

BOARD OF WATER SUPPLY
COUNTY OF MAUI

REGULAR MEETING
MINUTES OF NOVEMBER 15, 2018

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, November 15, 2018.

CALL TO ORDER

The meeting was called to order by Chair Lyons at 1:35 p.m.

ATTENDANCE

Members present: Anders Lyons, Chair
Shay Chan Hodges, Vice Chair
Joseph Aquino
R. Raymond Cabebe
Zoltan Milaskey
Michael Nakashima

Members excused: Dean Frampton
Norman Franco
Sylvia Ho

Staff present: Director Gladys Baisa
Deputy Director Shayne R. Agawa, P. E.
Eva Blumentstein, Water Resources & Planning Program
Manager
Alex DeRoode, Planner VI
Wendy Taomoto, P.E., Engineering Program Manager
Jase Miyabuchi, P.E., CE VI, District Engineer
Jennifer Oana, Deputy Corporation Counsel
Gaye Hayashida, Commission Support Clerk

APPROVAL OF MINUTES

Minutes of October 18, 2018

Chair Lyons asked for a motion to approve the minutes of October 18, 2018.

Motion: Member Milaskey moved to approve the minutes of October 18, 2018

Second: Member Nakashima

Discussion: None

Vote: Unanimous. Motion carried. The minutes of October 18, 2018 were approved.

PUBLIC TESTIMONY

Yigit Unlu, gave public testimony on the use of fire hydrants for construction purposes. He explained that current building codes and best management practices requires the use of water for dust control. The problem is getting access to water for this purpose. He wants the board to recommend the use of temporary construction meters again.

At this time, Chair Lyons moved up Discussion on Temporary Construction Meters for the Use of Dust Control.

OTHER BUSINESS

Discussion on Temporary Construction Meters for the Use of Dust Control

Chair Lyons asked staff if the department's "thought processes have progressed" since last month when this matter came up. He also asked staff to clarify the difference between a temporary meter and use of a fire hydrant for dust control.

Ms. Taomoto explained that a temporary construction meter is connected to a fire hydrant and is a measuring device to keep track of the amount of water used for temporary construction purposes. She added that after discussion with staff and the director, they felt that there was no reason why they would change their policy on dust control for construction purposes. Because the weather has been unpredictable and they don't know what the forecast for next year will be so they are hesitant to change their policy without good hard evidence.

The department received the IIFS for West Maui and the Commission on Water Resource Management (CWRM) staff is recommending that the Maui Department of Water Supply (MDWS) release .8 mgd for other stream uses. The department is also waiting for CWRM's feedback on the changes that occurred in the Honokohau Stream due to Tropical Storm Olivia. In the meantime, they are continually getting requests for additional demands for water service in West Maui. So all of these things has to be seriously reviewed, discussed and then MDWS has to move forward very cautiously.

If the department changes their policy on dust control then it just won't sit well with the fact that water will be committed for dust control which will then move the department's commitment from the Upcountry Priority List. Also, CWRM will be revisiting the Na Wai Eha contested case, so they are not sure if their pending water use permit for new use at the 'Iao Water Treatment Plant will be granted. Ms. Taomoto said she cannot make a recommendation to the director to change their policy on dust control based on the schedule for the West Maui streams and CWRM's decision for Central Maui. They are

just now starting to make headway with the Upcountry list so they don't want to over commit to something other than domestic uses.

Ms. Taomoto reminded the board members that we are having a shortage of potable water for domestic uses and the department's primary focus is to supply water for domestic use.

Chair Lyons stated that staff has not convinced him that we are adding to domestic water usage by allowing for dust control using fire hydrants as staff has said.

Member Nakashima added that domestic water would not be available if we start using it for dust control. When the department stopped issuing temporary water meters for dust control, the county took the step on trying to do R1 water which is a whole different system that needs to be developed. Even though there were hearings about it, portions of the project was stopped and that is why we're in the situation were in. He wants to see water from fire hydrants for dust control but not to point where he wouldn't have water for his home.

