

NOTICE OF PUBLIC HEARING
COUNTY OF KAUAI

The Board of Water Supply of the County of Kauai (“Board”) will hold a public hearing and receive public testimony and comments from all interested persons regarding the following item:

**PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS OF THE BOARD OF
WATER SUPPLY, COUNTY OF KAUAI, STATE OF HAWAII**

The Department of Water is recommending the proposed amendment to Part 5 Section III to establish and implement a Facilities Reserve Charge for Guest Houses containing a kitchen and Additional Rental Units. Below is a summary of the proposed changes.

PART 5 FACILITIES RESERVE CHARGE
SECTION III, APPLICABILITY

1. The Facilities Reserve Charge shall be assessed against all new developments and subdivisions requiring supply of water from the County of Kauai, Department of Water, and existing developments requiring new or additional supply of water from the Department’s system. The Facilities Reserve Charge must be paid before water services are made available to the new or existing development.

2. The Facilities Reserve Charge shall be paid by all Applicants for new or additional water service, including but not limited to the following:
 - a. All irrigation services and/or meters.
 - b. Additional buildings to be connected to existing services where additional demands are indicated. The charges shall be based on the meter sizes required if the buildings were metered separately.
 - c. Additional dwellings connected to existing services and meters under the categories of single family and multi-family residential units. The charges will be based on the established schedule of charges for the respective categories.
 - d. Changes in service that require an increase in meter size.
 - e. Where an FRC was paid but a water meter was never installed to serve the subject property, the applicant shall pay the Facilities Reserve Charge in accordance with Part 5, Section IV (4) of these Rules.

3. The Facilities Reserve Charge shall apply to all Applicants for water service as follows:
 - a. For each parcel created by subdivision, including the first lot created; and for every

new single family residential dwelling unit not yet metered and a Facilities Reserve Charge has not yet been paid, the applicable Facilities Reserve Charge shall be \$14,115.00.

- b. The Facilities Reserve Charge for multi-family and/or resort development will be the cost of the approved meter size or the cost of \$9,880.00 per unit or hotel room, whichever number is larger.
- c. The Facilities Reserve Charge for conversion of legally existing single-family units to a multi-family unit structure, as provided by law, will be assessed at 50% of the Facilities Reserve Charge for multi-family units, per unit.
- d. For projects developed by the County of Kaua'i Housing Agency or in partnership with the County of Kaua'i Housing Agency, and certified by the County of Kaua'i as affordable housing (defined by Kaua'i County Ordinance 7A-1.3), the Facilities Reserve Charge shall be \$4,940.00 per unit.
- e. **The Facilities Reserve Charge for a Guest House, containing a kitchen, shall be \$9,880.00.**
- f. **The Facilities Reserve Charge for an Additional Rental Unit (ARU) shall be \$9,880.00.**

[e-] **g.** For all other uses, the Facilities Reserve Charge shall be determined by the size of the meter, as shown below. Meter sizes shall be determined by the Department and not by the Developer or Applicant.

Meter Size	Amount
5/8"	\$ 14,115.00
3/4"	\$ 21,170.00
1"	\$ 35,290.00
1 1/2"	\$ 70,580.00
2"	\$ 112,920.00
3"	\$ 225,840.00
4"	\$ 352,880.00
6"	\$ 705,750.00
8"	\$ 1,129,200.00

Facilities Reserve Charges are periodically adjusted by the Department. These adjustments may increase or decrease existing Facilities Reserve Charge amounts. Where adjustments to Facilities Reserve Charges result in decreases of such charges, no refund will be made of the difference between the higher, pre-existing charges and the lower, adjusted charges.

The Public hearing will be held at the following location, date and time given below:

March 31, 2020
5:00 PM
Board Room, Second Floor, Department of Water
4398 Pua Loke Street
Līhu'e, Kaua'i, Hawai'i 96766

The proposed rule will be available to view on the Kaua'i Department of Water's website, www.kauaiwater.org. A copy of the proposed rule will be mailed to any interested person who requests a copy and pays the required fees for the copy and the postage. The rules proposed may also be reviewed in person from Monday through Friday, 8 am to 4:00 p.m. at the Kaua'i Department of Water, 4398 Pua Loke Street Līhu'e, Kaua'i, Hawai'i 96766. Requests may be made by calling the Commission Support Clerk at (808) 245-5406, or by submitting facsimile requests to (808) 245-5813. Requests may also be made up to and including the date of the public hearing.

All interested persons may submit data, views, arguments, or other testimony orally or in writing, or both, concerning the proposed rule amendments. Data, views, arguments, or other testimony may be submitted any time up to and including the date of the public hearing, or at the public hearing itself. Data, views, arguments, or testimony may be submitted by e-mail to eineumiller@kauaiwater.org, by facsimile to (808) 245-5813 or by U.S. mail to the Board of Water Supply, whose address is Kaua'i Department of Water, 4398 Pua Loke Street, Lihue, Kaua'i, Hawai'i 96766.

SPECIAL ASSISTANCE

If you need an auxiliary aid/service, other accommodations due to a disability, or an interpreter for non-English speaking persons, please contact Edie Ignacio-Neumiller at (808) 245-5406 or eineumiller@kauaiwater.org as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, braille, or electronic copy.

BY ORDER OF THE BOARD: Kurt Akamine, Board of Water Chairperson

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