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