

BOARD OF WATER SUPPLY
COUNTY OF MAUI

REGULAR MEETING
MINUTES OF FEBRUARY 20, 2014

The regular meeting of the Maui County Board of Water Supply was held at the Department of Planning Conference Room, 250 South High Street, Wailuku, Maui, on Thursday, February 20, 2014.

CALL TO ORDER

The meeting was called to order by Vice Chair Hoxie at 9:02 a.m.

ATTENDANCE

Members present: John W. Hoxie, Jr., Vice Chair
Patricia Eason
Donald Gerbig
Robert Joslin
James Rust
Michael Suzuki

Excused: William Kamai, Chair
Cyrus Kodani
Thomas Watanabe

Staff present: Dave Taylor, Director
Paul Meyer, Deputy Director
James Giroux, Deputy Corporation Counsel
Gaye Hayashida, Commission Support Clerk

APPROVAL OF MINUTES

Minutes of January 16, 2014

Vice Chair Hoxie asked for a motion to accept the minutes of January 16, 2014.

Motion: Member Joslin moved to accept the minutes of January 16, 2014.

Second: Member Eason.

Discussion: None.

Vote: Unanimous. Motion carried. The minutes of January 16, 2014 were accepted.

TESTIMONY FROM THE PUBLIC

No one gave public testimony at this meeting.

OTHER BUSINESS

Presentation by Department Staff on the County of Maui's Water Shortage Contingency Plan, followed by discussion and possible action by the board.

Director Taylor read MCC, Chapter 14.06, Control of Water Usage During Droughts to the board. He explained that under this chapter he must consult with the board if there is going to be a drought, though he does not need to explain to them what the department's plans are. But he has decided that today he will do a pre-consultation meeting on the plans as timing is very tight when there is a need to call a drought. The department would need at least 9 days or so before actual drought schedule starts so there won't be time for lengthy discussions on what the department plans to do.

The director then presented the department's drought plan. This plan is a mix of what they think is the right thing to do and what they can actually accomplish. A copy of the drought plan is attached to these minutes.

Member Joslin expressed his concern for the local lifestyles where there are several families living in a house and if they go over the 12,000 gallons per month (gpm) they will be heavily penalized under this current plan and asked the director if there is any way to fix this.

Director Taylor stated that there is no way to know what's happening on the customer's side of the meter, i.e., how many people are living in a house. So they must treat them all the same.

Deputy Director Meyer explained that if you are at 12,000 gpm or below then there is no restriction. If you are above that you simply need to reduce your consumption by 20% to avoid a penalty under this plan.

Member Gerbig asked how did they come up with the 12,000 gpm?

The deputy replied that is a reasonable lifeline level of water usage for a single family but it is arbitrary.

Member Joslin asked why are only the residential and ag consumers affected by this plan. What about the commercial and hotel customers?

Deputy Meyer stated that commercial customers are not affected by this plan because they do not have the ability to control their usage. Hotels, for example, do not have the ability to turn off water in the guest rooms or the restaurants; the same thing with an office building. For the most part commercial buildings and hotels are using best management practices already. Also, condominiums will not be affected by this plan because they have larger meters and are treated as commercial users.

Director Taylor explained that this ordinance, even though it is for all areas, realistically is the Upcountry Drought Plan.

Member Rust noted that the \$500 fine is a very stiff fine. What if someone only went over by 300 gallons?

The director replied that this is not about us wanting to hold water and not wanting to give it to people. This plan would only be implemented if we don't have water. The message we have to send is "we are serious." If people do not cutback then parts of the system will go dry. So having a serious "stick" is vital for this to be effective because if they have to do this then they're not kidding about it. People need to take this extremely seriously. It will not be a matter of choice.

Member Joslin noted that he has an issue with the department not spreading out the penalty of being in a drought area and only penalizing consumers with 5/8ths inch meters and ag customers. He added farmers need more water for their crops when there is a drought. He would like to see something where the department includes everybody in that area not just the homeowner or the farmer.

