

WEST MAUI INVESTORS, LLC
468 N. Camden Dr., Suite 300,
Beverly Hills, CA 90210
Tel. 310-276-1290 | Fax:: 310-276-1590

LETTER OF INTENT

May 7, 2021

C Hayes Excavation
454 Ohukai Rd
Kihei, HI 96753
Ph: 870-6987
License AC-30699

Dear Mr. Hayes:

This Letter of Intent serve as a preliminary agreement between C Hayes Excavation and West Maui Investors, LLC for the decommissioning of the reservoir in the Ukumehame stream corridor of the subdivision as designed by Gannet Fleming Inc., and as approved for issuance of permit by the Department of Land a Natural Resources (DLNR) of Hawaii.

C Hayes Excavation shall continue to revise necessary scope information-inclusions, exclusions etc. so the contract can be finalized between both parties.

The following pages are attached for reference:

1. Final Plans-Approve Issuance of a DLNR Dam Safety Permit – Permit No. 77
2. Dam Removal and Grading Cover (1 page)
3. Final Plans-Dam Safety Permit No. 77

AGREED AND ACCEPTED:

Manager:
West Maui Investors, LLC

By:




Joseph Daneshgar

Date: 5/13/2021

Contractor:
C Hayes Excavation

By:



Chris Hayes

Date: _____

5/12/21

Final Plans-Approve Issuance of a DLNR Dam Safety Permit – Permit No. 77

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

October 27, 2017

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

**APPROVE ISSUANCE OF A DLNR DAM SAFETY PERMIT AND AUTHORIZE
REMOVAL OF DAM FROM DLNR REGULATORY OVERSIGHT
PERMIT NO. 77 – UKUMEHAME RESERVOIRS (MA-0140)
DAM REMOVAL, MAUI, HAWAII**

The Department of Land and Natural Resources (Department), Engineering Division (Division) hereby submits an application for your approval and authorization for the Chairperson and Department to stipulate conditions and issue a Dam Safety Permit for the subject application, "Ukumehame Reservoirs (MA-0140) - Dam Removal", pursuant to Chapter 179D Hawaii Revised Statutes and Administrative Rules, Chapter 13-190 I.

APPLICANT:

Mr. Matthew S. Balven
Gannett Fleming
3838 N. Central Ave., Suite 1900
Phoenix, AZ 85012

OWNER CONTACT:

Mr. Mark Lane
Uka, LLC (West Maui Investors)
468 N. Camden Drive, Suite 300
Beverly Hills, CA 90210

**Approved by the Board of
Land & Natural Resources
at the meeting held on
OCT 27 2017**

SUMMARY OF REQUEST:

Dam Safety Permit Application for the removal of the Ukumehame Reservoirs, Maui, Hawaii, See Exhibit 1.

LOCATION: Maui, Hawaii, TMK: (2) 4-8-002: 015, 017, 027, 064, 066, 118 See Exhibit 2.

BACKGROUND:

Ukumehame Reservoirs consists of 2 reservoirs. Ukumehame Reservoirs Nos. 2 & 3 are earthen embankment reservoirs constructed along the west side of Ukumehame Gulch on the island of Maui, Hawaii. The total storage capacity of the reservoirs is 35 acre-feet (11.4 million gallons). The reservoirs have not been utilized for water supply to downstream users for many years. The dams are believed to have been constructed from onsite excavated material; however, details about the date of construction and materials used are not available. Reservoir Nos. 2 & 3 are separated by an approximately 30-foot wide earthen embankment. Reservoir No. 2 discharges into Reservoir No.

Dam Removal and Grading Cover

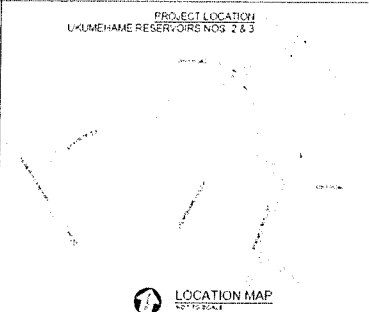
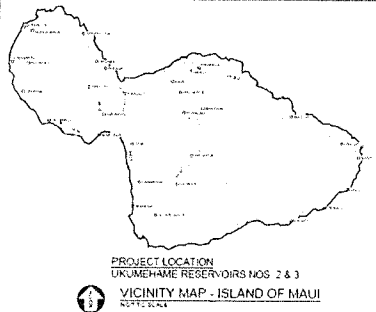
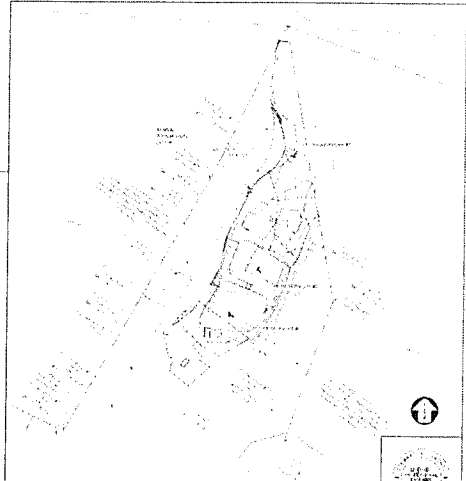
UKA, LLC

