



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
**STREAM DIVERSION WORKS
PERMIT APPLICATION**

For Official Use Only:
COMMISSION ON WATER
RESOURCE MANAGEMENT
2023 JAN 13 PM 1:51

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/cwrm>.

☐ 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 Status:** ☒ New ☐ After-The-Fact
2. **Type of Construction:** ☐ Installation ☐ Modification ☒ Removal / Abandonment

APPLICANT INFORMATION

3. **APPLICANT'S NAME / COMPANY**
East Maui Irrigation Co., LLC

Applicant's Contact Person
Mark Vaught

Applicant's Phone
808-579-9516

Applicant's Mailing Address
P O Box 1104
Pu'unēnē, HI 96784

Applicant's E-mail Address
mark.vaught@mahipono.com

☒ 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 diversion work.

4. **LANDOWNER'S NAME / COMPANY**

Landowner's Contact Person

Landowner's Phone

Landowner's Mailing Address

Landowner's E-mail Address

5. **CONSULTANT'S NAME / COMPANY**
Akinaka & Associates, Ltd

Consultant's Contact Person
Ken Kawahara, P.E.

Consultant's Phone
808-203-6668

Consultant's Mailing Address
1100 Alakea St. Suite 1800
Honolulu, HI 96813

Consultant's E-mail Address
kck@akinaka.com

6. **CONTRACTOR'S NAME / COMPANY**
Same as 3.

Contractor's Contact Person
Same as 3.

Contractor's Phone
Same as 3.

Contractor's Mailing Address
Same as 3.

Contractor's E-mail Address
Same as 3.

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.
1-1-001-042 (EMI), 2-9-014-001(SOH), 2-9-0014-002(EMI), 2-9-014-007(EMI)
2-9-014-009(EMI) - see attached List of Abandonments per CWRM Nov 15, 2022 order action

9. **Stream / Gulch Name(s)** List all affected streams and/or gulches.
Makanali, 'O 'opuola, Oanui, Waipi'o, Hoolawanui - see attached List of Abandonments per CWRM Nov 15, 2022 order action

FOR OFFICIAL USE ONLY:

SWHU ID: _____ FILE ID: _____
LAT: _____ GWHU ID: _____ DOC ID: _____
LON: _____ REACH ID: _____

GENERAL PROJECT INFORMATION				
10. Diversion No: <i>(if already assigned)</i> see list; 8 tot. 11. Diversion Name: see list; 8 total diversions				
12. Project Site Location(s): <i>Provide site coordinates of downstream-most point of project in degrees, minutes, seconds (NAD83). See List</i> Latitude: ° ' " Longitude: ° ' " Elevation: ft. above mean sea level				
13. Diversion Structure Type: <i>(Check all that apply)</i> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 20%;"><input type="checkbox"/> Unlined channel</div> <div style="width: 20%;"><input type="checkbox"/> Hand-built rock</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Concrete masonry</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Dam/weir</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Pipe</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Metal</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Plastic</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Wood</div> <div style="width: 20%;"><input type="checkbox"/> Pump</div> <div style="width: 20%;"><input checked="" type="checkbox"/> Direct use</div> </div> <input checked="" type="checkbox"/> Other - Describe: various structures to be abandoned per CWRM November 15, 2022 action - see attached list				
STREAM DIVERSION WORKS SPECIFICATIONS <i>(For Abandonments, skip to Legal Requirements section, Item #32.)</i>				
14. Structure Dimensions: <i>(feet)</i> Provide generalized dimensions for the entire project / structure area. If the project includes a pipe (e.g., culvert, drain, etc.), provide the pipe diameter.				
15. Diversion Location: Provide the general location of the diversion intake structure in relation to the streambank.		<input type="checkbox"/> Left bank <i>(downstream view)</i> <input type="checkbox"/> Right bank <i>(downstream view)</i> <input type="checkbox"/> Across entire stream channel		
16. Intake Dimensions: <i>(feet)</i> Width: Height: Length: Diameter:				
17. Average diversion amount: <i>(cubic feet per second)</i>				
18. Diversion is part of a system of diversions: <input type="checkbox"/> Yes <input type="checkbox"/> No				
19. Diverted flow can be controlled: <input type="checkbox"/> Yes <input type="checkbox"/> No				
Control Dimensions: <i>(feet)</i> Width: Height: Length: Diameter:				
20. Water will be pumped from the stream: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify pump capacity: <i>(gallons per minute)</i> Daily average pumping time: <i>(hours)</i>				
21. Water will be impounded in the stream channel: <input type="checkbox"/> Yes <input type="checkbox"/> No				
22. Water diversion capacity will be measured daily: <input type="checkbox"/> Yes <input type="checkbox"/> No				
23. Water will be returned to the stream: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, average amount of return flow: <i>(cubic feet per second)</i>				
24. Water will be stored off-stream: <input type="checkbox"/> Yes <input type="checkbox"/> No Storage capacity: <i>(gallons)</i> Describe storage facility:				
25. State Land Use Classification: <i>(Check all that apply)</i> <input type="checkbox"/> Agriculture <input type="checkbox"/> Conservation <input type="checkbox"/> Rural <input type="checkbox"/> Urban				
WATER USE INFORMATION				
<i>Check all water use categories below that are intended for the proposed diversion, then describe the proposed use in more detail.</i>				
<input type="checkbox"/> 26. Agriculture				
<input type="checkbox"/> 27. Domestic				
<input type="checkbox"/> 28. Industrial				
<input type="checkbox"/> 29. Irrigation				
<input type="checkbox"/> 30. Military				
<input type="checkbox"/> 31. Municipal				
LEGAL REQUIREMENTS				
<i>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/cwrw/info/forms/) for links to agency websites/contact information.</i>				
32. Conservation District Use Permit (CDUP): <i>To find out if your stream diversion works 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 diversion works 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.</i>				
<input checked="" type="checkbox"/> Stream diversion works is in a Conservation District.				
<input type="checkbox"/> Required. CDUP #: _____ Date CDUP approved: _____				
<input type="checkbox"/> Not Required. Attach documentation from Office of Conservation and Coastal Lands (OCCL), Department of Land and Natural Resources.				
<input checked="" type="checkbox"/> I have not checked with the OCCL about whether or not a CDUP is required.				
<input type="checkbox"/> Stream diversion works is <u>not</u> in a Conservation District.				

33. 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. **None is SMA - See List**

☐ I have not checked with the County about whether or not an SMA Permit is required.

34. 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 SHDP. If the affected parcel(s) has not undergone SHDP 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.

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

☐ An Environmental Assessment was completed, and **demolition under DLNR and CWRM exemptions - see list**

☐ 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: _____

This project proposes:

<input checked="" 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.

	Attached	N/A
36. U.S. Army Corps of Engineers (Harbors and Rivers Act, Section 404, Clean Water Act)	<input type="checkbox"/>	<input type="checkbox"/>
37. State Department of Health, Clean Water Branch (Section 401, Clean Water Act, Water Quality Certification, Best Management Practices Plan)	<input type="checkbox"/>	<input type="checkbox"/>
38. 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"/>
39. Hawaii Environmental Policy Act (Chapter 343, Hawaii Revised Statutes; Title 11, Chapter 200, Hawaii Administrative Rules)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
40. Soil and Water Conservation District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
41. County Certification of "No-Rise"	<input type="checkbox"/>	<input type="checkbox"/>
42. County Grading Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>
43. County Discretionary Permit(s)	<input 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.

