

CHAPTER 168

REPORTS OF WATER USE, WELLS AND STREAM DIVERSION WORKS

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUB-TITLE 7. WATER RESOURCES

CHAPTER 168

REPORTS OF WATER USE, WELLS AND STREAM DIVERSION WORKS

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Subchapter 1

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General Provisions

§13-168-1 Purpose. The purpose of this chapter is to provide for the establishment of a program requiring the declaration and certification of water use, the registration of existing wells, permitting of well construction and pump installation; and the registration of existing stream diversion works and the permitting of construction or alteration of a stream diversion works. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §91-2)

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

"Abandoned well" means any well that has been permanently discontinued. Any well shall be deemed abandoned which is in such a state of disrepair that continued use for the purpose of obtaining ground water is impractical.

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

"Commission" means the commission on water resource management.

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

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

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

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

"Instream flow standard" means a quantity or flow of water or depth of water which is required to be present at a specific location in a stream system at certain specified times of the year to protect fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses.

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

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

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

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

"Person" means any and all persons, natural or artificial, including an individual, firm, association, organization, partnership, business trust, corporation, company, the United States of America, the State of Hawaii, and all political subdivisions, municipalities, and public agencies thereof.

"Pump installation contractor" means any person, firm, or corporation which is in the business of installing or repairing pumps and pumping equipment.

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

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

"Repairs" means any change, replacement, or other alteration of any well, pump, or pumping equipment which requires a breaking or opening of the well seal.

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

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

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

"Stream diversion works" means any artificial or natural structure emplaced within the stream for the purpose of diverting stream water.

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

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

"Time of withdrawal or diversion" means, in view of the nature, manner, and purposes of a reasonable and beneficial use of water, the most accurate method of describing the time when the water is withdrawn or diverted, including description on terms of hours, days, weeks, months, or physical, operational, or other conditions.

"Water" or "waters of the State" means any and all water on or beneath the surface of the ground, including natural or artificial

watercourses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground.

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

"Water source" means a place within or from which water is or may be developed, including but not limited to: (1) generally, an area such as a watershed defined by topographic boundaries, or a definitive ground water body; and (2) specifically, a particular stream, other surface water body, spring, tunnel, or well or related combination thereof.

"Well" means an artificial excavation or opening into the ground, or an artificial enlargement of a natural opening by which ground water is drawn or is or may be used or can be made to be usable to supply reasonable and beneficial uses within the State.

"Well construction" means the producing of any well, including the construction, alteration, or repair thereof, but excluding the installation of pumps and pumping equipment.

"Well driller" means any person, firm, or corporation which constructs, alters, or repairs wells.

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

Subchapter 2

Reports of Water Use

§13-168-5 Filing of declaration. (a) Any person making an existing or new use of water or any existing or new purveyor of water in any area of the State shall file a declaration of the water use or disposition with the commission within one year from the effective date of these rules or the beginning date of the new use or disposition.

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

(c) The declarations shall be made on forms furnished by the department and shall contain information, including but not limited to the quantity of water used, the purpose or manner of the use, the time of taking the water, and the point of withdrawal or diversion of the water. Each declaration shall contain a statement, signed and sworn to by the person required to file the declaration, or by some other person duly authorized in the person's behalf, to the effect that the contents thereof are true to the best of the person's knowledge and belief.

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

(e) All individual household uses under municipal systems shall be included under the water purveyor's declaration and certification as provided by these rules, except during water shortages or water emergencies as provided under §174C-62, Hawaii Revised Statutes.

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

§13-168-6 Issuance of certificate. (a) When a declaration has been filed in accordance with this chapter and the commission has determined that the use declared is a reasonable-beneficial use, the commission shall issue a certificate describing the use. The certificate shall be deemed to constitute a description of the use declared at that time, but the certificate and the information contained therein shall not constitute a property right or interest nor shall the certificate constitute a determination that the use declared therein is a legal one. The certificate shall provide information and shall give rise to a rebuttable presumption in favor of the certificate holder that the use declared therein is reasonable and beneficial. The certificate shall be updated periodically as determined by the commission. With respect to certificates for water use, the information confirming the amount of water then being used shall be subject to verification and updating before being recognized by the commission in resolving claims relating to existing water rights and uses, including appurtenant rights, riparian and correlative use.

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

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

Subchapter 3

Wells

§13-168-11 Registration of existing wells. (a) Any person owning or operating any well shall register the well with the commission. Registration shall be on the forms provided by the commission. The registration report shall include such information as prescribed by the commission (unless the information is no longer available), including but not limited to, the water use permit number; the location of the well; well number; the diameter of the well; the maximum capacity of the well; the name of the well driller who constructed the well; and the name of the pump installation contractor who installed the pump and pumping equipment.

