Hi Garrick,

It was nice talking to you again. Here is the permit for the use of EP 2. Please refer to Special Condition 3. I wrote a Memorandum for the Record, documenting your call to us yesterday. That can serve in lieu of a written notice. So, all you need to do is start reporting the water use. I have attached a water use report form. Please call if you have any questions.

Aloha, Lenore
### MONTHLY GROUND WATER USE REPORT

City and County of Honolulu  
Department of Enterprise Services, Golf Course Division  
404 Kapahulu Avenue  
Honolulu, HI 96815

Report Month ________ Year

INSTRUCTIONS: Please TYPE OR PRINT CLEARLY. Complete this form to report total monthly ground water use, and, if required, other information from each of your well sources. Mail to: Commission on Water Resource Management, P.O. Box 621, Honolulu HI 96809. For assistance, please call 

<table>
<thead>
<tr>
<th>State Well No.</th>
<th>Well Name</th>
<th>Period Begin Date (mm/dd/yy)</th>
<th>Period End Date (mm/dd/yy)</th>
<th>Quantity Pumped (gallons)</th>
<th>Method of Measurement</th>
<th>Chloride (mg/l)</th>
<th>Temp. (°F)</th>
<th>Non-Pumping Water Level (ft. above msl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2201-03,04,07</td>
<td>EP 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Flow meter, electrical consumption, weir of flume, not metered (estimated).

- Measurement should be taken while pump is NOT running just prior to a pumping cycle; if measurement is taken while pump is running, please indicate so.

Other comments or additional information (e.g. - date and method of chloride measurement; how pumpage amounts are estimated; etc...):

Submitted by (print) ___________________________  Title ___________________________  Signature ___________________________

Date ___________  Telephone No. ___________
**STATE OF HAWAII**
**COMMISSION ON WATER RESOURCE MANAGEMENT**
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

**MONTHLY GROUND WATER DELIVERY REPORT**
(INFORMATION TO BE USED BY U.S. GEOLOGICAL SURVEY)

City and County of Honolulu
Department of Enterprise Services, Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Report Month _____ Year

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<table>
<thead>
<tr>
<th>State Well No.</th>
<th>Delivery Begin Date (mm/dd/yy)</th>
<th>Delivery End Date (mm/dd/yy)</th>
<th>Quantity Delivered (gallons)</th>
<th>Type of Use*</th>
<th>Field No(s)</th>
<th>Acres Irrigated</th>
<th>Crop Type</th>
<th>Method of Measurement***</th>
</tr>
</thead>
<tbody>
<tr>
<td>2201-03,04,07</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

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* Use of water code:
- AQ: Aquaculture
- C: Commercial
- D: Domestic
- ID: Irrigation - Drip
- IF: Irrigation - Furrow
- IS: Irrigation - Sprinkle

** For estimated values use code:
- P: Power consumption
- T: Total time of operation
- D: Comparison with past data
- X: Other means - (indicate method)

Other comments or additional information:

Submitted by (print) ________________________________ Title _______________________
Signature __________________________________________ Date _______________________
Phone No. ________________

---

Form Document3.doc (3/99)
MEMORANDUM FOR THE RECORD

FROM: Lenore Nakama
SUBJECT: Emergency Use of EP 2

3/19/03 Garrick Iwamuro of the City's Golf Course Division left a message to inform us that there are problems with the R-1 water supply to the West Loch Golf Course. They are going to need to start using EP 2 to meet their irrigation needs, possibly starting as early as tomorrow.

3/20/03 Garrick said seawater intrusion into the R-1 line was causing high chlorides. The problem should be fixed soon. I told Garrick that the Commission approved a permit for emergency use of the well for irrigation in the event of unforeseen circumstances such as this. I faxed Garrick the water use permit and the water use report forms. I informed Garrick that I wrote a Memorandum for the Record that will suffice for the written notice within 1 day of pumping (Special Condition 2).
STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.
<table>
<thead>
<tr>
<th><strong>SENDER:</strong></th>
<th><strong>I also wish to receive the following services (for an extra fee):</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.</td>
<td>1. □ Addressee's Address</td>
</tr>
<tr>
<td>□ Print your name and address on the reverse of this form so that we can return this card to you.</td>
<td>2. □ Restricted Delivery</td>
</tr>
<tr>
<td>□ Attach this form to the front of the mailpiece, or on the back if space does not permit.</td>
<td><strong>4a. Article Number</strong></td>
</tr>
<tr>
<td>□ Write &quot;Return Receipt Requested&quot; on the mailpiece below the article number.</td>
<td>P354.448.600</td>
</tr>
<tr>
<td>□ The Return Receipt will show to whom the article was delivered and the date delivered.</td>
<td><strong>4b. Service Type</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>3. Article Addressed to:</strong></th>
<th><strong>4. Article Number</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Wayne Lee</td>
<td>P354.448.600</td>
</tr>
<tr>
<td>C/O of Hovell</td>
<td>4a. Registered</td>
</tr>
<tr>
<td>Aila Wai Golf Course</td>
<td>□ Certified</td>
</tr>
<tr>
<td>404 Kupapaue St.</td>
<td>□ Express Mail</td>
</tr>
<tr>
<td>Hauula 96715</td>
<td>□ Insured</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>5. Received By:</strong> (Print Name)</th>
<th><strong>7. Date of Delivery</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Carleen Fukini</td>
<td>MAY 07 2001</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>6. Signature (Addressee or Agent)</strong></th>
<th><strong>8. Addressee’s Address (Only if requested and fee is paid)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Carleen Fukini</td>
<td></td>
</tr>
</tbody>
</table>
Hi State Dept. of Sanit Nat Res.
Commission Water Resource
Office Box 621
1000 E 8th St
Salt Lake City, UT 84108
SENDERS: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee’s address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
   Mr. Wayne Lee
   City & County of Honolulu
   Dept. of Enterprise Services
   Golf Course Division
   404 Kapahulu Avenue
   Honolulu, HI 96815

4. Article Number
   P 354 448 600

Type of Service:
☐ Registered ☑ Insured
☐ Certified ☑ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
   X

6. Signature — Agent
   X

7. Date of Delivery
   2201-03,04,07

8. Addressee’s Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO
Print Sender's name, address, and ZIP Code in the space below.

COMMISSION ON WATER RESOURCE MANAGEMENT
P. O. Box 621
Honolulu, Hawaii 96809
Certified mail – return receipt requested

Mr. Wayne Lee
City and County of Honolulu
Department of Enterprise Services, Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Dear Mr. Lee:

Notice of Action
Approval of Water Use Permit for Well No. 2201-03,04,07
Waipahu-Waiawa Ground-Water Management Area, Oahu

This letter transmits your water use permit for EP 2 (Well No.2201-03,04,07) for use of 0 million gallons per day (mgd) of water on a 12-month moving average basis (emergency back-up use) that was approved by the Commission on Water Resource Management (Commission) on April 18, 2001. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

Special Conditions

1. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.

2. In the event the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

3. In the event that emergency water use occurs, the permittee shall notify the Commission in writing within 1 day of pumping, to inform the Commission as to the nature of the emergency and the expected duration of the emergency. A water use report shall also be filed pursuant to Standard Condition 10 and Administrative Rule 13-168-7.

4. Attached for information is a copy of the Department of Health's (DOH) review comments. Please note DOH's requirements related to non-potable water systems (attached).

5. Standard Condition 16 requiring the submittal of a water shortage plan is waived.

If you have any questions, please call Lenore Nakama of the Commission staff at

Aloha,

[Signature]
GILBERT S. COLOMA-AGARAN
Chairperson

Attachments
GROUND-WATER USE PERMIT
WUP NO. 585

PERMITTEE

Permittee/Water User: Department of Enterprise Services, Golf Course Division
Address: 404 Kapahulu Avenue, Honolulu, HI 96815

Landowner of Source: Department of Enterprise Services, Golf Course Division
Address: 404 Kapahulu Avenue, Kapolei, HI 96815

PERMITTED SOURCE INFORMATION

Island: Oahu
Water Management Area: Oahu
Aquifer Sector: Pearl Harbor
Aquifer System: Waipahu-Waiawa
System Sustainable Yield: 104
Well Name: EP 2
State Well No.: 2201-03,04,07

PERMITTED USE INFORMATION

Reasonable beneficial use: Backup Irrigation
Withdrawal (12 month moving ave.): 0 mgd
Location of water use
  TMK #: 9-1-17:60
  Address: West Loch (Projects shown in attached Table 1)
  State land use classification: AG
  County zoning classification: AG-1

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the permittee is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means "the use of water in such a quantity as in necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground-water use here must not interfere with surface or other ground-water rights or reservations.

5. The ground-water use here must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its April 18, 2001 meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. protect the water sources (quantity or quality);
   b. meet other legal obligations including other correlative rights;
   c. insure adequate conservation measures;
   d. require efficiency of uses;
   e. reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management forms provided by the Commission on a monthly basis (attached).

11. This permit shall be subject to the Commission's periodic review of the Waipahu-Waiawa Aquifer System's sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the Waipahu-Waiawa Aquifer System, or relevant modified aquifer(s), is reduced.

12. A permit may be transferred, in whole or in part, from the permittee to another, if:
   a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of the use, remain the same; and
   b. The Commission is informed of the transfer within ninety days.

Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

13. The use(s) authorized by law and by this permit do not constitute ownership rights.
14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

15. The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservation, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS §174C-62 shall not apply towards the four-year period of forfeiture.

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR §13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the Waipahu-Waiawa Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

18. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

19. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS §174C or HAR §13-171 may result in the suspension or revocation of this permit.

[Signature]
GILBERT S. COLOMA-AGARAN, Chairperson
Commission on Water Resource Management

Attachment
<table>
<thead>
<tr>
<th>Project</th>
<th>TMK</th>
<th>LUD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly Housing</td>
<td>9-1-17:007</td>
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</tr>
<tr>
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<td>9-1-17:por.066</td>
<td>Agricultural</td>
</tr>
<tr>
<td>Golf Course</td>
<td>9-1-17:por.066, 9-1-17:060, 9-1-17:064, 9-1-17:065</td>
<td>Agricultural</td>
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<td>Estates Subdivision</td>
<td>9-1-052:127</td>
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</tr>
<tr>
<td>Shoreline Park</td>
<td>9-1-17:por.006, 9-1-17:008, 9-1-17:014</td>
<td>Agricultural</td>
</tr>
</tbody>
</table>
STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT

April 18, 2001
Honolulu, Oahu

City and County of Honolulu
Department of Enterprise Services, Golf Course Division
APPLICATION FOR A WATER USE PERMIT
EP 2 (Well No. 2201-03,04,07), TMK 9-1-17:60
New (Backup Irrigation) Use for 0 mgd
Waipahu-Waiawa Ground Water Management Area, Oahu

APPLICANT:
City and County of Honolulu
Department of Enterprise Services, Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

LANDOWNER:
Same

LOCATION MAP: See Exhibit 1

BACKGROUND:

On January 24, 2001, a completed water use permit application was received from the Department of Enterprise Services, Golf Course Division by the Commission on Water Resource Management (Commission). The applicant is requesting contingency (backup) use of EP 2 to supply irrigation water to the West Loch development in the event that the development's primary irrigation source, reclaimed wastewater from the Honouliuli Treatment Plant, becomes temporarily unavailable. Use of reclaimed water at West Loch began on September 18, 2000. Prior to the availability of reclaimed water, EP 2 was the primary water source (WUP Nos. 77 and 420). Since the water use permits for EP 2 expired in July 1998, the development has been relying on municipal water for their irrigation needs.

Additional information regarding the source, use, notification, objections, and field investigation(s) is provided in Attachment A.
ANALYSIS/ISSUES:

Section 174C-49(a) of the State Water Code establishes seven (7) criteria that must be met to obtain a water use permit. An analysis of the proposed permit in relation to these criteria follows:

(1) Water availability

Because the proposed permit is for emergency backup use only, no allocation is being requested. As such, water availability is not an issue. (The Commission has previously approved water use permits for 0 mgd for emergency backup uses.) For informational purposes, a summary of the current ground water conditions in the aquifer is provided in Table 1:

<table>
<thead>
<tr>
<th>Table 1. Waipahu-Waiawa Aquifer System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sustainable Yield</td>
</tr>
<tr>
<td>Allocation Milestone</td>
</tr>
<tr>
<td>Pumpage Milestone</td>
</tr>
<tr>
<td>Less: Other Existing Water Use Permits (shown in Exhibit 2)</td>
</tr>
<tr>
<td>Reservation to DHHL</td>
</tr>
<tr>
<td>Subtotal (Current Available Allocation)</td>
</tr>
<tr>
<td>Less: Pending Completed Applications (shown in Exhibit 3)</td>
</tr>
<tr>
<td>Subtotal (Potential Available Allocation)</td>
</tr>
</tbody>
</table>

Table 1 shows that we are currently over the allocation milestone, but within the sustainable yield of the aquifer. The twelve-month moving average withdrawal from the aquifer as of December, 1999 is 52.335 mgd (see Exhibit 2), well within the 62 mgd pumpage milestone. Actions triggered by the milestones are shown in Exhibit 4. Staff will have until April 2005 to finalize a water shortage plan based on the current allocation milestone.
(2) Reasonable-beneficial

Section 174C-3 HRS defines "reasonable-beneficial use" as

"...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 both reasonable and consistent with the state and county land use plans and the public interest".

The proposed permit is for emergency backup use only; no allocation is being requested. With a chloride concentration of slightly greater than 300 ppm, the water source is brackish and unsuitable for drinking water purposes. Well water would be withdrawn to supply irrigation water for the existing developments at West Loch only if reclaimed water became temporarily available. Other reasonable-beneficial use criteria are discussed in the following sections.

(3) Interference with other existing legal uses

The wells were previously used as the sole source of irrigation water at West Loch, and there was no evidence of interference with other existing legal uses. Temporary emergency use of the wells is not anticipated to interfere with other existing legal uses.

(4) Public interest

Emergency backup irrigation use of a brackish water source, where existing correlative uses, established water rights, and the public trust resources are protected, is deemed to be in the public interest. There are no streams in the vicinity of the well.

No objections to this application have been submitted to the Commission. However, the Office of Hawaiian Affairs (OHA) has expressed their concern that the application should be deemed incomplete because it does not quantify the amount of water being requested. OHA is also concerned that contingency use may not meet the reasonable-beneficial use standard and appears speculative (see Exhibit 5).