44. 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.

See:

- 1) County of Maui Planning Department, Kalo Kanu O Ka'aina: A Cultural Landscape Study of Ke'anae and Wailuanui, Island of Maui, July 1995,
- 2) Kepa Maly and Onaona Maly, Wai O Ke Ola: He Wahi Mo'olelo NO Maui Hikina, 2001,
- 3) CWRM November 15, 2022 Item B-5,
- 4) IFSAR Oopuola 6043 June 2020 PR-2020-11,
- 5) IFSAR Kailua 6040 June 2020 PR-2020-08,
- 6) IFSAR Waipio 6036 June 2020 PR-2020-05,
- 7) IFSAR Hoolawa 6035 June 2020 PR-2020-04,
- 8) Proposed Lease (Water Lease) for the Nāhiku, Ke'anae, Honomanū, and Huelo License Areas Corrected Final Environmental Impact Statement Vol. 3. September 24, 2021.

45. 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 actions will have positive impacts on stream restoration due to abandonments establishing continuous flow through streams as determined by the CWRM at its November 15, 2022 action. This in turn will have a positive effect on traditional and customary Native Hawaiian rights downstream of the diversions.

46. 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 CWRM's expedited approval of this application will advance the actions taken by CWRM on November 15, 2022 Item B-5

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.

47. Describe the overall project scope and objectives.

See CWRM November 15, 2022 Item B-5 and attached List of Abandonments per CWRM Nov 15, 2022 action

48. Describe existing stream channel dimensions and median streamflow conditions at the site of the proposed stream diversion works.

See CWRM November 15, 2022 Item B-5 and attached List of Abandonments per CWRM Nov 15, 2022 action

49. Identify and describe the project components outlined below

A. Materials

Principally demolition of concrete, metal grates, pouring of concrete/grout - see attached List of Abandonments per CWRM Nov 15, 2022 action.

B. Quantities

To be determined based on actual work plans for each abandonment - see attached List of Abandonments per CWRM Nov 15, 2022 action

C. Excavation

demolition of existing structures only, none anticipated into native topography - see attached List of Abandonments per CWRM Nov 15, 2022 action

D. Fill

To be determined based on actual work plans for each abandonment - see attached List of Abandonments per CWRM Nov 15, 2022 action

E. Disposal

With the exception of stream rocks,s, materials removed from diversion structures will be transported off-site for proper disposal

F. Construction methods

Demolition, concrete forming and pouring will be done primarily by hand. Heavy equipment may be utilized only when absolutely necessary.

G. Temporary facilities

None anticipated except as necessary to temporarily divert stream flows around work areas (e.g., using sand bags, pipes) and other Best Management Practices for control of water pollution.

H. Expected period of time required for construction

3 to 6 months, dependent upon weather conditions

I. Liability during construction

Not anticipated

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

Not applicable. No new uses are proposed, only stream restoration - see attached List of Abandonments per CWRM Nov 15, 2022 action..

51. Identify potential alternatives (sources of water) to the project and describe the relative costs and benefits of each alternative.

Not applicable. Project is intended for follow CWRM orders to abandon these diversions and fully restore streamflow under CWRM November 15, 2022 actions at this time.

SUBMITTALS

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

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

53. Plans / Elevations / Sections: Provide a plan view of the proposed stream diversion works structure in relation to the stream channel and property boundaries. Elevation and section views of the diversion 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.

54. APPLICANT

Print Name:

East Maui Irrigation Co. LLC

Signature:

Date:

1/13/2023

55. CONSULTANT

Print Name:

Akinaka & Associates, Ltd

Signature:

Date:

1/13/2023

56. CONTRACTOR

Print Name:

East Maui Irrigation Co. LLC

Signature:

Date:

1/13/2023

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

Print Name:

See attached Form SCAP-LND

Signature:

Date:

CHECKLIST FOR A COMPLETE APPLICATION and ITEM DESCRIPTIONS (ITEMS 1 - 31)

- ☐ 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 1-57, as indicated (total 7 pages).
- ☐ Enclose a check for \$25 payable to the Department of Land and Natural Resources.
- ☐ Mark the proposed diversion 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 32-34.
- ☐ 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 35-43.
- ☐ 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 diversion works 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 diversion works or modification / abandonment of an existing diversion works.

APPLICANT INFORMATION

3. **Applicant's Information:** Fill in the information for the applicant. This should be the entity that will be responsible for operation and maintenance of the stream diversion works and for reporting water use when the project is completed.
4. **Landowner's Information:** Fill in the information for the landowner of the property where the diversion intake 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 diversion works.

STREAM INFORMATION

7. **Island:** The island name where the stream diversion 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 diversion will be located.

GENERAL PROJECT INFORMATION

10. **Diversion Number:** If you already have a state diversion number assigned, please fill it out here. Otherwise, leave it blank and a diversion number will be assigned by CWRM.
11. **Diversion Name:** Give the diversion a short concise name that will differentiate it from other diversions.
12. **Project Site Location(s):** Fill in diversion 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.
13. **Diversion Structure Type:** What materials will the diversion works structure consist of and how will it divert water from the stream.

DIVERSION SPECIFICATIONS *(For Abandonment applications, skip this section and proceed to the Legal Requirements section, Item #32.)*

14. **Structure Dimensions:** What are the physical dimensions of the stream diversion works structure that will be located in the stream channel?
15. **Diversion Location:** Will the diversion intake be located on the right or left bank (facing downstream) or across the entire stream channel?
16. **Intake Dimensions:** What are the physical dimensions for the stream diversion intake (gate, pipe, etc.)?
17. **Average Diversion Amount:** The average amount of water that the diversion is calculated / estimated to divert from the stream.
18. **Diversion is part of a system of diversions:** Is the diversion part of a larger system including multiple stream diversions?
19. **Diverted flow can be controlled:** Will a control structure be located on the intake that can be used to regulate the diversion (gate, valve, etc.)?
20. **Water will be pumped from the stream:** Will a pump be used to remove water from the stream, and if so, what is the pumpage rate?
21. **Water diversion will be impounded in the stream channel:** Will the diversion structure on the stream channel require impoundment?
22. **Water diversion capacity will be measured daily:** Will a meter or other measurement device be installed and recorded on a daily basis?
23. **Water will be returned to the stream:** Will a portion of the diverted water be returned to the stream, and if so, how much?
24. **Water will be stored off-stream:** Will the diverted water be stored in an off-stream facility (reservoir, basin, tank, etc.)? Describe.
25. **State Land Use Classification:** Identify the current State Land Use Classification.

WATER USE INFORMATION

26. **Agriculture:** Water used for aquaculture, crop irrigation and processing, livestock, ornamental and nursery plants, and taro.
27. **Domestic:** Water used for single- and multi-family households, non-municipal commercial businesses, hospitals, churches, hotels, and schools.
28. **Industrial:** Water used for fire protection, mining, dust control, geothermal, power development, and hydroelectric power.
29. **Irrigation:** Water used for golf courses, hotels, landscape and water features, parks, schools, and habitat maintenance.
30. **Military:** Water is used by the military for military-operated water supply systems.
31. **Municipal:** Water is State, county, or private agency-operated to service multiple uses.

