

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

**DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI**

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

May 19, 2016

Honorable Gladys C. Baisa
Chair, Water Resources Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Baisa:

SUBJECT: PROPOSED BILLS "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.04, MAUI COUNTY CODE (MCC), RELATING TO WATER SERVICES" AND "A BILL FOR AN ORDINANCE AMENDING SECTION 14.01.040, MAUI COUNTY CODE, RELATING TO DEFINITIONS" (WR-19)

Attached please find the proposed bills entitled, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.12, MAUI COUNTY CODE, RELATING TO WATER AVAILABILITY" and "A BILL FOR AN ORDINANCE AMENDING SECTION 14.01.040, MAUI COUNTY CODE, RELATING TO DEFINITIONS." The purpose of these proposed bills is to update and modify the current ordinance to incorporate the recommendations from the conceptual framework outlined in the correspondence dated February 22, 2016.

This item was presented and discussed at the March 2, 2016, Water Resources Committee meeting. At that meeting, the Department shared a conceptual framework for a revision to the ordinance. These bills follow the same concept.

The Department looks forward to working with the Committee to move this bill forward.

Thank you for your attention to this matter. Should further clarification be necessary, please contact me at Ext. 7816.

Sincerely,

DAVID TAYLOR, P.E.
Director of Water Supply

Attachments

xc: Paul J. Meyer, Deputy Director
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ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 14.12,
MAUI COUNTY CODE, RELATING TO WATER AVAILABILITY

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose and intent. The Council finds that there is limited infrastructure for potable water capacity. Therefore, it shall be the policy of the County of Maui to allocate potable water usage for new users as follows: population projections will be based on the General Plan; water system capacity projections will be based on an analysis provided by the department compared with said population projections; and as the upcountry system is governed by chapter 14.13 of this code, this ordinance shall not apply to the upcountry system.

SECTION 2. Chapter 14.12, Maui County Code, is amended to read as follows:

“Chapter 14.12

WATER AVAILABILITY

Sections:

- 14.12.010 Title and purpose.
- 14.12.020 Applicability and scope.
- 14.12.030 Exemptions.
- 14.12.040 Written verification of [long-term, reliable supply of water.]
adequate water system capacity.
- 14.12.050 [Director's comments on engineering reports] Limitations.
- 14.12.060 [Expiration.] Director's review.

14.12.070 [Review] Expiration.

14.12.080 Review.

14.12.010 Title and purpose. This chapter shall be known as the County's "water availability policy". The council acknowledges and affirms that water is a natural and cultural resource that must be protected, preserved, and managed as a public trust, and hereby establishes a policy that requires verification of [a long-term, reliable supply of water] adequate water system capacity before applicable subdivisions and requests for new and additional water service are approved.

14.12.020 Applicability and scope. This chapter shall apply to (1) all subdivisions, including subdivisions bonded pursuant to sections 18.20.190, 18.20.200 and 18.20.210 of this code, unless exempted under section 14.12.030[.]; and, (2) all requests for new or additional water service from a department water system, unless exempted under this chapter.

14.12.030 Exemptions. This chapter shall not apply to: A. Building permits as described in chapter 18.28 of this code, or other ministerial construction permits that do not require new or additional water services;

B. Subdivisions that do not require water service, such as, but not limited to, family subdivisions as defined in section 18.20.280 of this code, consolidations and concurrent re-subdivisions that do not create additional developable lots[,]and do not request additional water service over what is estimated by the department for the lots prior to consolidation and concurrent resubdivision, road widening lots, utility lots, or easements for access or utility purposes;

C. Subdivisions that will not be regulated as a public water system pursuant to department of health rules, provided that this exemption shall not apply to any subsequent subdivision of any of the resulting parcels;

[D. Infill development, provided that this exemption shall not apply to any subsequent development or subdivision of any resulting parcels;

E.] D. Residential workforce housing units developed by a qualified housing provider pursuant to chapter 2.96 of this code, and are within the service area of the department's central or west Maui water system;

[F.] E. Residential development projects with one hundred percent affordable housing units and are within the service area of the department's central or west Maui water system; or

[G.] F. Public or quasi-public development projects as defined in section 19.04.040 of this code and related subdivisions that are within the service area of the department's central or west Maui water system.

