

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

March 5, 2004

**Committee
Report No.**

04-53

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Water Resources Committee, having met on February 4, 2004 and February 18, 2004, makes reference to County Communication No. 04-19, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE WAILUKU PROJECT DISTRICT C2 SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of waterline easements for the Wailuku Project District C2 Subdivision in Wailuku, Maui, portion of TMK: (2) 3-5-001:061.

At its meeting of February 4, 2004, your Committee met with the Director of Water Supply, an Engineer from the Department of Water Supply, and a Deputy Corporation Counsel.

There was no public testimony. Your Committee received an overview from the Director.

Your Committee discussed the availability of reclaimed water for irrigation. The Director indicated that reclaimed water is not currently available in the area.

Your Committee briefly discussed liability-exposure issues related to the acceptance of waterline easements. The Deputy Corporation Counsel indicated that once a waterline easement is accepted by the County, the County is liable for the waterline easement. The Deputy Corporation Counsel further indicated that other requirements imposed upon the developer should not be impacted by the acceptance of the waterline easements.

Your Committee inquired as to who is responsible for requiring the developer to comply with other responsibilities associated with the development of the project district. Your Committee also inquired as to whether the

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acceptance of the dedication of the waterline easements would trigger any other project district requirements.

Your Committee deferred the matter pending further discussion.

At its meeting of February 18, 2004, your Committee met with the Director of Water Supply and a Deputy Corporation Counsel.

There was no public testimony. Your Committee received an overview from the Director as well as a written summary and maps of the easements.

Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Water Resources Committee RECOMMENDS the following:

1. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE WAILUKU PROJECT DISTRICT C2 SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 04-19 be FILED.

Adoption of this report is respectfully requested.

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