The Commission has previously approved emergency/back-up water use permits for irrigation, fire protection, and municipal uses (including but not limited to WUP Nos. 61, 66, 160, 166, 384, 473, 508). In the event that well water is pumped during an emergency, a standard condition of the permit requires a water use report to be filed stating the dates and quantities pumped.

(5) State & county general plans and land use designations

The City Council reviewed phases of the West Loch development pursuant to Section 46.15.1 and Section 201E-210, Hawaii Revised Statutes, and authorized exemptions relating to planning, zoning, construction standards for subdivisions, development and improvement of
land, and the construction of housing units via adoption of Resolution Nos. 88-206 CD-1, 92-49 CD-1, and 92-59. The City supports this application for contingency use.

The State Land Use Commission (LUC) has reviewed the application and found that a boundary change from the Agricultural to the Urban District would be more appropriate for the commercial, church/school, multi-family residential, and subdivision uses, which are not permitted in the Agricultural District (excluding the areas identified in the "Estates Subdivision which are in the Urban District). As such, these individual projects do not meet the conditions to obtain a water use permit. The LUC's comments are shown in Exhibit 6, which also summarizes the proposed use areas, respective zoning and state land use district designations. Table 2 shows the individual projects within the West Loch development that are consistent with the current state land use district designations.

Table 2. Projects Consistent with State LUD

<table>
<thead>
<tr>
<th>Project</th>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

(6) County land use plans and policies

(See discussion above.)

(7) Interference with Hawaiian home lands rights

All permits are subject to the prior rights of Hawaiian home lands. The Department of Hawaiian Home Lands (DHHL) has reviewed this application. No objections or concerns were raised.
RECOMMENDATION:

Staff recommends that the Commission approve the issuance of water use permit no. 585 to Department of Enterprise Services, Golf Course Division for the reasonable and beneficial use of 0 million gallons per day of Non-Potable water for Backup Irrigation from EP 2 (Well Nos. 2201-03,04,07) for the individual projects shown in Table 2, subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

1. Should an alternate backup source of water be found for this use, the Commission reserves the right to revoke this permit, after a hearing.

2. In the event that the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

3. In the event that emergency water use occurs, the permittee shall notify the Commission in writing within 1 day of pumping, to inform the Commission as to the nature of the emergency and the expected duration of the emergency. A water use report shall also be filed pursuant to Standard Condition 10 and Administrative Rule 13-168-7.

4. Attached for information is a copy of the Department of Health's (DOH) review comments. Please note DOH's requirements related to non-potable water systems (Exhibit 8).

5. Standard Condition 16 requiring the submittal of a water shortage plan is waived.

Respectfully submitted,

LINNEL T. NISHIOKA
Deputy Director

Attachment(s):
A (Water Use Permit Detailed Information)
B (Water Use Permit Standard Conditions)

Exhibit(s):
1 (Location Map)
2 (Existing Water Use Permits and 12-Month Moving Average Withdrawal)
3 (Pending Water Use Permit Applications)
4 (Milestone Actions)
5 (March 2, 2001 Review Comments from Office of Hawaiian Affairs)
6 (March 7, 2001 Review Comments from Land Use Commission)
7 (Source Information)
8 (February 1, 2001 Review Comments from Department of Health)
9 (Other Nearby Wells)
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER: Waipahu-Waiawa System, Pearl Harbor Sector, Oahu
Sustainable Yield: 104 mgd
Existing Water Use Permits: 81.143 mgd
Available Allocation: 21.499 mgd
Total of other pending allocations: 4.586 mgd

WELL: EP 2 (Well Nos. 2201-03,04,07)
(See Exhibit 7)

Proposed Use Information

Quantity Requested: 0 gallons per day.
New Type of Water Use: Backup Irrigation
Place of Water Use: TMK: 9-1-17:por.066,007,por.062,por.006,060,064,065,008,014; 9-1-
52:127; 9-1-54:222; 9-1-55:102,103

Waipahu-Waiawa Aquifer System
Current 12-Month Moving Average Withdrawal (See Exhibit 2): 52.335 mgd

ATTACHMENT A
Nearby Surrounding Wells and Other Registered Ground Water Use

There are sixty (60) other wells within a mile of the well (see Exhibit 1). See Exhibit 9 for a list of the wells and physical/use information.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Honolulu Advertiser on February 12, 2001 and February 19, 2001 and a copy of the notice was sent to the Mayor's office. Copies of the completed application were sent to the Department/Board of Water Supply, Planning Department, Department of Land Utilization (Oahu only), Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, the various divisions within the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by March 5, 2001.

Objections

The public notice specifies that an objector meet the following requirements: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; (3) state all grounds for objections to the proposed permits, (4) provide a copy of the objection letter(s) to the applicant, and (5) submit objections meeting the previous requirements to the Commission by March 5, 2001. No objections were filed.

Briefs in Support

Responses to objections, or briefs in support, regarding the application are required to be filed with the Commission ten (10) days after an objection is filed and, presumably, copies are served to the applicant. No briefs in support were filed with the Commission.

Field Investigation

No field investigation has been conducted.

ATTACHMENT A
STANDARD WATER USE PERMIT CONDITIONS

1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means "the use of water in such a quantity as is necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:

   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground-water use here must not interfere with surface or other ground-water rights or reservations.

5. The ground-water use here must not interfere with interim or permanent instream flow standards. If it does, then:

   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its April 18, 2001 meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

ATTACHMENT B
Staff Submittal

April 18, 2001

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:

a. protect the water sources (quantity or quality);
b. meet other legal obligations including other correlative rights;
c. insure adequate conservation measures;
d. require efficiency of water uses;
e. reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
f. meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
g. carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis (attached).

11. This permit shall be subject to the Commission's periodic review of the Waipahu-Waiawa Aquifer System's sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the Waipahu-Waiawa Aquifer System, or relevant modified aquifer(s), is reduced.

12. A permit may be transferred, in whole or in part, from the permittee to another, if:

a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of the use, remain the same; and
b. The Commission is informed of the transfer within ninety days.

Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

13. The use(s) authorized by law and by this permit do not constitute ownership rights.

14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

ATTACHMENT B
15. The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservation, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS § 174C-62 shall not apply towards the four-year period of forfeiture.

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the Waipahu-Waiawa Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

18. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

19. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.
## MONTHLY GROUND WATER USE REPORT

City Department of Enterprise Services  
Golf Course Division  
404 Kapahulu Avenue  
Honolulu, HI 96815

Report Month: [Blank] Year: [Blank]

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<th>Well Name</th>
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<th>Period End Date (mm/dd/yy)</th>
<th>Quantity Pumped (gallons)</th>
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INSTRUCTIONS: Please TYPE OR PRINT CLEARLY. Complete this form to report total monthly ground water use, and, if required, other information from each of your well sources. Mail to: Commission on Water Resource Management, P.O. Box 621, Honolulu HI 96809. For assistance, please call (808) 887-0264.

* - Flow meter, electrical consumption, weir of flume, not metered (estimated).
** - Measurement should be taken while pump is NOT running just prior to a pumping cycle; if measurement is taken while pump is running, please indicate so.

Other comments or additional information (e.g. date and method of chloride measurement; how pumpage amounts are estimated; etc...):

Submitted by (print) __________________________ Title __________________________
Signature __________________________ Date ________________ Telephone No. ________________

Form wur-mon-gw.doc (3/99)
STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES

MONTHLY GROUND WATER DELIVERY REPORT
(INFORMATION TO BE USED BY U.S. GEOLOGICAL SURVEY)

City Department of Enterprise Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

INSTRUCTIONS: Please TYPE OR PRINT CLEARLY. Complete this form to report total monthly ground water use and other information from each of your well sources. Mail to: Commission on Water Resource Management, P.O. Box 621, Honolulu HI 96809. For assistance, please call 2201-030407.

Other comments or additional information:

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* Use of water code:
- AQ: Aquaculture
- A: Agriculture non-irrigation use (livestock, cane wash, etc.)
- C: Commercial
- I: Industrial-manufacturing, construction, etc.
- D: Domestic
- H: Hydroelectric power generation - indicate KWH of power generated
- IF: Irrigation - Drip
- I: Irrigation - Furrow
- IS: Irrigation - Sprinkle

** For estimated values use code:
- P: Power consumption
- T: Total time of operation
- D: Comparison with past data
- X: Other means - (indicate method)

Submitted by (print) ___________________ Title ____________________
Signature ______________________ Date _______________ Phone No. __________
Aquifer System Water Use Permit Index

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Friday, September 01, 2000

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Summary for 'SYSTEM' = WAIPAHU-WAIJAWA (162 detail records)

Totalling 82.501 52.335
## Pending Water Use Applications

**Aquifer System** WAIPAHU-WAIAWA

**Sus Yield:**

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MILESTONES

ADOPT NEW SUSTAINABLE YIELDS
FOR EWAKUNIA AND WAIPAHU-WAIWA AQUIFER
SYSTEMS, PEARL HARBOR AQUIFER SECTOR, OAHU
MARCH 15, 2000

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<tr>
<th>Proposed Sustainable Yield (SY)</th>
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<th>Waipahu-Waiwa (mgd)</th>
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<td>Proposed Allocation Milestone</td>
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<td>Proposed Pumpage Milestone</td>
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<tr>
<th>Milestone Requirements/Actions</th>
<th>Responsible Entity</th>
<th>Timeframe</th>
</tr>
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<tbody>
<tr>
<td>1. Continue updating Geographic Information System (GIS) database analyses of existing and pending water uses.</td>
<td>CWRM, BWS</td>
<td>On-going</td>
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<td>2. Execute water use permit (WUP) revocations.</td>
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<td>Within one year after adoption of new SY</td>
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<tr>
<td>3. Process pending WUP applications, bulk allocation requests, and reservation requests.</td>
<td>CWRM</td>
<td>Within one year after adoption of new SY</td>
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**PHASE I Monitoring Plan**

4. Develop deep well and observation well monitoring plan.
   A. Plan shall include a commitment/agreement from various parties for funding/construction, site selection, funding/data gathering, etc.
   B. Agreement shall be reached as to how many new monitoring wells (deep and/or observation) shall be in operation prior to reaching the pumpage milestone.

**PHASE II Monitoring Plan**

5. Set other resource management criteria to monitor the resource, to optimize withdrawals, and establish additional safeguards to protect the resource.
   A. Evaluate other resource management criteria to include but not be limited to chloride concentrations, water levels, location of transition zones, historical water trends, etc.
<table>
<thead>
<tr>
<th></th>
<th>Develop plan to optimize existing and future water infrastructure which may be impacted by a rise in the transition zone.</th>
<th>BWS</th>
<th>CWRM</th>
<th>USGS</th>
<th>Within 2 years after adoption of new SY</th>
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<tbody>
<tr>
<td>A.</td>
<td>List of water infrastructure which may be impacted.</td>
<td>CWRM</td>
<td>USGS</td>
<td>BWS</td>
<td>Within 1 year after adoption of new SY</td>
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</tbody>
</table>
| B. | Evaluation of the impacted infrastructure and development of the optimization plan should include but not be limited to the following:  
1) Cost implications and funding availability (federal, state, city, private or some type of cost sharing).  
2) Amount of allocation affected  
3) Evaluate if optimization should be voluntary, mandatory or dealt with on a case-by-case basis.  
4) What quality of water (chloride concentration) is being used and is optimization necessary.  
5) Timeline for implementation of optimization plan. | BWS | CWRM | | Within 2 years after adoption of new SY |
| C. | Reach agreement/commitment from various parties. | BWS | CWRM | | Within 3 years after adoption of new SY |
| 7. | Initiate development of an overall water shortage plan for Pearl Harbor and Honolulu Aquifer Sectors.  
- The water shortage plan should take into account policies, goals and objectives established within the Water Resources Protection Plan and the Oahu Water Management Plan as developed through the IRP process. | CWRM | USGS | BWS | When allocation milestone is reached. Complete within 4 years. |
| 8. | Initiate re-assessment of the sustainable yields for Ewa-Kunia and Waipahu-Waiawa aquifer systems.  
- Re-assessment should include but not be limited to refinement of ground water models, recharge estimates (including irrigation return component), hydraulic conductivities, model boundaries, etc. | CWRM | USGS | BWS | When pumpage milestone is reached. Complete within 5 years |
| PHASE III Monitoring Plan | | | | | Within 4 years from reaching the pumpage milestone. |
| 9. | Complete implementation of well monitoring plan (Item 4.) which includes installing balance of new monitoring wells (deep and observation). | BWS | CWRM | | Within 10 years from reaching the pumpage milestone. |
| 10. | Implement water infrastructure optimization plan (Item 6). | BWS | CWRM | | |
### Milestone Requirements/Actions

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<th>NOTE:</th>
<th>Responsible Entity</th>
<th>Timeframe</th>
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<tr>
<td>1. If more than one responsible entity is identified, then the first agency listed is the lead entity.</td>
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<tr>
<td>2. The CWRM reserves the right to administratively adjust milestone timeframe as necessary with the concurrence of responsible entity(ies). Allocation milestones may be reached prior to pumpage milestone depending upon water use permit revocations, the amount of water use permit applications processed, and bulk allocation requests and reservation requests received and granted.</td>
<td></td>
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<tr>
<td>3. The CWRM staff will conduct biennial briefings with the CWRM, key agencies, and interested parties to assess the progress of implementing milestone requirements/actions.</td>
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<tr>
<td>4. Failure to comply with milestones requirements/actions may lead to deferral of CWRM actions relating to WUP applications, bulk allocation requests and/or reservation requests.</td>
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</table>
March 2, 2001

Gilbert S. Coloma-Agaran, Chairperson
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawaii 96809

Subject: Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu

Dear Mr. Coloma-Agaran:

Thank you for the opportunity to comment on the above-referenced water use permit application.

The Office of Hawaiian Affairs has the following concerns about the application:

• All permit applications shall contain the quantity of water requested, pursuant to HRS 174C-51. However, this water use permit application for the City and County of Honolulu, Department of Enterprise Services, is incomplete because it does not quantify the amount of water requested. The amount of water granted for use through this permit must be specific if sound water resources planning is to occur. How can the Commission ensure that this proposed use will not impact existing uses and that the aquifer can support this proposed use if they don’t know the amount of water this proposed use will require?

