



*Ke Kahawai Pono*

"The trustee who oversees the rightful sharing of water."

# Water Management in Hawaii

September 13, 2011  
Asia Pacific Clean Energy Summit and Expo  
Honolulu, Hawaii



water is a public trust resource



# Hawaii State Constitution

*The State has an obligation to protect, control and regulate the use of Hawaii's water resources for the benefit of its people.*

*The legislature shall provide for a water resources agency which...shall set overall water conservation, quality and use policies; define beneficial and reasonable uses; protect ground and surface water resources, watershed and natural stream environments; establish criteria for water use priorities while assuring appurtenant rights and existing riparian uses and establish procedures for regulating all of Hawaii's water resources.*

(Article XI, Section 7)

# State Water Code

Hawaii Revised Statutes chapter 174C, Administrative Rules §§13-167 to 13-171

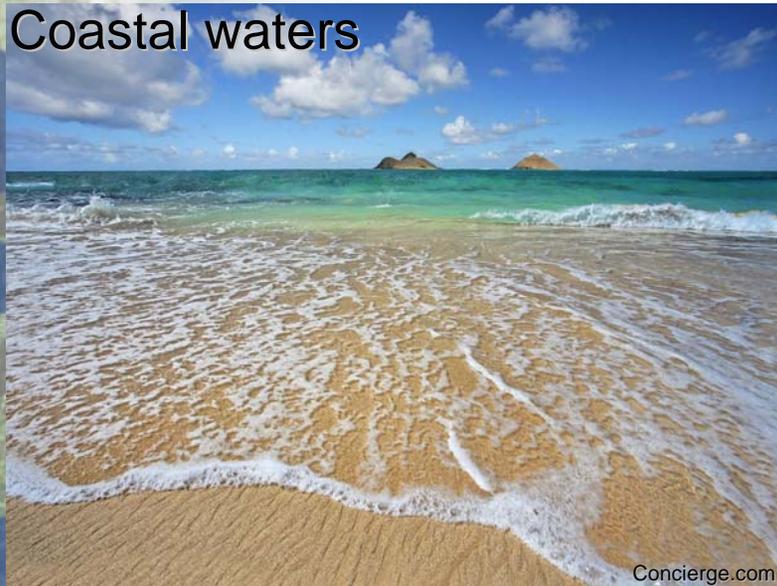
*It is recognized that the waters of the State are held for the benefit of the citizens of the State.*

*It is declared that the people of the State are beneficiaries and have a right to have the waters protected for their use.*

(§174C-2(b) HRS)