14.12.040 Written verification of [long-term, reliable supply of water] adequate water system capacity. A. No applicable subdivision shall be approved, unless prior to approval of subdivision construction plans pursuant to section 18.20.180 of this code, the director has provided written verification of [either: (1) a County water meter or water meter reservation; or (2) the receipt of an approved engineering report for a long-term, reliable supply of water for the subdivision.] adequate water system capacity based on any limitations as provided in section 14.12.050.

B. [Written verification of a long-term, reliable supply of water shall not constitute an assurance, covenant, or warranty by the County of water source from a private, non-County system.] No application for new or additional water service from a department water system shall be approved, unless the director has provided written verification of adequate water system capacity based on any limitations as provided in section 14.12.050.

14.12.050 Limitations. A. In any department water system where the estimated ten year forecast for water usage is within 98 percent - 100 percent of the department's maximum reliable capacity, the following limitations will be placed on new uses:

1. Subdivisions are limited to three lots.
2. Individual building permits are limited to 2,000

gpd.

B. In any department water system where the estimated ten year forecast for water usage is within 95 percent - 98 percent of the department's maximum reliable capacity, the following limitations will be placed on new uses:

1. Subdivisions are limited to ten lots.
2. Individual building permits are limited to 50,000

gpd.

C. In any department water system where the estimated ten year forecast for water usage is less than 95 percent of the department's maximum reliable capacity, the following limitations will be placed on new uses:

1. No restrictions.

D. Any project using more than 120,000 gpd must provide source adequate for the project.

E. No new agricultural potable water service shall be granted for any lot over two acres.

F. No new agricultural water service shall be granted for any lot historically served by ditch water.

[14.12.050] 14.12.060 Director's review [comments on engineering reports]. [The director shall review and comment on engineering reports during the department of health's inter-agency review period. In reviewing and commenting on an engineering report,] Prior to providing written verification of adequate water system capacity, the director shall consider [any of] the following applicable factors:

A. The adverse impacts on the water needs of residents currently being served and projected to be served by the department[;].

B. The adverse impacts to the water needs of residents currently on a County "wait list" for water meters[;].

C. The cumulative impacts[;].

D. The commission's water resources protection plan[;].

E. The plan[;].

F. The general plan and relevant community plans[;].

G. The adverse impacts on surrounding aquifers and stream systems, including:

1. Water levels[;].

2. Water quality, including salinity levels[;].

3. The discharge of water into springs and nearshore marine areas[;].

4. Surface water-groundwater interactions; and].

5. Adverse impacts on other existing, future, or planned wells[;].

H. The adverse impacts on Department of Hawaiian Home Lands' current reservations or projected future uses[;].

I. The adverse impacts on environmental resources that are rare or unique to the region and the project site (including natural, cultural, or human-made resources of historic, archaeological, or aesthetic significance) [;].

J. The adverse impacts on the exercise of traditional and customary [Native] native Hawaiian rights and practices[;].

K. United States Geological Survey studies[;].

L. Whether the applicant is in full compliance with the State water code and County's water reporting laws[;].

M. Whether the affected water source, including groundwater, surface water, or other source of water will exceed:

1. Ninety [per cent] percent of the sustainable yield;

2. Instream flow standards; or

3. Interim instream flow standards[;].

N. The allocation of water set forth in this code[; and].

O. The adverse impacts to the water quality of any water body identified as impaired under section 303(d) of the Clean Water Act.

[14.12.060] 14.12.070 Expiration. A. Written verification of [a long-term, reliable supply of water] adequate water system capacity shall expire, and be deemed null and void, [unless extended by the director for good cause, if:] five years from the date of verification.