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

§13-168-12 Permit application. (a) No well construction and no installation of pumps and pumping equipment shall commence without appropriate permit from the commission. An application for a permit for well construction shall be required for all areas of the State, including water management areas and shall be made by the well driller who will construct the well. An application for a permit for installation of a pump and pumping equipment shall be made by the pump installation contractor who will install the pump and pumping equipment.

(b) Each application for a permit shall be made on forms furnished by the department and shall contain such data, including but not limited to, the applicant's name; the applicant's license number; the name and address of the person who will control and operate the well; the proposed use of the water; in water management areas, the water use permit number; the location of the well; the depth and method of well construction; the size and expected capacity of the well; and a description of the pump and pumping equipment to be installed. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-48, 174C-53, 174C-84)

§13-168-13 Criteria for ruling on application. (a) The commission may issue a permit only if the proposed construction complies with all applicable laws, rules, and standards. Before acting on any application, the commission shall cause the application to be reviewed by the department of health for compliance with their rules and standards concerning, among other things, the appropriateness of the well location.

(b) Every permit shall direct the well driller and pump installation contractor to file a well completion report, as provided in §13-168-17. The permit shall be prominently displayed at the site of the well at all times until the well construction or the pump and pumping equipment installation is completed. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-84)

§13-168-14 Amended permit application. (a) The holder of a permit for well construction, with the approval of the commission, may change the location of the well before construction is completed. An application to change the location shall describe the location, the proposed depth and method of construction, and the size and expected capacity of the new well. It shall also describe the manner of sealing or plugging the incomplete and abandoned well. The commission shall cause all such applications to be reviewed by the department of health for compliance with their rules and standards concerning, among other things, the appropriateness of the location of the well. (b) The commission may issue an amended permit if it determines that the proposed new well location will serve the same use as the original well

and draw upon the same supply of water and will not be contrary to any applicable law, rule, order, or regulation, and that the incomplete and abandoned well will be sealed or plugged in a manner to prevent waste of water and damage to the water supply and to protect the public from harm. [Eff.] (Auth: HRS §174C-8)
(Imp: HRS §§91-2, 174C-84)

§13-168-15 Rejection and revocation of permit. (a) Any applicant whose application is rejected may obtain a hearing before the commission by filing within thirty days of the mailing of the notice of rejection a written petition requesting such a hearing. The hearing shall be conducted pursuant to chapter 13-167.

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

- (1) Material misstatement or misrepresentation in the application for a permit;
- (2) Failure to comply with the provisions set forth in the permit;
- (3) Willful disregard or violation of any provision of this part or any rule adopted pursuant thereto; or
- (4) Material change of circumstances or conditions existing at the time the permit was issued.

[Eff.] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-84)

§13-168-16 Term of permit. (a) Every permit approved and issued by the commission shall be for a specified period, not to exceed two years, unless otherwise specified in the permit.

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

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

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

(d) If the commencement or completion date is not complied with, the department shall notify the permittee by certified mail that the permit shall be revoked within sixty days unless the permittee can show good cause that it should not be revoked. [Eff.]
(Auth: HRS §174C-8) (Imp: HRS §174C-84)

§13-168-17 Well completion report. Within thirty days after the completion of the well, the well driller and pump installation contractor shall file with the commission a written report containing such information including, but not limited to the following:

- (1) State well number;
- (2) The date of completion of the well;

- (3) Tax map key;
- (4) Well head and casing elevations;
- (5) Method of construction;
- (6) Depth, diameter, and general specifications of the well;
- (7) Thicknesses of the sub-surface formations penetrated by the well;
- (8) The location of water-bearing strata;
- (9) Specifications and depth of all casing and grouting installed;
- (10) Description of the placement of the casing;
- (11) Where the well is sealed off;
- (12) The type of seal;
- (13) Pumping test results, including rates of pumping, drawdown of the water level, and chloride content of the pumped water;
- (14) Depth to and elevation of the static water level measured above mean sea level datum;
- (15) Water temperature;
- (16) Shut-in piezometric water level measured above mean sea level datum, if the well is artesian;
- (17) Chemical analysis of a water sample drawn from the well; and
- (18) Other information as may be reasonably required by the department.

