In 1964, the Water Resources Advisory Committee and the Federal Water Resources Council passed a resolution for the proposed Administrative rules implementing the Federal Water Resources Act of 1964. The Board of Water and Land Resources adopted these rules in its August 21, 1965 meeting and the Department of the Interior, General Services currently reviewed these proposed rules as of June.

(1) Proposed Administrative rules were adopted and these Administrative rules would replace the rules currently existing. These Administrative rules are consistent and in keeping with the Federal Water Resources Act of 1964. These proposed Administrative rules would add the following new section:

Chapter 10-135: "Rules of Practice and Procedure for Geothermal and Cable System Development Permitting"
(3) Effect on Departmental Operations. The proposed rules would provide for the effective administration of geothermal/cable permitting rules and regulations by consolidating and coordinating as much as possible within provisions of existing statutes. An increased workload for the Department is anticipated in that an additional office has been established that must be supervised under the Division of Water and Land Development.

(4) Funding. The enabling Act authorized an appropriation of $275,000 for FY 1988-89 for the implementation of Act 361. Future expenditures of about $200,000 annually are anticipated to continue the activities required under Act 361, subject to legislative approval.

(5) Public Impact. The proposed rules will serve to provide the taxpayers a more efficient public review process for geothermal and cable proposed projects. They will also consolidate aspects of the review procedures which will provide more efficient access to public hearings and public documents by members of the public who have concerns regarding geothermal and cable system development projects.

(6) Program Alternative. Due to the nature and size of anticipated project proposals, the alternative of not providing for consolidated and coordinated agency review of geothermal and cable system development projects would result in delays in implementing any large scale geothermal and cable system project because there are permits involved at every level of government. Getting the agencies together to coordinate permitting requirements at the outset of any project will provide a mechanism for eliminating duplication where possible and for coordinating timeframes to maximize the possibility for concurrent public review and permitting.

WILLIAM W. PATY

Attach

cc: Dept. of Budget & Finance
Dept of Business & Economic Dev.
MEMORANDUM

TO: The Honorable John Waihee
   Governor, State of Hawaii

FROM: William W. Paty, Chairperson


In accordance with your Administrative Directive No. 87-2, the Department of Land and Natural Resources submits herewith for your preliminary approval the proposed Administrative Rules implementing the Geothermal and Cable System Development Permitting Act of 1988. The Department of the Attorney General is currently reviewing these proposed rules as to form.

(1) **Reason for Proposed Rule.** The rules would implement the recently enacted Act 301, SLH 1988, Chapter 196D, HRS.

(2) **Program Objective.** These proposed Administrative Rules would empower the Division of Water and Land Development to properly administer and implement the Geothermal and Cable System Development Permitting Act of 1988. The Division's responsibilities and activities would be enumerated in the following new rules:

   Chapter 13-185: "Rules of Practice and Procedure for Geothermal and Cable System Development Permitting"

(3) **Effect on Departmental Operations.** The proposed rules would provide for the effective administration of geothermal and cable related permitting rules and regulations by consolidating and coordinating as much as possible within provisions of existing statutes. An increased workload for the Department is anticipated.
(4) Funding. The enabling Act authorized an appropriation of $275,000 for FY 1988-89 for the implementation of Act 301. Future expenditures of about $200,000 annually are anticipated to continue the activities required under Act 301, subject to legislative approval.

(5) Public Impact. The proposed rules will serve to provide the tax payers a more efficient public review process for geothermal and cable proposed projects. They will also consolidate aspects of the review procedures which will provide more efficient access to public hearings and public documents by members of the public who have concerns regarding geothermal and cable system development projects.

(6) Program Alternative. Due to the nature and size of anticipated project proposals, the alternative of not providing for consolidated and coordinated agency review of geothermal and cable system development projects would result in delays in implementing any large scale geothermal and cable system project because there are permits involved at every level of government. Getting the agencies together to coordinate permitting requirements at the outset of a project will provide a mechanism for eliminating duplication where possible and for coordinating timeframes to maximize the possibility for concurrent permitting.

WILLIAM W. PATY

cc: Dept. of Budget & Finance
    Dept of Business & Economic Dev.

APPROVED/DISAPPROVED:

JOHN WAIHEE

Date: JUN 20 1989
MEMORANDUM

TO: The Honorable John Waihee
   Governor, State of Hawaii

FROM: William W. Paty

SUBJECT: Preliminary Approval of Proposed Administrative Rules for Hawaii Dam Safety Act

In accordance with your Administrative Directive No. 87-2, the Department of Land and Natural Resources submits herewith for your preliminary approval the proposed Administrative Rules implementing the Hawaii Dam Safety Act of 1987. The Attorney General has approved the proposed Rules as to form.

(1) **Reason for Proposed Rules.** The rules would implement the recently enacted Hawaii Dam Safety Act of 1987, Chapter 179D, HRS.

(2) **Program Objective.** These proposed Rules would empower the Board of Land and Natural Resources to establish a state dam safety program that would insure the safety of dams and reservoirs in the state. The Board’s responsibilities and activities would be enumerated in Hawaii Administrative Rules, Chapter 13-190: "Dams and Reservoirs".

(3) **Effect on Departmental Operations.** The proposed rules would provide for the effective administration of a new dam safety program within the Department. An increased workload for the Department is anticipated to provide for permitting, approval of plans, inspections, and enforcement.

(4) **Funding.** Additional manpower and funds will be required to administer the proposed rules. Appropriations of $171,000 for FY 1988-89 and $155,000 for FY 1989-90 have been requested for the coming budget biennium. Future annual expenditures will be required to continue the program.

(5) **Public Impact.** The proposed rules would create regulatory mechanisms to better protect and monitor the safety of dams and reservoirs for the benefit of
the public. Owners of dams would develop greater awareness of their legal responsibility for hazards created by their dams.

(6) Program Alternative. Inaction by government will increase the risk of failure of dams and reservoirs and the consequent endangerment of life and property. Cooperative efforts by government, dam owners, and the affected communities can lessen this risk. Failure to adopt the proposed Administrative Rules pursuant to Act 179D, SLH 1987, would be inconsistent with legislative intent.

WILLIAM W. PATY

cc: Dept of Budget & Finance
    Dept of Business & Economic Dev.

APPROVED/DISAPPROVED:

JOHN WAIHEE

Date: __________________________