

BOARD OF WATER SUPPLY of the COUNTY OF KAUA'I

RULES COMMITTEE MEETING

Second Floor, Microbiology Lab Bldg
Kaua'i County Department of Water
4398 Pua Loke Street, Lihu'e, Kaua'i, Hawai'i 96766

TUESDAY, AUGUST 2, 2016

9:00 a.m.

or soon thereafter

AGENDA

1. ROLL CALL
2. ACCEPTANCE OF AGENDA
3. OLD BUSINESS
 1. Manager's Report No. 16-58 - Discussion and Receipt on Department of Water's Standard Operating Procedure No. 64 relating to Providing Water Service Outside of the Water Zone
4. ADJOURNMENT

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NOTE: Special Accommodations for persons with disabilities are available upon request five (5) days prior to the meeting date. Please call the Department of Water, County of Kauai, at 245-5406 or drop by at 4398 Pua Loke Street, Lihue, Kauai. Our mailing address is PO Box 1706, Lihue, HI 96766.

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Old Business

DEPARTMENT OF WATER

County of Kaua'i

"Water has no Substitute – Conserve It!"

MANAGER'S REPORT No. 16-58

August 2, 2016

Re: Discussion and Receipt on Department of Water's Standard Operating Procedure No. 64 relating to Providing Water Service Outside of the Water Zone

RECOMMENDATION:

It is recommended that the Board receive the Department's proposed SOP No. 64 (attached) which identifies how the Department will address water service requests that are located inside and outside of the Department's water service area administratively.

FUNDING: N/A.

BACKGROUND:

The following is brought before the Board of Water Supply to satisfy the Board's suggestion during its Regular Board meeting held on December 18, 2014 to provide a written policy regarding water demands outside the service area.

This suggestion was made during discussions held when Manager Kirk Saiki provided the affordable housing update on Lima Ola's project, County of Kauai Housing Agency project.

Part 2 Rules and Regulations For Water Service Connections, Section II – General Conditions states:

1. Any prospective consumer may obtain water service provided all of the following conditions are met:
 - a. In the event that service limits are established by the Department that the premises are within these limits.
 - b. The Department has a sufficient water system developed for domestic use and, if required by the Department, a sufficient water system for fire protection. In order to determine the sufficiency of the water system, the Department may require the prospective consumer to estimate the amount of water to be used.
 - c. The consumer agrees to design, construct, and install any component of the water system required by the Department in compliance with (1) all applicable statutes, ordinances, rules, and regulations of the State of Hawai'i and the County of Kaua'i, and (2) the 2002 Water System Standards ("Standards") developed by Hawai'i's four county water departments, as amended by the Department's 2005 Amendments ("2005 Amendments") to the Standards. The Standards and the 2005 Amendments are hereby incorporated by reference into the Department's rules. The Manager and Chief Engineer may, for good cause shown, permit departure from the Standards or 2005 Amendments, or both.
 - d. The consumer agrees to abide by these rules and regulations.
 - e. All applicable charges have been paid.

Water Service Area is defined as areas that are serviced by the existing water system facilities. The water service area is generally limited to the areas that have appropriate planning and zoning approvals in place. Water service is generally available within the water service area unless system infrastructure improvements are needed to provide adequate water supply without detrimentally affecting the existing consumers. As identified in Water Plan 2020, water systems and the water service area can be used for purposes of planning and can be applied to guide service and development of future water service.

Consistent with the Kauai General Plan and for the purposes of Water Plan 2020, the DOW has taken a conservative approach in defining service areas of the existing water systems in effect, limiting them to areas that have appropriate planning and zoning approvals in place. Land use policies are established and governed by the County. DOW coordinates development effort with the County and private developers seeking to connect to DOW operated water systems.

The proposed SOP No. 64 will provide a written guide on how water service requests inside and outside of the DOW's water system water service area are addressed.

OPTIONS:

Option 1: Approve as recommended.

Pro: The Department will have the Board's acknowledgement of the proposed SOP No. 64.

The Board's suggestion to provide written policy regarding water demands outside the service area will be satisfied.