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

§13-168-18 Well records. (a) The owner of any well drilled for ground water shall keep, or cause to be kept:

- (1) A careful and accurate well log;
- (2) History of the drilling of the well, including lithology and depths of formations encountered;
- (3) Water-bearing formations;
- (4) Monthly ground water discharge or withdrawal;
- (5) Static water levels;
- (6) Chloride contents and temperatures of the ground water; and
- (7) Any other well surveys and logs of the characteristics of the well.

These well records shall be subject, during business hours, to inspection by the chairperson or a designated representative. The requirement for the keeping of well records shall not be construed to limit or restrict the department from requiring the furnishing of additional data or reports relating to the withdrawal or use of water or data or reports as may appear to be necessary or desirable, either generally or specifically, for the prevention of waste and determining the most beneficial uses of the ground water resources in the State.

(b) The owner of any well shall keep a survey map of the well location referenced to the property boundaries and shall establish a readily identifiable elevation benchmark on the well head or well site determined by a surveyor licenced by the State. [Eff.]
(Auth: HRS §174C-8) (Imp: HRS §§174C-82, 174C-83, 174C-85)

§13-168-19 Well construction and pump installation standards. (a) The minimum standards referenced in this section, shall be such as to ensure the safe and sanitary maintenance and operation of wells, the prevention of waste, and the prevention of contamination of the waters. The standards for well construction are specified within Volume I, Part III, section 5, of the publication entitled Water System Standards, State of Hawaii, 1985, adopted by the counties and as may be amended are hereby incorporated by reference.

(b) The minimum standards for the installation of pumps and pumping equipment shall also provide for the installation of devices to measure the amount of ground water being withdrawn from the wells. These standards are specified within the American Water Works Association Standards, referenced as ANSI/AWWA E101-77, and as may be amended are hereby incorporated by reference.

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

(d) If any well construction or pump installation standard is violated and as a consequence ground water is wasted or any well is contaminated, the commission, after giving notice of the defect to the owner of the land on which the well is located and giving such owner a reasonable time to correct the defect, may itself correct the defect and charge the land owner for the cost of such correction. Such cost constitutes a lien on the land until paid. The lien may be foreclosed in any court of competent jurisdiction, and in such foreclosure suit, the court shall allow the commission reasonable attorney's fees.

[Eff.] (Auth: HRS §174C-8) (Imp: HRS §174C-82, 174C-86)

§13-168-20 Well testing. (a) The owner of any new or reconstructed well drilled for ground water shall perform an appropriate discharge test to determine the hydraulic characteristics of the well and the hydrologic characteristics of the ground water aquifer tapped by the well.

(b) If the well is located within a designated water management area, the owner shall perform the discharge tests as may be prescribed in the permit issued for the well. [Eff.]

(Auth: HRS §174C-8) (Imp: HRS §§174C-82, 174C-85)

§13-168-21 Annual water use reports. (a) The owner of any producing ground water well shall file with the chairperson on or before the sixtieth day after the end of each calendar year an annual water use report on forms furnished by the department. The reports shall include the amount and rate of water withdrawn and used for each month of the calendar year and other information as may be reasonably required by the department.

(b) The owner of any producing ground water well shall be responsible for determining and recording water withdrawals on a monthly basis, using a measuring device or method of determining the amount of withdrawal deemed appropriate by the chairperson.

[Eff.] (Auth: HRS §174C-8) (Imp: HRS §§91-2, 174C-50, 174C-82)

§13-168-22 Well inspection. An authorized representative of the department may enter on the property of a well owner or user at any reasonable time of the day to inspect a well and its appurtenances for the purpose of investigating any matter connected with the intent and purposes of chapter 174C, Hawaii Revised Statutes.
[Eff.] (Auth: HRS §174C-8) (Imp: HRS §174C-82)

§13-168-23 Right of entry. An authorized representative of the department shall have free access and right of entry to all wells, producing facilities and their appurtenances for the purpose of inspecting or testing wells and equipment and for the purpose of determining compliance with these rules. [Eff.]
(Auth: HRS §174C-8) (Imp: HRS §174C-82)

§13-168-24 Modification and abandonment of wells. (a) The owner of any well which is determined to be wasting ground water or causing contamination, deterioration of quality, salt water upconing, or salt water encroachment into any ground waters connected with the well or any other well in a designated water management area shall be required to re-case, cement, deepen, plug back, cap, or otherwise alter the well at owner's expense, in order to insure the most beneficial use and development of the ground water resources in the interest of the people of the State.

(b) The owner of any well may be required to modify or cease any withdrawal or pumping practices that the commission may reasonably deem likely to result in an excessive or dangerous deterioration in the quality of ground waters of other wells.

