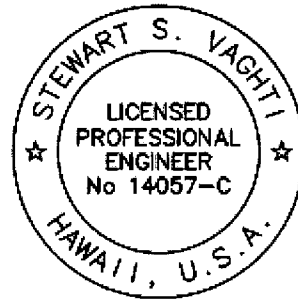
Attached are the following documents that support my finding:

- GFT Infrastructure, Inc. (2025), Kaneha Dam Rehabilitation and Spillway Relocation Statement

Date: _____

Signature: _____

Title: Vice President





Date:	October 13, 2025
To:	Permit Reviewer
From:	Andy Lynch, PE Will Webber
RE:	Kaneha Dam Rehabilitation and Spillway Relocation Statement

BACKGROUND

Kaneha Dam is located on the northeastern portion of Kaua’i, approximately 4.5 miles west of the town of Anahola. Kaneha Dam was constructed in 1910 to provide irrigation water to downstream properties. Following the failure of Ka Loko Dam in 2006, which is located approximately 3 miles north of Kaneha Dam, the State of Hawai’i Department of Land and Natural Resources (DLNR) performed a limited inspection of Kaneha, during which seepage was observed at the toe of the left portion of the embankment. In 2017, DLNR issued a formal Notice of Dam Safety Deficiency which required, among other items, that the Owners submit a Dam Remediation Plan to remedy the documented dam safety deficiencies and bring the dam into compliance with the State’s Dam Safety Rules (see Hawai’i Administrative Rules (HAR) Chapter 13-190.1).

The Owners are in the design and permitting phase for the rehabilitation of Kaneha Dam. This proposed rehabilitation work includes regrading of the dam embankment, construction of a downstream filter and drainage system, improvements to the dam’s low-level outlet, breaching of the adjacent “small pond” embankment, the construction of a new spillway at the dam’s right abutment and the closure of the dam’s current spillway at its left abutment. This spillway relocation will redirect spillway flows from the Anahola Stream watershed to the Kealia Stream watershed (and ultimately to the Ocean by way of the Kapa’a Stream), restoring the original watershed pre-dam flow paths.

Because the relocation of the spillway will direct flows back into the Kealia Stream and ultimately the Kapa’a Stream where they historically flowed prior to the original dam construction, the potential flooding impacts to the downstream properties need to be considered.

FEMA EFFECTIVE FLOOD INSURANCE STUDY

The FEMA Flood Insurance Study (FIS) for Kaua’i was most recently revised in February 2021 and contains summary data from the hydrologic and hydraulic studies that were performed in support of the FIS and floodplain boundaries. A summary of the relevant data from the FIS pertaining to Kapa’a Stream is presented in Table 1.

Table 1: Summary of Effective FIS Data Relating to Kapa'a Stream

Drainage Area (square miles):	16.3 ¹
1% Annual Chance Peak Discharge (cfs):	37,000
Hydrologic Model or Method Used:	Multiple Linear Correlations
Hydraulic Model or Method Used:	HEC-2
Date Analyses Completed:	June 1978

FEMA provided the hydrologic and hydraulic reports which were used in the FIS for Kapa'a Stream in response to a data request by GFT (formerly Gannett Fleming). One of the USGS stream gaging stations used in the Regional Flood-Frequency Study Kaua'i Streams, Island of Kaua'i, Hawai'i (1978) was *Kapa'a Stream at Old Highway Crossing near Kealia*. This gaging station is no longer active, but it is reported to have been located at N22°06'18", W159°19'11" (this location is shown in the figures below). No watershed delineation maps were available in the 1978 hydrologic report, but the drainage area at this gaging station is reported to be 13.2 square miles.

