

COUNCIL OF THE COUNTY OF MAUI
WATER AND INFRASTRUCTURE
COMMITTEE

September 6, 2019

Committee
Report No. _____

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

Chair and Members:

Your Water and Infrastructure Committee, having met on August 19, 2019, makes reference to County Communication 19-162, from the Director of Water Supply, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING AN UPDATE TO THE WATER USE AND DEVELOPMENT PLAN FOR THE ISLAND OF MAUI." Attached to the proposed bill is the document entitled "Maui Island Water Use and Development Plan Draft," dated March 2019.

The purpose of the proposed bill is to adopt the Maui Island Water Use and Development Plan ("Plan") pursuant to Sections 14.02.020 and 14.02.040.3, Maui County Code ("MCC").

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a proposed resolution entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ADOPT THE MAUI ISLAND WATER USE AND DEVELOPMENT PLAN," approved as to form and legality.

The purpose of the proposed resolution is to extend the adoption deadline to December 31, 2020 to provide additional time for the Council to review the Plan.

Your Committee notes the Plan was transmitted to the Council on March 22, 2019. Further, Chapter 14.02, MCC, governs the Water Use and Development Plan, and Section 14.02.040.4, MCC, states:

The council shall pass the proposed update by ordinance within one hundred eighty days from the receipt of the proposed update. The

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council may, by resolution, extend the time to pass the proposed update.

The Chair of your Committee noted the deadline to pass the proposed update is September 18, 2019, and the Committee would not be able to complete its review before the deadline.

The Planning Program Manager said the Department initiated the update to the Plan in 2015 and integrated the planning process with community participation from 2016 to 2018. A draft document was transmitted to the Board of Water Supply in August 2018, and comments were received in January 2019.

The Planning Program Manager stated the Plan is a component of the Hawaii Water Plan, and its purpose is to guide the Council and the State Commission on Water Resource Management in the use and commitment of potable and non-potable water resources, encompassing all users, both public and private. She said the Plan includes six regional plans corresponding to Maui island's six aquifer sectors.

The Planning Program Manager said water use demand projections were based on population growth rate projections for each community plan area from the Maui Island Plan. Your Committee notes, Hawaii Administrative Rules, Section 13-170-32(b)(3) states: "Each water use and development plan shall consider a twenty-year projection period for analysis purposes."

The Planning Program Manager said for each aquifer sector, the Department conducted resource assessments of groundwater and surface water, as well as alternative resources such as stormwater, recycled water, and rainwater catchment. Considering planning objectives, life cycle costs, legal issues, land use policies, drought conditions, climate change impacts, public trust priorities, and other factors, the Department identified, evaluated, and prioritized resource strategies.

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The Planning Program Manager said the public review process included ongoing consultation, regional community meetings, target interest group meetings, and other workshops, presentations, and briefings. At public meetings, the Department presented the inventory of regional water resources and asked for input on key issues and concerns, and feedback on the strategies to address water use demand.

Your Committee voted 7-0 to recommend adoption of the proposed resolution. Committee Chair Lee, Vice-Chair Paltin, and members Hokama, Kama, Molina, Rawlins-Fernandez, and Sinenci voted "aye."

Your Water and Infrastructure Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ADOPT THE MAUI ISLAND WATER USE AND DEVELOPMENT PLAN," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



ALICE L. LEE, Chair

Resolution

No. _____

APPROVING A TIME EXTENSION FOR THE COUNCIL TO ADOPT THE MAUI ISLAND WATER USE AND DEVELOPMENT PLAN

WHEREAS, Section 174C-31, Hawaii Revised Statutes, requires each county to prepare a water use and development plan, adopt the plan by ordinance, and update the plan as necessary; and

WHEREAS, the Council adopted the Maui County Water Use and Development Plan by Ordinance 1948 (1990), codified as Chapter 14.02, Maui County Code; and

WHEREAS, the Council received on March 22, 2019, County Communication 19-162, transmitting a proposed bill to adopt the attached March 2019 draft of the Maui Island Water Use and Development Plan as an update to the Maui County Water Use and Development Plan; and

WHEREAS, Section 14.02.040, Maui County Code, states:

“4. The council shall pass the proposed update by ordinance within one hundred eighty days from the receipt of the proposed update. The council may, by resolution, extend the time to pass the proposed update.”; and

WHEREAS, the deadline for the Council to pass the Maui Island Water Use and Development Plan is September 18, 2019; and

WHEREAS, the Council requires additional time to complete a thorough review of the Maui Island Water Use and Development Plan; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the deadline to adopt the Maui Island Water Use and Development Plan is extended to December 31, 2020; and

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2. That certified copies of this resolution be transmitted to the Mayor, the Director of Water Supply, and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



Jennifer M.P.E. Oana
Deputy Corporation Counsel
County of Maui

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