# Chapter 174C does not apply to:

Coastal waters



Reclaimed water



Geothermal



Atmospheric water



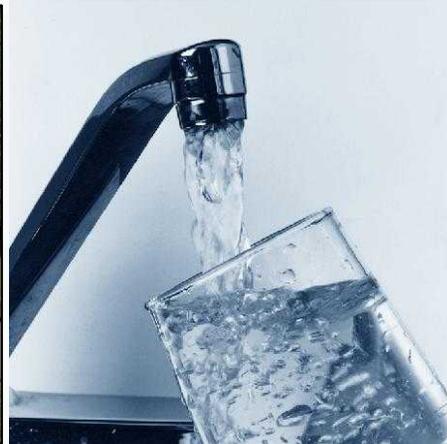
# Public Trust Purposes

Environmental protection

Domestic use

Native Hawaiian traditional  
& customary rights

DHHL reservations

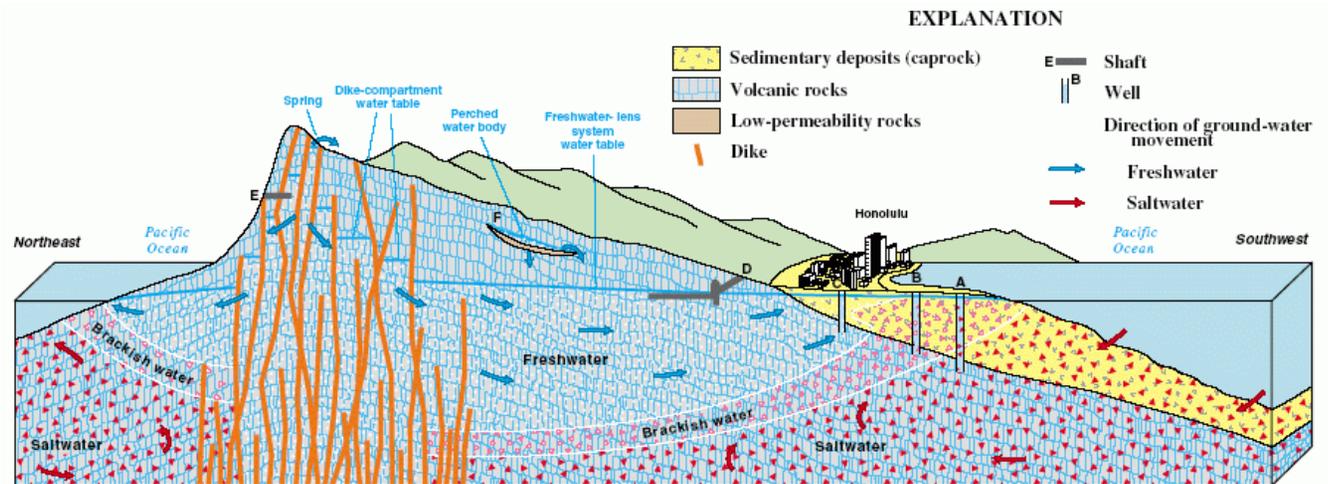


# Common law water rights

■ Riparian

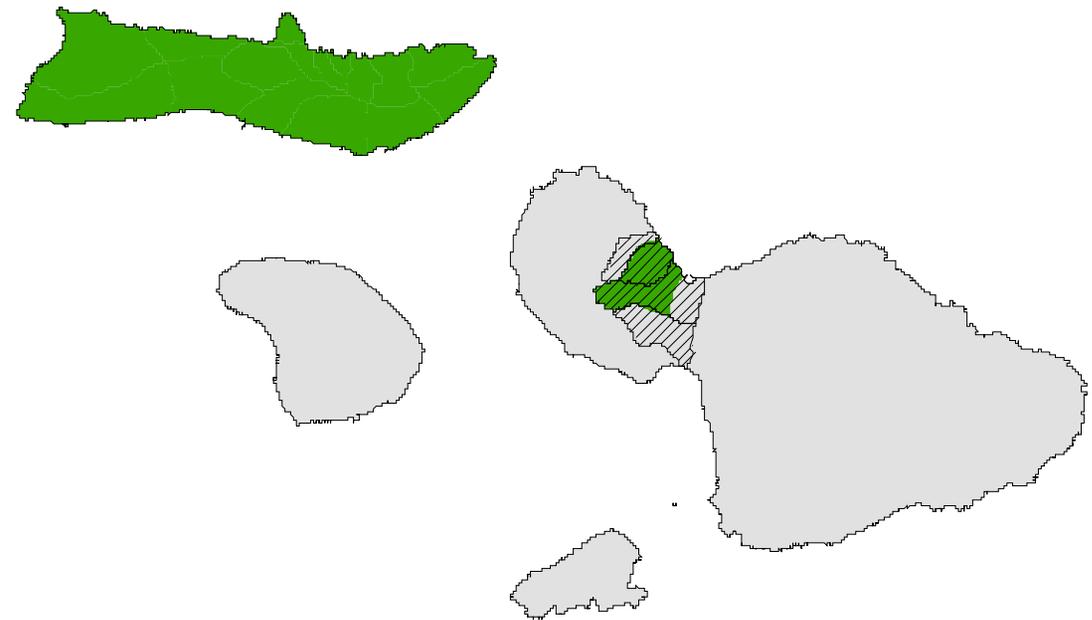


■ Correlative



# Designated Water Management Areas

-  Ground Water
-  Surface Water



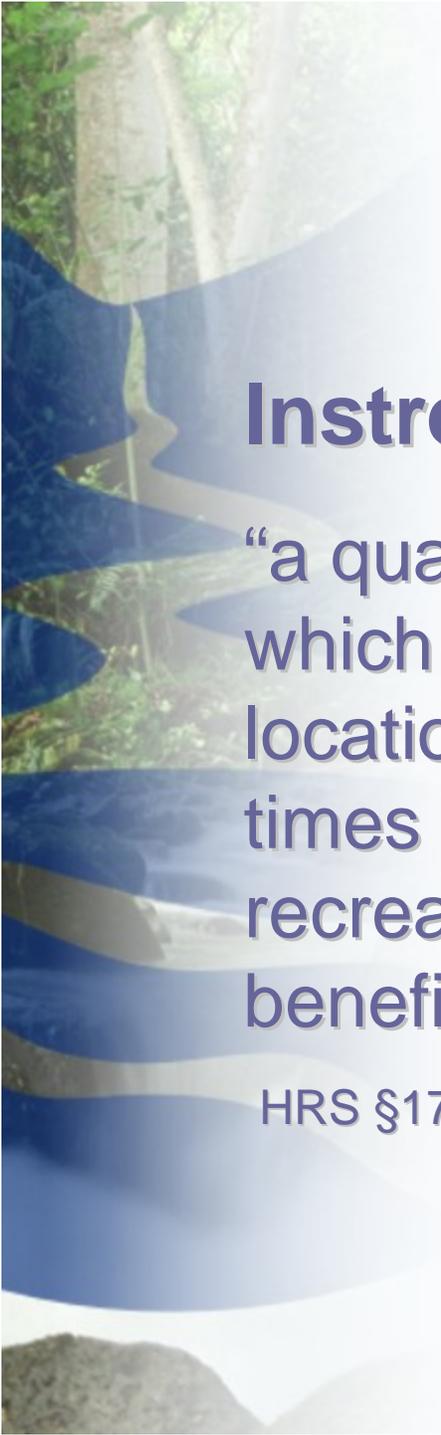
## **Sustainable yield** means...