1. For groundwater source, the director has not received a well completion report from the commission within two years from the date of verification; provided that, the director may, for good cause, authorize up to two time extensions of up to six months each; and further provided that, any request for an extension of time shall be received by the director at least thirty days before the associated expiration date;

2. For surface water source, the director has not received a written approval for use from the department of health within two years from the date of verification; provided that, the director may, for good cause, authorize up to two time extensions of up to six months each; and provided further that, any request for an extension of time shall be received by the director at least thirty days before the associated expiration date; or

3. For County water meter reservation, if the water meters covered under the reservation have not been installed in accordance with the terms, conditions, provisions, and time limitations of the meter reservation policies of the department.]

B. If written verification of [a long-term, reliable supply of water] adequate water system capacity expires, a new, updated verification pursuant to section 14.12.040 must be issued before construction can resume.

[14.12.070] 14.12.080 Review. A. The council shall review this chapter beginning July 1, 2014, and every two years thereafter.

B. As part of the review, the director, in consultation with other departments, shall provide a report to the council on the status of this chapter and shall include the following in the report:

1. The number of dwelling units approved with private water source improvements[;]

2. The number of dwelling units approved with county water meters[;];

3. The number of affordable units developed and exempted from this chapter[;];

4. The number of residential workforce housing units developed and exempted from this chapter[:];
5. The number of infill dwelling units developed and exempted from this chapter[: and].
6. The effect, if any, of developments constructed pursuant to this chapter on native Hawaiian kuleana rights.

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-05-10 Ordinance Chapter 14.12
2016-0516

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING SECTION
14.01.040, MAUI COUNTY CODE, RELATING TO DEFINITIONS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 14.01.040, Maui County Code, is amended to read
as follows:

"14.01.040 Definitions. Unless otherwise expressly provided in separate provisions of this article, or unless plainly evident from the context that a different meaning is intended, for the purposes of this article the following words, terms, and phrases shall be defined as follows:

"Agricultural consumer" means a consumer that actively engages in crop production, livestock raising, dairy farming, or aquaculture for commercial production, and whose minimum gross annual income from such activities is \$1,000.

"Applicant" means any person who causes, or applies to cause, land to be subdivided. It also means any person applying for water service or additional water service.

"Application" means a request for water service or additional water service.

["Approved engineering report" means a report prepared by a licensed professional engineer, experienced in such fields as water resources, hydrogeology, water supply, or environmental engineering, and approved by the director of the state department of health pursuant to department of health rules, for non-County water service.]

"Board" means the [Board of Water Supply] board of water supply of the County of Maui.

"Building permit" means the official document or certificate issued by the County of Maui authorizing the construction of any structure.

"Commission" means the [Commission on Water Resource Management] commission on water resource management of the State of Hawaii.

"Community garden" means a parcel of land with a minimum lot size of 22,000 square feet, which is actively cultivated and engaged in crop production collectively by a group of no less than 15 people.

"Consolidated metering system" means water that is furnished to multiple dwellings through a centralized or single meter.

"Construction" means any work associated with development of a new water source.

"Consumer" means the person, firm, corporation, association, or governmental entity, whether owner or tenant, whose name appears on the records of the department as the party responsible and liable for receiving water service from the department.

"Consumer's supply pipe" means the pipe extending from the consumer's end of the service connection.

"Cost of service lateral" means the sum of the cost of the labor, materials, meter box, transportation, equipment, and road repair, if any, and other charges necessary for the complete installation of a service lateral, but excluding the cost of the meter.

"Council" means the [Council] council of the County of Maui.

"County" means the County of Maui.

"Cumulative impact" means the impact on the environment and water supply that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

"Dedicated water system improvements" means water system improvements that are privately designed, constructed, and dedicated to the department for operation, for which credits may be applied to all or a portion of the water system development fee.

"Department" means the department of water supply of the County, excluding the board of water supply unless the context so indicates.

"Department of [Health] health" means the State of Hawaii [Department of Health.] department of health.

"Department of health rules" means Hawaii administrative rules, title 11, chapter 20, entitled "Rules Relating to Potable Water Systems."

"Director" means the director of the department of water supply of the County.

"Dwelling unit" means a dwelling unit as defined in title 19 of this code.

