



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

For Official Use Only:

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

☒ 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
Olivia Jones Cockcroft
Applicant's Contact Person
Olivia Jones Cockcroft
Applicant's Phone
Applicant's Mailing Address
Applicant's E-mail Address

☐ 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
Eric Arthur Cockcroft & Olivia Jones Cockcroft
Landowner's Contact Person
Olivia Jones Cockcroft
Landowner's Phone
Landowner's Mailing Address
Landowner's E-mail Address

5. CONSULTANT'S NAME / COMPANY
Consultant's Contact Person
Consultant's Phone
Consultant's Mailing Address
Consultant's E-mail Address

6. CONTRACTOR'S NAME / COMPANY
Contractor's Contact Person
Contractor's Phone
Contractor's Mailing Address
Contractor's E-mail Address

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.

(3) 6-2-009:004

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

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SWHU ID:

FILE ID:

LAT:

GWHU ID:

DOC ID:

LON:

REACH ID:

GENERAL PROJECT INFORMATION

10. Diversion No: (if already assigned)

11. Diversion Name:

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

Latitude: 20° 1' 8.78" Longitude: -155° 44' 2.45" Elevation: 1840 ft. above mean sea level

13. Diversion Structure Type: (Check all that apply)

- ☐ Unlined channel ☐ Hand-built rock ☐ Concrete masonry ☐ Dam/weir ☒ Pipe
☐ Metal ☐ Plastic ☐ Wood ☐ Pump ☐ Direct use
☐ Other - Describe:

STREAM DIVERSION WORKS SPECIFICATIONS (For Abandonments, skip to Legal Requirements section, Item #32.)

14. Structure Dimensions: (feet)

Width: N/A

Height: N/A

Length: N/A

Diameter: 2"

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.

- ☐ Left bank (downstream view)
☒ Right bank (downstream view)
☐ Across entire stream channel



16. Intake Dimensions: (feet) Width: N/A Height: N/A Length: N/A Diameter: 2"

17. Average diversion amount: (cubic feet per second) 0.30 for a 15 min ≈ 12 days a year

18. Diversion is part of a system of diversions: ☐ Yes ☒ No19. Diverted flow can be controlled: ☐ Yes ☒ No

Control Dimensions: (feet) Width: Height: Length: Diameter:

20. Water will be pumped from the stream: ☒ Yes ☐ No

If yes, identify pump capacity: (gallons per minute) 132 Daily average pumping time: (hours) 0.064

21. Water will be impounded in the stream channel: ☐ Yes ☒ No22. Water diversion capacity will be measured daily: ☐ Yes ☒ No23. Water will be returned to the stream: ☐ Yes ☒ No

If yes, average amount of return flow: (cubic feet per second)

24. Water will be stored off-stream: ☐ Yes ☒ No Storage capacity: (gallons)

Describe storage facility:

25. State Land Use Classification: (Check all that apply) ☒ Agriculture ☐ Conservation ☐ Rural ☐ Urban**WATER USE INFORMATION**

Check all water use categories below that are intended for the proposed diversion, then describe the proposed use in more detail.

☒ 26. Agriculture☐ 27. Domestic☐ 28. Industrial☒ 29. Irrigation 750 sq ft (0.02 acre) for ornamental landscaping plants☐ 30. Military☐ 31. Municipal**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 () for links to agency websites/contact information.

32. Conservation District Use Permit (CDUP): 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 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.

☐ Stream diversion works 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 diversion works is not 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.

☒ 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 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.

35. 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: _____

This project proposes:

☐ Use of state or county lands, or use of state or county funds

☐ Use within a state conservation district

☐ Use within a shoreline setback area

☐ Use within a national or Hawaii registered historic site

☐ Use within the Waikiki Special District

☐ The construction, expansion or modification of helicopter facility

☐ A wastewater treatment unit

☐ Waste-to-energy facility

☐ Landfill

☐ Oil refinery

☐ Power-generating facility

☒ 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
42. County Grading Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>
43. County Discretionary Permit(s)	<input type="checkbox"/>	<input checked="" 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.

We are not aware of any traditional and customary native Hawaiian rights to the resources that are exercised in the area.

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

We are not aware of any traditional and customary native Hawaiian rights to the resources that will be affected in the area.

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?

We are not aware of any Native Hawaiian rights needing protection in the area that require action from the Commission on Water Resource Management.

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.

We have an existing diversion that was utilized by Mr. Keith Wallach, the previous landowner. Mr. Wallach registered Diversion 1197 in 1989 and failed to inform you when he moved his diversion location after dividing his property. We are requesting an "after the fact" Stream Diversion Works Permit for this diversion. Our intent is to have use of the stream water the 6-10 times a year that it flows to water our ornamental landscaping plant nursery. We have purchased a 7 Hp 132 gal/min pump w/ a 2" in diameter intake with which to accomplish this objective

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

Stream flows are intermittent and unpredictable with water flowing during larger rain events

49. Identify and describe the project components outlined below

A. Materials

N/A

B. Quantities

N/A

C. Excavation

N/A

D. Fill

N/A

E. Disposal

N/A

F. Construction methods

N/A

G. Temporary facilities

N/A

H. Expected period of time required for construction

N/A

I. Liability during construction

N/A

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

Zoning is Agricultural and we are consistent w/ Hawaii County Zoning

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

County water is used all the time and costs us \$300-\$450 bimonthly to barely keep our property alive. When the stream flows we save a little money and because there is so little rain here wildfires are always a threat so its good to have an additional source of water.

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: Olivia Jones Cockcroft	Signature: <i>Olivia Jones Cockcroft</i>	Date: 3/13/2025
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55. CONSULTANT

Print Name:	Signature:	Date:
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56. CONTRACTOR

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

Print Name: Olivia & Eric Cockcroft	Signature: <i>Olivia Cockcroft</i> <i>Eric Cockcroft</i>	Date: 3/13/2025
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