UKUMEHAME RESERVOIRS NOS. 2 & 3 DAM REMOVAL AND GRADING

TAX MAP KEYS: (2) 4-8-002:066, (2) 4-8-002:015, (2) 4-8-002:017,
(2) 4-8-002:027, (2) 4-8-002:064, (2) 4-8-002:118

UKUMEHAME, LAHAINA, MAUI, HAWAII
HAWAII STATE DAM INVENTORY ID: MA-140
OCTOBER 2017
FINAL SUBMITTAL

SHEET INDEX		
NO.	DESCRIPTION	DATE
1	COVER	10/17/17
2	GENERAL NOTES	10/17/17
3	PROPOSED DAM REMOVAL AND GRADING	10/17/17
4	PROPOSED DAM REMOVAL AND GRADING	10/17/17
5	PROPOSED DAM REMOVAL AND GRADING	10/17/17
6	PROPOSED DAM REMOVAL AND GRADING	10/17/17
7	PROPOSED DAM REMOVAL AND GRADING	10/17/17
8	PROPOSED DAM REMOVAL AND GRADING	10/17/17
9	PROPOSED DAM REMOVAL AND GRADING	10/17/17
10	PROPOSED DAM REMOVAL AND GRADING	10/17/17



DATE	DESCRIPTION	BY	CHKD
10/17/17	COVER	JK	JK

PROJECT	UKUMEHAME RESERVOIRS NOS 2 & 3	DATE	10/17/17
DESCRIPTION	DAM REMOVAL AND GRADING	DATE	10/17/17
SHEET NO.	COVER	DATE	10/17/17
SHEET TOTAL		DATE	10/17/17

DATE	DESCRIPTION	BY	CHKD
10/17/17	COVER	JK	JK



Final Plans-Ukumehame Reservoir Dam Safety Permit No. 77



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

NOV 14 2017

SUZANNE D. CASE
COMMISSIONER
BOARD OF LAND AND NATURAL RESOURCES
CABINET OFFICE WATER RESOURCES MANAGEMENT

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FIRST DEPUTY

JEFFREY I. PEARSON, P.E.
DEPUTY DIRECTOR, WATER

REGGIE L. FLEMING
DIRECTOR AND CHIEF OF BUREAU
BUREAU OF CONSERVATION
COMMISSION ON WATER RESOURCES MANAGEMENT
CONSERVATION AND RESOURCE MANAGEMENT
DIVISION (CRMD)

DEBBIE ANN WOOD, P.E.
DEPUTY DIRECTOR
REGULATORY ENGINEERING DIVISION
LAND

11/14/17

Mr. Matthew S. Balven
Gannett Fleming, Inc.
3838 N. Central Ave., Suite 1900
Phoenix, Arizona 85012

Dear Mr. Balven:

**UKUMEHAME RESERVOIR (MA-0140)
DAM SAFETY PERMIT NO. 77
DAM REMOVAL, MAUI, HAWAII**

Your permit application submitted, on January 19, 2016, for the Ukumehame Reservoir (MA-0140) – Dam Removal, has been examined and approved subject to the attached dam safety permit general conditions and the following special conditions:

1. The dam shall be removed in accordance with the approved plans and specifications as indicated on the following chart.

Plan Sheet(s)	Plan Date	Revision Date
Ukumehame Reservoirs Nos. 2 & 3 Dam Removal and Grading Plan Sheets G-01 to G-04, V-01, D-01, C-01, C-02, EC-01, EC-02	October 2017	N/A

2. Gannett Fleming Inc., or the owner's representative will ensure photos are submitted to the State Historic Preservation Division (SHPD) documenting the installation of the temporary protective measures (fencing) along the archaeological preservation buffers; identified as Buffer Areas 5 and 6 (as recorded in final plan, Subdivision file No. 4.876) prior to initiating other construction activities (Reference: SHPD log No. 2016.01884 and Doc No. 1710SL01).
3. The Department of Land and Natural Resources (Department) reserves the right to suspend or revoke this permit approval upon, either a finding of violation of any of the stipulated conditions or a determination of a threat to public health and safety from factors which may arise in the future.