Please see header descriptions for remaining Sections in completing Items 32 to 57.

NOTE: Please be aware that some information on this form asks for information in cubic feet per second (CFS). Conversion factors for other commonly used water flow rates are as follows:

1.0 million gallons per day (MGD) equals 1.547 cubic feet per second (CFS)

1.0 gallon per minute (GPM) equals 0.002228 cubic feet per second (CFS)

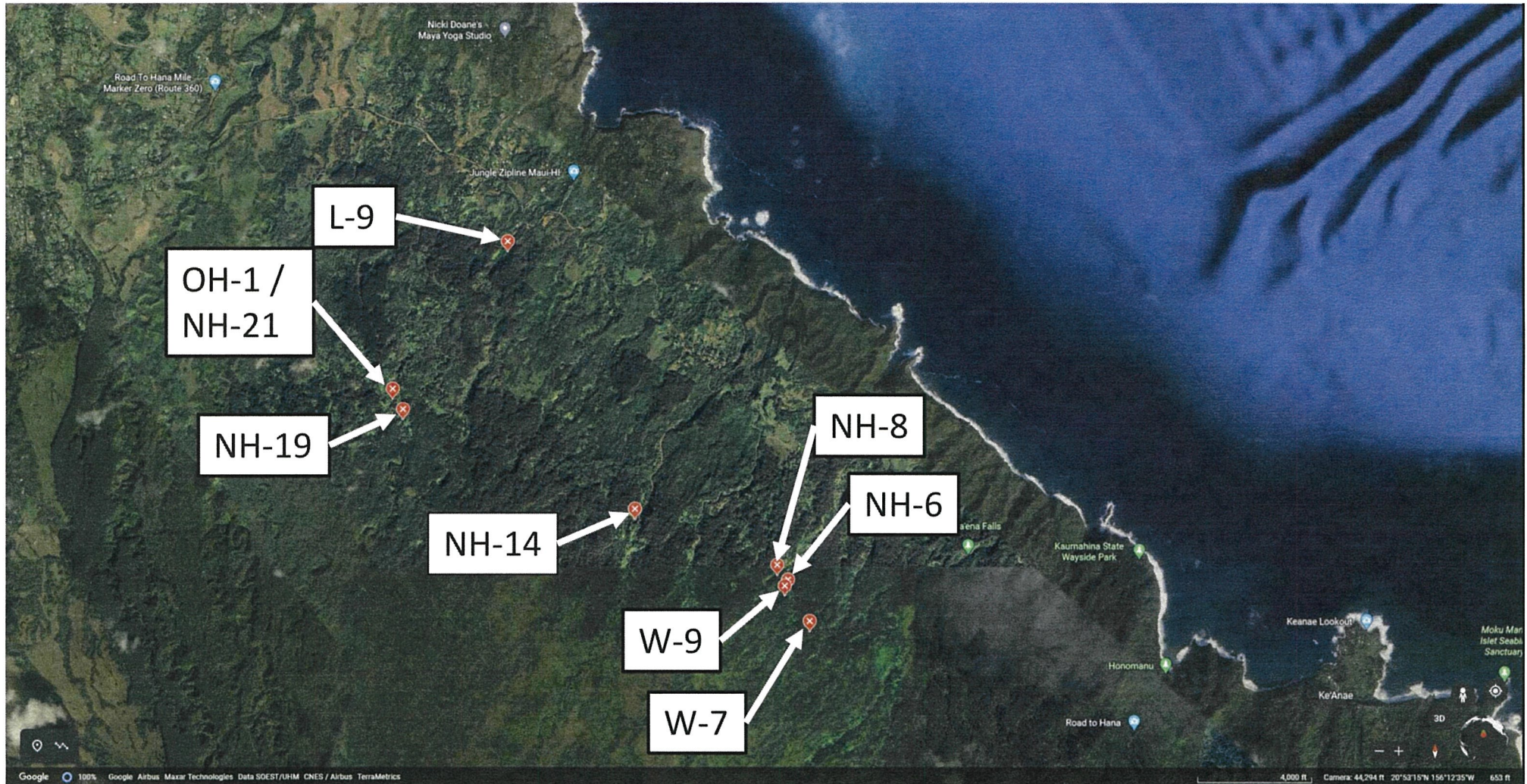
**Additional Attachments – Description and
Location of Work**

List of EMI Abandonments per November 15, 2022 Commission Order Action ¹																							
IDENTIFICATION INFORMATION							Approximate Location and Elevation of Diversion from Registration			Diversion Structure Type	General Description of Work ³	Possible Approvals Required											
Hydrologic Unit	Stream	Diversion Ditch	CWRM Diversion ID	EMI REG ID	TMK Parcel	Landowner	Latitude (N)	Longitude (W)	Elevation (ft)			CDUP ⁵	SMA	SHPD 6E	HEPA 343 ⁶	ARMY COE 404	DOH 401	ROE/ROW	HEPA 343 ⁶	SWCD	COUNTY NO-RISE	COUNTY GRADING PERMIT	COUNTY DISCRETIONARY PERMIT(S)
'O'opuola (6043)	Makanali	Wailoa Ditch	173	W-7	1-1-001:042	EMI	20° 51' 54"	156° 12' 13"	1,375	PVC Pipe Dam	Remove PVC piping to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA	exempt	NA	TBD	NA	TBD
	O'opuola Tributary	Wailoa Ditch	150	W-9	2-9-014:002	EMI	20° 52' 06"	156° 12' 22"	1,250	PVC Pipe Dam	Remove PVC piping, seal intake to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA	exempt	NA	TBD	NA	TBD
	O'opuola	New Hamakua Ditch	262	NH-6	2-9-014:002	EMI	20° 52' 08"	156° 12' 21"	1,253	PVC Pipe Dam	Remove PVC piping, seal intake to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA	exempt	NA	TBD	NA	TBD
	West 'O'opuola Tributary	New Hamakua Ditch	260	NH-8	2-9-014:001	State of Hawaii	20° 52' 13"	156° 12' 25"	1,217	Concrete masonry metal grate	Seal intake / with concrete slab to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA ⁷	exempt	NA	TBD	NA	TBD
Kailua (6040)	Oanui	New Hamakua Ditch	273	NH-14	2-9-014:007	EMI	20° 52' 32"	156° 13' 17"	1,184	Concrete masonry metal grate	Seal intake / remove grate then seal with concrete/rocks to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA	exempt	NA	TBD	NA	TBD
Waipio'o (6036)	Waipi'o	Lowrie Ditch	238	L-9 ²	2-9-014:009	EMI	20° 54' 04"	156° 14' 05"	633	Concrete masonry	Lay pipe in ditch and create concrete ditch overpass to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA	exempt	NA	TBD	NA	TBD
Ho'olawa (6035)	Hoolawanui	New Hamakua Ditch	234	NH-19	2-9-014:001	State of Hawaii	20° 53' 06"	156° 14' 42"	1,194	Concrete masonry metal grate	Seal / remove grate & seal hole into ditch with concrete/rocks to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA ⁷	exempt	NA	TBD	NA	TBD
		Old Hamakua Ditch	254	OH-1(NH-21) ⁴	2-9-014:001	State of Hawaii	20° 53' 13"	156° 14' 46"	1,142	Concrete masonry wooden gate	Seal / plug & seal hole into intake diversion with concrete to allow 100% streamflow to pass	In CD	Not in SMA	TBD	exempt	TBD	TBD	NA ⁷	exempt	NA	TBD	NA	TBD