"Groundwater" means any water found beneath the surface, whether in perched supply, dike confined, flowing or percolating in underground channels or streams, under artesian pressure or not, or otherwise.

"Infill development" means a development composed of:

1. Five or fewer residential dwelling units, including accessory dwellings, on one or more contiguous vacant parcels that meet the following requirements:

a. A minimum of fifty percent of the parcel's or combined parcels' perimeter, or at least two sides of a four-sided parcel, is bordered by already developed land[;].

b. The development is located in the service area of the department's central Maui water system or west Maui water system[;].

c. Infrastructure for public services and facilities is already in place and immediately available[; and].

d. The proposed development is consistent with the general plan, community plans, and zoning requirements[; or].

2. Six to ten residential dwelling units, including accessory dwellings, on one or more contiguous vacant parcels that meet the following requirements:

a. A minimum of seventy-five percent of the parcel's or combined parcels' perimeter, or at least three sides of a four-sided parcel, is bordered by already developed land[;].

b. The development is located in the service area of the department's central Maui water system or west Maui water system[;].

c. Infrastructure for public services and facilities is already in place and immediately available[; and].

d. The proposed development is consistent with the general plan, community plans, and zoning requirements.

3. For purposes of this definition:

a. "Already developed land" means all State and County parks, public or private schools, and residential parcels with a structure that has received all appropriate permits before March 1 of the preceding fiscal year.

b. Conservation and agricultural lands, and land fronting the ocean, shall not be considered "already developed land" regardless of the presence of any structure.

c. If the development's parcel or combined parcels are bordered by a roadway, stream, or gulch, then the parcel or parcels across the roadway, stream, or gulch, shall be considered in determining whether the parcel or parcels are already developed land.

"Infrastructure adequacy" means the County infrastructure needed to produce and supply an adequate supply of water from source to distribution.

"Irrigation" means the use of water for grazing, agricultural, or landscaping purposes.

["Long-term, reliable supply of water" means:

1. A County water meter reservation, as established by a receipt for payment of a County water meter reservation verifying that the proposed subdivision will be provided source and service; or

2. The total water supplies from a private, non-County source that will meet the projected demand associated with a proposed development, in addition to existing and planned future demand, as established by an approved engineering report.]

"Main" or "main pipe" means the department's supply or distribution pipe from which service connections are made.

"Off-site water improvements" means that portion of a subdivision water system from the point of adequacy to the point of entry of such system into the subdivision or premises boundaries.

"On-site water improvements" means that portion of the subdivision water system constructed within the property limits of the subdivision or development, to include all fire hydrant assemblies and service laterals whether on or off the property and as required by the department.

"Plan" means the water use and development plan.

"Point of adequacy" means that point in the public water system, as determined by the director or the director's duly authorized representative, where there is adequate pressure, storage, and pipeline size to supply water to meet the fire flow, domestic, and irrigation demands for water without detriment to the existing consumers.

"Potable water" means water that has been certified by the department of health as suitable for cooking or drinking purposes.

"Premises" means a parcel of real property and any structures thereon which have water service, will require water service, or requires additional water service.

"Private water system" means a water system constructed, owned, operated, and maintained by private individuals, corporations, or organizations.

"Public water system" means the water system owned, operated, and maintained by the department [of water supply].

"Run" means the distance of water main and appurtenances to be installed from the point of adequacy to the point in question.

"Service lateral" means the connection to a water main, pipes, fittings, valves, and other appurtenances from the water

main up to and including the consumer shut-off valve and water-meter box, but not including the water meter.

"Source development" means the construction of any structure to capture, convey, store, and treat currently unutilized, non-potable surface waters; or the construction of facilities for currently unutilized ground water and its treatment, including pumps, motor control stations, pump control, or disinfection contact time tanks; or the construction of desalination facilities; or any other technique which provides or recaptures water acceptable by the [State of Hawaii] department of health, together with any easements required for the improvements.

"Source water adequacy" means that a County water system is adequate to meet current and future demands.

"State water code" means chapter 174C, Hawaii Revised Statutes.

"Storage tank" means a reservoir to store water.

