

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

December 19, 2006

**Committee
Report No.**

06-175

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Water Resources Committee, having met on November 29, 2006, makes reference to the referrals noted on Exhibit "A", attached hereto and incorporated herein.

At its meeting, your Committee met with a Deputy Corporation Counsel.

Your Committee received public testimony from one person. He commended your Committee for its work during the 2005-2007 Council term and expressed hope that the 2007-2009 Council would make further progress in addressing pressing policy issues relating to water resources.

Your Committee noted that the end of the current Council term was approaching. In preparation for the new Council term, the Chair of your Committee recommended that certain pending matters be referred to the Council Chair for the term beginning January 2, 2007, pursuant to the following provision of the Rules of the Council:

Sec. 19. Filing of Items.

A. At the expiration of a Council term, all items pending before the Council and its committees shall be deemed filed and disposed of; provided that the following items shall be deemed referred to the Council Chair for the ensuing term, for consideration by the Council:

1. an item transmitted by another governmental agency to the Council, pursuant to a legal requirement, for Council action;
2. pending legislation that has passed only one of the required readings; and

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3. subject to Council approval, items recommended for referral by the Council Chair for matters pending before the Council, and items recommended for referral by a committee chair with the approval of that committee for matters pending before that chair's committee.

B. This provision shall not prevent the resubmittal of any matter to the Council in a subsequent term, for consideration as a new item.

After due consideration, the recommendation of the Chair of your Committee was approved.

Your Water Resources Committee RECOMMENDS that all communications noted on Exhibit "A" be REFERRED to the Council Chair for the term beginning January 2, 2007.

Adoption of this report is respectfully requested.

wr:cr:06end:dmr

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MICHELLE ANDERSON **Chair**

DAIN P. KANE **Member**

CHARMAINE TAVARES **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

JOSEPH PONTANILLA **Member**

JO ANNE JOHNSON **Member**

EXHIBIT “A”

WR-1 WATER SUPPLY RULES

- Jan. 21/05 C.C. 05-46 Councilmember Anderson, relating to the matter of the Water Supply Rules.
- Sep. 1/06 C.C. 06-228 Director of Water Supply, transmitting the 2005 Groundwater Contamination Maps for the State of Hawaii.

WR-2 PROCEDURE FOR WATER ALLOCATION

- Jan. 21/05 C.C. 05-41 Councilmember Anderson, relating to the matter of the procedure for water allocation.

WR-3 WATER ADDITIVES

- Jan. 21/05 C.C. 05-39 Councilmember Anderson, relating to the matter of the prohibition of additives to water supplies used for public purposes.

WR-4 WATER USE AND DEVELOPMENT PLAN

- Jan. 21/05 C.C. 05-38 Councilmember Anderson, relating to the matter of the Water Use and Development Plan (Chapter 2.88A, Maui County Code).

WR-8 IAO AND WAIHEE AQUIFER SYSTEMS

- Jan. 21/05 C.C. 05-47 Councilmember Anderson, relating to the matter of the status of Iao and Waihee Aquifer systems designation.

WR-9 UPCOUNTRY LEAD-CONTROL PROGRAM

- Jan. 21/05 C.C. 05-45 Councilmember Anderson, relating to the matter of the Upcountry lead-control program implemented by the Department of Water Supply.

WR-10 SCIENTIFIC STUDIES FOR NA WAI EHA

Mar. 11/05 C.C. 05-115 Councilmember Anderson, relating to the matter of scientific studies for Waihee, Waiehu, Iao, and Waikapu streams and their tributaries (collectively known as Na Wai Eha).

WR-12 POOKELA WELL

Jan. 21/05 C.C. 05-44 Councilmember Anderson, relating to the matter of the status of the Pookela well.

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

Aug. 23/05 C.C. 05-271 Councilmember Kane, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 18.04.020, MAUI COUNTY CODE, RELATING TO GENERAL PROVISIONS".

WR-14 WATER-CONSERVATION PLAN

Aug. 23/05 C.C. 05-273 Councilmember Kane, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE RELATING TO A WATER-CONSERVATION PLAN".