• Contingency use may not meet the “reasonable and beneficial use” standard because the water may not ever be used. Previously OHA has challenged issuing water permits for non-use. We have asserted that H.R.S. Section 174C-58(4) identifies the threshold for nonuse as “four continuous years” and that speculative use of water can hardly be viewed as “reasonable” or
“beneficial” or “efficient” as required by the reasonable and beneficial use standard. We are concerned because the contingency use requested in this application appears speculative.

If you have any questions, please contact Sharla Manley, assistant policy analyst, at 594-1944 or e-mail her at [redacted]

Sincerely,

Colin C. Kippen, Jr.
Deputy Administrator

cc: Board of Trustees
    Randall K. Ogata, Administrator
March 7, 2001

Mr. Gilbert S. Coloma-Agaran
Chairperson
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Coloma-Agaran:

Subject: WATER USE PERMIT APPLICATION
Waipahu-Waiawa Ground Water Management Area, Oahu

We have reviewed the water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03, 04, and 07, and the request to identify the current State Land Use District designation for proposed use areas as described in the subject application, as transmitted by your memorandum dated February 1, 2001.

Upon review of the subject application, we have the following comments:

1. We reviewed the State Land Use Districts for the areas of the proposed uses, and have identified their respective designation on the enclosed Attachment 1.

2. The areas identified in the “Estates Subdivision” appear to be part of the Petition Area of LUC Docket No. A87-616/Department of General Planning, City and County of Honolulu. We would like to point out that these areas are subject to Condition No. 3, which states, “Petitioner shall fund and coordinate with the Honolulu Board of Water Supply and the Department of Land and Natural Resources measures designed to obtain the required water for the project. In the event that water is not available from the proposed source due to insufficient supply and/or the source is not contaminant free, the Petitioner shall fund the necessary water resource, storage, transmission facilities and filtration system.”
With respect to your request as to whether the current designation is appropriate for the proposed use areas, please be advised that pursuant to Section 205-2(b), HRS, permitted activities or uses within the State Land Use Urban District are determined by the respective counties by ordinances or regulations. Therefore, the City and County of Honolulu should be requested to provide a response as to the appropriateness of the proposed water use in the Urban District.

Pursuant to Section 205-2(d), HRS, permitted activities or uses within the State Land Use Agricultural District include golf courses, farm dwellings, and employee housing. To the extent that commercial, church/school, multi-family residential, and subdivision uses are not permitted, a boundary change to the Urban District would be more appropriate.

We have no further comments to offer. We appreciate the opportunity to review the subject application.

As requested, we are returning the cover memo for the subject application.

If you have questions regarding this matter, please contact me or Russell Kumabe of our office at [redacted]

Sincerely,

BERT SARUWATARI
Acting Executive Officer

BS:RK:aa

Enclosures
TO:       Ms. Esther Ueda, Executive Officer  
          Land Use Commission  
FROM:     Gilbert S. Coloma-Agaran, Chairperson  
          Commission on Water Resource Management  
SUBJECT: WATER USE PERMIT APPLICATION  
         Waipahu-Waiawa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application (Table 1). Specifically, we request that you inform us of the current state land use designation for the TMK parcel, or portion thereof, for the proposed use area(s) and, secondly, whether the current state land use designation is appropriate for the proposed project.

We have attached a TMK map(s) that covers the proposed use area(s). Where water is proposed for use on only a portion of a TMK parcel, or on parcels with multiple zoning, the proposed use area(s) has been clearly delineated on the attached map. **Please respond by returning this cover memo along with your review comments by March 5, 2001.**

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at ____________


Response:

( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact person: Bert Saruwatari  
Signed: ____________

Phone: ____________  
Date: March 7, 2001

EXHIBIT 6
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</table>
FEB 1 2001

TO:  
Honorable Raynard C. Soon, Chairperson  
Department of Hawaiian Home Lands  
Honorable Bruce S. Anderson, Director  
Department of Health  
Attn: Mr. Dennis Tulang  
Attn: Mr. William Wong  
Honorable Haunani Apolonia, Chairperson  
Office of Hawaiian Affairs  
Mr. Clifford S. Jamile, Manager & Chief Engineer  
Honolulu Board of Water Supply  
Attn: Mr. Chester Lao  
Attn: Mr. Barry Usugawa  
Mr. Randall Fujiki, Director  
Department of Planning and Permitting  
Attn: Planning Division

FROM:  
Gilbert S. Coloma-Agaran, Chairperson  
Commission on Water Resource Management

SUBJECT:  
Water Use Permit Application  
Waipahu-Waipawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [redacted].

LN:ky
Attachment(s)

Response:

( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact person: [redacted]  
Phone: [redacted]

Signed: [redacted]
COMMENTS ON
WAIPAHU-WAIWA GROUND WATER MANAGEMENT AREA, OAHU
WATER USE PERMIT APPLICATION

The Safe Drinking Water Branch, Department of Health submits the following comments based on the understanding that these wells will be strictly used for irrigation, and that the marking of the "Municipal" category under the "Proposed Use" section of the permit was meant to indicate that the irrigation was to take place in municipal areas. These comments would actually apply to the use of the re-used water as well as the non-potable irrigation well water.

1. There should be no cross-connection of the water lines served by these sources with the potable water system.

2. All faucets (if any) served by this non-potable water system should be clearly identified as providing non-potable water.

3. Backflow prevention devices (if any) between potable and non-potable water systems should be routinely tested.

EXHIBIT 8
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<th>Well No.</th>
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<th>Longitude</th>
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<th>Total Depth ft.</th>
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<th>Bottom Perf Casing</th>
<th>Bottom of Hole StatiC</th>
<th>Static Head</th>
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<th>Installed Capacity Use</th>
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</table>
March 15, 2001

Mr. Wayne Lee
City and County of Honolulu
Department of Environmental Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Dear Mr. Lee:

We are forwarding review comments from the State of Hawaii, Land Use Commission, dated March 7, 2001, on your water use permit application.

For your information, Section 174C-49(a) Haw. Rev. Stat. requires that the applicant establish that the proposed use of water is consistent with the state land use designation. Please provide information to support the consistency of your proposed project with the state land use designation.

If you have any questions, please contact Lenore Nakama at [redacted]

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

LN:ky
Attachment
March 7, 2001

Mr. Gilbert S. Coloma-Agaran  
Chairperson  
Commission on Water Resource Management  
P.O. Box 621  
Honolulu, Hawaii  96809

Dear Mr. Coloma-Agaran:

Subject: WATER USE PERMIT APPLICATION  
Waipahu-Waiawa Ground Water Management Area, Oahu

We have reviewed the water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03, 04, and 07, and the request to identify the current State Land Use District designation for proposed use areas as described in the subject application, as transmitted by your memorandum dated February 1, 2001.

Upon review of the subject application, we have the following comments:

1. We reviewed the State Land Use Districts for the areas of the proposed uses, and have identified their respective designation on the enclosed Attachment 1.

2. The areas identified in the “Estates Subdivision” appear to be part of the Petition Area of LUC Docket No. A87-616/Department of General Planning, City and County of Honolulu. We would like to point out that these areas are subject to Condition No. 3, which states, “Petitioner shall fund and coordinate with the Honolulu Board of Water Supply and the Department of Land and Natural Resources measures designed to obtain the required water for the project. In the event that water is not available from the proposed source due to insufficient supply and/or the source is not contaminant free, the Petitioner shall fund the necessary water resource, storage, transmission facilities and filtration system.”
3. With respect to your request as to whether the current designation is appropriate for the proposed use areas, please be advised that pursuant to Section 205-2(b), HRS, permitted activities or uses within the State Land Use Urban District are determined by the respective counties by ordinances or regulations. Therefore, the City and County of Honolulu should be requested to provide a response as to the appropriateness of the proposed water use in the Urban District.

Pursuant to Section 205-2(d), HRS, permitted activities or uses within the State Land Use Agricultural District include golf courses, farm dwellings, and employee housing. To the extent that commercial, church/school, multi-family residential, and subdivision uses are not permitted, a boundary change to the Urban District would be more appropriate.

We have no further comments to offer. We appreciate the opportunity to review the subject application.

As requested, we are returning the cover memo for the subject application.

If you have questions regarding this matter, please contact me or Russell Kumabe of our office at [redacted]

Sincerely,

BERT SARUWATARI
Acting Executive Officer

BS:RK:aa
Enclosures
TO: Ms. Esther Ueda, Executive Officer
   Land Use Commission

FROM: Gilbert S. Coloma-Agaran, Chairperson
      Commission on Water Resource Management

SUBJECT: WATER USE PERMIT APPLICATION
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application (Table 1). Specifically, we request that you inform us of the current state land use designation for the TMK parcel, or portion thereof, for the proposed use area(s) and, secondly, whether the current state land use designation is appropriate for the proposed project.

We have attached a TMK map(s) that covers the proposed use area(s). Where water is proposed for use on only a portion of a TMK parcel, or on parcels with multiple zoning, the proposed use area(s) has been clearly delineated on the attached map. Please respond by returning this cover memo along with your review comments by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [her name].

Attachment(s)

Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact person: Bert Saruwatari
Signed: [his signature]

Phone: [blank]
Date: March 7, 2001
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March 6, 2001

Mr. Gilbert S. Coloma-Agaran, Chairperson
Commission on Water Resource Management
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Coloma-Agaran:

Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu
West Loch Golf Course Well Nos. 2201-03, 04 and 07

In response to your agency's request of February 1, 2001, we have reviewed the subject Water Use Permit Application and have no objections to the requested contingency use to irrigate West Loch Golf Course, common areas and parks within the West Loch subdivisions. The Board of Water Supply does not have any objections (see attached letter). We do not have any further comments beyond those in our previous letter of January 4, 2001.

Should you have any questions, please call Matthew Higashida of our staff at

Sincerely yours,

RANDALL K. FUJIKI, AIA
Director of Planning and Permitting

RKF:js

Attachment

cc: Mayor Jeremy Harris (DART 4446)
Chester Lao, Board of Water Supply
Wayne H. W. Lee, Golf Course System, Department of Enterprise Services

g:ipd\wup\wlochwup.wpd
TO: RANDALL K. FUJIKI, AIA, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: FOR CLIFFORD S. JAMILE

SUBJECT: WATER USE PERMIT FOR CONTINGENCY USE, WEST LOCH GOLF COURSE WELLS, WELL NOS. 2201-03, 04, 07

We have no objections to a water use permit for these wells for contingency use in the event the primary supply of treated effluent from the Honolulu Waste Water Treatment Plant becomes temporarily unavailable.

If you have any questions, please contact Chester Lao at

CL: JS
cc: V. Lao
01-0159
March 2, 2001

Gilbert S. Coloma-Agaran, Chairperson  
Department of Land and Natural Resources  
Commission on Water Resource Management  
P.O. Box 621  
Honolulu, Hawaii 96809

Subject: Water Use Permit Application  
Waipahu-Waiawa Ground Water Management Area, Oahu

Dear Mr. Coloma-Agaran:

Thank you for the opportunity to comment on the above-referenced water use permit application.

The Office of Hawaiian Affairs has the following concerns about the application:

- All permit applications shall contain the quantity of water requested, pursuant to HRS 174C-51. However, this water use permit application for the City and County of Honolulu, Department of Enterprise Services, is incomplete because it does not quantify the amount of water requested. The amount of water granted for use through this permit must be specific if sound water resources planning is to occur. How can the Commission ensure that this proposed use will not impact existing uses and that the aquifer can support this proposed use if they don’t know the amount of water this proposed use will require?

- Contingency use may not meet the “reasonable and beneficial use” standard because the water may not ever be used. Previously OHA has challenged issuing water permits for non-use. We have asserted that H.R.S. Section 174C-58(4) identifies the threshold for nonuse as “four continuous years” and that speculative use of water can hardly be viewed as “reasonable” or
"beneficial" or "efficient" as required by the reasonable and beneficial use standard. We are concerned because the contingency use requested in this application appears speculative.

If you have any questions, please contact Sharla Manley, assistant policy analyst, at 594-1944 or e-mail her at [redacted]

Sincerely,

[Signature]

Colin C. Kippen, Jr.
Deputy Administrator

CK:sam

cc: Board of Trustees
    Randall K. Ogata, Administrator
TO: Aquatic Resources  
   Forestry and Wildlife/Natural Area Reserve System  
   State Parks  

FROM: Linne! T. Nishioka, Deputy Director  
   Commission On Water Resource Management  

SUBJECT: Request for Comments  
   Water Use Permit Application  
   Waipahu-Waiawa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenne! Nishioka at 808-151.

Response:

( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact person: Annette Tagawa  
Signed:  
Phone:  
Date: 3/5/01
MEMORANDUM

TO: Linnel T. Nishioka, Deputy Director
Commission on Water Resource Management

FROM: Michael Fujimoto, Acting Administrator
Division of Aquatic Resources

SUBJECT: Comments on Water Use Permit Application for Waipahu-Waiawa Ground Water Management Area (Well Nos. EP 2, 2201-03, 04, 07), West Loch, Oahu (TMK: 9-1-17 parcel 60)

The applicant, City and County of Honolulu, Dept. of Enterprise Services, Golf Course Division, proposes to withdraw nonpotable water from Well Nos. EP 2, 2201-03, 04, 07 for contingency use only to irrigate the West Loch Golf Course and the common areas and parks within the West Loch subdivisions. A well and pump system will be used to withdraw the water for the above mentioned purposes.

The Division has no objections to this request since the proposed project is not expected to have significant adverse impact on aquatic resource values in this area.
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands

Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong

Honorable Haunani Apolonia, Chairperson
Office of Hawaiian Affairs

Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usugawa

Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Planning Division

FROM: Gilbert S. Coloma-Agaran, Chairperson
Commission on Water Resource Management

SUBJECT: Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [Contact Information]

Response:

[ ] We have no comments
[ ] We have no objections
[ ] Comments attached

Contact person: Lori N. Kajiwara
Phone: [Contact Information]

Signed: Lori N. Kajiwara
Date: 2-14-2001
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands

Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong

Honorable Haunani Apolonia, Chairperson
Office of Hawaiian Affairs

Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usfgawa

Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Planning Division

FROM: Gilbert S. Coloma-Agaran, Chairperson
Commission on Water Resource Management

SUBJECT: Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City
and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-
03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices

We would appreciate your review of the proposed use that is described in the attached application
for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives
specific to your organization or department only. Please respond by returning this cover memo form
by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of
the review period for this application, please contact Lenore Nakama at

Response:

We have no comments
We have no objections
Comments attached

Contact person: Rebecca Alakai/Darrell Yagodich

Signed: Darrell Yagodich

Phone:

Date: 2/9/01
TO: Aquatic Resources
    Forestry and Wildlife/Natural Area Reserve System
    State Parks

FROM: Linnel T. Nishioka, Deputy Director
      Commission On Water Resource Management

SUBJECT: Request for Comments
Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for
the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for
Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State &

We would appreciate your review of the attached application for any conflicts or
inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an
extension of the review period for this application, please contact Lenore Nakama at [contact information].

