

REQUEST FOR LEGAL SERVICES

Date: November 6, 2020
From: Yuki Lei Sugimura, Chair
Water, Infrastructure, and Transportation Committee

TRANSMITTAL

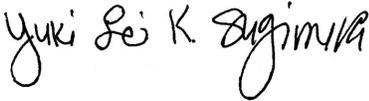
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jennifer Oana, Esq.

Subject: MAUI ISLAND WATER USE AND DEVELOPMENT PLAN (WIT-25)

Background Data: Please review Sections 14.02.040 and 14.02.050, Maui County Code.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER: Please provide legal advice in response to the following questions:

1. Section 14.02.050 says that any amendment to the Water Use and Development Plan, or WUDP, "proposed by the council . . . shall be referred to the board for its review and recommendations," with the Board of Water Supply to then engage in proceedings, including a public hearing. Does Section 14.02.050, including its requirement for referral to the Board of Water Supply, apply to amendments to a proposed WUDP, a WUDP that has received final approval by the Commission on Water Resource Management, or both?
2. If Section 14.02.050 applies to a proposed WUDP, do the review deadlines in Section 14.02.040 reset if the Council refers the proposed WUDP back to the Board of Water Supply?

Requestor's signature  Yuki Lei Sugimura	Contact Person <u>Richard Mitchell</u> (Telephone Extension: 7661)
--	--

ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 12, 2020
REASON: A joint committee meeting on the WUDP is scheduled for November 16, 2020.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
--------------	----------------	-----

TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____