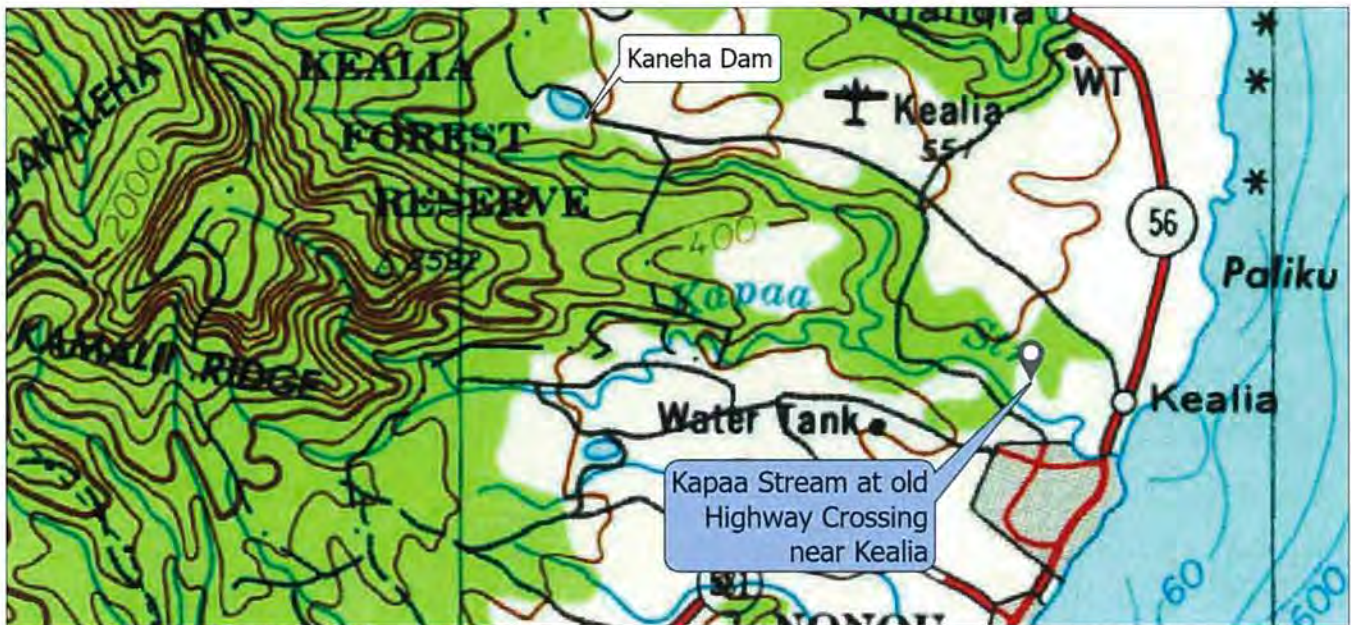


Figure 1 – Portion of 1970 USGS Topographic Mapping Showing Kaneha Dam

¹ The Effective FIS report cites a drainage area of 13.6 square miles while the previous version of the FIS (1995) as well as the actual hand-written supporting calculations within the 1978 report state a value of 16.3 square miles. GFT believes the 13.6 value in the current FIS is a simple transposition error of the actual 16.3 value.

WATERSHED DELINEATION

GFT reviewed the 1970 USGS topographic map of Kaua'i (see relevant portion of 1970 mapping in Figure 1) to understand the level of topographic detail that was available to the hydrologists performing the 1978 analyses. The contours shown have an interval of 200 feet.

The watershed at the mouth of the Kapa'a Stream was delineated by GFT to compare the reported drainage area with what may be delineated using mapping from the same era. The resulting watershed delineation is shown in Figure 2 and has an area of 16.4 square miles, which is within 1% of the 16.3 square mile area cited within the 1978 hydrologic report. Note that this delineation shows the watershed contributing to Kaneha Dam as flowing into Kapa'a Stream.