Con: None.

Option 2: Reject the recommendation.

Pro: None.

Con: The Department will be administering SOP No. 64 without the Board receiving the proposed SOP 64.

Respectfully submitted,



Edward Doi, P.E.
Water Resources and Planning Division

CONCURRED:



Kirk Saiki, P.E.
Manager and Chief Engineer

ED/ein

Attachment: SOP No. 64, Water Service Request In and Out of the Water Service Area

Mgrpp/August 2016/16-58/Discussion and Possible Action on Department of Water's Standard Operating Procedures (SOP) regarding Providing Water Service Outside of the Water Zone (RBM 6-30-16) (RCM 8-2-16):ein

STANDARD OPERATING PROCEDURE		S.O.P. No.	64
		Supersedes S.O.P. No.	N/A
DEPARTMENT OF WATER COUNTY OF KAUAI		Date Effective:	July 1, 2016
		Date First Issued:	
Applicable to:	WATER RESOURCES AND PLANNING DIVISION	Introduced By:	Edward Doi
		Page No.	1 of 2
		Revised By:	N/A
		Subject: Water Service Request In and Out of the Water Service Area	

PURPOSE: This SOP has been prepared to define the Department’s practices relative reviewing water service request made for development located inside and outside of the water service area.

As used herein, the following shall mean,

Department of Water’s Water Plan 2020 – A 20 year plan that was completed by the Kauai Department of Water and members of the Water Board in March 2001. It is a comprehensive, long range planning effort, to ensure that the DOW continues to provide safe, affordable and sufficient drinking water in the 21st century for our community.

Water Service Area – An area that is serviced by the existing water system and is defined by Water Plan 2020 which normally incorporates the County’s General Plan. The water service area is generally limited to the areas that have appropriate planning and zoning approvals in place.

Water System – Mains, valves, hydrants, laterals, pumps, tanks, reservoirs and all appurtenances necessary to provide water.

Affordable or Workforce Housing Projects – Any project confirmed or sponsored by the County Housing Agency as a residential development where majority of housing lots, single family dwelling units, or multiple-family units are affordable housing or workforce housing as defined in Chapter 7A of the Kauai County Code 1987, as amended.

Types of water service requests:

- I. Request for water service located inside the water service area of a water system:
 - The DOW will review adequacy of the source, storage and transmission mains to provide adequate domestic and fire flow demands.

II. Request for water service located outside of the water service area of a water system:

- a. Development on land presently zoned:
 - The DOW will review adequacy of the source, storage and transmission mains to provide adequate domestic and fire flow demands.
 - If adequate, the DOW will provide requirements to obtain water service and meet all water system standard requirements.

- b. Development on land that needs Land Use Amendments, Zoning Amendment, and/or when the desired land use for development is not consistent with the existing Land Use designation:
 - The DOW will require the applicant to provide all necessary source, storage and transmission facilities required for the proposed development.

- c. Development of Affordable or Workforce Housing Projects:
 - The DOW will review adequacy of the source, storage and transmission mains to provide adequate domestic and fire flow demands.
 - The DOW will collaborate with and obtain necessary documents from the County Housing Agency verifying that the proposed project meets requirements for an affordable or workforce housing project. The DOW shall determine if the project will need to construct all necessary source, storage and transmission facilities necessary to provide domestic and fireflow demands of the project.

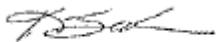
- d. Development on lands where land use amendment applications have been approved:
 - DOW would research previous comments, review and make recommendations.

The Rules and Regulations shall govern all discrepancy contained herein.

The Manager may grant exceptions to the above if the Manager finds all of the following:

- i. Strict application of the rule would cause an absurd, unfair, or unreasonably harsh result; and
- ii. The Prior Applicant's circumstance or condition is unique or exceptional and the Manager would grant the same request if made by ever similarly situated Prior Applicant; and
- iii. Such exception thereof is as reasonably necessary or expedient and not contrary to law or the intent and purposes of these rules.

APPROVED:



Kirk Saiki, P.E.
Manager and Chief Engineer