



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: November 17, 2020
TIME: 9:00 am
PLACE: online via Zoom
Meeting ID: 950 4687 7473

Considering the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, the meeting will be held remotely, with commissioners, staff and applicants participating via online meeting venue. The public can view the meeting via live stream at: <https://www.youtube.com/user/dlnrcwrn/>

Written and Oral Testimony:

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Commissioners prior to the meeting. We request that written testimony be submitted not later than 48 hours prior to the meeting to ensure time for Commissioners to review it. Submit written testimony to: raeann.p.hyatt@hawaii.gov or to: dlnr.cwrn@hawaii.gov. If submitted, written testimonies may be posted on the Commission on Water Resource Management website.

If you wish to provide live oral/video testimony during the online meeting, email the Commission Secretary at: raeann.p.hyatt@hawaii.gov not later than 48 hours in advance, with your name, phone number, email address, the agenda item you wish to testify on, and your computer identification name (check your device settings). The Commission Secretary will then provide the meeting link and other information to you.

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**A. APPROVAL OF MINUTES**

October 20, 2020

**B. ACTION ITEMS**

1. Delegation from the Commission on Water Resource Management to the Chairperson To Approve 10-day Filing Extension of Requests for Hearings Pursuant to HAR §13-167-52
2. Approval of Stream Diversion Works Permit Application (SDWP.5349.6) to Abandon Registration of Stream Diversion Works No. 1081, Norman Stubbs ‘Uaoa Stream, Ha‘ikū, Maui, Tax Map Key: (2) 2-8-002:223

3. Declaratory Order No. DEC-ADM20-17 on Delegation of Authority to the Chairperson to Approve Applications for Abandonment of Stream Diversion Works Permits for Abandoned Category 1 Diversions Meeting Certain Criteria Statewide.
4. Authorize Imposing a Fine Against the Applicant Rainer Werner Bock, Trustee, for Altering a Stream Channel Without a Permit as Required in HRS §174C-71(3)(A) and HAR §13-169-50; and Approve the After-the-Fact Stream Channel Alteration Permit (SCAP.5422.6) Application for the Construction of Culverts, Channelization and Remediation Plan East Kuiaha Stream, Ha‘ikū, Maui, TMK: (2) 2-7-012:254

**C. INFORMATIONAL BRIEFING**

1. Update on the Mediation Agreement for the Waimea Watershed Area, dated and signed April 18, 2017 (re: Pō‘ai Wai Ola/West Kaua‘i Watershed Alliance’s Combined Petition to Amend the Interim Instream Flow Standards for Waimea River and its Headwaters and Tributaries, and the Complaint and Petition for Declaratory Order Against Waste, for Waimea, Island of Kaua‘i, State of Hawai‘i)

**D. COMMISSION MEETING SCHEDULE (tentative)**

December 15, 2020 (Tuesday)

January 19, 2021 (Tuesday)

**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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In some of the matters before the Commission, a person may wish to request a contested case hearing. If such a request is made before the Commission’s decision, then the Commission will consider the request first before considering the merits of the item before it. A person who wants a contested case may also wait until the Commission decides the issue, then request the contested case after the decision, it is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Commission will make a decision. The Department will treat the decision as final and proceed accordingly.

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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.