The deputy stated that there are not much commercial users in the Upcountry area and so the amount of water you save would be very small.

Member Rust stated that he wants to take back his comment about the \$500 fine as he now understands the seriousness of this. He agrees that if we're out of water then yes the fine is appropriate.

Director Taylor reiterated that this is not for the seasonal voluntary 10% reduction. This is mandatory, something we haven't seen in a very long time. People will still see these seasonal voluntary requests.

Motion: Member Joslin moved to have the director and staff to revise the wording in the plan to include all meters within the drought designated area.

Second: Member Rust

Discussion: Director Taylor stated that if he understands what Member Joslin said, then he understands it to mean that everyone should suffer just a little bit. He noted that the board is leaving

it up to the department on how to add that in.

Vice Chair Hoxie and Member Joslin noted that this would not only be for Upcountry but for wherever the drought is declared.

Vote: Unanimous. Motion carried. The board recommended that the department revise the wording of the plan to include all meters within the drought area.

Discussion and possible action regarding posting and hearing contested cases before the Board of Water Supply.

Pursuant to HRS §92-5(a)(4), the board went into executive session to discuss with their attorney the board's powers, duties, privileges, immunities, and liabilities regarding procedural matters on contested case hearings at 9:50 a.m.

The board reconvened in open session at 10:13 a.m.

Receipt of Board Member request for agenda items to be placed on future agendas

There were no requests for future agenda items.

DIVISION REPORT

Operational Division Reports

Director Taylor stated that it is mostly business as usual. It's raining so people are using less water. We'll just enjoy it while the rains are here.

The Hamakuapoko wells are fully operational. The water quality samples have been sent to a mainland lab for testing. As soon as the department gets verification that the raw water quality is ok and with the wells fully operational then they will begin the process of Upcountry meter issuance. They don't know how long it will take to go through the (Upcountry meter) list because they don't know how many people will accept or reject the opportunity to get a meter.

The director noted that a 5/8ths inch meter fee is now \$12,060 and does not include any offsite improvements people have to make. The meter applicant has to pay for these improvements themselves.

Member Joslin asked if the director could tell them what the total capacity of the reservoirs are.

Director Taylor explained that the capacity of the 2 Waikamoi reservoirs are 15 million gallons each, the 2 Kahakapao reservoirs are 50 million gallons each and the Piiholo reservoir is 50 million gallons.

ADJOURNMENT

There being no further business the meeting was adjourned at 10:20 a.m.

Prepared by:

Gaye Hayashida
Commission Support Clerk

Approved for distribution:

David Taylor
Director

ALAN. M. ARAKAWA
Mayor



RECEIVED

DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

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DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauewater.org

February 13, 2014

MEMORANDUM

TO: MEMBERS OF THE BOARD OF WATER SUPPLY
FROM: DAVID TAYLOR, DIRECTOR OF WATER SUPPLY
SUBJECT: DEPARTMENT OF WATER SUPPLY DROUGHT PLAN

Attached is our intended program for dealing with drought conditions. We believe it is best to have these actions ready before we actually should have need for implementing these plans. More specifically, Maui County Code, Chapter 14.06, a copy of which is attached, entitled "Control of Water Usage During Droughts" provides certain powers to the Director after consultation with the Board of Water Supply and approval by the Mayor. Our intention is to apply these powers in the following manner.

A drought would be declared by the Director after the aforementioned consultation with the Board and with the approval of the Mayor. This declaration would be published in local newspapers and broadcast media. The declaration would explain the reasons for a drought declaration and would specifically stipulate that mandatory restrictions were going into effect and the effective date. The actual circumstances and size of the reduced water consumption might vary on a case by case basis but the actions would include the following:

1. Residential customers, who limit water consumption to 12,000 gallons per month ("gpm"), will not be subject to any penalty or fine.
2. On a monthly basis, residential customers who use more than 12,000 gpm, and who do not reduce water consumption by at least 20% shall be charged with a violation and upon conviction shall be subject to a fine of not more than \$500.00 per violation. To determine compliance, current monthly consumption will be compared to a three-month average based upon actual water consumption during the most recent prior three months for which complete water use records are available.

