



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: April 18, 2017
TIME: 10:00 am
PLACE: Kalanimoku Building
DLNR Board Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

A. APPROVAL OF MINUTES

March 21, 2017

B. UPDATE/ACTION

1. Update on the Mediation of the Combined Petition to Amend the Interim Instream Flow Standards for Waimea River and its Headwaters and Tributaries, and Complaint and Petition for Declaratory Order Against Waste, Filed by Po'ai Wai Ola/West Kauai Watershed Alliance (through Earthjustice); and if there is a fully executed Mediation Agreement presented, Approval or Disapproval by the Commission.

(The Commission may go into executive session pursuant to Sec. 92-5(a)(8), HRS, to discuss an agreement between the parties brought forth in mediation under Sec. 13-167-91, HAR, and held confidential under Secs. 13-167-89 and 13-167-90, HAR.

The Commission may also go into executive session pursuant to Sec. 92-5(a)(4), HRS, to consult with their attorney on questions and issues pertaining to the Commission's duties, privileges, immunities, and liabilities.)

Written Testimony

Written testimony may be emailed to dlnr.cwrmm@hawaii.gov or faxed to (808) 587-0219, three working days prior to the start of the meeting, for distribution at the meeting.

Thirteen (13) copies are requested if written testimony is submitted.

If submitted, written testimonies may be posted on the Commission on Water Resource Management website.

C. COMMISSION MEETING SCHEDULE (TENTATIVE)

May 16, 2017 (Tuesday)

June 20, 2017 (Tuesday)

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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Individuals requiring special accommodations (i.e. sign language interpreters, wheelchair access) at 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.

Please refer to CWRM website for complete submittals

<http://dlnr.hawaii.gov/cwrmm/newsevents/meetings/>