Vice Chair Chan Hodges asked why isn't water for dust control added into the equation of the cost of new development.

Chair Lyons agreed that it is a valid question. Even though he appreciates the analysis by staff on this matter, he has a problem with the county mandating dust control and not supporting it.

Deputy Director Agawa stated that if the department condones the use of issuing temporary meters for dust control again and then we get into a drought situation, how does the department justify to the general public that we need to conserve water for domestic use while issuing meters of dust control?

Vice Chair Chan Hodges believes we should be more aggressive on conservation. We have to look at non-potable water uses and we have to assume that if the county is successful in creating more affordable housing then obviously water use is going to go up. So we got to look at better conservation, better water re-use because this is a county mandate (dust control) and we have to be creative in working with other departments.

The chair's final comment to the department is to consider issuing meters on R1 fire hydrants or other transmission devices that use R1 water.

Discussion with Engineering Staff On How More Meters Can Be Given Out

Ms. Taomoto said staff wasn't sure whether this agenda item was for Upcountry or every system.

Chair Lyons stated that this was brought up by Member Franco who is not present for this meeting. So he asked the other members if they had questions for staff on this matter.

Member Nakashima asked if there are any problems in issuing meters for Upcountry currently.

Ms. Taomoto answered that currently there is no problem issuing meters for Upcountry. The department's average is issuing 20 meters per quarter. But she added that currently there is not enough source capacity to complete the Upcountry list.

Mr. Miyabuchi stated that typically the acceptance rate for meter offers are about 60%.

Member Cabebe asked staff, in context to the Administrative Rules §16-201, Rules Relating to Water Service and §16-202, Rules Relating to Water Meter Reservations, regarding thresholds for water systems, what is the status of the Central system and the Lahaina systems? See attached Administrative Rules.

Ms. Taomoto explained for the Central Maui system the water availability is based on a 3-year projection forecast of the maximum reliable capacity of the system which is 120,000 gallons per day (gpd) for 2018. They project that the tier will drop to 5,400 gallons per day for January 1st, 2019 based on the number of reservations for possible projects.

In reference to §16-201-03 (d), if an applicant's projected use is more than 120,000 gpd then they will be considered a large quantity of water requestor and as such they will need to provide their own water. So in 2019 the Central system will be in tier c (§16-201-03 (c)) where an applicant's request for water service from the department for new or additional uses is more than 5,400 gpd, so they will be considered a large quantity of water requestor and such they will be required to provide their own water source.

For West Maui, we are in tier c (§16-201-03 (c)), where an applicant's request for water service for new or additional uses is more than 5,400 gpd, they will be considered large quantity water user and as such they will have to provide their own water source for their own project.

Projects that are 100% affordable as defined in MCC 2.86.140 and located in the Central or West Maui water systems are exempt from these rules.

Discussion with Staff regarding County Resources to Assist Applicants on the Upcountry Meter List with the Costs for Their Project

Ms. Taomoto asked for clarification from the board as to whether they were asking if the department would help pay for the applicant's project or provide engineering assistance to the applicant.

Chair Lyons said he believes that this is about whether the department can suggest places where they could provide some sort of assistance that would reduce the overall cost of the water meter installation.

Ms. Taomoto stated that there are no water department engineering plan review fees although there is the water system development fee that they charge. To get an exemption for this in the rates and fees would require the county council's support to change the ordinance.

In order to pay for maintaining and providing water service, the water department has to get that revenue from somewhere or from someone else. So that means the department would have to raise rates for everybody.

The department already provides the applicant with engineers to review their plans. The water department engineers then make their recommendations to the applicant on what the requirements are when water for their project is available. This saves the applicant thousands of dollars in engineer plans review.

Director Baisa stated that there is bill before the council to change the turnaround period for the meter offer letters from 30 days to 60 days. Another bill before the council is to change the water meter reservations from 2 years plus two 6 months extensions to 5 years.