Notes:

- 1 as ordered at the time of CWRM 11-15-22 submittal, which do no imply permanent abandonment.
- 2 incorrectly identified as L-5 & L-8 in CWRM 11-15-22 submittal and Waipio 6036 PR2020-05 IFSAR, confirmation from CWRM needed regarding which diversion is intended to be abandoned.
- 3 CWRM order action / EMI additional work description
- 4 NH-21 original EMI registered ID, referred to as OH-1 in CWRM 11-15-22 submittal
- 5 Based on past approvals it is anticipated only a Site Plan Approval will be required.
- 6 Environmental Council concurred - DLNR March 3, 2020 343 Exemption Class 8, Part 1, 2, & 4. & CWRM January 5, 2021 343 Exemption Class 6, Part 1, 3.
- 7 Already have legal access to diversions on state lands
- Legal Requirements before CWRM action can be taken
- Other Regulatory Requirements

Locations of Listed EMI Abandonments per CWRM November 15, 2022 Order Actions



'O'opuola (Hydrological Unit: 6043) Stream Diversion Abandonments

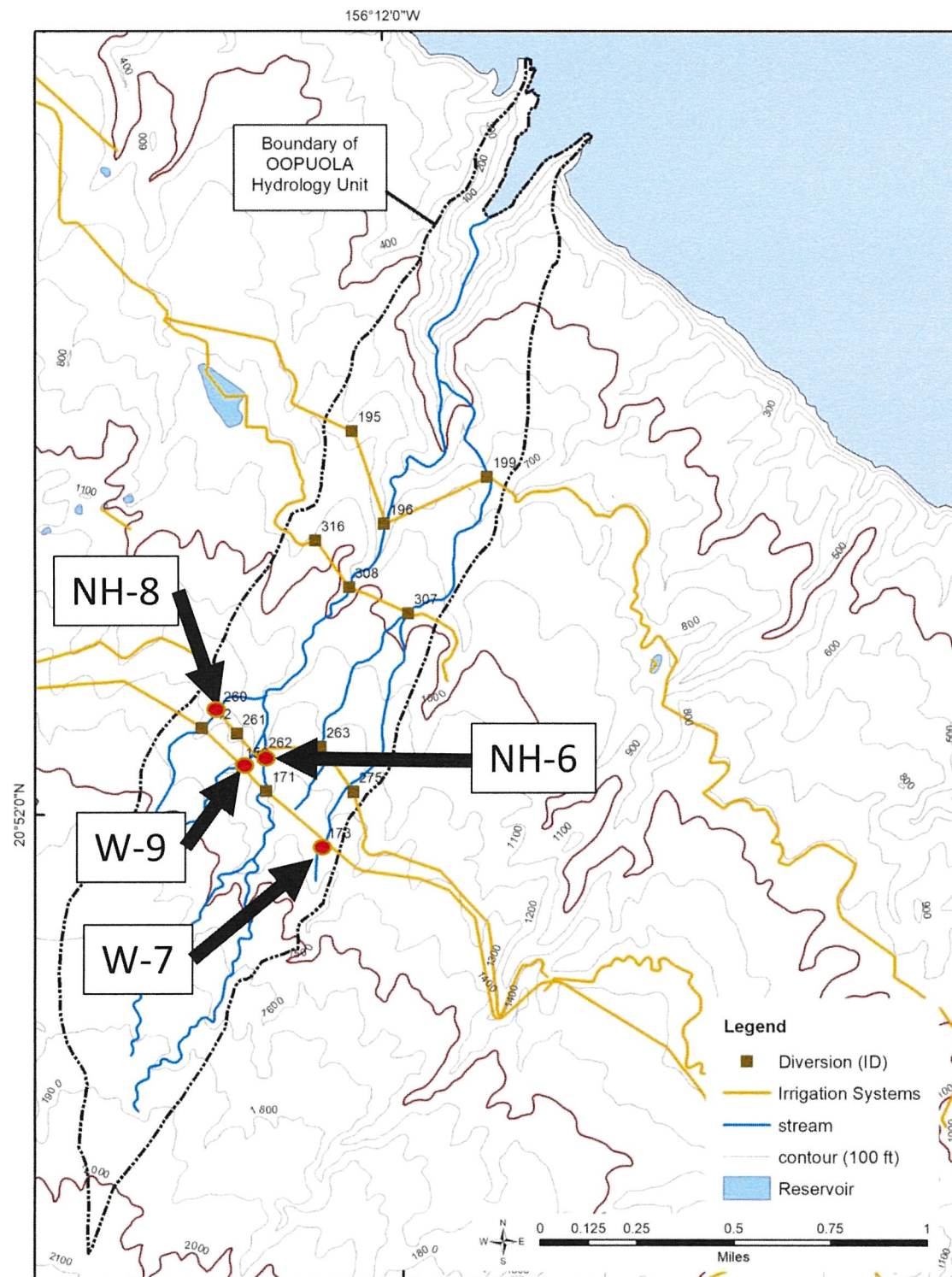


Exhibit: Diversion W-7/173

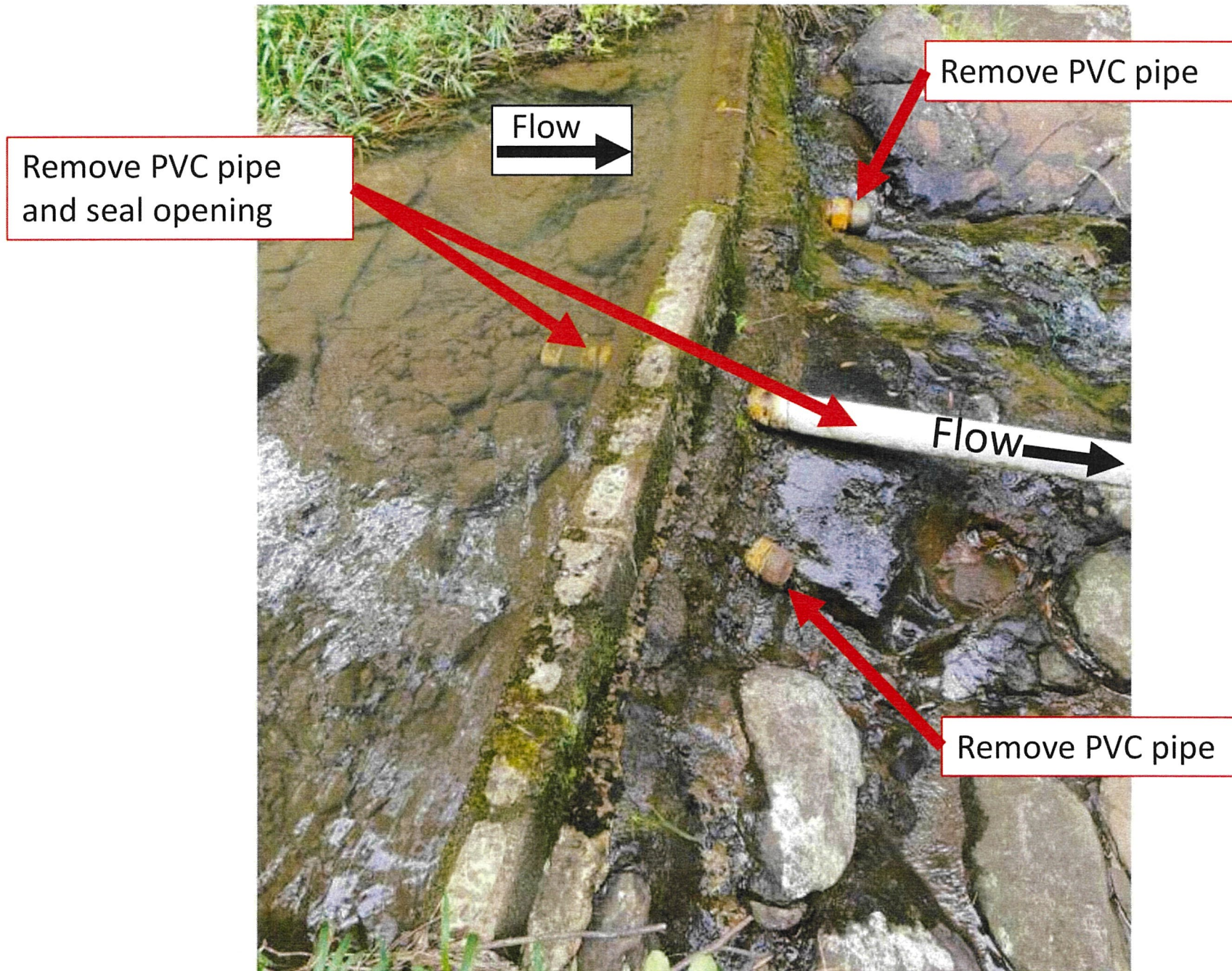


