

APPENDIX O-1
CWRM Letter of
Assurance for Well
Nos. 4927-02 and
4927-03

CWRM Application Source: CMBY Wells 1 & 2 (4927-02,-03)

TMK: (2) 3-8-008:019

Safe Drinking Water Branch (SDWB) - Engineering Section

- This well qualifies as a source that serves a regulated public water system. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules, Title 11, Chapter 20, Rules Relating to Potable Water Systems.
- All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements.
- Projects that propose development of new sources of potable water serving or proposed to serve a public water system must comply with the terms of HAR 11-20-29. This section requires that all new public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in Section 11-20-29.
- The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water

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quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the state of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.

- All public water system sources must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the drinking water source.
- Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director of Health prior to construction of the proposed system or modification. These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.
- All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 11-25 titled; Rules Pertaining to Certification of Public Water System Operators.
- All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing potable water system to meet irrigation or other needs must be carefully design and operate these systems to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the potable system. The two systems must be clearly labeled

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and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the potable water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 11-21 titled, Cross-Connection and Backflow Control is also required.

- All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawaii's Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other regulated public water system programs, please contact the Safe Drinking Water Branch Engineering Section at 586-4258.

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SDWB Underground Injection Control (UIC) Section

Injection wells used for the subsurface disposal of wastewater, sewage effluent, or surface runoff are subject to environmental regulation and permitting under Hawaii's Administrative Rules, Title 11, Chapter 11-23, titled Underground Injection Control (UIC). The Department of Health's approval must be first obtained before any injection well construction commences. A UIC permit must be issued before any injection well operation occurs.

Authorization to use an injection well is granted when a UIC permit is issued to the injection well facility. The UIC permit contains discharge and operation limitations, monitoring and reporting requirements, and other facility management and operational conditions. A complete UIC permit application form is needed to apply for a UIC permit.

A UIC permit can have a valid duration of up to five years. Permit renewal is needed to keep an expiring permit valid for another term. For further information about the UIC permit and the Underground Injection Control Program, please contact the UIC staff of the Safe Drinking Water Branch at 586-4258.

The UIC Program has the following comments specific to this Application:

1. In general, a shallow well, or a well that recharges quickly from local rainfall, should not be used as a potable water source because such a well increases the risk of having unsatisfactory groundwater quality that when consumed may compromise health. Factors that directly influence a well's groundwater quality include

CWRM Well Application Standard Comments (SDWB)

Ver. 9/30/09

wastewater disposal systems (cesspools, septic systems, drainage wells), lawn/garden/crop-growing activities, and even the proximity to the ocean where salt water intrusion may occur.

2. The siting of a drinking water source below the UIC line may restrict new and existing injection well construction. New injection wells will be prohibited within setback areas defined in Chapter 11-23. If this drinking water source will serve a regulated public water system, the applicant will be required to inform landowners located within the setback surrounding the well of this proposed action because it will affect the injection well development potential of their properties.

3. Well water quality should be initially and periodically tested for its acceptable and intended use, especially if for human consumption. Water quality should not be presumed acceptable and unchanging. Land-based activities around the well and within the well's recharge area may, over time, have an unacceptable effect on the well's water quality. Well construction materials and related equipment could also affect water quality.

APR 2008

WARNING! As the owner of a privately-owned well, you should **NOT** assume that water from your well is safe for consumption. It is your responsibility to make sure that your well water is safe to drink. The only way to do this is to have your well regularly tested for bacteriological and chemical contaminants.

There are no regulations controlling water quality in private wells serving individual residences as there are for public water systems (public or privately owned utilities supplying water to 25 or more people or 15 service connections). In other words, there are no enforceable limits for contaminants and no requirements for regular testing. Private wells are often found in rural areas, where many activities such as onsite wastewater disposal can contaminate the ground water.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) RECOMMENDATIONS

The EPA recommends that private well owners test their well water each year for such contaminants as Total Coliform Bacteria, Nitrates, as well as any other contaminants that may be of concern in your area. More frequent testing may be appropriate if you suspect a problem. EPA also suggests that you consider testing for pesticides, organic chemicals, and heavy metals before using it for the first time. Please refer to the EPA website on Private Drinking Water Wells at <http://www.epa.gov/safewater/privatewells/fact.html>