Response:

(✓) We have no comments
( ) We have no objections
( ) Comments attached

Contact person: Betsy Gagne, Exec. Secy
Phone: [redacted]

Signed: [Signature]
Date: FEB 12, 2001

[Signature]
TO:  Dean Uchida, Administrator
     Land Division
FROM:  Linnel T. Nishioka, Deputy Director
        Commission On Water Resource Management

SUBJECT:  Request for Comments
           Water Use Permit Application
           Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at

LN:ky
Attachment(s)

Response:

( ) A water lease/permit is required of this applicant and an application for such will be requested by our division.
( ) A water lease/permit is not required of this applicant.
( ) A water lease/permit has been obtained by the applicant through lease no.
( ) Other relevant Land Division rules/regulations, information, or recommendations are attached.
( ) No objections
( ) Other comments: CCH ownership of the well sites precedes statehood, the advent of water, both surface and ground, being reserved unto the State

Contact person: Gary Martin Phone:  
Signed:  Gary Martin  Date:  FEB - 6 2001
TO: Aquatic Resources  
                 Forestry and Wildlife/Natural Area Reserve System  
                 State Parks  

FROM: Linnel T. Nishioka, Deputy Director  
            Commission On Water Resource Management  

SUBJECT: Request for Comments  
             Water Use Permit Application  
             Waipahu-Waiawa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [redacted].

LN:ky  
Attachment(s)  

Response:  
( ) We have no comments  
( ) We have no objections  
( ) Comments attached  

Contact person: Daniel S. Quinn  
Phone: [redacted]  

Signed: [redacted]  
Date: 2/5/01
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 521
HONOLULU, HAWAII 96809

FEB 1 2001

TO: Honorable Raynard C. Soon, Chairperson
   Department of Hawaiian Home Lands
   Honorable Bruce S. Anderson, Director
   Department of Health
   Att: Mr. Dennis Tulang
   Att: Mr. William Wong

   Honorable Haunani Apolonia, Chairperson
   Office of Hawaiian Affairs

   Mr. Clifford S. Jamiel, Manager & Chief Engineer
   Honolulu Board of Water Supply
   Att: Mr. Chester Lao
   Att: Mr. Barry Usugawa

   Mr. Randall Fujiki, Director
   Department of Planning and Permitting
   Att: Planning Division

FROM: Gilbert S. Coloma-Agaran, Chairperson
   Commission on Water Resource Management

SUBJECT: Water Use Permit Application
   Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City
and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-
03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices

We would appreciate your review of the proposed use that is described in the attached application
for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives
specific to your organization or department only. Please respond by returning this cover memo form
by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the
review period for this application, please contact Lenore Nakama at

LN:ky
Attachment(s)

Response:

() We have no comments
() We have no objections
() Comments attached

Contact person: [Signature]

Signed: [Signature]
COMMENTS ON
WAIPAHU-WAIWA GROUND WATER MANAGEMENT AREA, OAHU
WATER USE PERMIT APPLICATION

The Safe Drinking Water Branch, Department of Health submits the following comments based on the understanding that these wells will be strictly used for irrigation, and that the marking of the "Municipal" category under the "Proposed Use" section of the permit was meant to indicate that the irrigation was to take place in municipal areas. These comments would actually apply to the use of the re-used water as well as the non-potable irrigation well water.

1. There should be no cross-connection of the water lines served by these sources with the potable water system.

2. All faucets (if any) served by this non-potable water system should be clearly identified as providing non-potable water.

3. Backflow prevention devices (if any) between potable and non-potable water systems should be routinely tested.
TRANSMITTED FOR YOUR REVIEW AND COMMENT IS A COPY OF A WATER USE PERMIT APPLICATION FOR THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENTERPRISE SERVICES, GOLF COURSE DIVISION FOR WELL NOS. 2201-03,04,07. PUBLIC NOTICE OF THIS APPLICATION WILL BE PUBLISHED IN THE HAWAII STATE & COUNTY PUBLIC NOTICES (HS&CPN) ISSUES OF FEBRUARY 12, 2001 AND FEBRUARY 19, 2001.

WE WOULD APPRECIATE YOUR REVIEW OF THE ATTACHED APPLICATION FOR ANY CONFLICTS OR INCONSISTENCIES WITH THE PROGRAMS, PLANS, AND OBJECTIVES SPECIFIC TO YOUR DIVISION ONLY. PLEASE RESPOND BY RETURNING THIS COVER MEMO FORM BY MARCH 5, 2001.

IF YOU HAVE ANY QUESTIONS, REQUIRE ADDITIONAL INFORMATION, OR WOULD LIKE TO REQUEST AN EXTENSION OF THE REVIEW PERIOD FOR THIS APPLICATION, PLEASE CONTACT LENORE NAKAMA AT [

LN:ky
Attachment(s)
Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact person: [Signature]
Signed: [Signature]

Phone: [Redacted]
Date: 2/5/01
Mr. Wayne Lee
City and County of Honolulu
Department of Enterprise Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Dear Mr. Lee:

We acknowledge receipt, on January 24, 2001, of your completed water use permit application for EP 2 (Well Nos. 2201-03,04,07). You can expect your application to be processed within ninety (90) days from the date of receipt unless there are objections to your application.

Enclosed is a copy of the public notice for your water use permit application which will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

Please be aware that there may be objections to your application. If objections are made, the objector is required to file such objections with the Commission and is also required to send you a copy of the objections.

You, or any other party, may respond to objections by filing a brief in support of your application with the Commission within ten (10) days of the filing of an objection. You, or the other party, must also send a copy of the response to the objector.

If you have any questions, please contact Lenore Nakama at [redacted]

Sincerely,

[Signature]

LINNEL T. NISHIOKA
Deputy Director

LN:ky
Enclosure
PUBLIC NOTICE

Application for Water Use Permit
Waipahu-Waiawa Ground Water Management Area, Oahu

The following application for water use permit has been received and is hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

EP 2 (Well Nos. 2201-03,04,07)
Applicant: City and County of Honolulu
Department of Enterprise Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Date Completed Application Received: January 24, 2001
Aquifer: Waipahu-Waiawa System, Pearl Harbor Sector, Oahu
Water Source: EP 2 (Well Nos. 2201-03,04,07) at West Loch, Oahu, Tax Map Key 9-1-17:60
Quantity Requested: 0 gallons per day.
New Water Use: Backup Irrigation
Place of Water Use: West Loch Community, Golf Course, and Subdivision at Tax Map Key: 9-1-Various

Written objections or comments on the above application may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by March 5, 2001. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

GILBERT S. COLOMA-AGARAN
Chairperson

Dated: January 30, 2001

TO: Aquatic Resources  
Forestry and Wildlife/Natural Area Reserve System  
State Parks  

FROM: Linnel T. Nishioka, Deputy Director  
Commission On Water Resource Management  

SUBJECT: Request for Comments  
Water Use Permit Application  
Waipahu-Waiawa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [blank].

Response:

( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact person: ___________________________ Phone: ___________________________

Signed: _______________________________ Date: _________________________
TO: Dean Uchida, Administrator  
Land Division  

FROM: Linnel T. Nishioka, Deputy Director  
Commission On Water Resource Management  

SUBJECT: Request for Comments  
Water Use Permit Application  
Waipahu-Waiawa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [BLANK]

LN:ky  
Attachment(s)  

Response:  

( ) A water lease/permit is required of this applicant and an application for such will be requested by our division.  
( ) A water lease/permit is not required of this applicant.  
( ) A water lease/permit has been obtained by the applicant through lease no.  
( ) Other relevant Land Division rules/regulations, information, or recommendations are attached.  
( ) No objections  
( ) Other comments:  

Contact person: __________________________ Phone: __________________________  
Signed: __________________________ Date: __________________________
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands

Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong

Honorable Haunani Apolonia, Chairperson
Office of Hawaiian Affairs

Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usugawa

Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Planning Division

FROM: Gilbert S. Coloma-Agaran, Chairperson
Commission on Water Resource Management

SUBJECT: Water Use Permit Application
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at [contact information]

LN:ky
Attachment(s)

Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact person: ________________________________ Phone: ________________________________

Signed: ________________________________ Date: ________________________________
TO: Ms. Esther Ueda, Executive Officer  
Land Use Commission

FROM: Gilbert S. Coloma-Agaran, Chairperson  
Commission on Water Resource Management

SUBJECT: WATER USE PERMIT APPLICATION  
Waipahu-Waiawa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

We would appreciate your review of the proposed use that is described in the attached application (Table 1). Specifically, we request that you inform us of the current state land use designation for the TMK parcel, or portion thereof, for the proposed use area(s) and, secondly, whether the current state land use designation is appropriate for the proposed project.

We have attached a TMK map(s) that covers the proposed use area(s). Where water is proposed for use on only a portion of a TMK parcel, or on parcels with multiple zoning, the proposed use area(s) has been clearly delineated on the attached map. Please respond by returning this cover memo along with your review comments by March 5, 2001.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at ________________________________.

LN:ky
Attachment(s)

Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact person: ___________________________ Phone: ___________________________

Signed: ___________________________ Date: ___________________________
TO: Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Art Challacombe

FROM: Gilbert S. Coloma-Agaran, Chairperson
Commission on Water Resource Management

SUBJECT: WATER USE PERMIT APPLICATION
Waipahu-Waiawa Ground Water Management Area, Oahu

For your review and record, we are forwarding a copy of the application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03, 04, 07, which includes a copy of your concurrence letter, dated January 4, 2001, confirming the zoning designation for the proposed uses on the attached application and confirming the consistency of the proposed projects with the current zoning designation. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of February 12, 2001 and February 19, 2001.

If you have any questions, please contact Lenore Nakama at ____________.

LN:ky
Attachment(s)

Response:

( ) The proposed water use(s) is consistent with the current zoning designation(s).
( ) Comments attached

Contact person: ______________________________ Phone: ______________
Signed: ______________________________ Date: ______________
Honorable Jeremy Harris, Mayor  
City & County of Honolulu  
City Hall  
Honolulu, HI  96813

Dear Mayor Harris:

Notice of an Application for Water Use Permit  
Waipahu-Waiawa Ground Water Management Area, Oahu

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-171-17(a), we are sending you a copy of the public notice and water use permit application for the City and County of Honolulu, Department of Enterprise Services, Golf Course Division for Well Nos. 2201-03,04,07, which will be published in the Hawaii State & County Public Notices (HS&CPN).

In addition, Section 13-171-13(b), of our Administrative Rules, states:

"Within sixty days after receipt of notice of a permit application, the county shall inform the commission if the proposed use is inconsistent with the county land use plans and policies."

We have received a concurrence letter from the Department of Planning and Permitting (DPP) confirming the current zoning designation for the proposed use locations and the consistency of the current zoning designations with the proposed projects. In accordance with the procedure that has been established by DPP, we have also sent a copy of the application and an individual request for comments to DPP and the Board of Water Supply to facilitate and expedite City agencies review. We will look forward to receiving the City's review comments from DPP within the next sixty (60) days, on whether this water use is consistent with county plans, policies, and land use designations.

Very truly yours,

GILBERT S. COLOMA-AGARAN  
Chairperson

Enclosure
PUBLIC NOTICE

Application for Water Use Permit
Waipahu-Waiawa Ground Water Management Area, Oahu

The following application for water use permit has been received and is hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

EP 2 (Well Nos. 2201-03,04,07)
Applicant: City and County of Honolulu
Department of Enterprise Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815
Date Completed Application Received: January 24, 2001
Aquifer: Waipahu-Waiawa System, Pearl Harbor Sector, Oahu
Water Source: EP 2 (Well Nos. 2201-03,04,07) at West Loch, Oahu, Tax Map Key 9-1-17:60
Quantity Requested: 0 gallons per day.
New Water Use: Backup Irrigation
Place of Water Use: West Loch Community, Golf Course, and Subdivision at Tax Map Key: 9-1-Various

Written objections or comments on the above application may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by March 5, 2001. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

GILBERT S. COLOMA-AGARAN
Chairperson

Dated: January 30, 2001

PUBLIC NOTICE

Application for Water Use Permit
Waipahu-Waiawa Ground Water Management Area, Oahu

The following application for water use permit has been received and is hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

EP 2 (Well Nos. 2201-03,04,07)
Applicant: City and County of Honolulu
Department of Enterprise Services
Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Date Completed Application Received: January 24, 2001
Aquifer: Waipahu-Waiawa System, Pearl Harbor Sector, Oahu
Water Source: EP 2 (Well Nos. 2201-03,04,07) at West Loch, Oahu, Tax Map Key 9-1-17:60
Quantity Requested: 0 gallons per day.
New Water Use: Backup Irrigation
Place of Water Use: West Loch Community, Golf Course, and Subdivision at Tax Map Key: 9-1-Various

Written objections or comments on the above application may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by March 5, 2001. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

GILBERT S. COLOMA-AGARAN
Chairperson

Dated: January 30, 2001

State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
APPLICATION FOR WATER USE PERMIT
Groundwater or Surface Water

PERMITTEE INFORMATION
1. (a) APPLICANT
   Firm/Name: Dept. of Enterprise Services
   Golf Course Division
   Contact Person: Wayne Lee
   Address: 404 Kapahulu Avenue, Honolulu 96815
   Phone: __________ Fax: __________
   E-mail: vlee@hgea.org

   (b) LANDOWNER OF SOURCE
   Firm/Name: Dept. of Enterprise Services
   Golf Course Division
   Contact Person: Wayne Lee
   Address: 404 Kapahulu Avenue, Honolulu 96815
   Phone: __________ Fax: __________
   E-mail: vlee@hgea.org

SOURCE INFORMATION
2. WATER MANAGEMENT AREA: Waipahu-Waialua
   ISLAND: Oahu

3. (a) EXISTING WELL/STREAM DIVERSION NAME AND STATE NUMBER:
   (If source doesn't presently exist, please attach well construction/stream diversion permit or application.)
   (b) PROPOSED (NEW) WELL/STREAM DIVERSION NAME: n/a
   (c) LOCATION: Address: West Loch, Oahu
   Tax Map Key: 961.17 parcel 60
   (Attach and show source location on a USGS map, scale 1"=2000', and a property tax map)

4. SOURCE TYPE (check one): Stream
   □ Basel □ Dike-confined □ Perched □ Caprock

5. METHOD OF TAKING WATER (check one):
   □ Artesian □ Well & Pump □ Diverted Surface □ Other (explain)

USE INFORMATION
6. LOCATION OF PROPOSED WATER USE: (If possible, show on same maps as source location. Otherwise, attach similar maps)
   (a) □ PUC-Regulated Private System □ Intended Dedication to Dept. Board of Water Supply
   □ Non-PUC-Regulated Private System
   (b) Tax Map Key: Please complete Table 1 on back of application and shade applicable portion of property tax map

7. QUANTITY OF WATER REQUESTED: __________ gallons per day (averaged over 1 year)

8. METHOD OF MEASUREMENT:
   □ Flowmeter □ Open-pipe □ Weir □ Orifice □ Other (explain)

9. QUALITY OF WATER REQUESTED:
   □ Fresh □ Brackish □ Salt □ Potable □ Non-Potable

10. PROPOSED USE:
    □ Municipal (including hotels, stores, etc.) □ Individual Domestic
        □ Industrial □ Military □ Irrigation
        □ Other (explain)

11. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION: as needed
    (daytime hours of operation; example, 7 a.m. to 2 p.m.)