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Members of the Board of Water Supply
February 13, 2014
Page two

3. Agricultural customers who reduce current consumption by at least 10% per month will not be subject to any violation or fine.
4. On a monthly basis, agricultural customers who do not reduce consumption by at least 10% per month shall be charged with a violation and upon conviction, shall be subject to a fine of not more than \$500.00 per violation. To determine compliance, current consumption will be compared to a three-month average based upon the actual consumption during the most recent prior three months for which complete water use records are available.
5. If the drought becomes more severe, and the 10% and 20% restrictions are not adequate, the Director may increase these to 20% and 30% and then to 30% and 40% and, 40% and 50% as may be necessary.

Lack of compliance with these mandatory restrictions may, in addition and subject to appeal to the Board of Water Supply, result in removal of the water meter of users who violate the above drought restrictions pursuant to Section 14.06.030 of Maui County Code.

Attached for your review is a sample of a press release declaring a drought which may help in framing the circumstances and understand the implementation. We felt it important to share this with you in advance of events and the need for mandatory restrictions which might occur in the summer and fall of 2014 or subsequent years.

It is our intention to satisfy the ordinance provisions by having an action plan pre-approved. A consultation with the Board will be required to issue a drought proclamation. The consultation on the action plan presented above will, however, have already occurred.

We look forward to discussing this issue and this approach at the next convenient meeting of the Board.

Attachment

xc: Paul Meyer
Jacky Takakura

Maui County, Hawaii, Code of Ordinances >> Title 14 - PUBLIC SERVICES >> Article 1. - Water* >>
Chapter 14.06 CONTROL OF WATER USAGE DURING DROUGHTS >>

Chapter 14.06 CONTROL OF WATER USAGE DURING DROUGHTS

Sections:

[14.06.010 Declaration of drought.](#)

[14.06.020 Control of water usage.](#)

[14.06.030 Violation—Penalty.](#)

14.06.010 Declaration of drought.

- A. Whenever the water supply becomes inadequate in any area in the County because of a period of drought, the director, after consultation with the board and approval by the mayor, may issue a proclamation declaring a drought to exist in such area.
- B. The declaration of drought shall be published in a newspaper of general circulation in the County at least once a month during the period of the drought.

(Ord. No. 3623, § 1, 2009)

14.06.020 Control of water usage.

- A. After a drought has been declared pursuant to this chapter, the director may restrict the use of water in the area by such appropriate schedules and measures as the director may deem proper.
- B. The schedules may restrict the use of water during certain hours or days of the week and within certain amounts.
- C. The director may prohibit the use of water for irrigation, lawns, construction, subdivision, or other types of activity and the installation of any new meter or new water service.
- D. Regular United States mail or a notice in a newspaper of general circulation may be used to inform users of the schedules and measures established by the director.

(Ord. No. 3623, § 1, 2009)

14.06.030 Violation—Penalty.

- A. Subject to the opportunity to appeal to the board pursuant to [Chapter 14.11](#) of this code, the director may remove the water meter of users who violate any of the schedules or measures established pursuant to this chapter, and shall assess the user the sum of \$100.00 for reinstallation of a removed meter.
- B. Any person violating the schedules or measures established by the director pursuant to this chapter shall be charged with a violation and, upon conviction thereof, shall be subject to a fine of not more than \$500.00 for each violation.

(Ord. No. 3623, § 1, 2009)

Alan M. Arakawa
Mayor



David S. Taylor, P.E.
Director

Paul J. Meyer
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
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November XX, 2013

PRESS RELEASE

Contact: Jacky Takakura, Administrative Officer
270-8046/jacky.takakura@co.maui.hi.us

DWS Declares Mandatory Water Reduction Upcountry Effective November 15, 2013

On October 30, 2013, the Department of Water Supply (DWS) asked for a voluntary 20% cutback in water use; however, water levels in the reservoirs have dropped to the point that Upcountry customers may run out of water if usage is not severely curtailed. The affected area includes Haiku, Makawao, Olinda, Haliimaile, Pukalani, Omaopio/Pulchu, Kula, Keokea/Waiohuli, Ulupalakua, and Kanaio.

