

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004

Committee
Report No. 04-169

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

Chair and Members:

Your Water Resources Committee, having met on August 31, 2004, makes reference to the following:

1. County Communication No. 03-169, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE AINA-HAU TRACT 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 Aina-Hau Tract Subdivision in Wailuku.

2. County Communication No. 03-216, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A WATERLINE EASEMENT FOR THE MAUI LANI ISLAND AND BLUFF SUBDIVISION, PHASE III, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of a waterline easement for the Maui Lani Island and Bluff Subdivision, Phase III, in Kahului.

3. County Communication No. 03-218, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE KILOHANA MAUKA SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004
Page 2

Committee
Report No. 04-169

The purpose of the proposed resolution is to accept the dedication of waterline easements for the Kilohana Mauka Subdivision in Kihei.

4. County Communication No. 03-219, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE PALAUEA 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 Palauea Subdivision in Kihei.

5. County Communication No. 04-87, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A WATERLINE EASEMENT FOR THE KULAMALU 12-INCH TRANSMISSION LINE ADDITION PROJECT PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of a waterline easement for the Kulamalu 12-inch Transmission Line Addition Project in Makawao.

6. County Communication No. 04-88, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE MUNOZ 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 Munoz Subdivision in Kaanapali.

7. County Communication No. 04-107, from the Director of Water Supply, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE KA'ONO'ULU LOTS SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004
Page 3

Committee
Report No. 04-169

The purpose of the proposed resolution is to accept the dedication of waterline easements for the Ka'ono'ulu Lots Subdivision in Kula.

8. County Communication No. 04-199, from the Director of Water Supply, submitting the Fiscal Year 2004 Fourth Quarter Report on Waterline Easement Conveyances.

By correspondence dated June 24, 2003, the Chair of your Committee requested that the Department of the Corporation Counsel provide a revised proposed resolution for the Aina-Hau Tract Subdivision, if appropriate, after determining the following: (1) whether Tax Map Key numbers referenced in the Easements and Land Descriptions are inconsistent; (2) whether the Land Descriptions attached to the Waterline Easement (Exhibit "2"), which state that the easements run in favor of the "County of Maui, Department of Water Supply", should be changed to indicate "the County of Maui"; and (3) whether the Waterline Easement document should request that it be returned to the Department of Water Supply after recordation.

By correspondence dated August 6, 2003, the Chair of your Committee requested that the Department of the Corporation Counsel provide a response to your Committee's inquiry dated June 24, 2003 regarding the Aina-Hau Tract Subdivision.

By correspondence dated August 26, 2003, the Chair of your Committee requested that the Department of the Corporation Counsel review the attachments to the proposed resolutions for the Maui Lani Island and Bluff Subdivision, Phase III; the Kilohana Mauka Subdivision; and the Palauea Subdivision for inconsistencies and typographical errors, and either revise the documents or provide a written explanation justifying the inconsistencies

By correspondence dated January 15, 2004, the Chair of your Committee requested that the Department of the Corporation Counsel provide a response to your Committee's inquiries dated June 24, 2003 and August 6, 2003 regarding the Aina-Hau Tract Subdivision.

By correspondence dated January 15, 2004, the Chair of your Committee requested that the Department of the Corporation Counsel provide a response to your Committee's inquiries dated August 26, 2003 regarding the Maui Lani Island

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004
Page 4

Committee
Report No. 04-169

and Bluff Subdivision, Phase III; the Kilohana Mauka Subdivision; and the Palauea Subdivision.

By correspondence dated March 22, 2004, the Department of the Corporation Counsel transmitted a copy of a revised Waterline Easement document to be attached as Exhibit "2" to the proposed resolution entitled, "ACCEPTING DEDICATION OF WATERLINE EASEMENTS FOR THE AINA-HAU TRACT SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". These revisions were in response to your Committee's June 24, 2003 and August 26, 2003 requests.

By correspondence dated April 21, 2004, the Chair of your Committee transmitted correspondence dated March 29, 2004, from the Director of Water Supply, transmitting summary information sheets and location maps for the Ka'ono'ulu Lots Subdivision.

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

There was no public testimony.

The Chair of your Committee noted that Ordinance No. 3180, effective on April 19, 2004, allows the Director of Water Supply to accept the conveyance of real property interests for water storage tank lots, water reservoir sites, and easements for waterline and related improvements under certain circumstances. As such, Council action is no longer needed to accept waterline easements. The quarterly report regarding waterline easements is for informational purposes only, requiring no Council action. In the quarterly report, the Department of Water Supply indicated that the waterline easements for the Aina-Hau Tract Subdivision; Maui Lani Island and Bluff Subdivision, Phase III; Kulamalu 12-inch Transmission Line Addition Project; Munoz Subdivision; and Ka'ono'ulu Lots Subdivision have been accepted.

Your Committee discussed the status of the proposed easements for the Kilohana Mauka and Palauea Subdivisions. The Director of Water Supply indicated that these easements are still pending.

Your Committee voted to recommend filing of the communications.

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004
Page 5

Committee
Report No. 04-169

Your Water Resources Committee RECOMMENDS the following:.

1. That County Communication No. 03-169 be FILED;
2. That County Communication No. 03-216 be FILED;
3. That County Communication No. 03-218 be FILED;
4. That County Communication No. 03-219 be FILED;
5. That County Communication No. 04-87 be FILED;
6. That County Communication No. 04-88 be FILED;
7. That County Communication No. 04-107 be FILED; and
8. That County Communication No. 04-199 be FILED.

Adoption of this report is respectfully requested.

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

September 21, 2004
Page 6

Committee
Report No. 04-169

DANNY A. MATEO **Chair**

DAIN P. KANE **Member**

CHARMAINE TAVARES **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

WAYNE K. NISHIKI **Member**

G. RIKI HOKAMA **Member**

JOSEPH PONTANILLA **Member**

JO ANNE JOHNSON **Member**