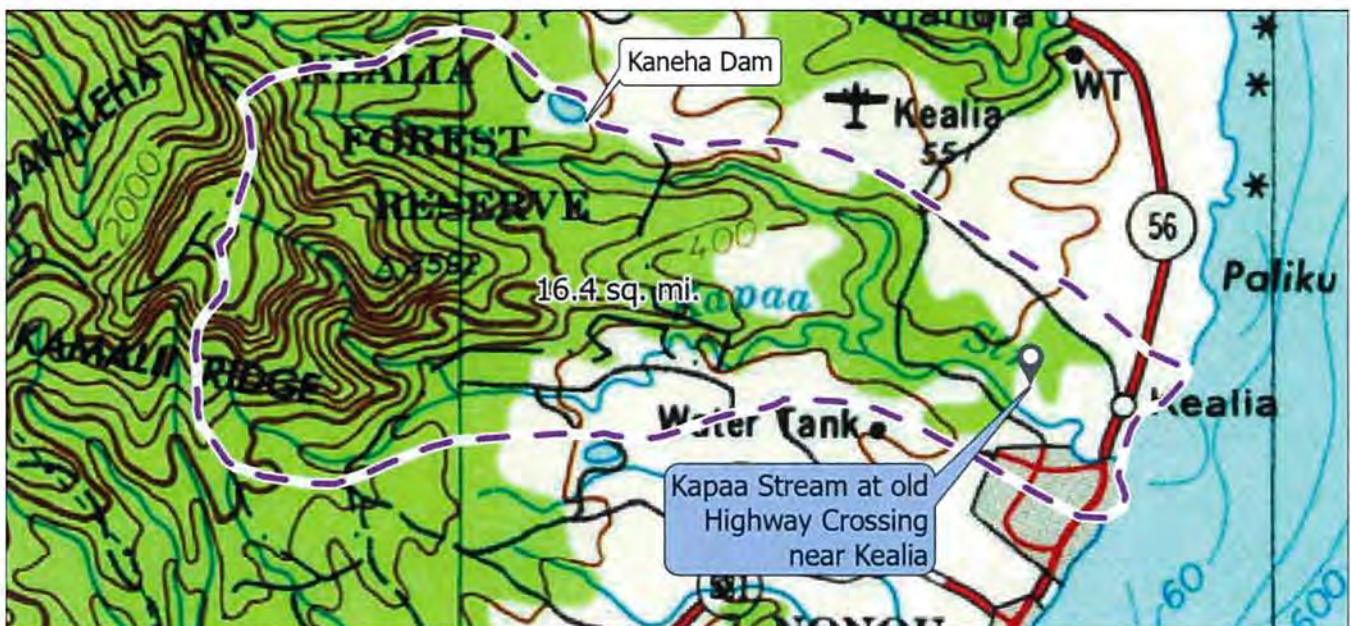


Figure 2 – GFT Delineation of Watershed at Mouth of Kapa'a Stream (Based on 1970 Contour Mapping)

The USGS StreamStats was also used to delineate the watershed based on recent and more detailed topographic data (see Figure 3). This delineation corresponds to a drainage area of 16.3 square miles, consistent with the 1978 hydrologic report. Note that current USGS mapping and terrain data also do not show the spillway. For context, the portion of the watershed which contributes to Kaneha Dam is 0.7 square miles, or approximately 4% of the watershed at the mouth of Kapa'a Stream.