Exhibit: Diversion W-9/150

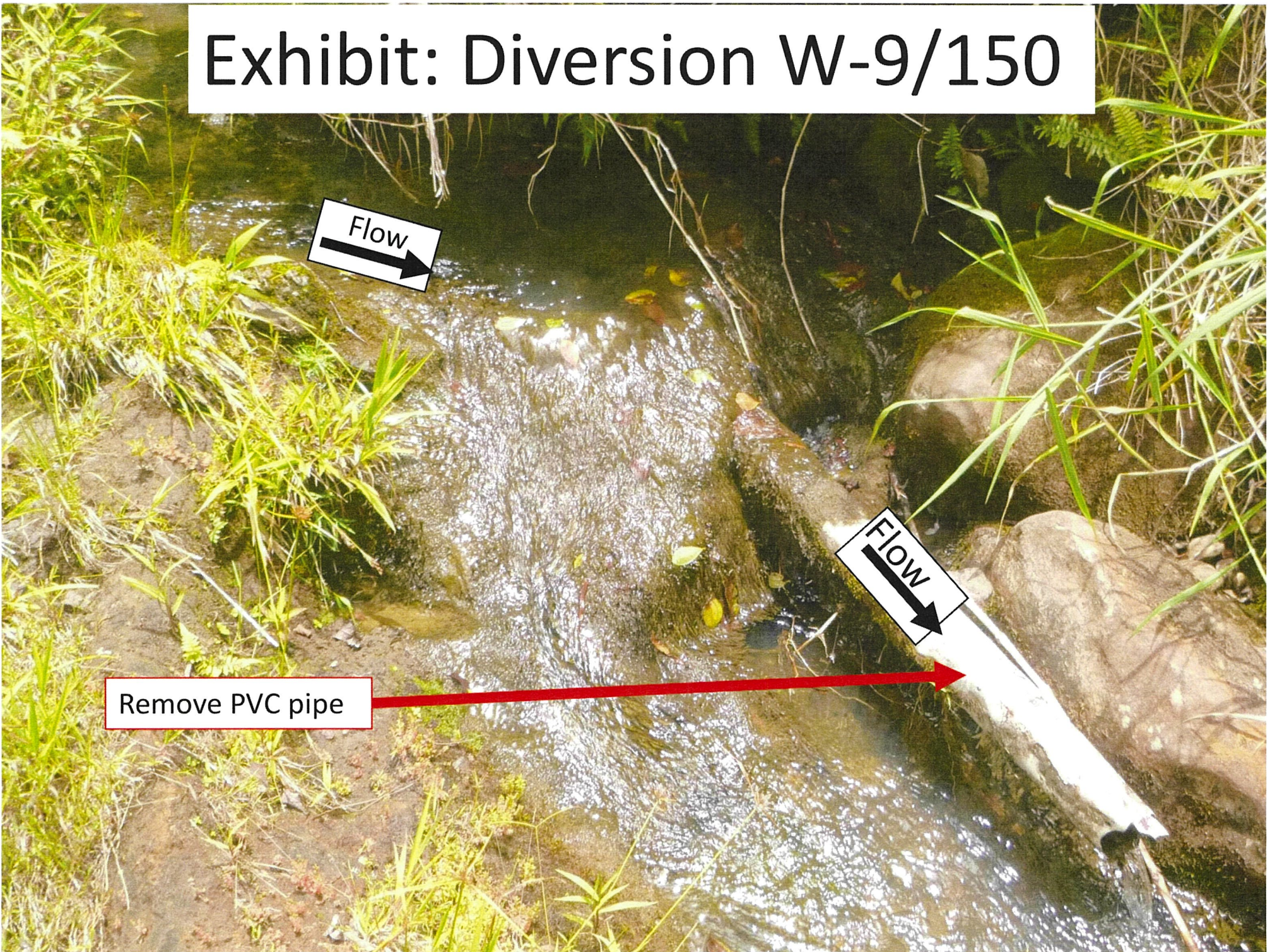


Exhibit: Diversion W-9/150

Remove PVC pipe

↓ Flow

Seal intake

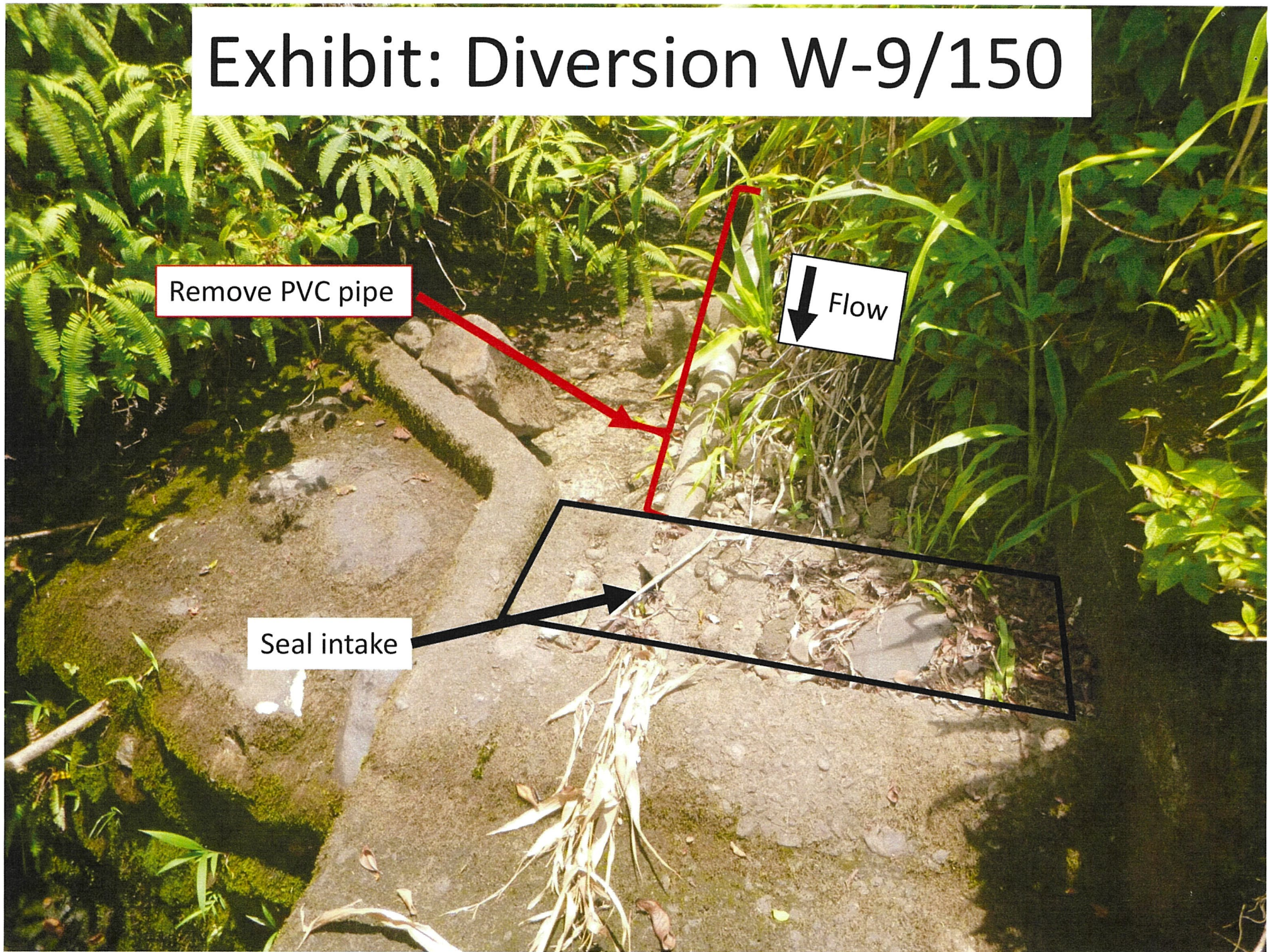


Exhibit: Diversion NH-6/262

Remove PVC pipe
and seal intake



Exhibit: Diversion NH-8/260

Pour concrete slab across grate to seal intake



Wingwalls to remain to contain flow from spilling into ditch



Kailua (Hydrological Unit: 6040) Stream Diversion Abandonments

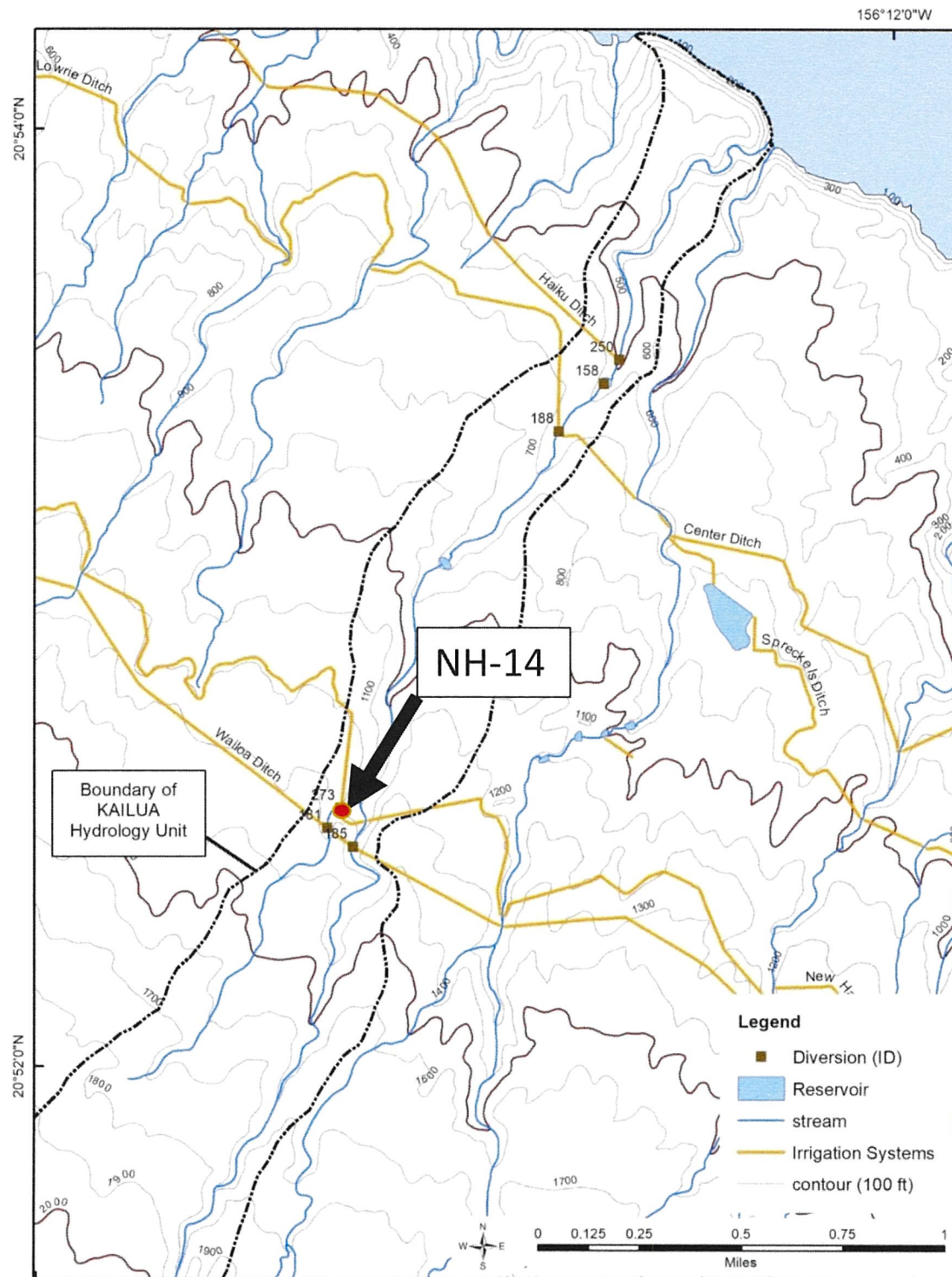
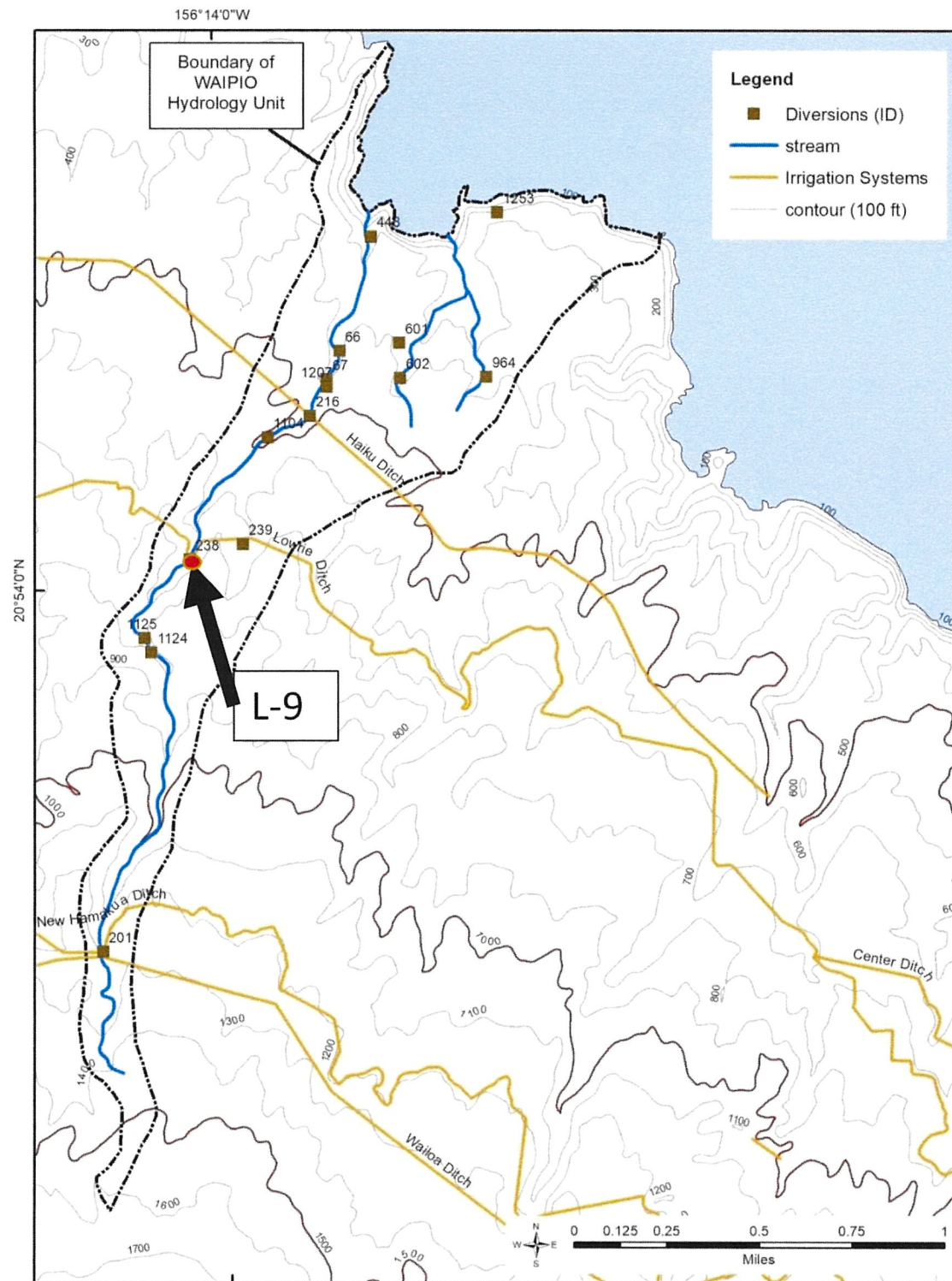