(c) Modification or abandonment operations shall not commence until an appropriate well permit has been issued by the chairperson. Applications shall be made on forms furnished by the department.

(d) When a well is to be abandoned, the owner shall fill and seal the well in a manner approved by the commission. After completing abandonment, the owner shall file with the commission an abandonment report showing the owner's name and address; the water use permit number, if any; the name and address of the well driller who performed the abandonment work; the reason for abandonment; a description of the work performed; and other information as the commission may require.
[Eff.] (Auth: HRS §174C-8) (Imp: HRS §§174C-82, 174C-87)

Subchapter 4

Stream Diversion Works

§13-168-31 Registration of existing stream diversion works. Any person owning or operating a stream diversion works within or outside of a water management area shall register such work with the commission. Registration shall be on the forms provided by the commission. For

registration purposes, the commission may allow grouping of closely related diversion works from a single stream. [Eff.]
(Auth: HRS §174C-8) (Imp: HRS §174C-92)

§13-168-32 Permits for construction or alteration. No person shall construct or alter a stream diversion works, other than in the course of normal maintenance, without first obtaining a permit from the commission. The commission may impose such reasonable conditions as are necessary to assure that the construction or alteration of such stream diversion works will not be inconsistent with the general plan and land use policies of the State and the affected county.

A person proposing to construct or alter a stream diversion work shall apply to the commission for a permit authorizing such construction or alteration. The application shall contain the following:

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

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

§13-168-33 Criteria for ruling on application. (a) Based upon the findings of fact concerning an application for a stream diversion works permit, the commission shall either approve in whole, approve in part, approve with modifications, or reject the application for a permit.

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

- (1) Diversion works that would adversely affect the quantity and quality of the stream water or the stream ecology should be minimized or not be allowed.
- (2) Where instream flow standards or interim instream flow standards have been established pursuant to chapter 13-169, no permit should be granted for any diversion works which diminishes the quantity or quality of stream water below the minimum established to support identified instream uses, as expressed in the standards.
- (3) The proposed diversion works should not interfere substantially and materially with existing instream or non-instream uses or with diversion works previously permitted.

(c) Notwithstanding subparagraph (b) above, the commission may approve a permit pursuant to subparagraph (a) above in those situations where it is clear that the best interest of the public will be served, as determined by the commission. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §§174C-5, 174C-71)

§13-168-34 Term of permit. (a) Every permit approved and issued by the commission shall be for a specified period, not to exceed two years, unless otherwise specified in the permit.

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

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

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

(d) If the commencement or completion date is not complied with, the department shall notify the permittee by certified mail that the permit shall be revoked within sixty days unless the permittee can show good cause that it should not be revoked. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §174C-93)

§13-168-35 Revocation of permit. (a) A permit may be revoked in whole or in part for any:

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

(b) In any proceeding to revoke a permit in whole or in part, the commission shall give written notice to the permit holder the facts or conditions which warranted the action and provide the permit holder the opportunity for a hearing. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §174C-93)

§13-168-36 Completion report. Within thirty days after the completion of construction or alteration of any stream diversion work, the permittee shall file a written statement of completion with the commission. The report shall describe the nature and extent of the work performed, including relevant maps and diagrams showing the location and details of the stream diversion work. [Eff.] (Auth: HRS §174C-8) (Imp: HRS §§174C-71, 174C-94)

§13-168-37 Abandonment. (a) Any owner of any stream diversion work wishing to abandon or remove such work shall first obtain a permit to do so from the commission. No abandonment work shall be undertaken by the applicant until a permit is issued by the commission.

(b) Each application for a permit shall be made on forms furnished by the department and shall include:

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

(c) Each application for a permit to undertake abandonment of a stream diversion work shall be accompanied by a non-refundable filing fee of \$25.00; provided that no fee shall be required of government agencies. [Eff.] (Auth: HRS §174C-8)
(Imp: HRS §§174C-71, 174C-95)

DEPARTMENT OF LAND AND NATURAL RESOURCES

Chapter 13-168, Hawaii Administrative Rules, on the Summary page dated _____ was adopted on _____, following public hearings held on Oahu on _____; on Maui on _____; on Kauai on _____; and on Hawaii on _____; after public notice was given in the Honolulu Star Bulletin, Hawaii Tribune Herald, Maui News and the Garden Island on _____ and _____.

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

WILLIAM W. PATY, Chairperson
Commission on Water Resource
Management

APPROVED AS TO FORM:

Deputy Attorney General

Dated: _____

APPROVED:

JOHN WAIHEE, Governor
State of Hawaii

Date Filed