OTHER CONTAMINANTS

Water testing can be very expensive. It is important that you spend time to identify what other potential contaminants may be of concern. Please refer to the EPA website on Private Drinking Water Wells at <http://www.epa.gov/safewater/privatewells/whatyoucando.html> for more helpful information. Be aware of what and how you use and dispose of household and garden chemicals. Also determine the location of nearby septic tanks or cesspools, and agricultural or industrial activities in the area. General information on known chemical contamination of ground water in Hawaii can also be found at the DOI website www.hawaii.gov/health/environmental/water/swbw/contaminants/pdf/commg05.pdf

LABORATORIES

Local commercial laboratories can be found in the yellow pages of the telephone book under "Laboratories, Analytical." Whenever possible, utilize a laboratory that is certified or approved for the specific drinking water tests and carefully follow their instructions for collecting, storing, and transporting the samples. Just be sure to ask the lab to use EPA approved methods for drinking water analysis. A list of labs certified or approved by the Department of Health can be found at www.hawaii.gov/health/environmental/water/swbw/swbw/pdf/Testing%20Labs.pdf. As lab certification status changes constantly, confirm their status when you contact the lab. Please note that the list is limited to currently regulated contaminants in public water systems.

RESULTS

Once the lab provides you with the test results, you will be in a better position to determine if your well water is safe to drink or what contaminant you need to treat for. Generally, you should compare the results with Federal (www.epa.gov/safewater/tmdl.html) and State (www.hawaii.gov/health/environmental/water/swbw/swbw/pdf/State%20MCL.pdf) drinking water standards. Where your test results are greater than the State or Federal maximum contaminant levels, your well water should be considered as unsafe for consumption.



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
HONOLULU, HAWAII 96822

May 21, 2012

TO: Honorable Loreta J. Fuddy, A.C.S.W., M.P.H., Director
Department of Health
Attention: Acting Chief, Wastewater Branch
Joanna L. Seto, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawooka, Office of Hazard Evaluation and Emergency Response

FROM: William J. Alla, Jr., Chairperson
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
CMBY Wells 1 & 2 (Well No. 4927-02 & 03) TRAK (3) 3-4-008-019

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by June 21, 2012. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Charley Lee of the Commission staff at 597-0218.

Clear Attachment(s)

RESPONSE:

- 1) This well location is a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people of legal age (PLANS), Title 11, Chapter 26, Rules Relating to Public Water Systems, §§11-26-27).
- 1) This well does not qualify as a source of potable water system (within the 25 people or more people or less 25 days per year of 11 people and monthly water use more than 100,000 gallons). Therefore, if it is proposed, it must be installed in accordance with the provisions of the Public Water System Act, Chapter 26, Rules Relating to Public Water Systems, §§11-26-27.
- 1) If this well is used to supply both potable and non-potable purposes in a single system, the user shall obtain cross-connection and backflow protection by properly installing a potable and non-potable system by an ASPE or an approved backflow preventer, and by clearly labeling the system with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be readily accessible and tested.
- 1) It does not appear that this well will be used for nonpotable purposes and is not subject to Safe Drinking Water Regulations.
- 1) Per the applicant's information, a source of potable water system installation (PL 1) is not located near the proposed well (the information attached).
- 1) An NPDES permit is required.
- 1) Other relevant DCR information, information, or recommendations are attached.
- 1) In the event that the location of the well changes, the user shall obtain the permit described on this application, and division considers this comment to will be applicable, and we do not need to review this permit location. NO RECORDS

Contract Person: Roland Telano, Eng. on Maui 984-8232

Signed: Roland Telano Date: 5-23-2012 10 993



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
HONOLULU, HAWAII 96822

May 21, 2012

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Attention: Acting Chief, Wastewater Branch
Joanna L. Seto, Chief, Safe Drinking Water Branch
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Clear Attachment(s)

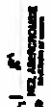
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- 1) If this well is used to supply both potable and non-potable purposes in a single system, the user shall obtain cross-connection and backflow protection by properly installing a potable and non-potable system by an ASPE or an approved backflow preventer, and by clearly labeling the system with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be readily accessible and tested.
- 1) It does not appear that this well will be used for nonpotable purposes and is not subject to Safe Drinking Water Regulations.
- 1) Per the applicant's information, a source of potable water system installation (PL 1) is not located near the proposed well (the information attached).
- 1) An NPDES permit is required.
- 1) Other relevant DCR information, information, or recommendations are attached.
- 1) In the event that the location of the well changes, the user shall obtain the permit described on this application, and division considers this comment to will be applicable, and we do not need to review this permit location.
- 1) No recommendations.