"Structure" shall have the same meaning as defined in the building code as amended and adopted by the County.

"Subdivider" means a subdivider as defined in title 18 of this code.

"Subdivision" means improved or unimproved land or lands divided into two or more lots, parcels, sites, or other divisions of land for the purpose, whether immediate or in the future, of sale, lease, rental, transfer of title to or interest in, any or all of such parcels, and includes the process of consolidation and resubdivision, and, when appropriate to the context, shall relate to the process of subdividing land. The term also includes the construction of a building or group of buildings, other than a hotel, on a single lot, parcel, or site which will contain, result, or be divided into four or more dwelling units, including planned developments pursuant to chapter 19.32 of this code, condominium projects established pursuant to Hawaii Revised Statutes, or other forms of development, provided, that unless requested by the developer, condominium projects shall not be required to install separate water meters for each condominium unit.

"Subdivision water system" means that water system from the point of adequacy, as determined by the director or the director's duly authorized representative, to and within any subdivision, including mains, valves, hydrants, laterals, pumps, tanks, reservoirs, and all appurtenances necessary to provide water and fire protection for such subdivision.

"Surface water" means both contained surface water, that is, water upon the surface of the earth in bounds created naturally or artificially, including, but not limited to, streams, other watercourses, lakes, reservoirs, and coastal waters subject to state

jurisdiction, and diffused surface water, that is, water occurring upon the surface of the ground other than in contained water bodies. Water from natural springs is surface water when it exits from spring onto the earth's surface.

"Sustainable yield" means the maximum rate at which water may be withdrawn from a water source without impairing the utility or quality of the water source, as determined by the commission, and set forth in the plan.

"Temporary meter" means any meter connected to a fire hydrant or a service lateral used less than one year in accordance with an agreement with the department.

"Traditional and customary native Hawaiian rights and practices" means the rights of Ahupuaa tenants who are descendents of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, including the cultivation or propagation of taro on one's own Kuleana and the gathering of Hihiwai, Opaе, Oopu, Limu, Thatch, Ti Leaf, Aho Cord, and medicinal plants for subsistence, cultural, and religious purposes, as set forth in article XII, section 7 of the Hawaii State Constitution, and section 174C-101, Hawaii Revised Statutes.

"Transmission pipeline" means a pipeline that delivers water from a source development to a storage tank or distribution system, including any booster pump stations and appurtenances to the transmission pipeline system to increase its capacity, and any easements required for the improvements.

"Water meter" means a device that measures the volume of water delivered to any premises.

"Water service" means the complete installation of pipes, fittings, appurtenances, and meter necessary to provide service to a consumer. This term also refers to the delivery of water to any premises.

"Water system" means a network of pipelines, storage, facilities, pumps, and other appurtenances, wells, water filtration treatment facilities, or other sources which furnishes a supply of water to the premises.

"Water system capacity" means the technical, managerial, and financial capability to ensure source water and infrastructure adequacy.

"Water system capacity projections" means projections based on combined analysis of population projections provided in the General Plan and projections of source and infrastructure adequacy by the department.

"Water system development fee" [{"WSDF"}] means a monetary rate imposed on any applicant to fund a portion of costs to construct water system improvements or to recover the cost of

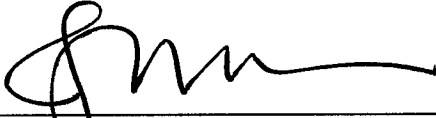
existing water system improvements made in anticipation of additional demand on the water system.

"Water system improvements" means improvements or developments which will construct facilities to provide additional source development capacity, additional transmission or distribution pipeline capacity, or additional storage tank capacity for any of the department's water systems."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JENNIFER M.P.E. OANA
Deputy Corporation Counsel
County of Maui
2016-0516

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

**DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI**

200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

February 22, 2016

Honorable Gladys C. Baisa
Chair, Water Resources Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Baisa:

**SUBJECT: REPLACEMENT WATER AVAILABILITY ORDINANCE CONCEPTUAL
FRAMEWORK (WR-19)**

Recent discussions in Water Resources Committee ("WRC") have led to the conclusion that Water Availability Ordinance should be replaced or modified to meet the concerns of the community. After listening to the concerns raised by the committee and testimony of community members, I would like to share a conceptual framework that may serve as a starting point to modify this ordinance.

