



BOARD OF WATER SUPPLY
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Board of Water Supply
Rules Committee

Minutes of August 12, 2004 Meeting

Held at the Kahului Shopping Center
65 West Kaahumanu Avenue, Unit 29
Kahului, Maui, Hawaii.

Present: Sally Raisbeck, Ralph Johansen, Kenneth Okamura, Michael Victorino (alternate)
Absent: Michele McLean (alternate)

Two members of the public present: Hugh Starr and Dick Mayer

CALL TO ORDER by Sally Raisbeck at 3:08 pm in the BWS meeting room at Kahului Shopping Center. The meeting was audiotaped.

APPROVAL OF MINUTES. Mike Victorino moved to approve the minutes seconded by Ralph Johansen. Approved.

PUBLIC TESTIMONY: Dick Mayer testified regarding the Upcountry Water Meter List. Said that meters were being given out Upcountry, 1500 at a time, with no increase in the reservoir capacity, and he was concerned about existing users, both farmers and residences, who have been told that there is a problem during drought situations. Stated that Hawaiian Homelands has just issued an EIS where they're going to go out with several hundred more meters that they will be putting on their thing. Asked that rule be reviewed in light of the Department's inability to guarantee that the existing people have adequate water let alone additional hundreds of new meters being put on line.

Mike Victorino stated that not enough forethought has been given before issuing meters, because Hawaiian Homes has priority, and that Pookela is not on line yet. Said that they need to go over the rules to get them in a format that can be more easily understood by the special Counsel and the Council.

Sally Raisbeck asked if the committee should ask questions about how many meters will be required for Hawaiian Homes, and how many are there reserved. Discussion regarding costs of pumping Upcountry by Mike Victorino, Sally Raisbeck, and Dick Mayer.

Mike Victorino asked that Dick Mayer call Cathy Howard, Board Secretary, and ask to be put on the Board agenda so that he could testify before the whole board.

UNFINISHED BUSINESS:

Continue review of Board functions in present Department Rules. Discussion. Focus on Chapter 106, Water Meter Issuance Rule for Upcountry Water System

Sally Raisbeck stated that she talked to George and said that she asked Herb Chang about how can it be on-site improvements, whether located within, on, or outside the subdivision. Chapter 106, Definitions, Section 16-106-03. Discussion of clarification of what on-site improvements were. Said that term "priority list" may be better stated "waiting list," as it does not include the true priorities. Mike Victorino stated that they should not change the wording midstream to cause confusion at this time. Sally discussed the two groups who had 60 days to come in to get meters prior to going through the list. Exceptions were also discussed, and that Hawaiian Homelands has priority due to state statute. Wanted to know if it should be acknowledged within the rules.

Sally Raisbeck said that she thought there needed to be another paragraph regarding who has authority to make agreements about source credits. Mike Victorino stated he thought it should be left with the Department. Sally stated it may be the Director with approval by "xyz." Maybe they could leave the approval of waivers with the Director and approval by a 2/3 vote of the Board.

Mike Victorino asked if Sally would be able to get the rule going in Word form with the changes discussed. Sally Raisbeck said that she was willing to draft something up, and hopefully have Herb Chang at the meeting to clarify the questions they had. Kenneth Okamura suggested that it would be easier without all the brackets. Sally mentioned that they could include a commentary in italics to simplify their suggestions.

Discussed how to add proposed rule amendment recommendation to the Board agenda.

Discussed Council Water Resources Committee meeting agenda.

ADJOURN (No time was given on tape.)