Ms. Oana noted that the Upcountry Meter List is on the county's website and it is updated every year so applicants are able to see where they are on the list. Also, where their property is located would give them an idea as to how much improvements they will have to do. For example, if the property is far away from the service area they have to know that it will be a million dollars or more versus a property close to a main line may not have to do any improvements.

Mr. Miyabuchi stated that on October 25th the department issued a batch of meter offer letters for 20 properties bringing the total to 60 and by the end of the year they plan to issue another batch for 20 properties. For the year it will be a total of 80 properties off the list. This will bring the November 2017 list down to 1,648 applicants by the end of this year.

UNFINISHED BUSINESS

Discussion and possible action regarding the Maui Island Water Use and Development Plan

Ms. Blumenstein said she will have an executive summary for the first meeting. Her presentation for the Hana meeting will not be much longer than 10 minutes.

The chair corrected her and said it should be "not more" than 10 minutes. He also encouraged members to download the plan onto their own electronic devices so that they may refer back to it as they go through the testimony.

Vice Chair Chan Hodges suggested that at the meeting Ms. Blumenstein should go through what the public process has been up to this point. The vice chair also suggested that on the sign in sheet for public testimony that people should also include their contact information and what on they will be speaking on.

The chair said he expects public testifiers to be familiar with the plan in advance of coming to the meetings and that they speak specifically on the plan to help the board make comments to the department.

The first meeting is scheduled for Hana on November 29, 2018. The meeting location is at the Hana Community Center, 5091 Uakea Road, Hana. It is scheduled to start at 5pm.

Discussion and possible action regarding Water Rates Including Agriculture Water Rates

Chair Lyons noted that this is a standing agenda item and the department has asked this board not to pursue this matter yet.

OTHER BUSINESS (continued)

Discussion and Explanation by Staff On the Monthly Division Reports

Director Baisa asked the members if there are any questions they may have on the Division Reports they receive monthly.

Member Milaskey stated that the previous administration gave the board an overview of what happened in the past month such what were some of the upsets, some of the maintenance challenges. The board hasn't been getting it lately. He asked Director Baisa for a summary of some of the maintenance projects and sustainable yields.

Director Baisa said that is not a problem. She added that yesterday the department staff appeared before the Council's Water Resources Committee and presented an overview of what the department is currently doing, some of challenges and issues they face and some pre-budget information. She suggested that the members try to watch it on Akaku.

The director updated the members on the waterline break on Central Avenue. The problem was no one could find the valve to shut off the water. In order to turn it off they had to turn off the water from the tanks. And if they turn off the tanks the schools, the county building and a lot of businesses would be affected. Engineering staff had to look at the plans because the lines were old and the valves may have been paved over. This is why it took so long and so many consumers were without water. By 12:30pm the water was back on but the line had to be pressurized and then it had to flushed.

The department has been working to map the valves by GPS but it is taking awhile because it was not a priority previously. She is determined to get this project done along with putting valves closer together so that it would affect less consumers when it is turned off. This is the department's priority.

Ms. Blumenstein added that her division's pumpage report which is submitted monthly will now be submitted quarterly and will include all water purveyors. It will be more work but it will be more meaningful because you may have multiple purveyors pumping from the same aquifer.

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

1. Request Environmental Management staff to report on using non-potable water for dust control and plans for recycled water distribution systems.

DIVISION REPORTS

September and October Division Operational Reports

There was no further discussion on this matter.

ADJOURNMENT

Chair Lyons reminded staff about the upcoming Hana Public Hearing on November 29, 2018. There being no further business the regular meeting was adjourned at 3:25 p.m.

