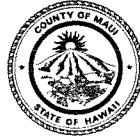


Council Chair
Mike White

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

May 31, 2018

Mr. Anders Lyons, Chair
Board of Water Supply
c/o Department of Water Supply
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Lyons:

SUBJECT: WELLHEAD PROTECTION OVERLAY DISTRICT (WR-18)

The Water Resources Committee is in receipt of your correspondence dated March 20, 2018, relating to the Board of Water Supply's comments on the proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, TO ESTABLISH A WELLHEAD PROTECTION OVERLAY DISTRICT."

Your letter states the Board has concerns with how the ordinance will be implemented. May I request you explain the specific concerns the Board has with the ordinance and its implementation. Are these the same concerns the Board had in 2015, as outlined in the attached letter?

May I further request you provide your response no later than **June 22, 2018**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (James Krueger at 270-7761, or Stacey Vinoray at 270-8006).

Sincerely,

Handwritten signature of Alika Atay in black ink.

ALIKA ATAY, Chair
Water Resources Committee

wr:ltr:018a02:jgk

Attachment



BOARD OF WATER SUPPLY

COUNTY OF MAUI

200 SOUTH HIGH STREET

WAILUKU, MAUI, HAWAII 96793-2155

TELEPHONE (808) 270-7816 • FAX (808) 270-7951 • www.mauiwater.org

October 22, 2015

Mr. David Taylor
Director
Department of Water Supply
200 S. High Street, 5th Floor
Wailuku, HI 96753

Dear Director Taylor:

**SUBJECT: DRAFT ORDINANCE TITLE 19, MAUI COUNTY CODE
CHAPTER 19.94
WELLHEAD PROTECTION OVERLAY DISTRICT**

After hearing numerous public testimony and presentations by the Department of Water Supply staff on this matter, the Board of Water Supply (The Board) at their October 21, 2015 meeting voted and by unanimous decision affirms and stands by their original decision of January 16, 2014 to not support the current Draft Ordinance Title 19, Maui County Code Chapter 19.94 Wellhead Protection Overlay District in its present form.

The Board reiterates their concerns as follows:

1. Requirement For This Ordinance

The Board has reviewed the forty (40) plus county, state and federal overlapping regulations meant to protect our groundwater systems as provided in recent testimony.

While the department's concern for additional protections is well intended, there did not appear to be any justifiable need, nor were there any historical examples presented during testimony that showed any failures of these current county, state and federal regulations. Adopting additional groundwater regulations, such as this ordinance before the Board, would be redundant unless there could be some clearly demonstrated scenarios presented by the department detailing prior failures within our current regulatory system. Neglecting to show such a need has become a primary source of our concerns for supporting this additional groundwater regulation.

"By Water All Things Find Life"

