

WATER RESOURCES COMMITTEE
Council of the County of Maui

Meeting Agenda

October 26, 2010
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/WR

RECORDED
2010 OCT 20 AM 9:20
OFFICE OF THE
COUNTY CLERK

VOTING MEMBERS

Michael P. Victorino, Chair
Joseph Pontanilla, Vice-Chair

Gladys C. Baisa
Sol P. Kaho'ohalahala

Danny A. Mateo
Bill Kauakea Medeiros

Michael J. Molina

NON-VOTING MEMBERS

Jo Anne Johnson
Wayne K. Nishiki

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Kimberley Willenbrink or Tammy Frias) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

WR-12

WATER AVAILABILITY

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 09-282, from the Director of Water Supply, transmitting a proposed bill amending Chapter 14.12, Maui County Code, relating to water availability.
2. Water Resources Committee Report No. 09-141 (recommitted), recommending passage on first reading of a proposed bill amending Chapter 14.12, Maui County Code, relating to water availability.
3. Correspondence dated October 19, 2010, from the Chair of the Water Resources Committee, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 14.12.030, MAUI COUNTY CODE, RELATING TO EXEMPTIONS FROM THE WATER AVAILABILITY POLICY". The purpose of the draft bill is to revise Section 14.12.030, Maui County Code, to exempt infill development, residential dwelling units developed by nonprofit organizations, and public or quasi-public construction in the Central or West Maui Water System areas.

STATUS: The Committee may consider whether to recommend passage of the draft bill, relating to exemptions from the water availability policy, on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 09-282 and Committee Report No. 09-141 (recommitted), and other related action.

WR-18 PIIHOLO SOUTH WELL (STATE WELL NO. 5118-04)

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 10-159, from Councilmember Wayne K. Nishiki, transmitting a proposed resolution to affirm a commitment by the County to provide water to Upcountry Maui residents, and to urge the Administration to negotiate a private water source agreement with Piiholo South, LLC, whereby the County would receive 100 percent of the maximum water capacity in exchange for water allocation credits.
2. A Miscellaneous Communication dated August 17, 2010, from the County Clerk, transmitting a copy of Resolution No. 10-40, entitled "URGING THE ADMINISTRATION TO NEGOTIATE A WATER SOURCE AGREEMENT WITH PIIHOLO SOUTH, LLC, RELATING TO STATE WELL NO. 5118-04 TO BENEFIT THE MOST APPLICANTS ON THE UPCOUNTRY WATER METER PRIORITY LIST", adopted on August 6, 2010, and a copy of County Communication No. 10-159. The purposes of Resolution No. 10-40 are: (1) to affirm a commitment by the County to provide water to Upcountry Maui residents; (2) to urge the Administration to negotiate a private water source agreement with Piiholo South, LLC, whereby the County would receive 100 percent of the maximum water capacity in exchange for water allocation credits; and (3) to urge the Administration to not submit proposals related to the Piiholo South Well, located in Upcountry Maui and also known as State Well No. 5118-04, until the Council has had an opportunity to discuss all potential uses of it.

STATUS: The Committee may receive an update from the Department of Water Supply concerning the County's negotiations, if any, to enter into a water source agreement with Piiholo South, LLC, relating to State Well No. 5118-04. The Committee may also consider the filing of County Communication No. 10-159 and the Miscellaneous Communication dated August 17, 2010, and other related action.

WR-16 DEVELOPMENT OF NEW SOURCES OF WATER

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 05-319, from Council Chair G. Riki Hokama, relating to the development of new sources of water.
2. Correspondence dated October 19, 2010, from the Chair of the Water Resources Committee, transmitting the following:
 - a. A memorandum of understanding ("MOU") dated December 31, 1973, between the Board of Water Supply; East Maui Irrigation Company, Ltd.; and Hawaiian Commercial and Sugar Company, a division of Alexander & Baldwin, Inc.
 - b. An MOU dated April 13, 2000, entitled "MEMORANDUM OF UNDERSTANDING CONCERNING SETTLEMENT OF WATER AND RELATED ISSUES" between the Board of Water Supply and Alexander & Baldwin, Inc.

STATUS: The Committee may discuss the MOU's with the Department of Water Supply. The Committee may also consider the filing of County Communication No. 05-319 and other related action.