



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: February 15, 2022
TIME: 9:00 am
PLACE: Online via Zoom
Meeting ID: 864 2230 7138

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 with commissioners, staff, applicants, and oral testifiers participating via an online remote meeting venue as allowed under the Governor's Emergency Proclamation Related to COVID-19 (Omicron variant) signed on January 26, 2022. The public may view the meeting via its live stream at: <https://www.youtube.com/user/dlnrcwrm/>

To provide Written 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 timely, to ensure Commissioner's time to review. Please submit written testimony via email to: raeann.p.hyatt@hawaii.gov or to: dlnr.cwrm@hawaii.gov. Written testimonies can also be mailed to: P.O. Box 621, Honolulu, Hawaii 96809. If submitted, written testimonies may be posted on the Commission on Water Resource Management website; as a precaution, please be careful with any personal information prior to submitting unless you intend it to be shared.

To provide Oral Testimony Remotely via Zoom - please email the Commission Secretary in a timely manner to: raeann.p.hyatt@hawaii.gov with your information, email address, and the agenda item you wish to testify on for identification purposes when the agenda item is called. The Commission Secretary will then provide the meeting information to you. We kindly ask that all oral/video testimony be limited to not more than three (3) minutes.

To provide Oral Testimony by Telephone - on the day of the meeting, at the start of the agenda item you wish to testify on, dial: 1-669-900-6833 (Zoom); input the meeting ID & passcode [you will need to obtain the Zoom meeting passcode from the Commission Secretary prior] Note: All phone in and day of requests depends on whether they can be accommodated in sufficient time before the item has been addressed by the Commission; kindly note that due to meeting constraints only timely testimony can be addressed.

A. APPROVAL OF MINUTES

January 7, 2022

January 18, 2022

B. ACTION ITEMS

1. Clarify the Distribution Points for South Waikapū ‘Auwai as Part of the Implementation of the Final Decision and Order for CCH-MA15-01 and Order Wailuku Water Company and Waikapu Properties, Inc. to Implement Certain Actions to Initiate Delivery of Water to the South Waikapū ‘Auwai, Nā Wai ‘Ehā Surface Water Management Area, Waikapū, Maui
2. Approve Interim Water Use Permits to Mary Ann Velez (Higa) (SWUPAs 2241/2242N), Jordanella Ciotti (SWUPAs 2247/2248N), and Greg Ibarra (SWUPAs 2245/2246N) on the Wailuku Town Kuleana ‘Auwai and Order Wailuku Water Company and Mahi Pono, LLC to Implement Certain Actions for Commission Staff to Assess Water Loss, Nā Wai ‘Ehā Surface Water Management Area, Wailuku, Maui
3. Delegation of Authority to the Chairperson to Modify Any Orders of the Commission in CCH-MA15-01, Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Nā Wai ‘Ehā Surface Water Management Areas of Waihe‘e, Waiehu, ‘Īao and Waikapū Streams, Maui for the Purpose of Allowing for Implementation of the Decision and Order
4. Accept Chairperson’s Recommendation to Designate the Lahaina Aquifer Sector, Maui as a Surface Water and Ground Water Management Area under HRS Section 174C-41, and to Notice and Hold a Public Hearing

C. NON-ACTION ITEM / INFORMATIONAL BRIEFING

1. Status of Combined Petition to Amend the Interim Instream Flow Standards and Allegation of Waste By Moloka‘i No Ka Heke for Streams in the Surface Water Hydrologic Units of Waikolu (4003), Kawela (4037), Kaunakakai (4039), and Manawainui (4041), and Reservation of non-potable water for the Department of Hawaiian Home Lands, Moloka‘i

D. RED HILL ITEMS (*These items will be heard at 2:00 p.m.*)

1. Non-Action Item - Status Update from Red Hill Permitted Interaction Group (The Group) on Scope of Investigation Approved at January 7, 2022 Meeting.
2. Non-Action Item - Presentations and Updates Related to Red Hill from the Following:

- a. State Department of Health – Update on Drinking Water System Flushing and Water Quality Data Collection
- b. Naval Facilities Engineering Systems Command Hawai‘i (NAVFAC Hawai‘i) – Update on Drinking Water Systems Recovery and Red Hill Shaft Recovery and Monitoring Plan
- c. United States Geological Survey – Red Hill Synoptic Groundwater-Level Surveys and Seepage Runs, December 2021 to January 2022
- d. University of Hawaii – Red Hill Response and Research

E. COMMISSION MEETING SCHEDULE (*tentative*)

March 15, 2022 (Tuesday)

April 19, 2022 (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.

Please refer to the CWRM website for complete submittals at: <http://dlnr.hawaii.gov/cwrm/newsevents/meetings/>