Prepared by:

Gaye Hayashida
Commission Support Clerk

Approved for distribution:

Gladys C. Baisa
Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
Adoption of Title 16, Chapter 201
County of Maui Administrative Rules

1. Title 16, Chapter 201, County of Maui Administrative Rules, entitled “Rules Relating to Water Service”, is adopted to read as follows:

“COUNTY OF MAUI ADMINISTRATIVE RULES
TITLE MC-16
DEPARTMENT OF WATER SUPPLY
SUBTITLE 02
DEPARTMENT OF WATER SUPPLY
CHAPTER 201
RULES RELATING TO WATER SERVICE

§16-201-01	Purpose
§16-201-02	Scope
§16-201-03	Definitions
§16-201-04	Limitations
§16-201-05	Daily water usage
§16-201-06	Special conditions for water service

§16-201-01 Purpose. The purpose of these rules is to provide uniform handling of applications for water service. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020)

§16-201-02 Scope. All areas provided water service from the department's water system, except the upcountry system, shall be within the scope of these rules. These rules shall apply to all requests for new or additional water service from a department water system, including subdivision water service. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020)

§16-201-03 Definitions. For purposes of these rules, unless it is plainly evident from the context that a different meaning is intended, certain words and phrases are defined as follows:

"Applicant" means any person or entity applying for new or additional water service, including subdivision water service.

"Large quantities of water" means:

(a) In a department potable water system where the estimated three year forecast for water usage is within 98 percent to 100 percent of the department's maximum reliable capacity, an applicant's request for water service from the department for new or additional uses is more than 1,200 gallons per day.

(b) In a department potable water system where the estimated three year forecast for water usage is within 93 percent to 97.9 percent of the department's maximum reliable capacity, an applicant's request for water service from the department for new or additional uses is more than 3,000 gallons per day.

(c) In a department potable water system where the estimated three year forecast for water usage is within 88 percent to 92.9 percent of the department's maximum reliable capacity, an applicant's request for water service from the department for new or additional uses is more than 5,400 gallons per day.

(d) In a department potable water system where the estimated three year forecast for water usage is below 88 percent of the department's maximum reliable capacity, an applicant's request for water service from the department for new or additional uses is more than 120,000 gallons per day.

(e) The projected water usage for any new agricultural consumer is more than 10,000 gallons per day.

(f) The projected water usage is for a consumer for agricultural purposes on lands historically served by a non-potable water source or which can be reasonably served by an available alternate non-potable source, including but not limited to constructing a well, connecting to R-1 water, and using ditch, stream, or brackish water. Whether a non-potable source can reasonably serve such lands will be determined by the director in the director's sole discretion.

(g) Exceptions. The following projects shall not be considered projects using large quantities of water, provided that the water system has adequate capacity to meet the project's water needs:

(1) Residential development projects with 100 percent affordable housing units, as defined in section 2.86.140, Maui County Code, which are located within the service area of the department's central or west Maui water system.

(2) Residential workforce housing units developed by a qualified housing provider pursuant to chapter 2.96, Maui County Code, which are located within the service area of the department's central or west Maui water system.

- (3) County, state, or federal public facility projects, as defined in section 19.04.040, Maui County Code, which are located within the service area of the department's central or west Maui water system.

"Maximum reliable capacity" means the volume of water that the department determines can be reliably produced on an ongoing basis in any given department water system. Such value shall be based on engineering principles and shall take into account various uncertainties, including but not limited to, mechanical failures, human error, and weather events. Transmission and storage infrastructure are not evaluated for this determination.

"Project" means any development, including subdivisions, individual building permit activities, new water meter requests, or water meter upgrade requests.

"Special conditions" means the development and dedication to the department of water source, transmission and/or distribution pipelines, and/or storage infrastructure capable of supporting 100 percent of a project's water needs. An applicant shall be responsible to construct and install any such infrastructure improvements in accordance with the department's Water System Standards (2002), as amended, before any water meter is installed. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010)

§16-201-04 Limitations.

(a) A parcel created as a result of a subdivision that received or reserved the maximum amount of water currently allowable, under these rules, in accordance with the department's current three-year forecast and percentage of maximum reliable capacity, shall not qualify for new or additional water service for a period of three years from the date of final subdivision approval for the first subdivision created within said three year period.