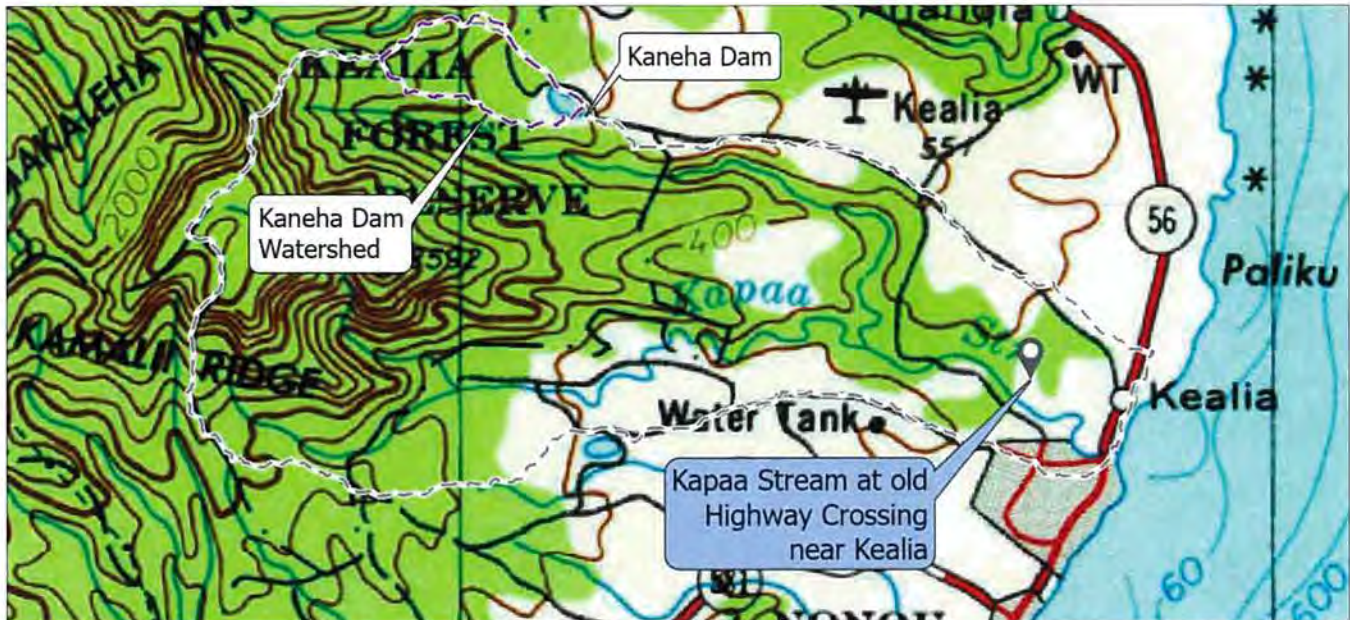


Figure 3 – StreamStats Delineation of Watershed at Mouth of Kapa’a Stream with Kaneha Dam Watershed

100-YEAR FLOOD ESTIMATES

GFT performed independent hydrologic modeling of the watershed upstream of Kaneha Dam and also of the entire Kapa’a Stream watershed down to the Ocean. This was used as a comparison with estimates of the 1% Annual Chance Peak Discharge (i.e., 100-year flood) to help validate previous floodplain mapping analyses and understand the impact of the spillway modification at Kaneha Dam. A summary of pertinent results from the FEMA FIS, USGS StreamStats, and GFT’s independent analysis is displayed in Table 2.

Table 2: Summary of GFT Hydrologic Modeling

Analysis:	GFT	FEMA FIS	USGS StreamStats
Year Completed:	2025	1978	2023
Drainage Area (square miles):	15.3	16.3	16.3
1% Annual Chance Peak Discharge (cfs):	35,140	37,000	32,600
Hydrologic Model Used:	HEC-HMS (SCS Method)	Regression	Regression

The GFT area of 15.3 square miles compares well to the 16.3 square miles (approximately 6% different). The difference in drainage areas is primarily attributed to GFT’s interpretation of the downstream-most portion of the watershed where it appears runoff from a portion of the watershed flows under Kūhiō Highway before flowing into the Ocean. See Figure 4 for a depiction of this area and the different watershed delineations.



Figure 4 – Comparison of GFT Watershed Delineation to StreamStats Delineation

The 1% Annual Chance peak discharge rate of 35,140 cfs as computed by GFT also compares well to the FIS discharge of 37,000 cfs (approximately 5% different). This comparison shows that the floodplain mapping for the Effective FIS is based on a generally conservative estimate of the 1% Annual Chance peak discharge.

ASSESSMENT OF PROJECT IMPACTS

The original construction of Kaneha Dam in 1910 altered historic flow paths by directing spillway flows into the Anahola Stream watershed which had been flowing into the Kealia Stream. The proposed rehabilitation of the dam will restore the historic flow paths by relocating the dam's spillway from the left abutment to its right abutment. The construction of the original spillway was a small topographic change which was not reflected in mapping available at the time of the hydrologic analyses which were used in establishing the regulatory floodplain boundaries in the region. Even current island-wide mapping does not reflect the presence of the spillway (see Figure 3 for the StreamStats delineation of the watershed at the mouth of Kapa'a Stream).