As the Department was not able to maintain reservoir levels, customers are now subject to mandatory restrictions and the Director has declared a drought to exist effective on November 15, 2013 as follows:

1. Residential customers who limit water consumption to 300 gallons per day or 12,000 gallons per month, will not be subject to any penalty or fine.
2. Residential customers using more than 300 gallons per day or 12,000 gallons per month, who do not reduce water consumption by at least 20% shall be charged with a violation and upon conviction, shall be subject to a fine of not less than \$500 per violation. To determine compliance, current consumption will be compared to a 3-month average based on actual water consumption during the months of July, August and September of 2013.
3. Agricultural customers who reduce current consumption by at least 10% per month will not be subject to any violation or fine.
4. Agricultural customers who do not reduce consumption by at least 10% per month shall be charged with a violation and upon conviction, shall be subject to a fine of not less than \$500 per violation. To determine compliance, current consumption will be compared to a 3-month average based on actual consumption during the months of July, August, and September of 2013.

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The Department of Water Supply is an Equal Opportunity provider and employer.

Press Release –Upcountry Customers Urged to Reduce Water Usage by 20%
October 30, 2013
Page 2 of 2

Lack of compliance with these mandatory restrictions may, in addition and subject to appeal to the Board of Water Supply, result in removal of the water meter of users who violate the above drought restrictions (Section 14.06.030, Maui County Code).

The following conditions existed as of Tuesday morning, October 30, 2013:

1. **Wailoa Ditch**
Flows at the ditch this morning were at 22.4 million gallons per day (MGD) or 11.2% of capacity. For October 24 to 30, the average flow was 23.4 MGD.
2. **Kamole Water Treatment Facility**
Facility production was 4.5 million gallons (MG) for the previous 24-hour period. The annual average water production for this facility is 2.4 MGD.
3. **Piiholo Water Treatment Facility**
The Piiholo reservoir contained 27.8 MG or 55.6% of capacity. The reservoir is at a relatively safe level due to daily pumping up from the Kamole facility to the reservoir. Piiholo production averaged 2.5 MG for the past week.
4. **Waikamoi and Kahakapao Reservoirs**
The 30 MG Waikamoi Reservoirs are empty; the 100 MG Kahakapao reservoirs hold 45.1 MG of untreated water.
5. **Olinda Water Treatment Facility**
The Olinda facility was shut down in early September due to drought conditions, and is providing water to the Olinda area only. The Piiholo facility in Lower Kula currently supplies water to customers in Upper Kula.
6. **Groundwater**
Kaupakalua Well production averages 0.7 MGD. The Haiku Well currently provides 0.4 MG, and the draw from Pookela Well is 1.3 MGD. Hamakuapoko Wells are not ready for service at this time.
7. **Total Demand**
The total average demand for the Upcountry water system for the past week was 8.2 MGD. Normally, average demand is 7.1 MGD.
8. **Rainfall Forecast**
The NOAA National Weather Service prediction for the week ranges from “less than a tenth of an inch to a quarter of an inch possible” precipitation for the Makawao area for the week.

Comment [CE1]: Is this correct? Is current production 2x more than the average?

Press Release –Upcountry Customers Urged to Reduce Water Usage by 20%
October 30, 2013
Page 2 of 2

To help conserve water, consumers should check in and around homes for leaks, use water conservatively, and install water saving devices where possible. Suggested conservation methods include not washing cars, irrigating lawns or filling storage tanks or reservoirs. Decreasing outdoor water use is a simple yet significant way to reduce water consumption.

Free low-flow showerheads and leak detection dye tablets for toilets are available at One Main Plaza, Suite 102 in Wailuku. For more information on how to save water, contact the DWS at 463-3110. To report leaks in the water system, please call 270-7633.

The Department of Water Supply would like to thank the Upcountry Maui community for their continued cooperation during this challenging time.

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