

COUNCIL OF THE COUNTY OF MAUI
WATER RESOURCES COMMITTEE

November 3, 2006

**Committee
Report No.**

06-139

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

Chair and Members:

Your Water Resources Committee, having met on July 19, 2006, September 13, 2006, and October 18, 2006, makes reference to County Communication No. 06-182, from Councilmember Michelle Anderson, transmitting a copy of the United States Environmental Protection Agency (EPA) document entitled "SETTING STANDARDS FOR SAFE DRINKING WATER".

At its meeting of July 19, 2006, your Committee met with the Director of Water Supply and a Deputy Corporation Counsel.

Your Committee received public testimony from one person who provided information about the Kula Community Association's policy positions regarding water quality. She advised that the organization stresses the need for public information, education, and participation at every step of the decision-making process for important water decisions by the County.

Your Committee received a document entitled "Nonpoint Education for Municipal Officials; Impacts of Development Waterways: Strategies for Coping with Polluted Runoff".

Your Committee received a presentation of a 2005 documentary film, entitled "Oasis of the Pacific: Time is Running Out", by Zeroimpact Productions, from producer Marie Le Boeuf and director Adam Bromley, which discusses significant environmental issues impacting the ocean waters in Hawaii. They also provided a copy of the film on a digital video disc and a document highlighting some of the topics highlighted in the film, including the impact of chemical pollution of water in Hawaii.

Ms. Le Boeuf and Mr. Bromley responded to your Committee's questions about key environmental issues in Maui County.

Your Committee deferred consideration of the matter pending further discussion.

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By correspondence dated August 16, 2006, the Chair of your Committee transmitted correspondence dated July 28, 2006, from Chiyome Leinaala Fukino, M.D., Director of Health, State Department of Health, transmitting 2005 Groundwater Contamination Maps.

At its meeting of September 13, 2006, your Committee met with the Director of Water Supply and a Deputy Corporation Counsel.

Your Committee received public testimony from one person who raised concerns about the quality of Upcountry water.

Your Committee deferred consideration of the matter pending further discussion.

By correspondence dated September 26, 2006, Councilmember Jo Anne Johnson recommended that your Committee consider the feasibility of the Council hiring an independent contractor to provide a comprehensive, countywide water quality analysis report.

By correspondence dated October 2, 2006, the Chair of your Committee requested that the Director of Water Supply transmit the Hawaii Source Water Assessment Program Report for the Island of Maui.

By correspondence dated October 6, 2006, the Director of Water Supply transmitted the Hawaii Source Water Assessment Program Report for the Island of Maui (March 2004).

By correspondence dated October 10, 2006, the Chair of your Committee transmitted a *Washington Post* article dated October 5, 2004, entitled "Lead Levels in Water Misrepresented Across U.S.: Utilities Manipulate or Withhold Test Results to Ward Off Regulators".

By correspondence dated October 11, 2006, the Chair of your Committee transmitted a proposed resolution entitled "REQUESTING A COMPREHENSIVE PERFORMANCE EVALUATION OF THE UPCOUNTRY MAUI WATER SYSTEMS, INCLUDING SURFACE WATER TREATMENT PLANTS". The purpose of the proposed resolution is to request that the EPA evaluate the Upcountry Maui water systems.

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At its meeting of October 18, 2006, your Committee met with the Director of Water Supply, the Deputy Director of Water Supply, and a Deputy Corporation Counsel.

Your Committee received public testimony from two members of the Upcountry Water Oversight Advisory Committee in support of the proposed resolution.

Your Committee also received written testimony from the Upcountry Water Oversight Advisory Committee in support of the proposed resolution.

Your Committee received a document entitled "Drinking Water Inspector's Field Reference: For Use When Conducting a Sanitary Survey of a Small Surface Water System: 2004 Edition", from Rosemary Robbins.

Your Committee noted that the State Legislature stated last year that "upcountry Maui is an example of one area where the quality of the drinking water has deteriorated and has become a major cause of concern to residents of that area" (House Concurrent Resolution No. 222 (2005), House Draft 2, Senate Draft 1).

The Chair of your Committee advised that the EPA had offered to conduct a non-regulatory Comprehensive Performance Evaluation (CPE) of the Upcountry water systems. She noted that the proposed resolution contemplated expenditures up to \$20,000 for expenses associated with a CPE. The Chair of your Committee noted that Bruce Macler, Ph.D., EPA, informed her that having a private consultant conduct a similar analysis would cost more than \$150,000.

Your Committee voted to recommend adoption of the proposed resolution.

Your Water Resources Committee **RECOMMENDS** that Resolution No. _____, attached hereto, entitled "**REQUESTING A COMPREHENSIVE PERFORMANCE EVALUATION OF THE UPCOUNTRY MAUI WATER SYSTEMS, INCLUDING SURFACE WATER TREATMENT PLANTS**" be **ADOPTED**.

Adoption of this report is respectfully requested.

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MICHELLE ANDERSON Chair

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CHARMAINE TAVARES Vice-Chair

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