In considering the regulatory impacts of this change, GFT evaluated the available documentation which was used to delineate the existing regulatory floodplain boundaries. In GFT's opinion, the watershed delineations used in the 1978 analyses did not account for the spillway at Kaneha Dam discharging flows into the adjacent Anahola Stream watershed. Information on this specific topographic detail was not available to the hydrologists performing the original analyses. Therefore, while the proposed modifications at Kaneha Dam will redirect spillway flows, they will also restore the historic (pre-dam) flow patterns and will bring the real-world conditions into agreement with the assumptions made during the regulatory process which established the floodplain boundaries.

ATTACHMENT A - EXCERPT OF FEMA FIS HYDROLOGIC CALCULATIONS (1978)

4.763

NAME: KAPAA STREAM AT MOUTH

$Q_p = C_p \times DA^{.58} \times CL^{.66} \times PA^{1.07}$

DA = Drainage Area = 16.3 ^{5.05}

CL = Length Main Watercourse = 13.9 ^{5.24}

PA = Normal Annual Precipitation = 100

$C_p = 380$

$Q_p = 380 \times 16.3^{5.05} \times 13.9^{5.24} \times 100^{1.07}$

$Q_p = 10060 \text{ cfs}$ Log Q = 4.002

S = standard deviation = 0.24

Annual Exceedence Frequency	K	Ks	Log Q (M + Ks)	Q
0.002	2.88	.706	4.708	54,000
0.01	2.33	.570	4.572	39,000
0.02	2.05	.503	4.505	32,000
0.10	1.28	.314	4.316	21,000
0.50	0.00	-	4.002	10,000

ATTACHMENT B – STREAMSTATS REPORT (2023)

Region ID: HI
 Workspace ID: HI20250903192753256000
 Clicked Point (Latitude, Longitude): 22.09383, -159.30727
 Time: 2025-09-03 13:28:16 -0600



Collapse All

> Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	16.258	square miles

> Peak-Flow Statistics

Peak-Flow Statistics Parameters [Hawaii Peakflow 2 windward Kauai 2023 5014]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	16.258	square miles	0.41	23.74



Peak-Flow Statistics Flow Report [Hawaii Peakflow 2 windward Kauai 2023 5014]

PIL: Lower 90% Prediction Interval, PIU: Upper 90% Prediction Interval, ASEp: Average Standard Error of Prediction, SE: Standard Error, PC: Percent Correct, RMSE: Root Mean Squared Error, PseudoR^2: Pseudo R Squared (other -- see report)

Statistic	Value	Unit	PIL	PIU	ASEp
50-percent AEP flood	8990	ft^3/s	1690	47800	90.8
20-percent AEP flood	14400	ft^3/s	4540	45700	57.9
10-percent AEP flood	18300	ft^3/s	7030	47600	47
4-percent AEP flood	23700	ft^3/s	10600	52800	39.1
2-percent AEP flood	28000	ft^3/s	13500	58200	35.7
1-percent AEP flood	32600	ft^3/s	16700	63500	32.7
0.5-percent AEP flood	37300	ft^3/s	20100	69400	30.6
0.2-percent AEP flood	44000	ft^3/s	25400	76200	27.6

Peak-Flow Statistics Citations

Mitchell, J.N., Wagner, D.M., and Veilleux, A.G.2023, Magnitude and frequency of floods on Kaua'i, O'ahu, Moloka'i, Maui, and Hawai'i, State of Hawai'i, based on data through water year 2020: U.S. Geological Survey Scientific Investigations Report 2023-5014, 66 p. plus 4 appendixes (<https://doi.org/10.3133/sir20235014>)

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.29.2

StreamStats Services Version: 1.2.22

NSS Services Version: 2.2.1



Documentation – SHPD, Ka Pa’akai

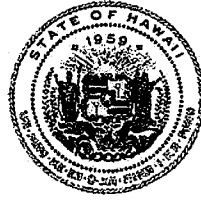
SCAP – Dam Safety Permit No. 97, Kaneha Reservoir (KA-015)



