



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
P.O. BOX 621  
HONOLULU, HAWAII 96809

**AGENDA  
FOR THE MEETING OF THE  
COMMISSION ON WATER RESOURCE MANAGEMENT**

DATE: September 27, 2011  
TIME: 9:00 a.m.  
PLACE: Kalanimoku Building  
DLNR Board Room 132  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

**A. APPROVAL OF MINUTES**

1. July 20, 2011

**B. ANNOUNCEMENTS**

**C. UPDATES AND BRIEFINGS**

1. Present and Possible Future Patterns of Rainfall in Hawaii: The New Rainfall Atlas of Hawaii and Projections of Future Changes by Dr. Thomas Giambelluca, Department of Geography, University of Hawaii at Manoa

**D. CONTESTED CASE**

1. Na Wai Eha (Maui) Surface Water Area Management Proceedings. Appurtenant Rights Process: Establish process to address notice, determination of appurtenant rights, and quantification of water needs to meet appurtenant rights in Na Wai Eha due process proceedings for surface water use permits

**E. STREAM PROTECTION AND MANAGEMENT**

1. Mediation or Binding Arbitration for Complaint/Dispute Resolution (CDR.2769.8), Application for After-the-Fact Stream Channel Alteration Permit, Stream Diversion Works Permit and Petition to Amend Instream Flow Standard (SCAP.2898.8), Ainako Branch Stream, Hilo, Hawaii, TMKs: (3) 2-5-025:005, 014 and 006, 2-5-024:028, 029 and 045

2. Application for Stream Channel Alteration Permit (3232.8), Installation of a Weir in Ainako Branch Stream, Hilo, Hawai‘i, TMK: (3) 2-5-024:029

**F. ADMINISTRATIVE OTHER BUSINESS**

**G. NEXT COMMISSION MEETINGS (TENTATIVE)**

1. October 26, 2011
2. November 16, 2011

**NOTE: Items may be taken out of order and will be announced at the start of the meeting.**

The Commission may go into Executive Session pursuant to 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities and liabilities.

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Materials related to items on this agenda are available for review at our office at 1151 Punchbowl Street, Room 227, and will also be available at the meeting.

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Any person may testify or present information on any meeting agenda item, unless the item involves a proceeding in an existing contested case. In addition, if you have a legal interest that may be adversely affected by the proposed action, you may have a right to an administrative contested case hearing. An oral or written request for a contested case hearing must be made by the close of the public hearing (if one is required) or prior to the vote on the merits at the commission meeting at which the matter is scheduled for disposition (if no public hearing is required). In either situation, the person or agency requesting the contested case hearing must file (or mail and postmark) a written petition with the commission not later than ten days after the close of the public hearing or the commission meeting, whichever is applicable. Petition forms are available from the Commission. Hawaii Administrative Rules (H.A.R.) Section 13-167-52(a).

If you request a contested case hearing, you will have the opportunity to present to the Commission oral or written evidence or testimony or both to establish your standing. You may present your testimony or evidence on standing at the meeting or public hearing described above or, alternatively, at a hearing set by the Commission at a later date.

If you do not make such a request or fail to file a timely written petition with the Commission, the consequence is that you will be precluded from later obtaining a contested case hearing and seeking judicial review of any adverse decision. H.A.R. Chapter 13-167.

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Disabled individuals planning to attend the public hearing or meeting are asked to contact the Commission at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lanai) 1-800-GOV-INHI ext. 70214 or 587-0214 **at least three days in advance of the public hearing or meeting** to indicate if they have special needs which require accommodation.