



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES | KA 'OIHANA KUMUWAIWAI 'ĀINA
COMMISSION ON WATER RESOURCE MANAGEMENT | KE KAHUWAI PONO
P.O. BOX 621
HONOLULU, HAWAII 96809

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

DATE: February 18, 2025
TIME: 9:00 a.m.
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl St., 1st Floor
Online via Zoom, Meeting ID: 824 6607 0498
<https://us06web.zoom.us/j/82466070498>

This meeting will be held using interactive conference technology under section 92-3.7, Haw. Rev. Stat. Commission members, staff, applicants, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone. The public may also view the live meeting via its live stream at:
<https://www.youtube.com/@dlnrcwrm/streams>

To Provide Written Testimony

We encourage interested persons to submit written testimony in advance, which will be distributed to Commissioners prior to the meeting and allow a timely review. Please submit written testimony via email to: iwalani.hr.kaaa@hawaii.gov or to: dlnr.cwrm@hawaii.gov. Testimony can also be mailed to P.O. Box 621, Honolulu, Hawaii 96809. Written testimonies may be posted upon the Commission on Water Resource Management website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to Commissioners as soon as practicable, but we cannot ensure the Commission will receive it in sufficient time to review, prior to decision-making.

To Provide In-Person Oral Testimony

Attend in-person at: 1151 Punchbowl St., Room 132 (Kalanimoku Building), Honolulu, Hawaii 96813

To Provide Testimony by Telephone

On the day of the meeting at the start of the agenda item you wish to testify on, dial: +1 (719) 359-4580; input the above meeting ID and follow the prompts. Enter *6 to mute/unmute; *9 to raise/lower hand.

To Provide Video/Zoom Testimony

Send your request in a timely manner to: iwalani.hr.kaaa@hawaii.gov with the agenda item you wish to testify on. Once your request has been received, a confirmation email will be sent containing pertinent information. You may also testify without signing up in advance.

We kindly ask that all oral/video testimony be limited to not more than three (3) minutes. We also ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.

A. APPROVAL OF MINUTES

January 28, 2025

B. ACTION ITEMS

1. Request for Additional Time to Consult with the City and County of Honolulu Regarding the Honolulu Board of Water Supply's Petition for the Designation of the Wai'anae Aquifer Sector as a Ground Water Management Area

C. NON-ACTION ITEMS / INFORMATIONAL BRIEFINGS

1. Briefing by Commission Staff and the DLNR Division of Forestry and Wildlife on Watershed Management in Hawai'i: How Forest Protection Supports the Mission of CWRM
2. Briefing by Commission Staff on the Status of the Hawai'i Water Plan Framework Update
3. Briefing by Commission Staff on Tracked State Legislation Related to the Commission on Water Resource Management for the 2025 Legislative Session
 - HB1142 – RELATING TO STATE WATER CODE PENALTIES
Adds a minimum penalty and amends the maximum penalty per violation of the State Water Code, expands the types of potential violations, and makes each day that a violation exists a separate offense. Requires CWRM to consider certain factors when imposing penalties.
 - HB1495 HD1 – RELATING TO THE KEAUHOU AQUIFER SYSTEM
Establishes and appropriates funds for the Keauhou Aquifer System Monitoring Pilot Project within DLNR. Funds the installation of two monitoring wells in the Keauhou Aquifer System. Requires reports to the Legislature.
 - HB306 HD1 – RELATING TO STATE WATER CODE PENALTIES
Adds a minimum and maximum penalty per violation of the State Water Code and makes each day a violation continues a separate offense. Establishes factors for CWRM to consider in penalties. Increases maximum fines incrementally from 2030 to 2045.
 - HB315 – RELATING TO STATE WATER CODE PENALTIES
Adds a minimum penalty of \$50 per violation of the State Water Code and makes each day a violation continues a separate offense. Requires CWRM to determine penalty amounts based on circumstances.
 - HB405 – RELATING TO WATER
Defines the public trust responsibilities of CWRM. Allows CWRM to retain independent legal counsel. Expands CWRM's scope to include emergency declarations. Repeals the Deputy to the Chairperson position and establishes an Executive Director. Amends Commission composition. Authorizes challenges to emergency orders. Establishes fines for certain water use offenses.
 - HB509 – RELATING TO STATE WATER CODE PENALTIES
Adds a minimum penalty and amends the maximum penalty per violation of the State Water Code. Expands the types of violations and makes each day a violation continues a separate offense. Requires CWRM to consider specific factors when imposing penalties.

