

AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC  
TRANSPORTATION COMMITTEE  
Amendment Summary Form

Legislation: Bill 52 (2022), relating to prohibited discharge standards.

Proposer: Gabe Johnson, Chair   
Agriculture, Diversification, Environment, and Public  
Transportation Committee.

Description: Replace Bill 52 with the proposed CD1 version that:

- 1) Provides a descriptive bill title;
- 2) Amends Section 14.02.030, Maui County Code, to allow the Water Use and Development Plan to guide the Council, the Department of Water Supply, and all other agencies of the County in the creation and approval of the County's annual capital improvement program to implement recommendations and strategies for the development of reclaimed water infrastructure and alternative water sources;
- 3) Amends Section 20.30.020, Maui County Code, to require municipal wastewater effluent produced by the County to meet Hawai'i State R-1 reuse water standards starting January 1, 2039; and
- 4) Amends Section 20.30.030, Maui County Code, to amend the definition of "available reclaimed water service" to mean the existence of a reclaimed water distribution main contiguous to or within two hundred fifty feet of any consumer's property line.

Motions: Move to substitute Bill 52 (2022) with the attached proposed CD1 version.

Attachments: Proposed CD1 version of Bill 52 (2022).

adept:ltr:004aasf02:sgt

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2022)

A BILL FOR AN ORDINANCE RELATING TO PROHIBITED DISCHARGE  
STANDARDS

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

SECTION 1. Section 14.02.030, Maui County Code, is amended to read  
as follows:

**“Section 14.02.030 Application of the plan.** This plan [shall serve] serves as the primary guide to the council, the department, and all other agencies of the County:

1. In approving or recommending to other agencies the use or commitment of the water resources in the County; [and]

2. In using public funds to develop water resources to meet existing or projected future demands on the public water system as set forth in the plan[.]; and

3. In the creation and approval of the County’s annual capital improvement program to implement the recommendations and strategies for the development of reclaimed water infrastructure and alternative water sources.”

SECTION 2. Section 20.30.020, Maui County Code, is amended to read  
as follows:

**“Section 20.30.020 Scope and applicability .** A. This chapter requires improved commercial property, as defined in this chapter, to connect to available reclaimed water service for irrigation purposes, including but not limited to golf courses, landscaping and agricultural uses, except for properties used for single-family or duplex purposes.

B. This chapter also encourages the use of reclaimed water for construction, irrigation, and other suitable purposes through the use of reclaimed water fill stations.

C. If the State of Hawaii department of health or environmental protection agency prohibits any user of reclaimed water from complying

with this chapter, or any provisions hereof, said user shall be exempt therefrom.

D. Starting January 1, 2039, municipal wastewater effluent produced by the County must meet Hawaii State R-1 reuse water standards. The County must allocate sufficient funding for the implementation of this subsection so that its implementation does not cause an increase in sewage rates for residents greater than 2 percent.

[D] E. This chapter applies only in "Central Maui," "South Maui," and "West Maui" for mandatory irrigation purposes, as defined by the entire geographic areas shown on Figure 6-2 of the Wailuku-Kahului feasibility study dated June 1991, Figure 6-2 of the South Maui water reuse feasibility study dated September 1992, and Figure 6-2 of the West Maui water reuse feasibility study dated May 1992, respectively, and other locations in Maui County for construction, irrigation, and other suitable purposes where reclaimed water fill stations are made available by the County."

SECTION 3. Section 20.30.030, Maui County Code, is amended by amending the definition of "Available reclaimed water service" to read as follows:

"Available reclaimed water service" means the existence of a reclaimed water distribution main contiguous to or within [one hundred] two hundred fifty feet of any consumers' property line."

SECTION 4. 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 5. This Ordinance takes effect on approval.

adept:misc:004abill02:sgt

INTRODUCED BY:

Kelly T. King