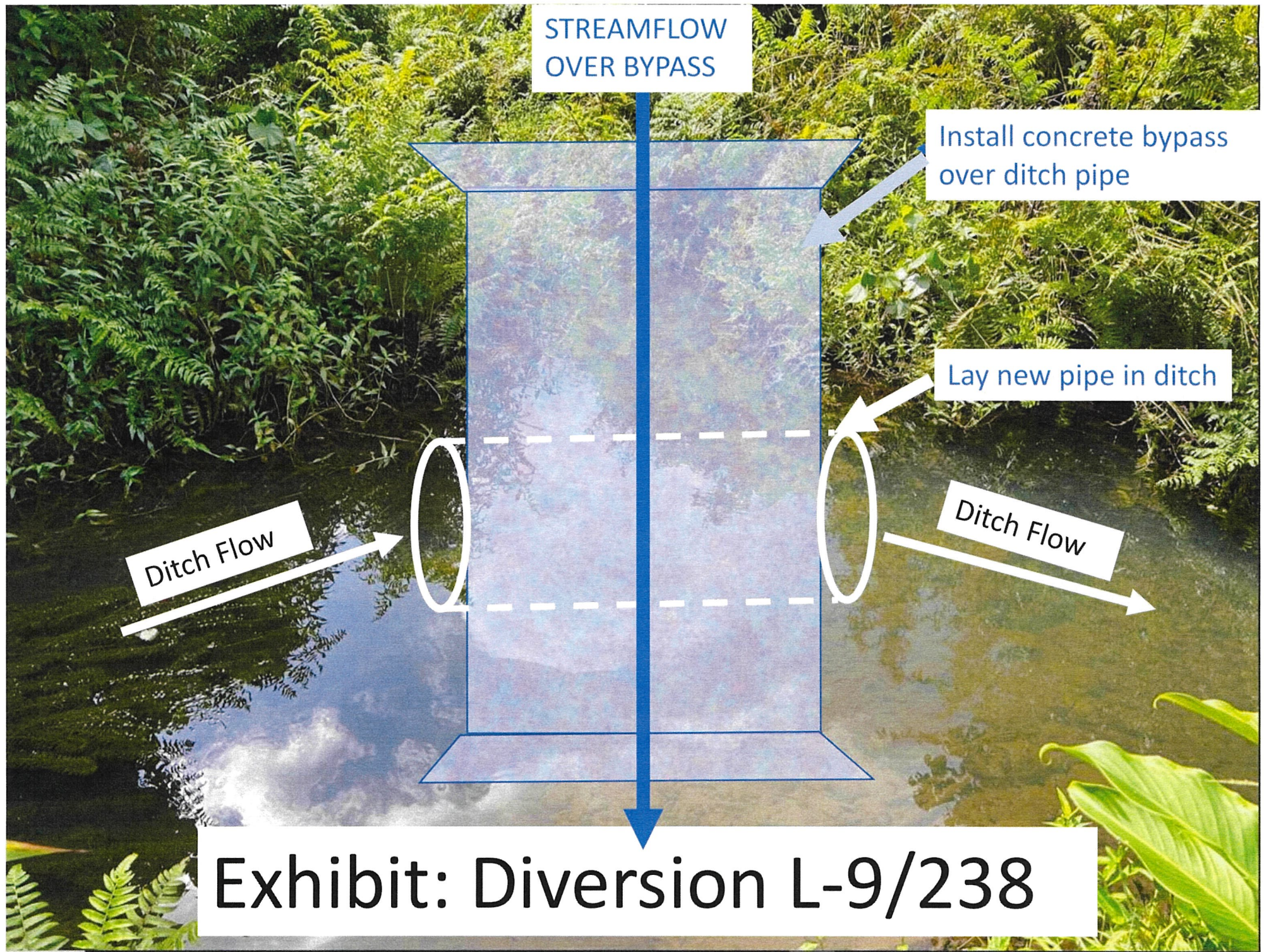
Exhibit: Diversion NH-14/273



Remove metal grate and fill with concrete/rocks to seal intake & inlets inside

Waipi'o (Hydrological Unit: 6036) Stream Diversion Abandonments





Ho'olawa (Hydrological Unit: 6035) Stream Diversion Abandonments

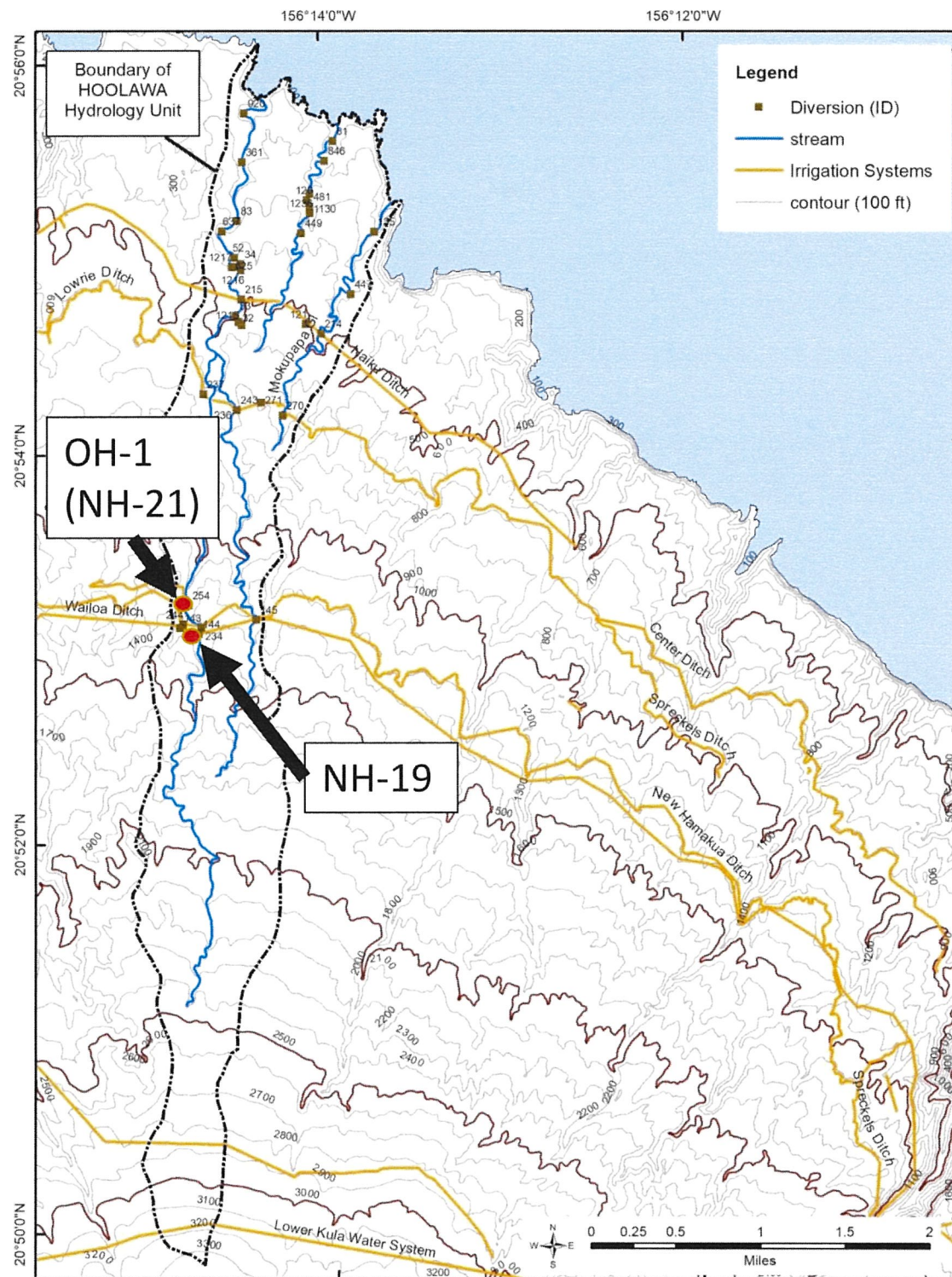


Exhibit: Diversion NH-19/234





plug and seal hole
into intake diversion
with concrete/rocks

Exhibit: Diversion OH-1 (NH-21)/254



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
MULTIPLE LANDOWNERS/LOCATIONS FORM

RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT
For Official Use Only

2023 FEB -3 PM 12: 35

Instructions: Please print in ink or type and send completed form attached to stream channel alteration or stream diversion works permit application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications without the required landowner signatures. For assistance, contact the Stream Protection and Management Branch at 587-0234. For further information and updates to this application form, visit <http://dlnr.hawaii.gov/cwrm>.

A. LANDOWNER INFORMATION

For proposed stream channel alterations and stream diversion works affecting multiple landowners, complete the sections below for each individual landowner. **Form LND-APP** provides space for information on five (5) landowners. Complete as many forms as necessary to identify all, and only those, landowners affected by the proposed stream channel alteration or stream diversion works.