“the maximum rate at which water may be withdrawn from a water source without impairing the utility or quality of the water source as determined by the commission”

HRS §174-3







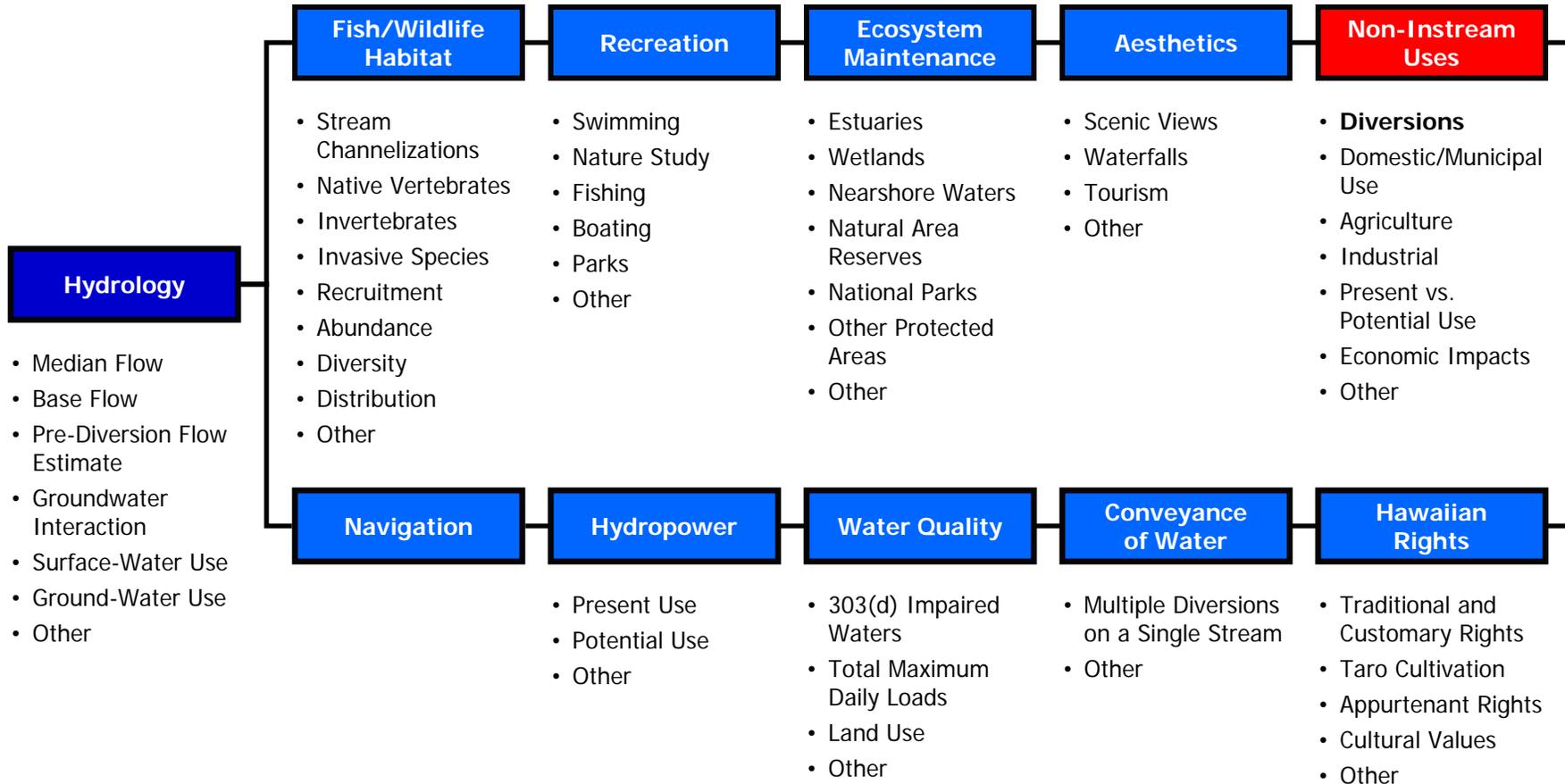
## **Instream flow standard** means...