(b) A parcel created as a result of a subdivision that did not receive or reserve the maximum amount of water currently allowable, under these rules, in accordance with the department's current three-year forecast and percentage of maximum reliable capacity, may qualify for new or additional water service, up to the balance of the amount of water currently allowed but not received or reserved by the subdivision and its resulting parcels.

(c) A parcel that received the maximum amount of water currently allowable, under these rules, in accordance with the department's current three-year forecast and percentage of maximum reliable capacity, shall not qualify for new or additional water service for a period of three years from the date of the last water meter installation.

(d) A parcel that reserved the maximum amount of water currently allowable, under these rules, in accordance with the department's current three-year forecast and percentage of maximum reliable capacity, shall not qualify for new or additional water service for a period of three years from the date of the department's approval of the water meter reservation.

(e) A parcel that did not receive or reserve the maximum amount of water currently allowable, under these rules, in accordance with the

department's current three-year forecast and percentage of maximum reliable capacity, may qualify for new or additional water service, up to the balance of the amount of water currently allowed but not received and reserved by said parcel. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020, MCC §14.04.010)

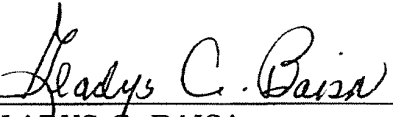
§16-201-05 Daily water usage. Calculations of daily water usage shall be based on the department's Water System Standards (2002), as amended, provided, however, for large lot subdivisions, as defined in section 18.16.270, Maui County Code, daily water usage may be based on the minimum requirement for one dwelling per lot. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020, MCC §14.04.010)

§16-201-06 Special conditions for water service. Where an extension of mains is necessary, where large quantities of water are required, or where a substantial investment by the department is necessary to provide water service to a project, an applicant will be informed by the department as to any special conditions and/or additional charges to be imposed for the water service, such that water can be delivered in adequate quantities and pressures for domestic and irrigation uses under peak conditions, and for fire protection.” [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010)


2. Chapter 201, “Rules Relating to Water Service”, shall take effect ten days after filing with the Office of the County Clerk.

Board of Water Supply
Minutes of November 15, 2018

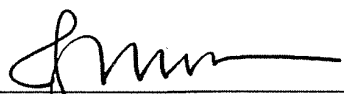
Adopted this 18th day of January, 2018, at Wailuku, Maui,
Hawaii.

By 
GLADYS C. BAISA
Deputy Director
Department of Water Supply

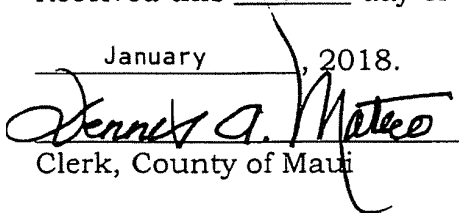
Approved this 18 day of
January, 2018.


ALAN M. ARAKAWA
Mayor, County of Maui

APPROVED AS TO FORM
AND LEGALITY:


JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui

Received this .19th day of
January, 2018.


Clerk, County of Maui

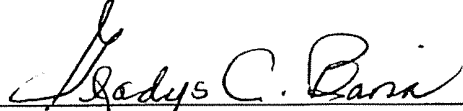
CERTIFICATION

I, GLADYS C. BAISA, Deputy Director of the Department of Water Supply, County of Maui, do hereby certify:

1. That the foregoing is a full, true, and correct copy of the rules drafted, in Ramseyer format, pursuant to the requirements of Section 91-4.1, Hawaii Revised Statutes, which were adopted on the 18th day of January, 2018, following a public hearing that closed on May 31, 2017, and filed with the Office of the County Clerk.

2. That the notice of public hearing on the foregoing rules was published in The Maui News on the 28th day of April, 2017.

