

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Engineering Division  
Honolulu, Hawaii 96813

April 8, 2016

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

**REQUEST DELEGATION TO THE CHAIRPERSON TO APPROVE TIME  
EXTENSIONS FOR DAM SAFETY CONSTRUCTION/ALTERATION PERMITS**

**BACKGROUND:**

Hawaii Revised Statutes requires all owners of regulated dams to obtain Dam Safety Construction/Alteration approval from the Board of Land and Natural Resources (BLNR) to construct, repair, alter, or remove a dam. BLNR permit approvals typically delegate the Chairperson to issue and manage the permit, although does not clearly authorize the Chairperson to issue extensions.

Other permitting or review entities, i.e. Federal, State and County may impose additional requirements on a project that has received approval of a dam safety construction/alteration permit. Some of the other requirements may impose additional studies and require other mitigation projects. These studies and projects may or may not be located at the dam and reservoir site. If the subject project is required to be significantly changed, a project specific request will be made to the BLNR to reapprove the revised project. Sometimes the permitted project scope will remain the same and only a time extension is necessary. (Exhibit 1) This request is for the delegation of the time extension approval to be made to the Chairperson.

**REGULATIONS:**

Pursuant to Hawaii Administrative Rules (HAR) 13-190.1-23(c) actual construction, enlargement, repair, alteration, or removal shall be commenced within the time frame set by the board in the application approval; otherwise the application approval becomes void. The department may, upon written application and for good cause shown, extend an owner's time for commencing construction, enlargement, repair, alteration, or removal of a dam or reservoir

Pursuant to Hawaii Administrative Rules (HAR) 13-190.1-23(d) actual construction, enlargement, repair, alteration, or removal of a dam or reservoir shall be completed within five years of issuance of the application approval unless an extension authorized in writing by the board is issued.

**HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:**

HRS Chapter 343 requirements shall be addressed with the original project approvals.

HRS 6E-1 – SHPD:

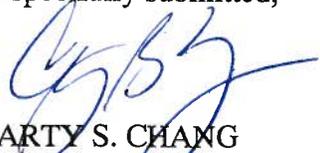
HRS 6E-1 requirements shall be addressed with the original project approvals.

RECOMMENDATION:

That the Board:

1. Delegate authority to the Chairperson to approve time extensions for previously approved dam safety construction/alteration permits.

Respectfully submitted,



CARTY S. CHANG  
Chief Engineer

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE  
Chairperson

Exhibit: 1. Dam Safety Construction/Alteration approved permits

State of Hawaii		Department of Land and Natural Resources						
Dam Safety Permits		Dam ID	Dam Name	Description of Improvements	Dam Owner	Applicant	City	BLNR appr date
19	10/21/02	141	Kehalani (Wailuku Proj. Dist.) Retention Basin	New Construction	Wailuku Agribusiness Co., Inc.	Stanford Carr Development, LLC	Maui	07/10/03
39	10/22/09	113	Omao Reservoir	Dam removal	A & B Properties McBryde Sugar Co., Ltd Eric A. Knudsen Trust	LFR, Inc.	Kauai	03/10/11
44	7/22/10	13	Upper Kapahi Reservoir	Dam Safety Improvements	State of Hawaii-DLNR, County of Kauai, Bernadette Martins, Christina Martins	State of Hawaii, DAGS	Kauai	05/13/11
51	10/22/10	63	Aahoaka Reservoir	dam remediation	State of Hawaii, Department of Land and Natural Resources	State of Hawaii, DAGS	Kauai	06/09/11
53	4/11/11	042	Waimea 60 MG Reservoir (Puukapu)	Dam improvement - lining, outlet siphone, upstream control, subdrain	State of Hawaii, Department of Agriculture	State of Hawaii, Department of Agriculture	Hawaii	10/29/12
54	4/11/11	131	Paauijo Reservoir	Dam improvement - upstream control, vegetation	State of Hawaii, Department of Agriculture	State of Hawaii, Department of Agriculture	Hawaii	06/24/11
61	4/4/12	149	Maunaolu Reservoir	Drainage improvements	Honolulu Board of Water Supply		Honolulu	10/26/12
66	11/13/13	1	Nuuanu No. 4 Reservoir	Repair and improvement	Honolulu Board of Water Supply	Michael Matsuo	Honolulu	03/27/15