GFT

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 2, 2024

Carty S. Chang, Chief Engineer
Department of Land and Natural Resources (DLNR)
Engineering Division
Kalanimoku Building
1151 Punchbowl Street, Room 221
Honolulu, HI 96813
c/o Gina Belleau
gina.c.belleau@hawaii.gov

IN REPLY REFER TO:
Project No. 2024PR00518
Doc. No. 2408MA01
Archaeology
Architecture

Dear Carty S. Chang:

SUBJECT: Hawaii Revised Statutes (HRS) Chapter 6E-42 and 6E-8 Historic Preservation Review – Kaneha Reservoir (KA-0015) Alteration Project, Dam Safety Permit 97 Reconnaissance Level Survey Report (RLS) Keālia and Kamalomalo'ō Ahupua'a, Puna District, Island of Kaua'i TMK: (4) 4-7-002:003, 004, 005, and (4) 4-7-001:001

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject permits and proposed project titled Kaneha Reservoir Alteration Project, along with the supporting document titled *Draft Reconnaissance Level Survey, Kaneha Reservoir, Dam Rehabilitation Project, Kealia, Kauai County, TMK [4] 4-7-002: 005 0001 to 0008, TMK [4] 4-7-001:001 0001 to 0003, and 0007 to 0009, TMK [4] 4-7-002: 004, TMK [4] 4-7-002: 003 (MASON 2024)*. The proposed project is predominantly on privately-owned land and subject to Dam Safety Permit 97, which triggered the DLNR Engineering Division to request a historic preservation review and an effect determination from the SHPD in April 2024, per HRS §6E-42. It is also subject to HRS §6E-8 review due to the use of a small portion of State of Hawaii Department of Hawaiian Home Lands (DHHL) property (see below).

Kealia Irrigation Company, Inc. proposes to rehabilitate the Kaneha Reservoir (KA-0015) dam embankment, spillway, and outlet works to address deficiencies in the historic reservoir and bring it into compliance with current safety standards. At present the dam is classified by the DLNR Engineering Division as "High Hazard," with a structural failure likely resulting in loss of life. Proposed work will include: demolishing, with some excavation, and backfilling the existing spillway; excavating a new spillway on the right abutment, adjacent to the current equalizing tunnel that will be backfilled, to incorporate the smaller reservoir/pond that will be breached; flattening the upstream and downstream embankments of the large reservoir with the excavation and addition of material; installing new seepage and drainage systems; slip-lining the outlet conduit; refreshing the existing dam access road with new gravel; and preparing the staging area with less than 6-inches of grading. Riprap will be added to the new spillway, small reservoir/pond breach, and upstream embankment.

The project area—including portions where ground-disturbance is planned, and those designated for materials stockpiling and ingress/egress—totals approximately 75 acres of land primarily on parcels owned by Cornerstone Hawaii Holdings, LLC [TMK (4) 4-7-002:003, 005, and (4) 4-7-001:001]. The project area is on the edge of a DHHL-owned parcel [TMK (4) 4-7-002:004], and its boundaries do minimally cross over onto that DHHL parcel at several

points along the ingress/egress route, where the only proposed ground disturbance will be refreshing of the existing gravel roadway. The reservoir is located mauka of Anahola in the Makaleha Mountains, just north of Kealia Stream, in the northeastern portion of Kaua'i.

SHPD agrees with MASON's evaluation of the c. 1906 Kaneha Reservoir (KA-0015) as a significant historic property, which has been assigned State Inventory of Historic Places (SIHP) No. 50-30-04-02522. See Attachment at end of letter for summary of findings presented in the RLS under review here (MASON 2024). SHPD has no concerns about subsurface remains within the project area, due to the construction of the reservoir itself and minimal impact to already cleared areas where stockpiling and ingress/egress will occur. Based on the information provided, **the SHPD agrees** with a HAR §6E-42 determination of "Effect, with agreed upon mitigation commitments," per HAR §13-284-7(a)(2). The SHPD further agrees that the finalized RLS Report constitutes sufficient mitigation, in the form of architectural recordation of the historic properties to be affected, per HAR §13-284-8(a)(1)(B).