COUNTY OF MAUI



GLADYS C. BAISA
Deputy Director
Department of Water Supply

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
Adoption of Title 16, Chapter 202
County of Maui Administrative Rules

1. Title 16, Chapter 202, County of Maui Administrative Rules, entitled “Rules Relating to Water Meter Reservations”, is adopted to read as follows:

“COUNTY OF MAUI ADMINISTRATIVE RULES

TITLE MC-16

DEPARTMENT OF WATER SUPPLY

SUBTITLE 02

DEPARTMENT OF WATER SUPPLY

CHAPTER 202

RULES RELATING TO WATER METER RESERVATIONS

§16-202-01	Purpose
§16-202-02	Scope
§16-202-03	Definitions
§16-202-04	Application
§16-202-05	One reservation per project
§16-202-06	Tax map key
§16-202-07	When the director may grant a water meter reservation
§16-202-08	When the director shall not grant a water meter reservation
§16-202-09	Land use entitlements required
§16-202-10	Payment for a water meter reservation
§16-202-11	Modification of an existing water meter reservation
§16-202-12	Expiration of a water meter reservation
§16-202-13	Payment for a water meter upon installation

§16-202-01 Purpose. The purpose of these rules is to establish guidelines for requests for water meter reservations. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020, MCC §14.07.090)

§16-202-02 Scope. All areas provided water service from the department's water system, except the upcountry system, shall be within the scope of these rules. These rules shall apply to all requests for new or additional water service from a department water system, including subdivision water service. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.01.020)

§16-202-03 Definitions. For purposes of these rules, unless it is plainly evident from the context that a different meaning is intended, certain words and phrases are defined as follows:

"Applicant" means any person or entity applying for new or additional water service, including subdivision water service.

"Large quantities of water" means large quantities of water as defined in section 16-201-03, County of Maui Administrative Rules.

"Project" means any development, including subdivisions, individual building permit activities, new water meter requests, or water meter upgrade requests.

"Ready for water service" means that the applicant is able to accept installation of water service because the water system improvements required by the department have been installed and have passed final inspection by the department.

"Water meter reservation" means a written commitment by the department executed by the director indicating that the proposed project will be provided source or service. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010, MCC §14.07.090)

§16-202-04 Application. An applicant may apply for and the director may grant a water meter reservation to an applicant upon proper application prescribed by the department, the payment of the fees and costs associated with the water meter, and subject to these rules. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-05 One reservation per project. There shall be one water meter reservation for each project. There may be multiple water meters for each water meter reservation. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-06 Tax map key. A water meter reservation shall be reserved for a certain parcel of real property as identified by its tax map key number. A water meter reservation is not transferrable to another parcel of real property or to another person or entity for a parcel of real property other than the parcel the

water meter reservation was reserved for. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-07 When the director may grant a water meter reservation. The director may grant a water meter reservation for a project only if the applicant is not requesting large quantities of water. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010, MCC §14.07.090)

§16-202-08 When the director shall not grant a water meter reservation. The director shall not grant a water meter reservation for any project when the projected water usage for that project amounts to large quantities of water. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010, MCC §14.07.090)

§16-202-09 Land use entitlements required. An applicant shall not be eligible to apply for a water meter reservation until the applicant obtains all required land use entitlements for the project, including but not limited to, any change of zoning, community plan amendment, state land use district classification amendment, special management area use permit, and project district phase I County council approval. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-10 Payment for a water meter reservation. Whenever the director grants a water meter reservation, the applicant shall pay the fees and costs associated with the water meter, as set forth in the annual budget. Such fees and costs are non-refundable. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-11 Modification of an existing water meter reservation. If an applicant requests to modify an existing water meter reservation, such as increasing the projected water usage for a project, the director shall make a new determination based on the entire project as to the department's current three-year forecast and percentage of maximum reliable capacity and whether the requested cumulative amount of water amounts to large quantities of water. If the requested cumulative amount of water for the entire project amounts to large quantities of water, the existing water meter reservation shall not be modified. If the requested cumulative amount of water for the entire project does not amount to large quantities of water, the water meter reservation shall be modified as requested. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.04.010, MCC §14.07.090)