- **HB510 HD1 – RELATING TO DECLARATION OF WATER SHORTAGE AND EMERGENCY**
Amends the conditions, manner, and areas in which CWRM can declare and provide notice of water shortages and emergencies.
- **HB915 HD1 – RELATING TO WATER USE**
Authorizes the Board of Agriculture to investigate and survey nonpotable water availability. Allows CWRM to require dual line water supply systems in new residential and mixed-use developments in designated water management areas. Requires rule and ordinance updates to allow such systems.
- **HB919 – RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT**
Adds the Chairperson of the Hawaiian Homes Commission or their designee to CWRM. Clarifies that only the five non-ex-officio members appointed by the Governor must have substantial experience in water resource management.
- **SB1210 – RELATING TO WATER USE**
Authorizes CWRM to require dual line water supply systems in new residential and mixed-use developments in designated water management areas. Allows these developments to be included in irrigation projects. Requires rule and ordinance updates for such systems.
- **SB1239 – RELATING TO WATER CONSERVATION**
Prohibits the use of potable water to irrigate golf courses, with certain exceptions. Defines potable water.
- **SB145 – RELATING TO DECLARATION OF WATER SHORTAGE AND EMERGENCY**
Amends the conditions, manner, and areas in which CWRM can declare and provide notice of water shortages and emergencies.
- **SB1461 – RELATING TO STATE WATER CODE PENALTIES**
Adds a minimum penalty and amends the maximum penalty per violation of the State Water Code. Expands the types of violations and makes each day a violation continues a separate offense. Requires CWRM to consider specific factors when imposing penalties.
- **SB150 – RELATING TO RED HILL**
Establishes a WAI Policy Coordinator for Red Hill initiatives. Creates the Red Hill Remediation Special Fund.
- **SB1602 – RELATING TO THE KEAUKOU AQUIFER SYSTEM**
Appropriates funds for the installation of two monitoring wells in the Keauhou Aquifer System. Establishes the Keauhou Aquifer System Monitoring Program. Requires reports to the Legislature.
- **SB204 – RELATING TO STATE WATER CODE PENALTIES**
Adds a minimum penalty and amends the maximum penalty per violation of the State Water Code. Expands the types of violations and makes each day a violation continues a separate offense. Makes setting and collecting fines by CWRM mandatory rather than discretionary.
- **SB205 – RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT**
Adds the Chairperson of the Hawaiian Homes Commission or their designee to CWRM.
- **SB209 – RELATING TO WATER**
Prohibits the use of 1,000,000 or more gallons of water per year for recreational or ornamental purposes.

- SB272 – RELATING TO WATER
Defines the public trust responsibilities of CWRM. Allows CWRM to retain independent legal counsel. Expands CWRM’s scope to include emergency declarations. Repeals the Deputy to the Chairperson position and establishes an Executive Director. Amends Commission composition. Authorizes challenges to emergency orders. Establishes fines for certain water use offenses.
- SB3 SD1 – RELATING TO WATER
Establishes a public trust purpose for CWRM. Allows CWRM to retain independent legal counsel. Repeals the First Deputy to the Chairperson position and establishes an Executive Director. Attaches CWRM to DLNR. Adjusts Commission membership and notification requirements for water shortages. Establishes fines.
- SB386 – RELATING TO WATER SYSTEMS
Requires DLNR to acquire all West Maui water systems by eminent domain and hold them in trust for Maui County to manage.
- SB438 – RELATING TO WASTE DISPOSAL FACILITIES
Prohibits the construction, modification, or expansion of hazardous waste or solid waste disposal facilities near or above significant aquifers. Prohibits such facilities on Class A and B agricultural land.
- SB543 – RELATING TO WATER
Establishes a WAI Policy Coordinator and other positions within CWRM for Red Hill initiatives. Creates the Red Hill Remediation Special Fund. Allows CWRM to retain independent legal counsel. Repeals the Deputy to the Chairperson position and establishes an Executive Director. Amends Commission composition. Adjusts CWRM’s authority regarding water emergencies and shortages. Establishes fines.
- SB848 SD1 – RELATING TO DESALINATION
Establishes a Desalination Planning Task Force to assess feasibility and develop a timeline for desalination as a potable water source.
- SB867 – RELATING TO AFFORDABLE HOUSING
Establishes a working group within the Governor’s Office to assess water resources and streamline well permit approval for affordable housing. Requires an inventory of water resources and sources of aquifer replenishment.

4. Briefing by Commission Staff on CWRM FY 2025-2027 Budget Requests included within Governor Green’s Budget Package

D. ANNOUNCEMENTS

Application Deadline for Two CWRM Commissioner Appointments – March 31, 2025
<https://files.hawaii.gov/dlnr/cwrn/notice/2025/nt20250128.pdf>

E. COMMISSION MEETING SCHEDULE (*Tentative*)

March 18, 2025 (Tuesday)
April 28, 2025 (Monday)

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. The agenda and the listed submittals will be provided in the board packet if one is made.

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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, but before the close of the Commission meeting. Any request must also be made in writing within ten calendar days. If no request for contested case is made, the Commission will make a decision. The Commission will treat the decision as final and proceed accordingly.

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If you need an auxiliary aid/service or other accommodation due to a disability, contact the Commission secretary at: 808-587-0214 or dlnr.cwrmm@hawaii.gov as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this agenda is available in alternate/accessible formats.

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