SHPD accepts the RLS Report as meeting the minimum requirements of HAR § 13-284-5. **Please make the edits** indicated in Attachment 2 below and send a hard copy of the RLS Report, clearly marked FINAL, and a copy of this review letter to the Kapolei SHPD office, attention SHPD Library, and submit a digital copy to the SHPD Library at dlnr.hp.library@hawaii.gov.

SHPD hereby notifies DLNR Engineering Division that the permit issuance process may continue.

Please ensure the following is attached to construction plans: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 692-8015.

Note: If any federal permitting is required for this project to proceed, it may also be subject to National Historic Preservation Act (NHPA) Section 106 Review, which is distinct from the HRS §6E Historic Preservation Review process covered in this letter. Project initiation cannot occur until NHPA Section 106 Review has been satisfactorily completed.

Please contact Mary Kodama, Historic Architect, at Mary.Kodama@hawaii.gov, for any concerns regarding architectural or engineering resources; or Megan E. Alvarez, O'ahu Island Lead Archaeologist, at megan.alvarez@hawaii.gov, for any matters concerning archaeological resources or this letter.

Aloha,

Susan A. Lebo

Susan A. Lebo, PhD
Archaeology Branch Chief
Acting Administrator, State Historic Preservation Division

cc: Frank L. VanderSloot, ddance@rbm.us
Aaron Eddington, aeddingon@rbm.us
David Dance, ddance@rbm.us
Eric Schlosser, eschlosser@gfnet.com
Alex Gehrlein, agehrlein@gfnet.com
Polly Tice, pt@masonarch.com
Dee Ruzicka, dr@masonarch.com
DHHL.contactcenter@hawaii.gov
Ku'upuamaeole Kiyuna, DHHL, kuupuamaeole.kiyuna@hawaii.gov

Attachment 1

Background Information Pertaining to HRS §6E Historic Preservation Review

On behalf of Kealia Irrigation Company, Mason Architects, Inc. (MASON) produced an RLS report for Kaneha Reservoir in 2024 that documented the reservoir’s history and current condition, evaluated it for significance and integrity per HAR §13-284-6, and assessed the proposed project’s effect per HAR §13-284-7. MASON found Kaneha Reservoir, constructed c. 1906, to be a historic property significant under Criterion a, for its association with the development of irrigation facilities for the Makee Sugar Company, and Criterion c, as embodying distinctive earthen dam and unlined earthen reservoir construction. Despite alterations to the original construction, the reservoir was deemed to retain sufficient levels of integrity to be eligible for the Hawai‘i Register of Historic Places, per HAR §13-198-8(1). It retains total integrity of location; most integrity of workmanship, materials, feeling, and association; and partial integrity of setting and design. MASON found that the proposed project will result in an effect on a significant historic property due to changing important characteristics of the reservoir—especially dam shape, the location and design of the spillway, and the functionality of the smaller reservoir/pond. They recommended a project effect determination for HAR §6E-42 of “Effect, with agreed upon mitigation commitments.” MASON further recommended Architectural Recordation as appropriate mitigation of this effect, per HAR §13-284-8, and proposed the subject RLS as providing sufficient documentation to meet this mitigation requirement upon SHPD acceptance of the report (MASON 2024:24–25).

Attachment 2

Comments to Draft Reconnaissance Level Survey, Kaneha Reservoir, Dam Rehabilitation Project, Kealia, Kauai County, TMK [4] 4-7-002: 005 0001 to 0008, TMK [4] 4-7-001 : 001 0001 to 0003, and 0007 to 0009, TMK [4] 4-7-002: 004, TMK [4] 4-7-002: 003 (MASON 2024)

1. Update the cover page to include the HICRIS Project Number 2024PR00518 and SIHP # 50-30-04-02522.
2. Page 1, 2nd paragraph, insert “and State Inventory of Historic Places No. 50-30-04-02522” at the end of the last sentence.
3. Figure 1. Add as an inset a Kaua‘i Island Inset boundary map indicating the location of the project area