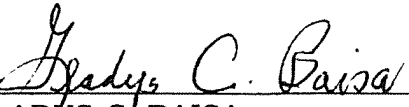
§16-202-12 Expiration of a water meter reservation. The duration of a water meter reservation shall not exceed two years from the date of the department's approval of the water meter reservation, plus two six-month extensions, each for good cause shown and approved by the director, provided that water service source capacity is available. If within two years, or longer with extension(s), the applicant is ready for water service, the applicant shall apply for such water service with the department; provided, however, that a water meter shall not be installed until all required documents, including but not limited to, required easements, agreements, and cost-list affidavits have been completed and approved by the department. If within two years, or longer with extension(s), the required water system improvements related to the water meter reserved have not been installed and have not passed final inspection by the department, the water meter reservation shall expire and shall be deemed null and void. At the expiration of a water meter reservation, all fees and costs paid for the water meter reservation pursuant to section 16-202-10, County of Maui Administrative Rules, shall be forfeited to the department and shall not be refunded to the applicant. No credit of any kind shall be given toward any future application. In the event there has been a modification of an existing water meter reservation, the water meters covered under the original water meter reservation shall expire within two years, or longer with extension(s), from the date of the department's approval of the original water meter reservation and the water meters added under the modification of the water meter reservation shall expire within two years, or longer with extension(s), from the date of the department's approval of the modified water meter reservation. [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

§16-202-13 Payment for a water meter upon installation. At the time of installation of a water meter, if the fees and costs associated with the water meter have increased from the date of the department's approval of the water meter reservation, the applicant shall pay the difference to the department based on the fees and costs associated with the water meter then in effect at the time the water meter is installed, provided, however, that no credit or refund shall be given to an applicant if the fees and costs paid by the applicant at the time the water meter reservation was issued is greater than the fees and costs at the time of installation." [Eff 01/29/18] (Auth: HRS §91-2, HRS §91-3, MCC §14.01.030) (Imp: MCC §14.07.090)

2. Chapter 202, "Rules Relating to Water Meter Reservations", shall take effect ten days after filing with the Office of the County Clerk.

Board of Water Supply
Minutes of November 15, 2018

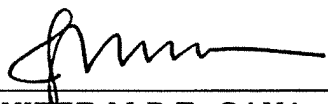
Adopted this 18th day of January, 2018, at Wailuku, Maui,
Hawaii.

By 
GLADYS C. BAISA
Deputy Director
Department of Water Supply

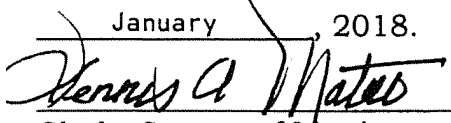
Approved this 18 day of
January, 2018.


ALAN M. ARAKAWA
Mayor, County of Maui

APPROVED AS TO FORM
AND LEGALITY:


JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui

Received this 19th day of
January, 2018.


Dennis A. Mates
Clerk, County of Maui

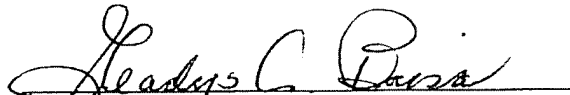
CERTIFICATION

I, GLADYS C. BAISA, Deputy Director of the Department of Water Supply, County of Maui, do hereby certify:

1. That the foregoing is a full, true, and correct copy of the rules drafted, in Ramseyer format, pursuant to the requirements of Section 91-4.1, Hawaii Revised Statutes, which were adopted on the 18th day of January, 2018, following a public hearing that closed on May 31, 2017, and filed with the Office of the County Clerk.

2. That the notice of public hearing on the foregoing rules was published in The Maui News on the 28th day of April, 2017.

COUNTY OF MAUI

A handwritten signature in cursive script, reading "Gladys C. Baisa", written over a horizontal line.

GLADYS C. BAISA
Deputy Director
Department of Water Supply

Board of Water Supply
Minutes of November 15, 2018