This framework is intentionally presented in an outline format rather than an actual ordinance. My hope is that we could initiate a discussion on the policy direction first. If we can reach general agreement on a policy direction framework, it should be relatively straightforward to construct an ordinance.

My intention was to create a template that all parties could agree with, regardless of specific concerns. The numerical values are all simply placeholders. By simply varying the values (or by dropping specific categories completely), different policy objectives can be met. My hope is that all stakeholders can agree with this format and provide varying opinions on the values.

Some specific concerns addressed are as follows:

- It is a good idea to have a "water service rationing ordinance" so it is understood that IF there is not enough potable capacity available, there is a pre-determined methodology to provide service to priorities.
- Department of Water Supply ("DWS") would have the responsibility to create and update "supply vs. demand projections" based on the General Plan and

"By Water All Things Find Life"

engineering judgment. The various 20 year projections presented to WRC are examples of the level of detail expected.

- The DWS Director would have professional discretion to develop these projections. The ordinance would describe what actions to take based on results of these analyses.
- This approach is focused on the DWS's ability to provide service. It is NOT an attempt to comment on aquifer health or stream issues because these are specifically dealt with by the Commission on Water Resources and Management ("CWRM") through existing, simultaneous processes. Therefore, it is more of an "infrastructure adequacy" policy rather than a "water source adequacy" approach.
- This approach allows "warning signs" as the situation becomes more critical. It minimizes or eliminates the possibility that we go directly from "everything is fine" and the next week there is a moratorium. It also stops the possibility that a large developer comes in, takes all the remaining capacity, and that is the first sign that anything is wrong.
- By building these "warning signs" in to the ordinance, there will be a serious commitment to fix the inadequacies BEFORE everyone is affected. The biggest developers will be raising the issue long before the little guys are affected. Everyone will know we are heading for problems.
- This still gives the larger developers responsibility to help develop source and not simply say it's the County of Maui ("COM") sole responsibility.

The actual ordinance could be structured as follows:

Replacement Water Availability Ordinance Conceptual Framework

- The Council finds that there is limited infrastructure for potable water capacity. Therefore it shall be the policy of the COM to allocate potable water usage for new users as follows:
 - Population projections will be based on the General Plan.
 - Water system capacity projections will be based on an analysis provided by the DWS compared to population projections.
 - As the Upcountry system is governed by the "meter list," this ordinance shall not apply to the Upcountry system.
- In any DWS water system where the estimated 10 year forecast for water usage is within 98%-100% of maximum reliable capacity the following limitations will be placed on new uses:
 1. Subdivisions limited to 3 lots
 2. Individual building permits limited to 2,000 gpd
- In any DWS potable water system where the estimated 10 year forecast for water usage is within 95%-98% of maximum reliable capacity the following limitations will be placed on new uses:

1. Subdivisions limited to 10 lots
 2. Individual building permits limited to 50,000 gpd
- In any DWS potable water system where the estimated 10 year forecast for water usage is less than 95% of maximum reliable capacity the following limitations will be placed on new uses:
 1. No restrictions
 - No new Ag users over 2 acres.
 - No new Ag users on land historically served by ditch water.
 - 100% affordable housing projects are exempt from all requirements.
 - County, State and Federal government projects are exempt from all requirements.
 - Any project using more than 120,000 gpd (equivalent to about 200 homes) must provide source adequate for the project.

Again, and most importantly, all of the numbers are placeholders. I believe that you will find that this approach can be easily modified by changing values or adding or subtracting specific categories.

We appreciate your leadership moving this issue forward. We hope that you will find this approach useful. We are available to discuss this issue with you at your convenience and look forward to future discussions with the WRC.

Should you have any questions, please feel free to contact me at Ext. 7816.

Sincerely,



DAVID TAYLOR, P.E.
Director of Water Supply