“a quantity or flow of water or depth of water which is required to be present at a specific location in a stream at certain specified times of the year to protect fishery, wildlife, recreational, aesthetic, scenic, and other beneficial instream uses”

HRS §174-3



# Instream Flow Standard Assessment



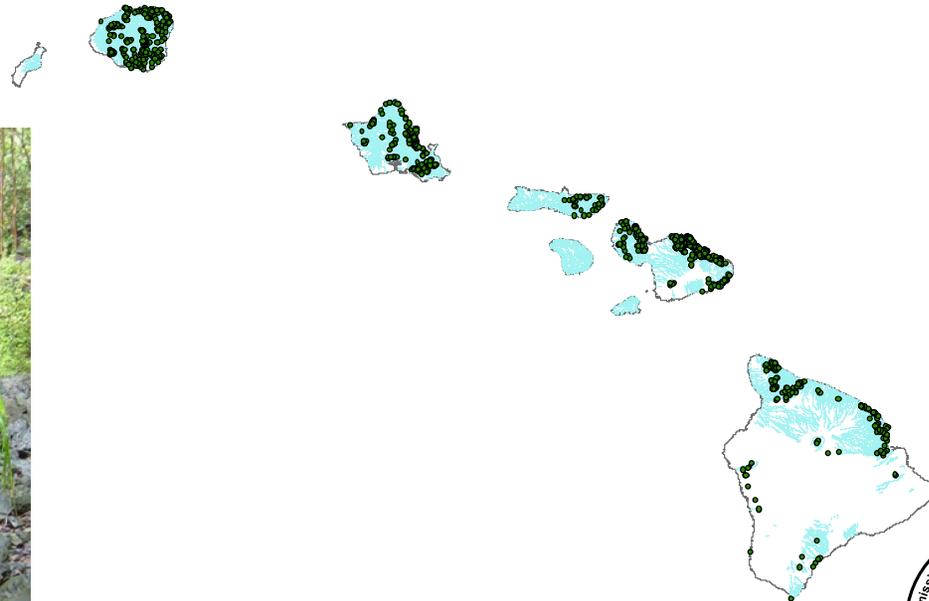
# Water Use Permitting

- Water availability
- Reasonable-beneficial use
  - Efficient & economical
  - No practical alternatives
  - No interference with any existing legal uses
  - Consistent with the public interest, state and county land use plans
- No interference with DHHL rights



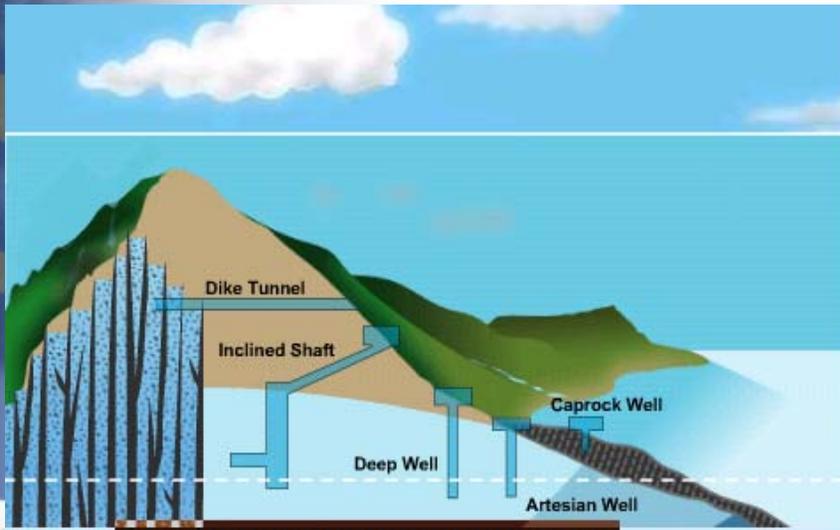
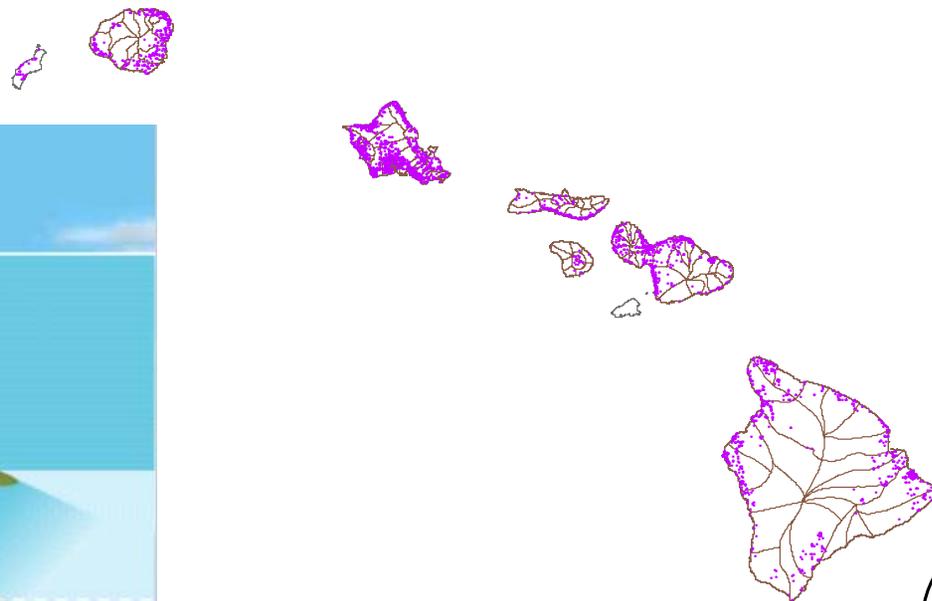
# Surface Water Permitting

