

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 HAWAII

PART 5 – FACILITY RESERVE CHARGE SECTION III - APPLICABILITY

The Department of Water is recommending the following rule changes below:

Part 5, Section III, - Applicability, Paragraph 3.c. – The Facilities Reserve Charge for conversion of legally existing single-family units to a multi-family two dwelling unit structure, as provided by law, will be assessed at 50% of the Facilities Reserve Charge for multi-family units, per unit.

Part 5, Section III, Applicability, Paragraph 3.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 Housing Agency as affordable housing (defined by Kaua'i County Ordinance 7 A-1.5), the Facilities Reserve Charge shall be \$4,940.00 per unit.

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 (6) 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 two dwelling 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 Housing Agency as affordable housing (defined by Kaua'i County Ordinance 7 A-1.3 , the Facilities Reserve Charge shall be \$4,940.00 per unit).
 - ee. 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:

Wednesday, September 7, 2016
5:00 p.m.
Kauai County Department of Water's Microbiology Lab Building
2nd floor,
4398 Pua Loke Street, Lihue

A copy of the proposed recommendation will be mailed to any interested person who requests a copy and pays the required fees for the copy and the postage. The rule proposed to be repealed may also be reviewed in person from Monday through Friday, 8 am to 4:15 p.m. Requests may be made by calling the Water Manager's Office at (808) 245-5406, or by submitting facsimile requests to (808) 246-8628. 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) 246-8628 or by U.S. mail to the Water Manager's Office, whose address is Kauai Department of Water, 4398 Pua Loke Street, Lihue, Kauai, Hawaii 96766.

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.

BY ORDER OF THE BOARD: Laurie Ho, Chairperson

(Published in The Garden Island & Department of Water's Website at www.kauaiwater.org on August 5, 2016 & September 7, 2016.)