Jun. 9/06 C.C. 06-166 Councilmember Anderson, transmitting a PowerPoint presentation entitled "Working Together to Conserve Precious Water Through Innovation".

**WR-15 CONSTRUCTION AND MAINTENANCE
REQUIREMENTS FOR PRIVATE WATER SYSTEMS**

Sep. 16/05 MISC. County Clerk, referring the matter relating to construction and maintenance requirements for private water systems.

WR-16 DEVELOPMENT OF NEW SOURCES OF WATER

Oct. 7/05 C.C. 05-319 Ltr. from Council Chair, relating to the development of new sources of water.

WR-17 INSTALLATION OF WATERLINE ON UPPER ULUMALU ROAD (HAIKU)

Oct. 7/05 C.C. 05-320 Ltr. from Councilmember Molina, relating to the alleged erosion of certain sections of Upper Ulumalu Road due to the County's installation of a waterline under the road.

WR-18 MAUI TOMORROW V. STATE; NA MOKU AUPUNI O KO'OLAUI HUI V. STATE

Jan. 21/05 C.C. 05-48 Councilmember Anderson, relating to the matter of the consolidated cases of Maui Tomorrow v. State of Hawaii, et al., Civil No. 03-1-0289-02; and Na Moku Aupuni O Ko'olau Hui et al. v. State of Hawaii, et al., Civil No. 03-1-0292-02.

WR-19 SPECIAL COUNSEL FOR WATER-RELATED MATTERS

Jan. 21/05 C.C. 05-42 Councilmember Anderson, transmitting the following:

1. Resolution No. 03-146, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL TO ADVISE AND REPRESENT THE COUNCIL IN MATTERS RELATING TO COUNTY WATER POLICIES";
2. Resolution No. 04-13, entitled "AMENDING RESOLUTION NO. 03-146 RELATING TO SPECIAL COUNSEL FOR WATER-RELATED MATTERS"; and

3. Resolution No. 04-122, entitled "AUTHORIZING ADDITIONAL COMPENSATION FOR SPECIAL COUNSEL IMANAKA KUDO & FUJIMOTO FOR WATER RELATED MATTERS".

WR-21 RESIDENTIAL FIRE PROTECTION

Oct. 21/05 C.C. 05-331 Board of Water Supply Chairperson, transmitting the Board of Water Supply's recommendation that the Council require disclosure of inadequate residential fire protection.

WR-22 HAMAKUAPOKO WELLS

Nov. 4/05 C.C. 05-356 Councilmember Anderson, transmitting information relating to Hamakuapoko wells.

WR-23 HANA WATERLINE

Mar. 3/06 C.C. 06-72 Councilmember Anderson, relating to the matter of the Hana waterline.

WR-24 WATER RATE STUDY

Jan. 21/05 C.C. 05-43 Councilmember Anderson, transmitting a ltr. from the Director of Water Supply, informing that R.W. Beck & Associates has been hired to conduct a water rate study, and requesting that the consultant make a presentation.

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

May 26/06 C.C. 06-160 Councilmember Johnson, transmitting copies of correspondence relating to the maintenance and operation of the Kanaha Valley Stream intake, wells, and tank. (TMK: (2) 4-6-17:012)

WR-28 WATER QUALITY

Jun. 23/06 C.C. 06-182 Councilmember Anderson, transmitting a copy of the United States Environmental Protection Agency document entitled "SETTING STANDARDS FOR SAFE DRINKING WATER".

WR-29 UPCOUNTRY WATER METER LIST

Nov. 3/06 C.C. 06-279 Councilmember Anderson, transmitting the following:

1. A copy of a document, entitled "UPCOUNTRY WATER SERVICE: Priority List for Building Permit Applications, Subdivisions & Water Service Requests", dated December 9, 2005; and
2. A copy of correspondence from the Director of Water Supply to the Board of Water Supply, attaching a document, entitled "UPCOUNTRY PRIORITY LIST: Meters Installed or Reserved", dated August 24, 2006.

END OF EXHIBIT "A"