- Stream Channel Alteration
- Stream Diversion Works
- Stream Diversion Works Abandonment
- IIFS Amendment

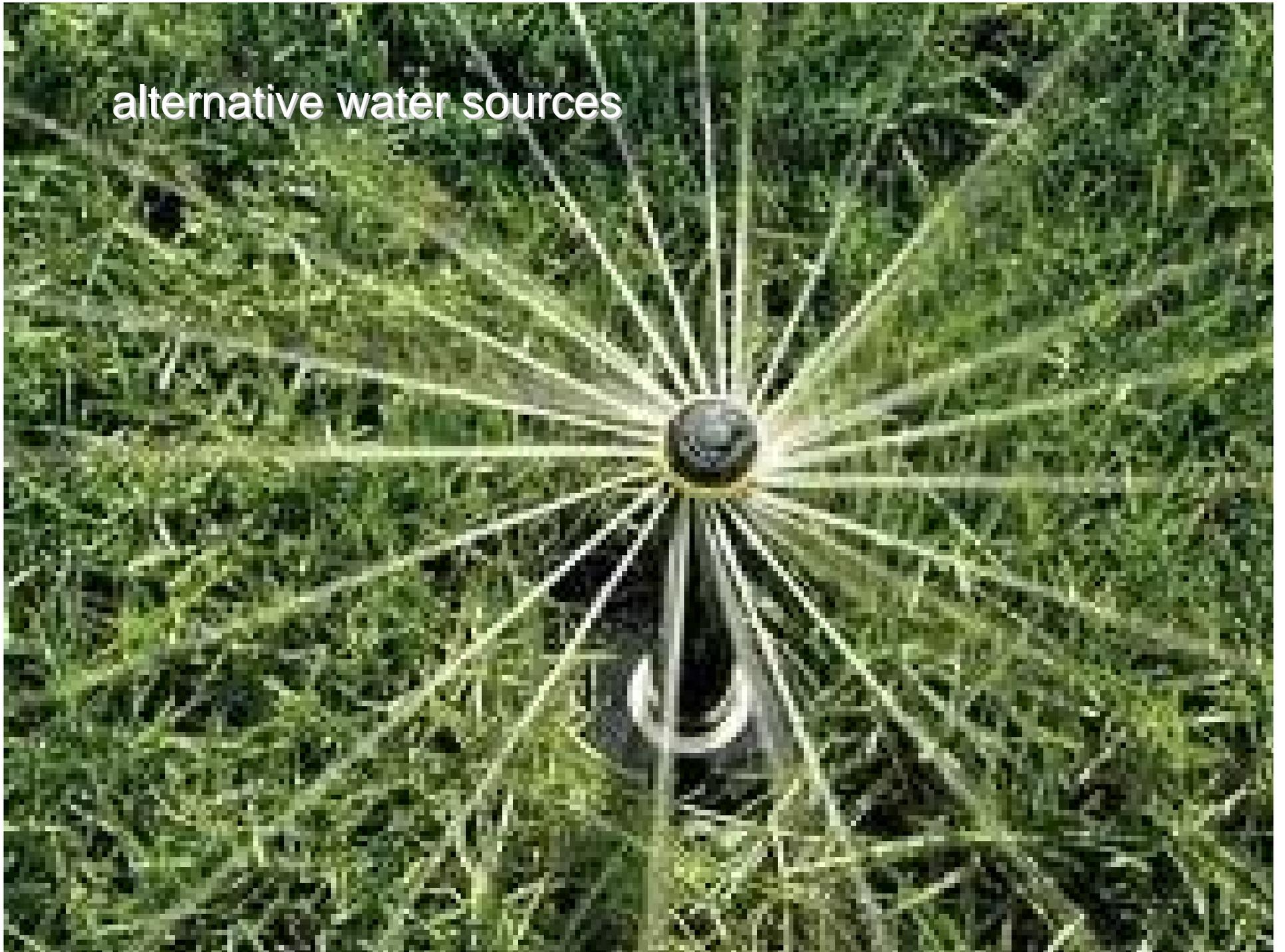


# Ground Water Permitting

- Well Construction
- Pump Installation
- Well Abandonment



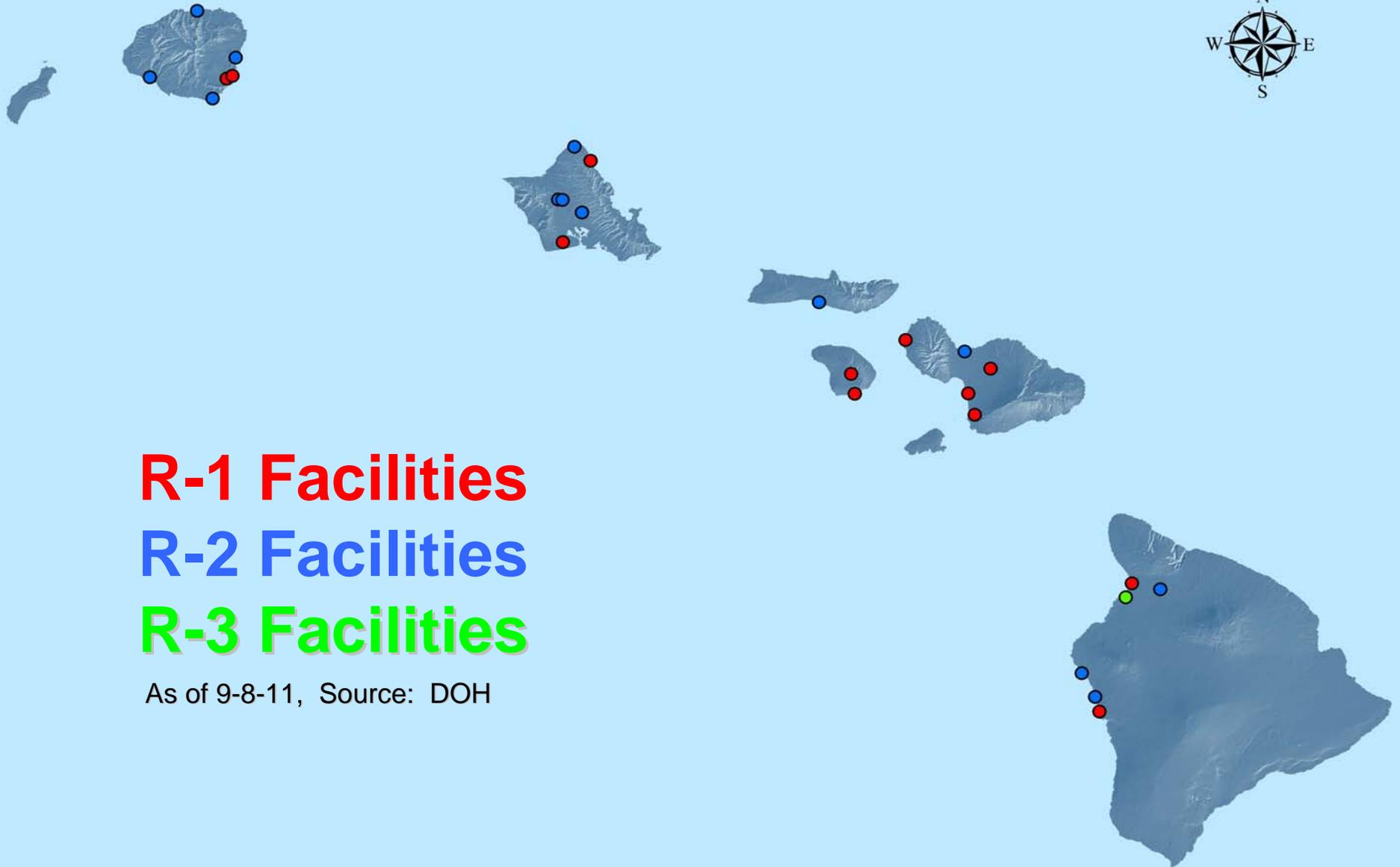
alternative water sources

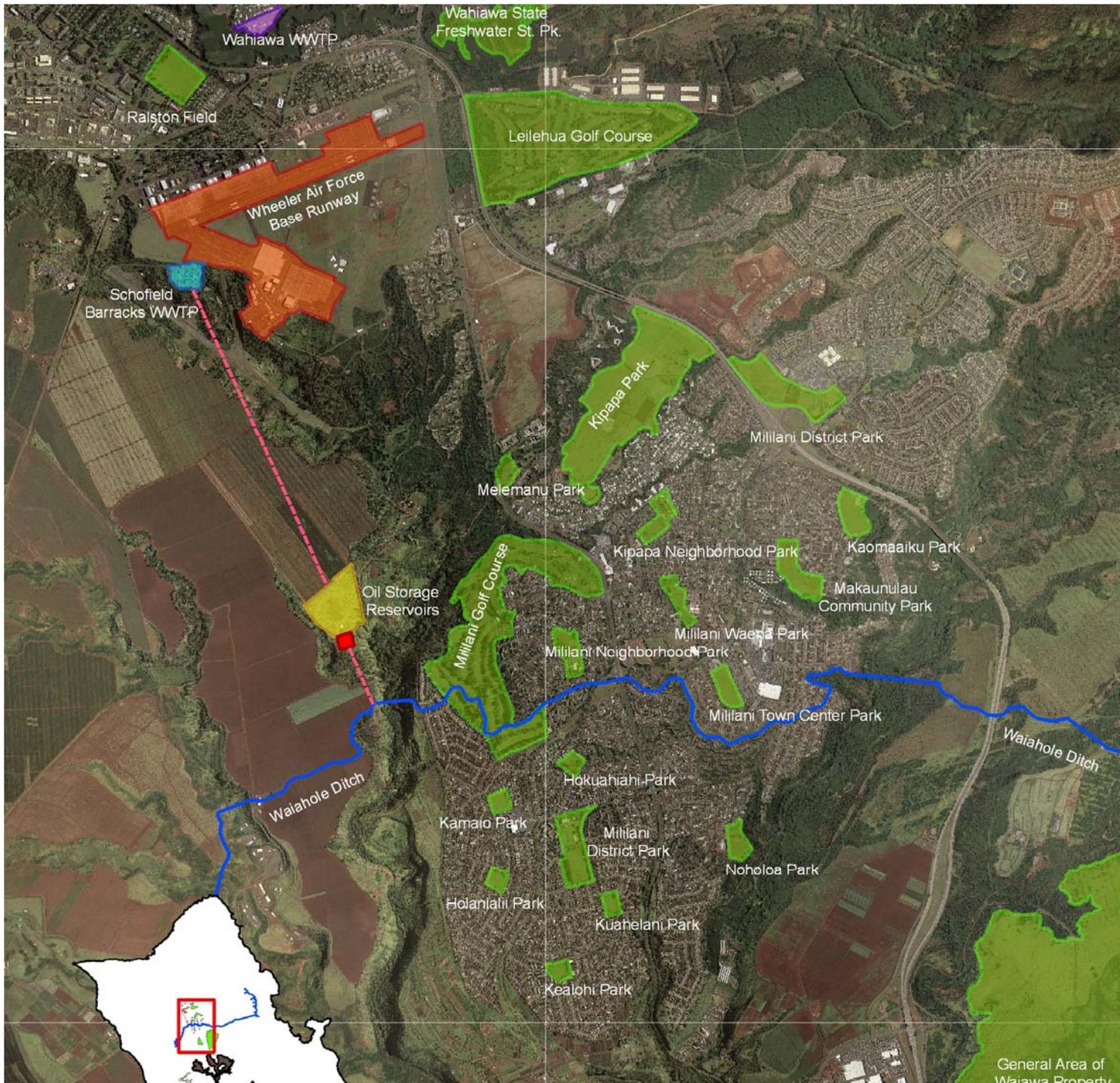




**R-1 Facilities**  
**R-2 Facilities**  
**R-3 Facilities**

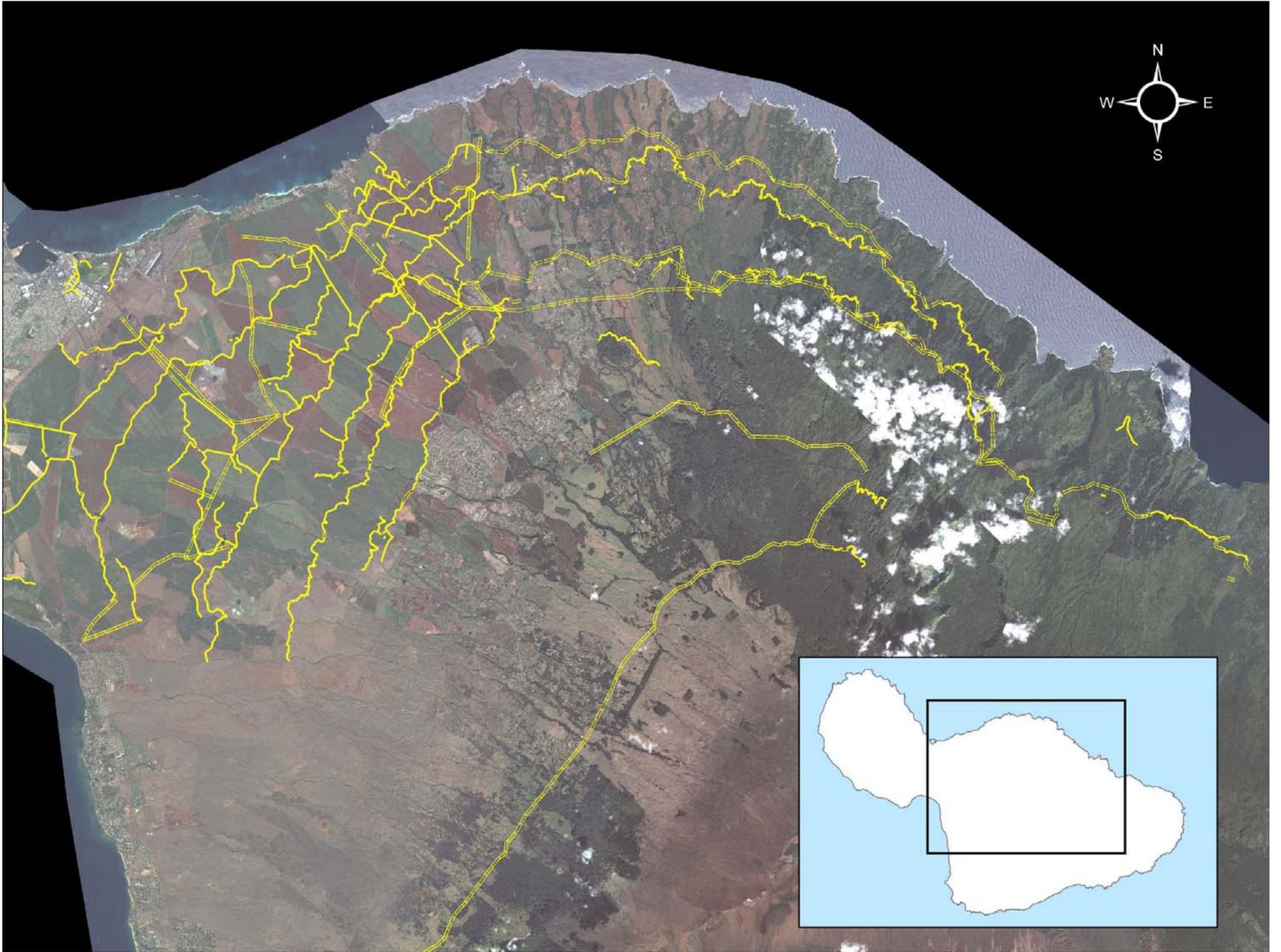
As of 9-8-11, Source: DOH





## Stormwater - Infrastructure Needs:

- Collection
- Conveyance
- Treatment
- Storage
- Distribution





flow

98-10-7

Water Resources



# Commission on Water Resource Management

Website: <http://www.hawaii.gov/dlnr/cwrn>

E-mail: [dlnr.cwrn@hawaii.gov](mailto:dlnr.cwrn@hawaii.gov)

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## COMMISSION ON WATER RESOURCE MANAGEMENT

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### Water News

The Commission is preparing to develop interim instream flow standards for five surface water hydrologic units in east Maui: Honopou, Hanehoi, Piinaau, Waiokamilo, and Wailuanui. Prior to developing the recommendations, staff at the Stream Protection and Management Branch have compiled Instream Flow Standard Assessment Reports (IFSAR) to present the best available information for each unit. Drafts of these reports are now available for public review.  
[Read more...](#)

On March 13, the Commission designated Na Wai Eha as the first surface water management area. Surface water use in these management areas are now regulated by the Commission by means of

### QUICK LINKS

- Permits & Applications
- Commission Meetings
- Water Resource Bulletin
- 2008 Water Resource Protection Plan Update
- Instream Flow Standard Assessment Reports



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