

WATER RESOURCES COMMITTEE

Council of the County of Maui

Meeting Agenda

September 17, 2007

9:00 a.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/WR/

e-mail: wr.committee@mauicounty.us

COMMITTEE MEMBERS

Michelle Anderson, Chair

Michael P. Victorino, Vice-Chair

Gladys C. Baisa

Danny A. Mateo

Joseph Pontanilla

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 Clarita Balala) 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 by 12 noon on the business day preceding 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.

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WR-13 PROHIBITING DEVELOPMENT PROJECTS WITHOUT A LONG-TERM RELIABLE SOURCE OF WATER

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 05-271, from Councilmember Dain P. Kane, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 18.04.020, MAUI COUNTY CODE, RELATING TO GENERAL PROVISIONS". The purpose of the proposed bill is to prohibit subdivisions without a long-term, reliable source of water.
2. Correspondence dated August 29, 2007, from the Department of the Corporation Counsel, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.01, MAUI COUNTY CODE, RELATING TO NATIVE HAWAIIAN WATER RIGHTS". The purpose of the proposed bill is to amend the County Water Code to exempt rights and entitlements to water provided for by the Hawaiian Homes Commission Act, 1920, as amended, from the County Water Code.

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3. Correspondence dated September 10, 2007, from the Department of the Corporation Counsel, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING ARTICLE 1 OF TITLE 14, MAUI COUNTY CODE, AND TITLE 18, MAUI COUNTY CODE, RELATING TO WATER AVAILABILITY". The purpose of the draft bill is to verify the availability of a long-term, reliable source of water of at least 20 years prior to subdivision approval.

STATUS: The Committee may consider whether to recommend passage of the draft bill transmitted by the Department of the Corporation Counsel on August 29, 2007 and the proposed bill transmitted by the Department of the Corporation Counsel on September 10, 2007 on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 05-271 and other related action.

WR-1 WATER SUPPLY RULES

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 05-46, from Councilmember Michelle Anderson, relating to Water Supply Rules.
2. Correspondence dated October 11, 2006, from the Department of the Corporation Counsel, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO PUBLIC SERVICES". The purpose of the draft bill is to codify rules and regulations of the Department of Water Supply.
3. Correspondence dated June 29, 2007, from the Council Chair, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE RELATED TO DROUGHT DECLARATIONS". The purpose of the draft bill is to codify Department of Water Supply drought regulations.
4. Correspondence dated July 20, 2007, from the Department of the Corporation Counsel, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO PUBLIC SERVICES". The purpose of the draft bill is to establish Chapter 14.10, entitled "Water Rates and Fees".

STATUS: The Committee shall continue its review of the rules of the Board of Water Supply and the Department of Water Supply and recommendations received from the Department of Public Works, the Board of Water Supply, and the Department of Fire and Public Safety. The Committee may also consider regulations regarding drought declarations and water rates and fees. The Committee may consider whether to recommend passage of the draft bills on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 05-46 and other related action.

WR-4 WATER USE AND DEVELOPMENT PLAN

DESCRIPTION: The Committee is in receipt of County Communication No. 05-38, from Councilmember Michelle Anderson, relating to the Water Use and Development Plan required by Chapter 2.88A, Maui County Code, and Chapter 174C, Hawaii Revised Statutes (State Water Code).

STATUS: The Committee may discuss water source availability in the County of Maui as it relates to the updated Water Use and Development Plan.

WR-28 WATER QUALITY

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 06-182, from Councilmember Michelle Anderson, transmitting a copy of a United States Environmental Protection Agency (EPA) document relating to water quality.

2. Correspondence dated August 23, 2007, from the Council Chair, transmitting a copy of his letter dated August 23, 2007, to the Director of Water Supply, requesting that the Director comment on the EPA's proposed drinking water treatment and distribution optimization study. The correspondence attaches the following: (1) Resolution No. 06-117, entitled "REQUESTING A REVIEW WORKSHOP ON THE BOYLE STUDY ON CONTAMINATION IN THE UPCOUNTRY MAUI WATER SUPPLY"; (2) Resolution No. 06-118, entitled "REQUESTING A COMPREHENSIVE PERFORMANCE EVALUATION OF THE UPCOUNTRY MAUI WATER SYSTEMS, INCLUDING SURFACE WATER TREATMENT PLANTS"; (3) a copy of a letter from Alexis Strauss, Director, Water Division, EPA, to the Mayor, recommending that an optimization study be conducted, rather than a comprehensive performance evaluation; and (4) draft work plans dated July 7, 2007, and August 15, 2007, respectively.

STATUS: The Committee may discuss the EPA's proposal and work plans and the Department of Water Supply's water source assessment data.

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