Contract Person: Darryl Lum Phone: 586-4309

Signed: Darryl Lum Date: 5/21/12

1-1/2-184



DEPT OF PLANNING
COUNTY OF MAUI

MAY 23 2012
RECEIVED



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
RECOMMENDED PERMIT NUMBER

May 21, 2012

Mr. William Spence, Director
Planning Department
County of Maui
230 South High Street
Waikuku, HI 96793

Dear Mr. Spence:

Special Management Area Use Permit Requirements for
Well Construction/Pump Installation Permit Application
CMBRY Wells 1 & 2 (Well No. 4977-92 & 93)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump
Installation permit application.

We would appreciate your comments on the captioned application with regard to the SMA permitting
requirements specific to your division. Please respond by returning this cover sheet (附页) by JUNE 21,
2012. If we do not receive comments or a request for additional review time by this date, we will assume you
have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit
application, request additional information, or request additional review time, please contact Charley Lee of the
Commission staff at 587-0218.

Sincerely,

William J. Aila, Jr.
WILLIAM J. AILA, JR.
Chairperson

Class

RESPONSE:

- This well project requires PD does not require a SMA. If a SMA is required it is [] has not been approved and [] is not currently active.
- Other relevant rules/regulations, information, or recommendations are attached.
- No objections
- Other comments: Regulations of all applicable governmental agencies should be followed.

Contact Person: Christy Williams Phone: 808 270 1789
Signed: Christy Williams Date: 6/1/12

1. For Well-Drilling Activities

Any discharge to State water of treated process wastewater effluent associated with well drilling activities is regulated by Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix 1, effective October 22, 2007, and compiled June 15, 2009. Treated process wastewater effluent covered by this general permit includes well drilling sludges, lubricating fluids wastewater, and well purge wastewater. This general permit does not cover well pump testing. The applicable Notice of Intent (NOI) Forms and filing fee shall be submitted at least 30 calendar days before the start of discharge to the:

Department of Health
Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, Hawaii 96814-4920

The CWB/NOI Forms are available online at
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/ncol/index.html>.
Inquiries may be directed to the CWB at (808) 586-4309 or by fax (808) 586-4352.

2. For Well Pump Testing

The discharger shall take all measures necessary to prevent the discharge of pollutants from existing State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, best management practices shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.

3. For Construction Activities Disturbing One (1) or More Acres of Total Land Area

By HAR, Title 11, Chapter 55, Appendix C, effective October 22, 2007, and compiled June 15, 2009, an NPDES permit or Notice of General Permit Coverage is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NOI (see Comment No. 1, above) shall be submitted 30 calendar days before the start of construction activities.



WILLIAM J. ALA, JR.
WILLIAM B. BAUMANN, JR.
LORRETTA J. FORDY, A.C.S.W., M.P.H.
NEAL S. FUJIMURA
TED YAMAMOTO
WILLIAM H. TAN

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
HONOLULU, HAWAII 96820

RECEIVED
LAND DIVISION
2012 MAY 22 P 3 22
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

May 21, 2012

TO: Russell Tsuji, Administrator
Land Division
FROM: William M. Tan, Deputy Director
Commission on Water Resource Management
SUBJECT: Well Construction/Pump Installation Permit Application
CMBY Wells 1 & 2 (Well No. 4927-02 & 03) WPK (2) 3-8-1008:019

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We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by June 21, 2012. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Charley Ice of the Commission staff at 587-0218.

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Class Attachment(s) P11 2 51
RESPONSE:
 A water lease/permit is required of this applicant and an application for such will be requested by this 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: The property's original source of private title is Land Commission Award 5230 Issued between 1865 and 1855.
Contact Person: Gary Martini Phone: 587-0421
Signed: [Signature] Date: May 29, 2012