1. LANDOWNER'S NAME/COMPANY East Maui Irrigation Co., LLC		Landowner's Contact Person Mark Vaught	Landowner's Phone 808-579-9516
Landowner's Mailing Address P O Box 1104 Pu'unēnē, HI 96784		Tax Map Key Parcel(s) 1-1-001-042, 2-9-0014-002, 2-9-014-007, 2-9-014-009	
		Landowner's E-mail Address mark.vaught@mahipono.com	
Print Name: Mark Vaught	Signature: 	Date: 1/13/2023	
2. LANDOWNER'S NAME/COMPANY State of Hawaii, DLNR		Landowner's Contact Person Dawn N.S. Chang (Chair)	Landowner's Phone 808-587-0400
Landowner's Mailing Address DLNR Main Office 1151 Punchbowl St. Honolulu, HI 96813		Tax Map Key Parcel(s) 2-9-014-001	
		Landowner's E-mail Address dlnr@hawaii.gov	
Print Name: Dawn N.S. Chang	Signature: 	Date: 2/3/2023	
3. LANDOWNER'S NAME/COMPANY		Landowner's Contact Person	Landowner's Phone
Landowner's Mailing Address		Tax Map Key Parcel(s)	
		Landowner's E-mail Address	
Print Name:	Signature:	Date:	
4. LANDOWNER'S NAME/COMPANY		Landowner's Contact Person	Landowner's Phone
Landowner's Mailing Address		Tax Map Key Parcel(s)	
		Landowner's E-mail Address	
Print Name:	Signature:	Date:	
5. LANDOWNER'S NAME/COMPANY		Landowner's Contact Person	Landowner's Phone
Landowner's Mailing Address		Tax Map Key Parcel(s)	
		Landowner's E-mail Address	
Print Name:	Signature:	Date:	