12. APPLICANT MUST ESTABLISH THAT THE PROPOSED USE OF WATER:
    (a) Can be accommodated with the available water source.
    (b) Is a reasonable-beneficial use.*
    (c) Will not interfere with any existing legal use.
    (d) Is consistent with the public interest.
    (e) Is consistent with state and county general plans and land use designations.
    (f) Is consistent with county land use plans and general policies.
    (g) Will not interfere with the rights of the Department of Hawaiian Home Lands.

* Section 13-171-2, Hawaii Revised Statutes – "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.

13. REMARKS, EXPLANATIONS: Permit requested is for contingency use only-if when re-use water becomes temporarily unavailable. Beginning on September 18, 2000, re-use water produced at the Honolulu WWTP has been our primary source of irrigation water.

NOTE: Signing below indicates that the signatories understand and swear that: 1) the information provided on this application is accurate and true to the best of their knowledge; 2) item 14 is the responsibility of the applicant prior to Commission approval; 3) if necessary, further information may be required before the application is considered complete; 4) if a water use permit is granted by the Commission, this permit is subject to prior existing permitted uses, changes to sustainable yields and stream flow standards, reserved uses as defined by the Commission, and Hawaiian Home Lands future uses; and 5) upon permit approval, a water shortage plan must be submitted by the applicant should the Commission require one.

Applicant (print) Wayne Lee
Signature ____________________________
Date 1/10/01

Landowner (print) Wayne Lee
Signature ____________________________
Date 1/10/01

WUPAFORM (3/1/00)
<table>
<thead>
<tr>
<th>PROJECT NAME &amp; PHASES (include address if applicable)</th>
<th>EXISTING or NEW USE (If existing, fill in date of first use)</th>
<th>POTABLE or NONPOTABLE</th>
<th>TMK</th>
<th>STATE CODE</th>
<th>CURRENT COUNTY ZONING CODE</th>
<th>UNITS or NET ACRES</th>
<th>GPD UNIT or GPD/ACRE</th>
<th>4-YEAR CUMULATIVE PROJECTED DEMAND</th>
<th>ULTIMATE DEMAND: GPD (TO BUILD OUT)</th>
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<tbody>
<tr>
<td>West Loch Community</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>AG-1</td>
<td>4.00</td>
<td>0</td>
<td>Note: Requested water demand</td>
<td>0</td>
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<tr>
<td>1. Commercial</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>por.66</td>
<td>AG-1</td>
<td>3.50</td>
<td>0</td>
<td>is &quot;0&quot;, Permit request is for</td>
<td>0</td>
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<tr>
<td>2. Elderly Housing</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>7:</td>
<td>AG-1</td>
<td>1.40</td>
<td>0</td>
<td>CONTINGENCY USE ONLY to irrigate</td>
<td>0</td>
</tr>
<tr>
<td>3. Church/School</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>por.66</td>
<td>AG-1</td>
<td>14.60</td>
<td>0</td>
<td>West Loch Golf Course and the</td>
<td>0</td>
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<td>4. District Park</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>por.66</td>
<td>AG-1</td>
<td>4.10</td>
<td>0</td>
<td>common areas and parks within the</td>
<td>0</td>
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<td>5. Multi-Family</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>66:</td>
<td>P-2</td>
<td>5.00</td>
<td>0</td>
<td>West Loch subdivisions, as of</td>
<td>0</td>
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<tr>
<td>6. Fairways Subdivision</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>por.62</td>
<td>AG-1</td>
<td>13.00</td>
<td>0</td>
<td>9/18/00 reuse water produced</td>
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<td>7.</td>
<td>New</td>
<td>NP</td>
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<td>160.00</td>
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<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>por.66,64,65</td>
<td>P-2</td>
<td>160.00</td>
<td>0</td>
<td>been the primary source of</td>
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<td>9. Estates Subdivision</td>
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<td>127:</td>
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<td>10.</td>
<td>New</td>
<td>NP</td>
<td>9-1-54:</td>
<td>222:</td>
<td>AG-1</td>
<td>1.00</td>
<td>0</td>
<td>Use Permit WUP No. 420 previously</td>
<td>0</td>
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<td>11. Shoreline Park</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>8,14</td>
<td>AG-1</td>
<td>1.00</td>
<td>0</td>
<td>authorized withdrawal of 1.124</td>
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<td>12.</td>
<td>New</td>
<td>NP</td>
<td>9-1-17:</td>
<td>8,14</td>
<td>AG-1</td>
<td>1.00</td>
<td>0</td>
<td>mgd from Well EP-2, 2201-03,04,07.</td>
<td>0</td>
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<tr>
<td>13.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>AG-1</td>
<td>1.00</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>14.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>AG-1</td>
<td>1.00</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

**TABLE 1. TMKs TO USE REQUESTED WATER**

Instructions for completing Table 1: Individual projects and phases must be listed separately and numbered sequentially on Table 1. Copy Table 1 and attach additional sheets if necessary. Please indicate individual projects and phases on TMK maps by clearly delineating project areas and indicating sequential number within delineated areas to coincide with Table 1. Please attach a separate sheet giving the address and a brief description of each project and phase listed above. In addition, if the proposed use is existing, please provide the WUP No. or indicate when the existing use was initiated. Also, the Department of Planning and Permitting (DPP) must sign before application is acceptably complete. Please consult with DPP at 650 South King Street, 7th Floor, Honolulu, HI 96813 Attn: Arthur D. Chaffacombe.
January 4, 2001

Mr. Wayne H. W. Lee
Assistant Administrator
Golf Course System
Department of Enterprise Services
City and County of Honolulu
404 Kapahulu Avenue
Honolulu, Hawaii 96815

Dear Mr. Lee:

Water Use Permit Application for the West Loch
Golf Course, Common Areas and Parks Within the
West Loch Subdivisions from Well Nos. EP-2, 2201-03, 04 & 07

We have reviewed the preliminary application and provide the following comments with an attached table that includes current land use designations and zoning districts.

1. The City Council reviewed phases of the West Loch project pursuant to Section 46.15.1 and Section 201E-210, Hawaii Revised Statues, and authorized exemptions relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of housing units via adoption of Resolution Nos. 88-206 CD-1, 92-49 CD-1 and 92-59.

2. We support the application request for contingency use only to irrigate West Loch Golf Course, common areas and parks within the West Loch subdivisions.

Should you have any questions, please call Matthew Higashida of our staff at [redacted]

Sincerely yours,

[Signature]

RANDALL K. FUJIKI, AIA
Director of Planning and Permitting

RKF:js

Attachment
<table>
<thead>
<tr>
<th>Project Name &amp; Phase</th>
<th>TMK</th>
<th>Land Use Designation</th>
<th>Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>9-1-17: por. 66</td>
<td>Low and Medium Density Residential</td>
<td>AG-1 Restricted Agricultural District</td>
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<td>Elderly Housing</td>
<td>9-1-17: 7</td>
<td>Low and Medium Density Residential</td>
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<td>Church/School</td>
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<td>Low and Medium Density Residential</td>
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<td>District Park</td>
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<td>Fairway Subdivision</td>
<td>9-1-17: por. 62</td>
<td>Parks and Golf Course</td>
<td>P-2 General Preservation District</td>
</tr>
<tr>
<td></td>
<td>9-1-17: por. 63 (dropped)</td>
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<td></td>
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<td>AG-1 Restricted Agricultural District</td>
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<td>Golf Course</td>
<td>9-1-17: por. 6</td>
<td>Parks and Golf Course</td>
<td>P-2 General Preservation District</td>
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<td></td>
<td>9-1-17: 60</td>
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<td>P-2 General Preservation District</td>
</tr>
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<td></td>
<td>9-1-17: 65</td>
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<td>P-2 General Preservation District</td>
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<tr>
<td>Estates Subdivision</td>
<td>9-1-052: 127</td>
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<td>9-1-055: 103</td>
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<td>AG-1 Restricted Agricultural District</td>
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<td>Shoreline Park</td>
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<td></td>
<td>9-1-17: 14</td>
<td>Low and Medium Density Residential</td>
<td>AG-1 Restricted Agricultural District</td>
</tr>
</tbody>
</table>
WATER USE PERMIT NO. 585

This report has been prepared in accordance with 13-171-22(b) of the Hawaii Revised Statutes requiring a 20-year review of issued water use permits to determine permit compliance. Following is a summary of permit information, site characteristics, methodology, findings, and recommendations for this State permit file.

Permit Information

Water User: City & County of Honolulu
Golf Course Division
404 Kapahulu Ave.
Honolulu, HI 96815

Landowner of Source: City & County of Honolulu
Golf Course Division
404 Kapahulu Ave.
Honolulu, HI 96815

Permitted Withdrawal Rate: 0 mgd (Based upon a 12-month moving average)

Water Management Area: Waipahu-Waiawa

Island: Oahu

Aquifer Sector/System: Pearl Harbor/Waipahu-Waiawa

System Sustainable Yield: 104 mgd

Water Type: Non-Potable

Original CWRM Date: April 18th, 2001

Standard Conditions: 1-19

Special Conditions: 1-2, 58-60

Water Source

State Well Number(s): 2201-07

Well Name: EP 22

Water Source TMK Number(s): 1st Division, 9-1-017:060

State Land Use Classification(s): Agriculture/Urban

County Zoning Classification(s): AG-1/P-2

Geographical Coordinates:

Well No. 2201-03 N/A

Well No. 2201-04 N/A

Well No. 2201-07 Latitude 21° 22' 21.8" North
Longitude 158° 01' 43.5" West
End Use

End Use TMK Number(s): 1st Division, 9-1-017:006, 9-1-017:017, 9-1-017:060
9-1-020:004, 9-1-020:014, 9-1-020:019, 9-1-021:016,
9-1-021:017, 9-1-021:021, 9-1-021:025

State Land Use Classification(s): Various
County Zoning Classification(s): Various
Beneficial Use Explanation: Emergency backup irrigation supply

Background Information

Water Use Permit 077 was the original governing document for this well battery and was approved on January 16th, 1992. Water Use Permit 077 was superseded by Water Use Permit 420 on July 17th, 1996 due to a permittee change. On July 17th, 1998, Water Use Permit was revoked by the Commission. No governing document existed until Water Use Permit 585 was issued approximately three years later.

Water Use Permit 585 was approved during the April 18th, 2001 Commission on Water Resource Management meeting. This water source has not consistently been in use since the issuance of the water use permit in 2001 since it functions as a backup to an R-1 supply. There are no monthly water use records on file for this well battery. Standard conditions 1-19 and special conditions 1-2 & 58-60 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the final summary report to the Legislature for this 20-year Water Use Permit Review.

Field Investigation Information

Contact: Tony Balada
Site Address: 91-1126 Okupe St.
Ewa Beach, HI 96706

Brown and Caldwell conducted a field investigation on March 25th, 2008 from 9:00 a.m. until 10:00 a.m. with Mr. Tony Balada. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. Reference the TMK and GIS maps in the permit file for a visual representation of the site.
Summary of Findings for Water Use Permit No. 585

State Well No. 2201-07 is located on TMK parcel 9-1-017:060 at 21° 22' 21.8" N, 158° 01' 43.5" W, with a real time accuracy of ±15 feet. During the investigation, the permittee advised that he has no knowledge of State Well Nos. 2201-03 and 2201-04, which are the other two wells governed by Water Use Permit 585. As such, if the two aforementioned wells exist, their locations were unable to be verified during the investigation. Brown and Caldwell advises that a follow up inquiry be made to the City and County of Honolulu, Golf Course Division to obtain any further information regarding the whereabouts and status of State Well Nos. 2201-03 and 2201-04.

Water from State Well No. 2201-07 is used only in emergency situations when the R-1 supply is unavailable. The well, pump, and other related appurtenances are located at the bottom of a 40-ft deep sump in an old building on TMK parcel 9-1-017:060. In emergency situations, water is drawn from the well and sent to a holding reservoir adjacent to the well house. During normal operation, R-1 water drains into this same holding reservoir. In both cases, water is gravity fed from the first reservoir to a holding pond, which is adjacent to the golf course pump house. Several booster pumps located in the pump house draw water from the second holding pond. The water is metered at the pump house and fed into the main irrigation system, which services the golf course and several common areas in the vicinity, including West Loch Estates, Shoreline Park, West Loch Fairways, and Fort Weaver Road. Reference the Appendix for photographs of the previously described system components.

The following are a list of standard condition(s) that the permittee is found to be in non-compliance with:

(10) An approved flowmeter must be installed to measure monthly withdrawals and a month record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis.

After inspection, it was found that State Well No. 2201-07 has a functional system flowmeter. However, there are no monthly reports on file for this well. Although the water is used strictly for backup to the primary R-1 source, water use should be reported to the Commission on a monthly basis.