DLNR Dam Safety
Ka Pa'akai Pre-Assessment Form (Revised 9/13/23)

PROJECT INFORMATION (To be completed by the dam owner)

Dam Name: Kaneha Dam

Dam ID No.: KA-0015

Dam Owner (name, title, company): Cornerstone Hawaii Holdings, LLC

Type of Project (e.g., removal, reduction, improvement): Improvement

Brief Description of Project (as needed, attach diagrams, maps, etc.): The project scope includes rehabilitation of the dam spillway, embankment, and outlet works to comply with Hawaii dam safety requirements.

TMK(s): (4) 4-7-002:005, (4) 4-7-001:001

Ahupua'a: Kealia

PRE-SCREENED COMPLIANT ACTIVITIES (To be completed by the dam owner)

Yes	No	Compliant Activity
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Repair and maintenance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Removing trees or vegetation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Valve replacement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Outlet modification
<input type="checkbox"/>	<input type="checkbox"/>	Perimeter fence installation
<input type="checkbox"/>	<input type="checkbox"/>	Service roadway installation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Embankment repair or improvement

Does the permit activity meet any of the pre-screened compliant activities? Yes No

If Yes, no further analysis will be required. Submit form to DLNR Dam Safety.

If No, the dam owner needs to complete the SCREENING ANALYSIS section.

SCREENING ANALYSIS (To be completed by the dam owner)

Provide responses to the following four screening questions:

1. Upon completion, will the proposed project result in a physical change of the geographical landscape in the area?

Yes, but only in the immediate location of the dam

2. Upon completion, will the proposed project result in changes to the water flow frequency, volume, or path upstream of the dam facility, through the project site, or downstream of the project site? Include impacts during conditions such as severe storm events.

No effect for normal storm events, but large storms that cause flow through the spillway to a different valley/watershed. But downstream evaluation has shown almost no impact.

3. Upon completion, is there a possibility the project may impact “valued cultural, historical, or natural resources in the petition area?”

None that we know of.

4. Upon completion, is there a possibility the project may change public accessibility to the dam facility or surrounding area?

No.

✓ If AT LEAST ONE of the four questions above were answered Yes, Dam Safety will consult Aha Moku and/or the Po’o of the respective island to determine the likelihood of the proposed permit activity to affect the Ka Paakai Framework. If it is deemed that further investigation is required, the dam owner will conduct a Ka Pa’akai Consultation Assessment (KPCA). Otherwise, no further analysis will be required.

 If ALL of the four questions above were answered “No,” no further analysis will be required and the dam owner will NOT need to perform a KPCA, subject to review and concurrence by DLNR and the Aha Moku Council.

SCREENING ANALYSIS RECOMMENDATIONS (To be completed by DLNR Dam Safety)

Is a Ka Pa'akai Consultation Assessment recommended?

Yes _____ Recommend the dam owner to perform a Ka Pa'akai Consultation Assessment

No Subject to approval by the Aha Moku Council.

Comments:

While high stream flow will be directed a different direction, studies didn't show significant downstream impacts. No cultural/historical sites were found to be affected besides the dam itself.

Dam Safety Reviewer Name (Printed): Gina Belleau

Dam Safety Reviewer Signature: *Gina Belleau*

CONCURRENCE & ACCEPTANCE OF SCREENING ANALYSIS RECOMMENDATIONS (To be processed by DLNR Dam Safety)

- Concur with the Ka Pa'akai Screening Analysis Recommendation
- Do not concur with the Ka Pa'akai Screening Analysis Recommendation

DLNR Chief Engineer Name (Printed): Gayson Ching

DLNR Chief Engineer Signature: *GC*

- Concur with the Ka Pa'akai Screening Analysis Recommendation
- Do not concur with the Ka Pa'akai Screening Analysis Recommendation

Aha Moku Executive Director (Printed): Leimana DaMate

Aha Moku Executive Director Signature: *Leimana DaMate*

_____ Attachments (Ka Pa'akai Pre-Assessment supporting documents)