

WATER RESOURCES COMMITTEE

Council of the County of Maui

Meeting Agenda

August 2, 2006

9:00 a.m.

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

website: <http://www.co.maui.hi.us/committees/WR/>
e-mail: wr.committee@mauicounty.us

COMMITTEE MEMBERS

Michelle Anderson, Chair

Charmaine Tavares, Vice-Chair

Robert Carroll

Jo Anne Johnson

Dain P. Kane

Michael J. Molina

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 (David Raatz or Pauline Martins) 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.

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WR-27 ACCESS THROUGH THE HANS MICHEL PROPERTY FOR MAINTENANCE AND OPERATION OF KANAHA VALLEY STREAM

DESCRIPTION: The Committee is in receipt of County Communication No. 06-160, from Councilmember Jo Anne Johnson, regarding access through the Hans Michel property, 1404 Olona Place, Lahaina, Maui, for maintenance and operation of the Kanaha Valley Stream.

STATUS: The Committee may receive an overview of this matter from the Department of Water Supply. The Committee may also consider the filing of County Communication No. 06-182 and other related action.

WR-4 WATER USE AND DEVELOPMENT PLAN

DESCRIPTION: The Committee is in receipt of the following:
1. 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).

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2. Correspondence dated June 21, 2006, from the Chair of the Committee, transmitting a revised draft bill entitled "A BILL FOR AN ORDINANCE REQUIRING COUNCIL APPROVAL OF WATER SOURCE DEVELOPMENT AGREEMENTS WITH PRIVATE ENTITIES TO DEVELOP WATER RESOURCES". The purpose of the revised draft bill is to require Council approval of water source development agreements with private entities to develop water resources.

STATUS: The Committee may receive an update from the Department of Water Supply regarding ongoing water resource projects. The Committee may also consider whether to recommend passage of the revised draft bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication No. 05-38 and other related action.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee, pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS), and to deliberate concerning the authority of persons designated to negotiate the acquisition of public property, pursuant to Section 92-5(a)(3), HRS.

WR-2 PROCEDURE FOR WATER ALLOCATION

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 05-41, from Councilmember Michelle Anderson, relating to the procedure for water allocation.
2. A revised draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE ENACTMENT OF WATER ALLOCATION PLANS" (distributed on September 14, 2005). The purpose of the revised draft bill is to establish a procedure for the enactment of water allocation plans and to provide priority water allocation for affordable housing projects.

STATUS: The Committee may consider whether to recommend passage of the revised draft bill on first reading, with or without further revisions. The Committee may also consider the filing of County Communication No. 05-41 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 February 9, 2005, from the Chair of the Committee, transmitting a document entitled "Rules and Regulations of the Department of Water Supply" <<http://www.mauiwater.org/rules.html>>.
3. Recommended Water Resources Committee Report No. 06-59, dated April 21, 2006, recommending passage on first reading of a proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 2.88A, MAUI COUNTY CODE, AND AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO THE COUNTY WATER CODE". The purpose of the proposed bill is to establish the County Water Code in Article 1 in Title 14 of the Maui County Code, including a provision that water from wells located in a contaminated aquifer underneath active agriculture shall not be provided for human consumption.

STATUS: The Committee may discuss the progress of codifying the Rules and Regulations of the Department of Water Supply, as well as the proposed bill, focusing on the prohibited use of water from a contaminated aquifer for human consumption. The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 05-46 and Committee Report No. 06-59 and other related action.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee, pursuant to Section 92-5(a)(4), HRS.