Based upon visual inspection of the system, all components appear to be in full working order. The permittee demonstrated functionality of an installed flowmeter and provided access to the site grounds where no wasting of water or water loss was observed. Visual inspection also confirmed that water use was within the permitted TMK boundaries.
Recommendations

- Address the following discrepancies between the Commission’s electronic database and actual field investigation findings:
  - State land use and county zoning classifications
  - End use TMK numbers
- Address violation of Standard Condition (10) regarding non-reporting of water use.
- Follow up with permittee to determine whereabouts/status of State Well Nos. 2201-03 and 2201-04
20-Year Water Use Permit Review
Water Use Permit No. 585

APPENDIX

Field Investigation Photographs
Figure 1 - State Well No. 2201-07 w/pump

Figure 2 - Well sump
Figure 3 – Discharge line from well house to holding reservoir

Figure 4 – Well house
Figure 5 - Holding reservoir #1 for well water and/or R-1 supply

Figure 6 - Holding pond (gravity fed from reservoir #1)
Figure 7 – Pump house (adjacent to holding pond)

Figure 8 – Booster pumps
Figure 9 – System flowmeter

Figure 10 – Typical end use area
Standard Conditions List

1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means “the use of water in such a quantity as is necessary for economic and efficient utilization, which is both reasonable and consistent with State and County land use plans and the public interest.” (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in Section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground-water use here must not interfere with surface or other ground-water rights or reservations.

5. The ground-water use here must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its <Insert Date> meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

Variations of Standard Condition (8) are as follows:
   i. Modification of any permit condition shall be approved by the Commission. Modification of any permit condition without notification may result in the revocation of the water use permit.
9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect the water sources (quantity or quality);
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. Carry out such other necessary and proper exercise of the State’s and the Commission’s police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis (attached). Variations of Standard Condition (10) are as follows:
   i. The applicant shall keep monthly pumpage estimates to be submitted annually to the Commission.
   ii. An approved flowmeter(s) need not be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a yearly basis (attached).
   iii. An approved flowmeter(s) must be installed to measure withdrawals and a monthly record of withdrawals, water-levels, salinity, and temperature must be kept and reported to the Commission on a monthly basis in accordance with the Commission's September 16, 1992 action on reporting requirements.
   iv. Approved flowmeters must be installed to measure monthly withdrawals and a monthly record of withdrawals must be kept and reported to the Commission on Water Resource Management on a monthly basis.
   v. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a quarterly/yearly basis (attached).
   vi. An approved flowmeter shall be installed to measure water withdrawals
   vii. An approved flowmeter(s) must be installed to measure withdrawals; and a record of the withdrawals must be kept and reported to the Department of
Land and Natural Resources, Division of Water and Land Development, P.O. Box 373, Honolulu, HI 96809, on a monthly basis.

viii. Although not stated as a condition of the permit §13-168-7 HAR requires you to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular monthly basis using the enclosed water use report form.

ix. An approved flowmeter shall be installed and the withdrawal from Well 1851-73 shall be recorded and reported to DLNR on a monthly basis by the owner and/or operator of the well.

x. The withdrawals from these wells shall be recorded and reported to the DLNR on a monthly basis by the BWS.

xi. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting water usage on a monthly basis.

xii. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission.

xiii. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission along with water level and salinity measurements.

11. This permit shall be subject to the Commission’s periodic review of the <Aquifer> Aquifer System’s sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the <Aquifer> Aquifer System, or relevant modified aquifer(s), is reduced.

12. A permit may be transferred, in whole or in part, from the permittee to another, if:
   a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of use, remain the same; and
   b. The Commission is informed of the transfer within ninety days.

   Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer, which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

13. The uses(s) authorized by law and by this permit do not constitute ownership rights.

14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances that will affect the permittee’s water use.

15. The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservations, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter
into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS § 174C-62 shall not apply towards the four-year period or forfeiture.

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the <Aquifer>Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

18. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

19. Special conditions in the attached cover transmittal letter or attached exhibits are incorporated herein by reference.

20. If the ground-water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

Variations of Standard Condition (20) are as follows:

   i. The permit may be revoked if work is not started within six months of the date of issuance or if work is suspended or abandoned for six months. The work proposed in the permit application shall be completed within two years from the date of permit issuance.

21. This permit may not be transferred or the use rights granted by this permit sold or in any other way alienated. Pursuant to HRS § 174C-59 and the requirements of Chapter 174C, the Commission on Water Resource Management has the authority to allow the transfer of the permit and the use rights granted by this permit in a manner consistent with HRS § 174C-59. Any such transfer shall only occur with the Commission's prior express written approval. Any sale, assignment, lease, alienation, or other transfer of any interest in this permit shall be void.

22. The water use permit granted shall be an interim water use permit, pursuant to HRS § 174C-50. The final determination of the water use quantity shall be made within five (5) years of the filing of the application to continue the existing use.

23. The water use permit shall be issued only after agricultural review.

24. That scheduled adjustments to Oahu Sugar Co. permitted use shall be initiated upon discontinuance of agricultural uses.
25. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on <Insert Date>.

26. The permit shall be subject to the review by the Attorney General.

27. The permit holder may be required to relinquish this permit at any time or specified time after issuance to the Board of Land and Natural Resources in accordance with Chapter 166 of Title 13.

28. The applicant shall obtain the necessary land acquisition documents from the Hawaii Housing Authority.
Special Conditions List

1. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.

2. In the event that the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

3. The applicant shall contact the Environmental Management Division, State Department of Health, at [redacted] concerning “GUIDELINES APPLICABLE TO GOLF COURSES IN HAWAII” date <Insert Date & Version #>.

4. Standard Condition 10 is emphasized, to report consumption on a regular basis.

5. The applicant may continue this existing use of ground water within the limits approved by the Commission, and the actual issuance of the interim permit shall not be a reason to interrupt this existing use.

6. This interim water use permit shall cease to become interim and shall be subject to HRS § 174C-55 upon administrative review of the quantity within five (5) years, provided that all conditions of the use (including the review of the quantity which shall not be greater than the amount initially granted) remain the same. Enforcement of the allocation limit shall be stayed pending staff’s review and issuance of a permanent water use permit.

7. As-built drawings of the well and pump, and a complete pumping test record shall be submitted within sixty (60) days.

8. In the event the pump tests show that aquifer boundary conditions do not support the requested withdrawals, the Commission reserves the right to amend this permit, after a hearing, to a level that is supported by the pump tests.

9. The existing use may be continued within the levels approved by the Commission, and the actual issuance of the permit document shall not be a reason to interrupt the approved level of use.

10. The filing of an application by Kukui, Inc. for a new or modified water use permit for the Kualapuu Aquifer in excess of 2.0 mgd (total system withdrawal) shall be just cause for re-consideration of this interim permit by the Commission.

11. Upon completion of a new transmission line for the transport of water use by Well #17, the permit shall be modified to reduce the allocation amount by the additional 79,220 gallons per day allocated for use of the Molokai Irrigation System.

12. Within six (6) months from the date of approval of a water use permit for the well, the applicant shall conduct a feasibility study and submit a report describing
alternative sources of nonpotable water for irrigation uses at the resort area. It is suggested that the developer consider use of dual lines in the subdivisions so that effluent may be used in the existing reuse system. Another consideration is the development of brackish water wells in the Kaluakoi Aquifer system for mixing with the effluent generated at the resort.

13. Within six (6) months from the date of approval of a water use permit for the well, the application shall evaluate the filter back discharges into Kakaako Gulch to determine if excessive preventable waste is occurring and identify possible measures to eliminate or reduce such waste. The evaluation shall be conducted in cooperation with the Commission staff and staff of the Department of Health’s Safe Drinking Water Branch, which regulates the drinking water system.

14. Within six (6) months from the date of approval of a water use permit for the well, the applicant shall 1) implement a leakage control and detection system and compete repairs to prevent such leakage and 2) implement use of xeriscaping and low-flow fixtures.

15. Action on the future use portion of the water use permit application for Well #17 (Well No. 0901-01) is deferred pending the establishment of existing uses in the aquifer. Kukui Inc.’s application for uses in excess of those uses existing on July 15, 1992 will be considered “new” uses and will be taken up by the Commission as soon as other existing use applications have been decided. In the interim,
   a. The Commission shall recognize that there is disagreement between the applicant’s staff calculations of reasonable-beneficial existing use
   b. The Applicant will have the burden of proof to show within six (6) months reasonable-beneficial existing use calculations that support the applicant’s request as opposed to staff’s calculations.
   c. The Commission’s enforcement of the approved existing use allocation will be suspended for six (6) months.

16. The permittee shall submit a notice of intent and written request to continue the use at least ninety (90) days prior to the expiration of the interim five-year permit.

17. The Commission shall delegate to Maui Department of Water Supply the authority to allocate the use of water for municipal purposes, as provided in §174C-48(b).

18. Maui Department of Water Supply shall be exempt from the requirements for permit modifications, as provided in §174C-57(c).

19. The permittee must meter water use and monitor chloride concentrations on a monthly basis and submit monthly reports of water use and chloride concentrations to the Commission.

20. Standard Condition 16 is waived for saltwater wells.

21. The permit will be revoked if (1) stream monitoring shows that pumping the well reduces stream flow, or (2) the electromagnetic resistivity survey indicates that the
well was drilled into a dike compartment, unless the applicant submits a petition for an amendment to the interim instream flow standard with the well completion report. However, no use of the water may be made without a Pump Installation Permit, which cannot be issued during consideration of the amendment of the interim instream flow standard.

22. The applicant shall present the results of the electromagnetic resistivity survey, pump tests, and stream monitoring to a community meeting as well as to the Commission.

23. A final determination of water use quantity shall be made within five (5) years of the filing date of the application (<Insert Date>) to continue existing use.

24. The applicant shall implement, by December 31, 1995, a biological and hydraulic monitoring program for a minimum 2-year period that: 1) documents the existing operating procedure, 2) seeks to identify the impacts of all operating alternatives on Waikolu Stream, and 3) seeks to identify the effectiveness of weir modifications (Dam No. 1). This program shall incorporate the three new wells, Wells #4-6 (Well Nos. 0855-06, -05, &-04, respectively), which may be pumped within the approved limits, for monitoring and testing purposes only. Further, semi-annual reports summarizing data and preliminary findings shall be submitted to the Commission. It is suggested that the Department of Agriculture work with the State Division of Aquatic Resources and other affected agencies to prepare the monitoring program in light of the difficult technical questions raised by this application. A particular concern is the coordination of this monitoring program with the ongoing National Park Service study by Anne Brasher. A draft of this plan shall be submitted to the Commission staff within ninety (90) days for technical review and comment. Results of the monitoring program shall be used to make recommendations to the Commission on any additional use of the wells, and shall be made readily available to all interested parties.

25. That the Commission approves the well construction permit for the Kamiloloa-Waiola Well (Well No. 0759-01), subject to the standard well construction conditions and the special conditions for the pumping well for the aquifer tests.

26. That the Commission authorizes the Chairperson to approve and issue a pump installation permit upon acceptance of adequate pump test result, subject to the standard pump installation conditions.

27. Should the well be used for back-up domestic supply, applicant is advised to contact DOH or otherwise ensure safe drinking water quality is maintained.

28. The applicant shall follow the agreed monitoring plan.

29. If pesticides used by the applicant are found in ground or surface water and can be traced to the applicant's use, the CWRM may revoke the permit immediately upon such finding.
30. Issuance of the interim permit shall be withheld until the reservation of water for DHHL is set by rule. Applicant may continue this existing use within the approved limits.

31. The applicant shall submit well modification and pump installation permit applications for administrative approval by chairperson prior to beginning any work required to complete well.

32. Should any stream flow impacts result from use, petition to amend interim instream flow standards shall be submitted.

33. Should any dewatering result from use, pumping shall cease immediately.

34. Shall submit accurate schematic diagram of distribution system for the battery of 5 wells.

35. Shall be subject to a 6-month independent audit & monitoring.

36. Final pump capacity shall be determined from pump test results & approved administratively by signature of chair.

37. The permittee shall seek and submit to the Commission within ninety (90) days written confirmation from the Department of Land Utilization of the non-conforming use.

38. Pumping shall cease immediately if the chloride reports show that the brackish water developed in the well exceeds 1,000 mg/l of chloride, unless a variance from the chloride limit has been granted. The authority to approve future variance requests is delegated to the chairperson.

39. The duration of the interim permit shall be:
   a. To July 1, 2006, or
   b. Until treated wastewater is available and acceptable for use, or
   c. Until such time that a significant change in permitted, actual, or projected uses or water supply occurs.

40. Action on any interim permit may be initiated by the Commission or any permittee upon letter request or pursuant to §174C-57 Haw. Rev. Stat. (Modification of permit terms).

41. This permit is approved under the assumption that wastewater will become available for reuse as an alternative supply source.

42. Require adherence to the chloride sampling protocol and the submittal of weekly chloride data. The authority to approve variances from the weekly reporting requirement is delegated to the Chairperson.

43. Require adherence to the Conservation Conditions.
44. In the event a water shortage is declared by the Commission, permittees in the
<Insert Aquifer System> shall comply with the <Insert Aquifer System> water shortage plan adopted by the Commission.

45. The permittee shall contact the Department of Health, Clean Water Branch and obtain the necessary discharge permit(s).

46. Permit shall be interim and replaces existing WUP for 2051-07 & 11.

47. Applicant shall submit an acceptable archaeological inventory survey report to DHP. If historic sites affected, a plan to mitigate these affects must be accepted by DHP and completed by applicant.

48. Should the well be used for back-up domestic supply, applicant is advised to contact DOH or otherwise ensure safe drinking water quality is maintained.

49. (The permittee) may report monthly pumpage on yearly basis.

50. Prior to issuance of any permits, must submit filing fee for after-the-fact pump installation permit.

51. The term of this permit shall be twenty years from the date of issuance of the permit with a five-year Board review to determine compliance with the provisions of the permit.

52. The amount of water to be withdrawn under this permit shall be 0.19 mgd, averaged annually, for irrigation use. This permitted use of 0.19 mgd when added to a preserved use of 0.27 mgd amounts to a total of 0.46 mgd, averaged annually, which may be withdrawn from well 1646-01.

53. The use authorized by the permit must not interfered substantially and materially with existing individual household uses and existing uses.

54. The use of this well shall be subject to the shortage and emergency powers of the Board of Land and Natural Resources (BLNR).

55. This permit may be suspended or revoked, in accordance with Chapter 166.

56. The permit holder may be required to relinquish this permit to BLNR, in accordance with Chapter 166

57. The withdrawal from Well 1646-10 shall be recorded and reported to DLNR on a monthly basis by the permittee.

58. In the event that emergency water use occurs, the permittee shall notify the Commission in writing within one (1) day of pumping, to inform the Commission as to the nature of the emergency and the expected duration of the emergency. A water
use report shall also be filed pursuant to Standard Condition 10 and Administrative Rule 13-168-7.

59. Note DOH’s requirements related to non-potable water systems (attached to original permit).

60. Standard Condition 16 requiring the submittal of a water shortage plan is waived.

61. All non-potable spigots and piping shall be clearly labeled as “DO NOT DRINK, NON-POTABLE” to prevent direct human consumption.

62. Standard Condition 10 is modified. Due to the inability to take water level measurements, the requirement to measure monthly water levels is waived. In addition, as long as the U.S. Geological Survey is collecting and analyzing the chloride content of the well water, the requirement for the permittee to measure and report chlorides is also waived.

63. Well elevation components must be surveyed by a licensed surveyor and this information must be submitted to commission prior to issuance of permanent permit.

64. The permittee shall obtain approvals from the Department of Health and the U.S. Environmental Protection Agency prior to use of the water.

65. This water use permit, WUP No. <Insert #>, shall supersede WUP No. <Insert #>.

66. WUP No. <Insert #> is revoked

67. Standard Condition 17 is waived.

68. Standard Condition 22 for interim water use permits shall not apply.

69. To supplement our records, we request that you provide a map of the Galbraith Est. lands west of Wahiawa (2100 ac+) and the associated TMK’s for use area.

70. Deferred action on portion requested for golf course irrigation pending further refinement of irrigation requirement and a feasibility study for utilization of surface water sources, including Wahiawa Reservoir.

71. Written justification be provided for any 'cushion' of 0.5 mgd.

72. The water use permit shall be an interim permit. The duration of the interim permit shall be until treated wastewater is available and acceptable for use. The permittee shall continue discussions with Honolulu Board of Water Supply regarding the use of reclaimed water.

73. The permittee is put on notice that this is a qualified approval in that this permit may be modified or revoked prior to the expiration of the interim permit if the
Commission decides that the use of additional basal ground water for dust control and landscape irrigation is not reasonable-beneficial use.

74. The permittee encouraged to use drought-tolerant landscaping to conserve water.

75. Should the applicant provide written evidence that the county DHCD approves a 201E exemption for the elderly affordable housing project then the applicant may modify a corresponding portion of their existing aquacultural use to be used by the exemption approved project within the Commission approved water use permit limits under recommendation 5.

76. The applicant shall obtain a water lease/permit from Land Division prior to actual use of the well water.

77. Require the permittee to sign a contract by May 14, 1998 with the City Department of Wastewater Management to buy and use 0.400 mgd of R-1 water for a corresponding reduction in allocation for Well Nos. 1900-02, 17 to 20, and 1901-03.

78. Standard Condition 9 is waived.

79. Standard Condition 10 is modified to exempt the permittee from monthly measurements of salinity and temperature.

80. Standard Condition 10 is waived.

81. Applicant must seek a determination from BLNR and Land Mgt Div as to whether water license required. If required, license must be obtained prior to issuance of permit. If not, permit will be issued w/out further action.

82. Commission defers action on use in excess of 452,000 gpd pending additional info from BWS and further staff analysis.

83. The permit shall be subject to the Commission's sustainable yield review by December 1990.

84. The Commission shall delegate to the Honolulu Board of Water Supply the authority to allocate the use of water for municipal purposes, in accordance with §174C-48(b) HRS.

85. Honolulu Board of Water Supply shall be exempt from the requirements of permit modifications as provided in §174C-57.

86. BWS must participate in discussions, to be coordinated by Commission Staff, regarding a monitoring program to address impacts to Kaneohe Bay water quality, prior to any action on applications for future municipal uses.

87. A pump installation permit application must be made and approved prior to the installation of a permanent pump.
88. The water withdrawn shall be 0.7 mgd for municipal use.

89. The installed pump capacity of the well shall not be more than 700 gpm or 1.01 mgd.

90. The term of permit shall automatically expire twelve months from the date of issuance.

91. The Honolulu Board of Water Supply may continue to submit monthly water data on their own form, provided that the data are submitted in a format that is acceptable to the Commission staff.

92. Standard Condition 7 shall not apply.

93. Standard Condition 22 shall not apply.

94. Standard Condition 10 is modified to exempt the permittee from monthly measurements of salinity and temperature.

95. This permit shall be subject to conditions providing for stream restoration if the Commission determines that additional water should be returned to the streams.

96. HECO 1 mgd for industrial use

97. Campbell Estate 1 mgd for municipal use through BWS, by separate agreement with HECO

98. BWS 1 mgd for municipal use.

99. The permit shall be subject to the Commission’s sustainable yield review by <Insert Date>.

100. The applicant shall obtain the current version of the Department of Health’s Guidelines Applicable to Golf Courses in Hawaii. Where relevant and viable, items of the guidelines should be implemented and sustained appropriately. To obtain the current version, contact the Safe Drinking Water Branch, Environmental Management Division at [Contact Information] (Honolulu).

101. The future use portion of the application shall be deferred until existing uses in the Koolauloa area are established.

102. The water to be withdrawn under this permit shall be a total of 0.03 mgd (0.02 mgd preserved plus an additional 0.01 mgd permitted use), averaged annually, for domestic and irrigation use.

103. Existing well 1851-09 shall be properly sealed by a licensed drilling contractor. A well modification permit application, enclosed, shall be submitted to the Department for approval of the well sealing. A filing fee for sealing the well will not be required.
104. The permittee is required to test the source using a certified private laboratory and submit the test results to the Commission within three (3) months. The Commission will then forward the results to the Department of Health for their review. The Department of Health recommends that the well be routinely tested for microbiological and chemical parameters thereafter.

105. The permittee is required to submit a completed Registration of Well and Declaration of Water use by <Insert Date>.

106. The permittee shall contact the Department of Health for a written determination on the status of their water system and comply with any Department of Health requirements for monitoring and testing.

107. In the event that the original spring source decontaminates, the new well authorized will be shut down.

108. That within each aquifer the total permitted use shall not exceed the sustainable yield.

109. That any water available for allocation shall be for in-district use.

110. That scheduled reductions to Oahu Sugar Co. permitted use shall be initiated upon final termination of an Osco lease or sub-lease, whichever occurs later.

111. That permits for water use issued in accordance with the proposed schedule shall be interim permits subject to review and adjustment by 1995.

112. That the permit shall be an interim permit for a new use which is afforded to existing users as specified in §13-171-20.

113. That the original allocation of 0.200 mgd shall be taken to hearing for possible revocation at a later date to complete the transfer of the water use permit entirely to Well No. 3407-02. This revocation would reduce the current allocation afforded to the Kunihiro Well (Well No. 3406-06) to zero.

114. This allocation incorporates the unspecified domestic needs of the applicant and therefore necessitates a single meter be installed at the well.

115. Should any impacts to nearby wells or streams be established by the use of this well, the applicant shall address these issues to the satisfaction of the Commission.

116. If an economically feasible nonpotable source is identified, the applicant shall convert to the alternative nonpotable source.

117. The permit shall be subject to the Chairperson's approval of a water use plan recommending possible measures to prevent or minimize saltwater contamination and establish courses of action to follow should the aquifer become to saline to use.
118. Permittee shall provide the necessary end-use information on the 10th residence to allow regulation of the use under Chapter 174C.

119. Standard Conditions 10 & 18 shall not apply.

120. Standard Condition 10 is modified to exempt the permittee from the requirement to install a flowmeter. Salt water withdrawals may instead be estimated based on pumping capacity and run time.

121. The applicant shall review the existing year long period of pumpage and streamflow data and provide analysis on ground and surface water interaction. Deadline is January 25, 1994.

122. The water use permit for Well Nos. 2301-27 to -32 for 0.75 mgd (WUP No. 419) shall be revoked upon issuance of a pump installation permit for the well.

123. The permittee shall use mulching to decrease evaporative losses and manage irrigation scheduling to minimize water demand.

124. The permittee shall submit a detailed agricultural plan to support any future water use permit application for increased agricultural use at this parcel.

125. If not already obtained, the permittee shall seek and obtain any necessary permits from the Department of Health for the proposed discharge to Malaekahana Stream.

126. Standard Condition 10 is modified to waive the requirement for installing a water meter on Well Nos. 2358-21, 22, and 29. The permittee shall install a water meter on Well No. 2358-26 to measure total monthly flow through the discharge line. This quantity should then be assumed to be the rate of natural flow from the other three wells for monthly reporting purposes.

127. The permit shall be effective upon submittal of documentation by Navy that it has met the DOH requirements for a public system.

128. This WUP shall be subject to Army's application for a WUP to reduce the permitted use of the Army's Schofield Shaft (2901-02 to 04, 10) by 0.208 mgd to a new total of 5.648 mgd. The Army's application shall be submitted within 60 days after the approval of this WUP or this WUP shall be void. Approval of the modification request shall be obtained from the CWRM prior to use of Well No. 3100-02 and issuance of this WUP.

129. Navy shall submit an after-the-fact PIPA, and approval of the permit shall be obtained prior to use of the well.

130. The well shall not be used for drinking water purposes unless it is properly tested and treated.
131. This permit is approved subject to reclaimed water becoming a practical alternative and provided that the Department of Health approves the reuse application.

132. Should any opae ula be recovered in the well water, the permittee shall notify the Division of Aquatic Resources and provide specimens to the Division of Aquatic Resources for analysis.

133. If a single meter at the well is used, the Commission shall allow an additional 1,000 gallons per day to the water use permit amount for the domestic needs of two residences, although a permit for individual domestic consumption is not required. Otherwise, the applicant must provide a meter to separately measure the irrigation consumption.

134. This permit is approved under the requirement that conversion to either: 1) treated wastewater becoming available for reuse as an alternative supply source, provided that Department of Health concerns over the use of treated effluent over the potable water aquifer have been addressed; and/or 2) other nonpotable source becoming available will occur in a timely manner.

135. These permits shall be subject to a review of actual use within four years for possible modification of the permitted amount.

136. The permit shall be reviewed in two (2) years for possible additional revocation due to nonuse.

137. The allocation is based on the projects listed in Exhibit 5 (of Item 10 of the May 20, 1998 Staff Submittal), except for the Queen’s Beach GC (TMK 139-11-2,3), Lot 9 (TMK 139-17-51), and Varsity Place (TMK 128-24-35).

138. Kamehameha Schools Bishop Estate/Honolulu Board of Water Supply shall transfer the water use permit within ninety (90) days of the effective date of the transfer of the pump station to the Honolulu Board of Water Supply, pursuant to §174C-59 Hawaii Revised Statutes.

139. The permittee shall ensure that the water is recycled by either directing it into the Waiahole Ditch for use by downstream farmers (subject to the approval of the Agribusiness Development Corporation's Board) or into Waiekele Farm's existing irrigation system.

140. The permittee shall file a completed application to modify WUP No. 758 to reduce the allocation by 0.100 mgd within 60 days. If a completed water use permit modification application is not received within 60 days from this submittal's date, then the subject water use permit application (WUPA No. 767) shall be deemed denied without prejudice without the need for another hearing.

141. The water withdrawn shall be for municipal use. No improvements to the existing sources are required as the existing source capacities are greater than the increase.
142. Water license must be determined through L.M.

143. Proposed other uses will be considered at a later date.
Water Use Permit Survey
(Please complete one survey form for each WUP)

WUP Number: 585
Well Number(s): 2201-03, 04, 07

Contact Information (of the person who will be present at site visit):
Name: Tony Balada, Jr.
Phone (for phone interview): __________________ Fax: __________________
Email: __________________
Best time to reach for phone interview: 7:30 am

Property Information (of the water use/well location):
Address: 91-1126 Okupe Street
City: Ewa Beach, Hawaii Zip: 96706
Well Location TMK (list all if multiple wells present): 9-1-17:60
Water Use TMK (list all if used on multiple lots): 9-1-017:006 (POR) & 017, 9-1-020:004 (POR) & 014 & 019
9-1-021:016 (POR), 017, (POR), 025 (POR) & 021

Water Use/Well Information:
Is the water source currently in use? Yes ☐ No ☒
If no, please explain: It is used during emergency purposes only when R-1 supply is not available.

What are you currently using the water for? (example: "Use for 45 acres of diversified agriculture and 3 residences"): The water would be used to irrigate the golf course approximately 187 acres.

Is a flow meter installed and working properly? Yes ☐ No ☒
If no, please explain: There was no flow meter.

Do you submit monthly water use reports to the State? Yes ☐ No ☒
If no, please explain: Since no usage of EP-2 due to R-1 water source, EP-2 would be used if R-1 was not available.

Field Investigations:
A representative from Brown and Caldwell will be visiting wells in your area over the next several months between the times of 9:00 am and 5:00 pm. Each site investigation will take approximately 1-2 hours. Please indicate up to three potential days of the week and availability times for an on-site inspection of the well location and verification of water use compliance. The permit holder must provide Brown and Caldwell with at least five (5) working days notice of the need to reschedule.

Option #1 Date (M-F), 01/08/08 (Thu) Time: 9:00 am ☒ 12:00 pm ☐ 3:00 pm ☐
Option #2 Date (M-F), 01/17/08 (Thu) Time: 9:00 am ☒ 12:00 pm ☐ 3:00 pm ☐
Option #3 Date (M-F), 01/24/08 (Thu) Time: 9:00 am ☐ 12:00 pm ☒ 3:00 pm ☐

Once this survey is returned, a Brown and Caldwell representative will be contacting you to conduct a phone interview and finalize the exact date and time of your field investigation. Please fax/mail completed surveys by December 12th, 2007 and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:
1099 Alakea Street, Suite #2400
Honolulu, HI 96813
Tel: (808) ☐ Fax: (808) ☐
mcsmith@brnwcald.com

For Official Use Only
Received: 12/17/07 Information Updated: 12/26/07 Phone Interview Complete: 3/21/08
Notes/Comments: ______________________________________________________________________
**Phone Interview**

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUP Number:</td>
<td>585</td>
</tr>
<tr>
<td>Well Number(s):</td>
<td>2201-03-04-07</td>
</tr>
<tr>
<td>Contact Name:</td>
<td>Tony Balada</td>
</tr>
<tr>
<td>Phone Number:</td>
<td>675-6075</td>
</tr>
<tr>
<td>Attempt #1: Date/Time:</td>
<td>3/7/08</td>
</tr>
<tr>
<td>Attempt #2: Date/Time:</td>
<td>3/21/08</td>
</tr>
<tr>
<td>Result:</td>
<td>Not in/No Ver_rewards</td>
</tr>
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<td>Result:</td>
<td>Left Message</td>
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<tr>
<td>Well Location TMK(s):</td>
<td>9-1-017:060</td>
</tr>
<tr>
<td>Water Use TMK(s):</td>
<td>Various</td>
</tr>
<tr>
<td>Water Source Address:</td>
<td>91-1126 Okeefe St.</td>
</tr>
<tr>
<td>City:</td>
<td>Ewa Beach</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>96706</td>
</tr>
<tr>
<td>Currently using water source?</td>
<td>Yes [x]</td>
</tr>
<tr>
<td>How often is the water source being used?</td>
<td>Monthly [x]</td>
</tr>
<tr>
<td>Notes/Comments:</td>
<td>Used for emergency backup when 2-1 to N/A</td>
</tr>
<tr>
<td>How long have you been using this source?</td>
<td>N/A</td>
</tr>
<tr>
<td>Has there been any rezoning of the source?</td>
<td>Yes [x]</td>
</tr>
<tr>
<td>Have you reported the rezoning to the State?</td>
<td>Yes [x]</td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
</tr>
<tr>
<td>Scheduled field investigation day/time:</td>
<td>3/25/08 @ 9:00 a.m.</td>
</tr>
<tr>
<td>Notes (Special directions, site conditions, potential hazards, general notes, etc.):</td>
<td>Left at Lauluanui = Okeefe St. = Call Tony</td>
</tr>
</tbody>
</table>

**Comments To Make:**
- Although we prefer that you do not change your scheduled field investigation time, if you require a reschedule, you must provide Brown and Caldwell with at least five (5) working days notice of the need to reschedule.
- A representative from Brown & Caldwell will be making a reminder phone call to you sometime during the week prior to your scheduled field investigation.
- It is very important that you provide access to the site at the day and time agreed upon. Due to a very tight schedule, if you fail to provide access at the agreed upon time and/or do not reschedule with at least a five (5) working day notice, a makeup date will not be allowed.
- If for some reason you don't know where your well head is located, it would be a good idea to locate it prior to your field investigation to help make the visit go quickly and smoothly.

Interviewed By: M.B. Date: 3/21/08 Time: 10:30 a.m.
## Field Investigation Checklist

<table>
<thead>
<tr>
<th>Field Investigation Checklist</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>WUP Number:</strong> __ 585</td>
<td><strong>Well Number(s):</strong> 2201-03-04-07</td>
</tr>
<tr>
<td><strong>Water Source</strong></td>
<td></td>
</tr>
<tr>
<td>Well Location TMK(s):</td>
<td></td>
</tr>
<tr>
<td>Well Head GPS Coordinates:</td>
<td></td>
</tr>
<tr>
<td>Well Type:</td>
<td>Well pump</td>
</tr>
<tr>
<td>Currently using water source?</td>
<td>Yes ☑  No ☐</td>
</tr>
<tr>
<td>Notes/Comments:</td>
<td></td>
</tr>
<tr>
<td>Is there a flow meter installed?</td>
<td>Yes ☑  No ☐</td>
</tr>
<tr>
<td>Is the flow meter operational</td>
<td>Yes ☑  No ☐</td>
</tr>
<tr>
<td>Notes/Comments:</td>
<td></td>
</tr>
<tr>
<td><strong>Water Use</strong></td>
<td></td>
</tr>
<tr>
<td>What is the water being used for?</td>
<td>Use for backup, golf course irrigation, and backup common area irrigation.</td>
</tr>
<tr>
<td>Is the water being used within the permitted boundaries?</td>
<td>Yes ☑  No ☐</td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
</tr>
<tr>
<td>Is there any observed wasting of water or water loss?</td>
<td>Yes ☐  No ☑</td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
</tr>
<tr>
<td>Are the permit conditions being complied with?</td>
<td>Yes ☐  No ☑</td>
</tr>
<tr>
<td>If no, explain:</td>
<td>No monthly water use reports even though usage was zero most of the time.</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
</tr>
<tr>
<td>Photographs of:</td>
<td></td>
</tr>
<tr>
<td>Water Source</td>
<td>☑</td>
</tr>
<tr>
<td>Water Meter</td>
<td>☑</td>
</tr>
<tr>
<td>Usage Area</td>
<td>☑</td>
</tr>
<tr>
<td>Pump/Motor</td>
<td>☑</td>
</tr>
<tr>
<td>General Notes/Comments:</td>
<td></td>
</tr>
<tr>
<td>Investigated By:</td>
<td>M.S.</td>
</tr>
<tr>
<td>Date:</td>
<td>3/29/06</td>
</tr>
<tr>
<td>Time:</td>
<td>9:00</td>
</tr>
</tbody>
</table>
MAY - 4 2001

Mr. Wayne Lee
City and County of Honolulu
Department of Enterprise Services, Golf Course Division
404 Kapahulu Avenue
Honolulu, HI 96815

Dear Mr. Lee:

Notice of Action
Approval of Water Use Permit for Well No. 2201-03,04,07
Waipahu-Waiawa Ground-Water Management Area, Oahu

This letter transmits your water use permit for EP 2 (Well No.2201-03,04,07) for use of 0 million gallons per day (mgd) of water on a 12-month moving average basis (emergency back-up use) that was approved by the Commission on Water Resource Management (Commission) on April 18, 2001. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

Special Conditions

1. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.

2. In the event the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

3. In the event that emergency water use occurs, the permittee shall notify the Commission in writing within 1 day of pumping, to inform the Commission as to the nature of the emergency and the expected duration of the emergency. A water use report shall also be filed pursuant to Standard Condition 10 and Administrative Rule 13-168-7.

4. Attached for information is a copy of the Department of Health’s (DOH) review comments. Please note DOH’s requirements related to non-potable water systems (attached).

5. Standard Condition 16 requiring the submittal of a water shortage plan is waived.

If you have any questions, please call Lenore Nakama of the Commission staff at:

Aloha,

GILBERT S. COLOMA-AGARAN
Chairperson

Attachments
GROUND-WATER USE PERMIT
WUP NO. 585

PERMITTEE

Permittee/Water User
Department of Enterprise Services,
Golf Course Division
Address
404 Kapahulu Avenue
Honolulu, HI 96815

Landowner of Source
Department of Enterprise Services,
Golf Course Division
Address
404 Kapahulu Avenue
Kapolei, HI 96815

PERMITTED SOURCE INFORMATION

Island
Oahu

Water Management Area
Pearl Harbor

Aquifer Sector
Waipahu-Waiawa

Aquifer System

System Sustainable Yield
104

Well Name
EP 2

State Well No.
2201-03,04,07

PERMITTED USE INFORMATION

Reasonable beneficial use
Backup Irrigation

Withdrawal (12 month moving ave.)
0 mgd

Location of water use
TMK #
9-1-17:60
Address
West Loch (Projects shown in attached Table 1)
State land use classification
AG
County zoning classification
AG-1

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the permittee is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means "the use of water in such a quantity as is necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground-water use here must not interfere with surface or other ground-water rights or reservations.

5. The ground-water use here must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its April 18, 2001 meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect the water sources (quantity or quality);
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. Carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis (attached).

11. This permit shall be subject to the Commission's periodic review of the Waipahu-Waiawa Aquifer System's sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the Waipahu-Waiawa Aquifer System, or relevant modified aquifer(s), is reduced.

12. A permit may be transferred, in whole or in part, from the permittee to another, if:
   a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of the use, remain the same; and
   b. The Commission is informed of the transfer within ninety days.

Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

13. The use(s) authorized by law and by this permit do not constitute ownership rights.
14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

15. The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservation, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS § 174C-62 shall not apply towards the four-year period of forfeiture.

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the Waipahu-Waiau Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

18. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

19. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

GILBERT S. COLOMA-AGARAN, Chairperson,
Commission on Water Resource Management

Attachment
Table 1. Projects Consistent with State LUD

<table>
<thead>
<tr>
<th>Project</th>
<th>TMK</th>
<th>LUD</th>
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<tbody>
<tr>
<td>Elderly Housing</td>
<td>9-1-17:007</td>
<td>Urban</td>
</tr>
<tr>
<td>District Park</td>
<td>9-1-17:por.066</td>
<td>Agricultural</td>
</tr>
<tr>
<td>Golf Course</td>
<td>9-1-17:por.066</td>
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<td></td>
<td>9-1-17:060</td>
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<td></td>
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<td>Estates Subdivision</td>
<td>9-1-052:127</td>
<td>Urban</td>
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<td></td>
<td>9-1-054:222</td>
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<td></td>
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<td></td>
<td>9-1-055:103</td>
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<tr>
<td>Shoreline Park</td>
<td>9-1-17:por.006</td>
<td>Agricultural</td>
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<tr>
<td></td>
<td>9-1-17:008</td>
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</tr>
<tr>
<td></td>
<td>9-1-17:014</td>
<td>Agricultural</td>
</tr>
</tbody>
</table>
Mr. Alvin Au  
City and County of Honolulu  
Department of Enterprise Services  
777 Ward Avenue  
Honolulu, HI 96814

Dear Mr. Au:

Notice of Action
Request for Extension of Water Use Permit  
EP 2, Well Nos. 2201-03, 04, 07 (WUP No. 420), TMK 9-1-17:60  
Waipahu-Waiawa Ground-Water Management Area, Oahu

This letter serves as your official notice of action by the Commission on Water Resource Management (Commission) on your request for extension of WUP No. 420. The following was approved by a unanimous vote of the Commission at its meeting of November 19, 1998:

1. Find Department of Environmental Services in violation of the Commission's August 31, 1998 deadline to fully resolve outstanding permit conditions.

2. Levy no fines for the violation in 1 (above).

3. Approve an extension of WUP No. 420, subject to the Standard Conditions of a Water Use Permit (Attachment A) and the following Special Conditions (which replace the former special conditions):
   a. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.
   b. In the event that the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.
   c. The duration of the interim permit shall be  
      a) to July, 2001, or  
      b) until treated wastewater is available and acceptable for use, or  
      c) until such time that a significant change in permitted, actual, or projected uses or water supply occurs.
d. This permit is extended under the assumption that wastewater will become available for reuse as an alternative supply source.

e. A separate meter for the West Loch Golf Course shall be installed and water use recorded and reported to the Commission on a regular monthly basis on the attached water use report form.

f. If the permittee pumps in excess of 1.124 mgd, a fine of $500 per day shall be imposed.

4. The permittee shall be notified by letter of the Commission action and extended permit duration. Re-issuance of a new interim water use permit for this extended permit is unnecessary.

If you have any questions, please contact Lenore Nakama at [redacted]

Sincerely,

[Signature]

TIMOTHY E. JOHNS
Deputy Director

LN:ss
October 1, 1996

Mr. Michael D. Wilson
Chairperson
Commission on Water Resource Management
P. O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Wilson:

Subject: Ground Water Use Permit for EP2
WUP No. 420

Attached is an executed copy of the Ground Water Use Permit for EP2 (Wells No. 2201-03, 04 and 07).

In your letter dated August 6, 1996, which transmitted the permit, you referenced the Water Commission's decision regarding the imposition of a fine for the overpumpage. As an alternative to payment of the fine, the City may enter into an agreement with the Commission to prepare an Integrated Resource Plan for Oahu. This is to inform you that the Department of Wastewater Management and the Board of Water Supply have initiated measures to develop such a plan and will be forwarding an informational letter to you soon.

If there are any questions, please call Avis Kamimura at

Sincerely,

ROLAND D. LIBBY, JR.
Director

Attachment

cc: Department of Wastewater Management
    Board of Water Supply
    Department of Parks and Recreation

waterper.mit/k6
GROUND WATER USE PERMIT

WUP NO. 420

PERMITTEE

Applicant/Water User
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
650 S. KING ST., 5TH FL.
HONOLULU, HI 96813

Landowner of Source
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
650 S. KING ST., 5TH FL.
HONOLULU, HI 96813

PERMITTED SOURCE INFORMATION

Island
OAHU

Water Management Area
WAIPAHU-WAIAWA

Aquifer Sector
PEARL HARBOR

Aquifer System
WAIPAHU-WAIAWA

System Sustainable Yield
119 mgd

Well Name
EP 2

State Well No.
2201-03,04,07

PERMITTED USE INFORMATION

Reasonable beneficial use
MUNICIPAL (FOR WEST LOCH DEVELOPMENTS IN EXHIBIT 3)

Withdrawal (12 month moving ave.)
1.124 mgd

Location of water use
TMK #
9-1-17:7, Por.6,6,14,60,64,65,66; Por.9-1-62 to 66; 9-1-various

Address
WEST LOCH

State land use classification
URBAN

County zoning classification
VARIOUS

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the applicant is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses mean "the use of water in such a quantity as is necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground water use here must not interfere with surface or other ground water rights or reservations.

5. The ground water use here must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its July 17, 1996 meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect the water sources (quantity or quality);
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. Carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. If the ground water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

11. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis (attached).

12. This permit shall be subject to the Commission's periodic review of the WAIPAHU-WAIAWA Aquifer System's sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the WAIPAHU-WAIAWA Aquifer System, or relevant modified aquifer(s), is reduced.
13. A permit may be transferred, in whole or in part, from the permittee to another, if:
   a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of the use, remain the same; and
   b. The Commission is informed of the transfer within ninety days.

Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

14. The use(s) authorized by law and by this permit do not constitute ownership rights.

15. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

16. The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservation, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS § 174C-62 shall not apply towards the four-year period of forfeiture.

17. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the WAIPAHU-WAIAWA Ground Water Management Area.

18. The water use permit granted shall be an interim water use permit, pursuant to HAR § 13-167-3(6). The final determination of the water use quantity shall be made within five years of the filing of the application.

19. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

20. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

21. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

Date of Approval: July 17, 1996
Expiration Date: July 17, 1998

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed.

Applicant's Signature: __________________________ Date: ______________________
Printed Name: __________________________ Firm or Title: __________________________

Please sign both copies of this permit, return one to the Commission, and retain the other for your records.

Attachments