



A BILL FOR AN ORDINANCE

TO ADOPT THE WAIANAE WATERSHED MANAGEMENT PLAN OF THE BOARD OF WATER SUPPLY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose and Intent. The purpose of this ordinance is to amend a portion of the Oahu Water Management Plan (OWMP), enacted by Ordinance No. 90-62 and codified as Chapter 30, Articles 1, 2, and 3, Revised Ordinances of Honolulu 1990, as amended (ROH), by adopting the Waianae Watershed Management Plan.

The Waianae Watershed Management Plan provides a long-range 20-year plan for the preservation, restoration, and balanced management of ground water, surface water, and related watershed resources in the Waianae District. The Waianae Watershed Management Plan is one of several regional Watershed Management Plans that will, together with islandwide water management policies and strategies in Article 2 of ROH Chapter 30, form the updated Oahu Water Management Plan.

SECTION 2. Article 1 of Chapter 30, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**“Article 1. General Provisions**

**Sec. 30-1.1 Purpose.**

- (a) The state water code (HRS Chapter 174C) mandates the preparation and adoption of a water use and development plan by each county as part of the Hawaii water plan. In adopting the plan, the City and County of Honolulu recognizes that water is a limited resource, the development and use of which must be carefully planned.
- (b) The water use and development plan for the City and County of Honolulu, which is called the Oahu water management plan (OWMP), is intended to fulfill the requirements set forth by the state water code.
- (c) The OWMP consists of overall policies and strategies and regional watershed management plans, which guide the activities of the City and County of Honolulu and advises the state commission on water resource management in the areas of planning, management, water development and use and allocation of Oahu’s limited water resources.



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**Sec. 30-1.2 Definitions.**

Whenever used in this chapter, unless the context otherwise requires:

“Board” means the board of water supply of the City and County of Honolulu.

“City” means the City and County of Honolulu.

“Commission” means the commission on water resource management.

“Department” means the [planning] department of planning and permitting of the City and County of Honolulu.

“Development plans” means the development plans of the City and County of Honolulu as defined by Revised Charter Section 6-1509.

“Domestic use” means any use of water for individual personal needs and for household purposes such as drinking, bathing, heating, cooking, noncommercial gardening and sanitation.

“General plan” means the general plan of the City and County of Honolulu as defined by Revised Charter Section 6-1508.

“Groundwater” means any water found beneath the surface of the earth, whether or not in perched, dike-confined or basal supply; in underground channels or streams; in standing, percolating or flowing condition; or under artesian pressure.

“Hawaii water plan” means the integrated program of the commission for the protection, conservation and management of the waters of the state, with such amendments, supplements and additions as may be necessary, mandated by the state water code.

“Municipal use” means the domestic, industrial and commercial use of water through public services available to persons of a county for the promotion and protection of their health, comfort and safety, for the protection of property from fire, and for domestic use.

“Oahu water management plan” [(“the plan”)] (“OWMP”) means the water use and development plan mandated by the state water code and collectively reflected in islandwide water management policies and strategies in Article 2, and regional watershed management plans in Articles 2A and thereafter.



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["Oahu water plan" means the board's municipal water use plan for Oahu.]

"State water code" means HRS Chapter 174C.

**Sec. 30-1.3 Consistency requirements.**

[This water use and development plan] The Oahu water management plan shall be consistent with (a) the water resource protection and water quality plans of the Hawaii water plan; (b) city land use plans and policies including the general plan, development plans and zoning; and (c) state land use classification and policies.

**Sec. 30-1.4 Preparation[.] and adoption of regional watershed management plans.**

[The] In conjunction with the board, the department shall be responsible for the preparation of the regional watershed management plans for the Oahu water management plan. The regional watershed management plans shall be adopted by ordinance.

**Sec. 30-1.5 [Supporting document.] Interim plan in areas not yet subject to a regional watershed management plan.**

[The technical reference document of the Oahu water management plan contains the supporting data, analyses and conclusions which are the bases for the Oahu water management plan.] In areas where a regional watershed plan has not been adopted, Articles 1, 2, and 3 of this chapter and the Technical Reference Document for the Oahu Water Management Plan, dated March 1990, shall serve as the water use and development plan.

**Sec. 30-1.6 Revisions.**

The department, working in conjunction with the board, shall be responsible for [reviewing and making necessary revisions to the bases and conclusions of the technical reference document of the Oahu water management plan. The department shall complete such a review and make the necessary revisions within by July 1, 1992, and thereafter, the department shall review and make revisions, if necessary, to the technical reference document every two years. Major revisions to the technical reference document which affect the policies and strategies of the Oahu water management plan shall be approved by the city council.] the preparation of updates to the regional watershed management plans. Each regional watershed management plan shall be updated, at a minimum, in tandem with the respective Development Plan/Sustainable Communities Plan. Updates shall be adopted by ordinance."



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SECTION 3. The title of Chapter 30, Article 2, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**“Article 2. Oahu Water Management [Plan] Policies and Strategies”**

SECTION 4. Section 30-2.3 (“Water management strategies”), Revised Ordinances of Honolulu 1990, as amended, is amended by amending subsection (a) to read as follows:

“(a) Based on the findings and projections in [the technical reference document of] the Oahu water management plan, [Oahu should have] provisions for an adequate supply of water to meet islandwide needs for at least [until the year 2010.] twenty years shall be addressed. This [has been] shall be determined after evaluating the anticipated demand for water use from municipal, agricultural, military and private users; the available remaining groundwater which can be safely developed; the planned and proposed water source development projects; and alternative water development projects [now] under way.”

SECTION 5. Chapter 30, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new Article 2A to read as follows:

**“Article 2A. Waianae Watershed Management Plan**

**Sec. 30-2A.1 Applicability.**

This Article applies to the Waianae District, which is described in the Waianae Watershed Management Plan. This Article supplements Article 2 with respect to the Waianae District.

**Sec. 30-2A.2 Adoption of the Waianae Watershed Management Plan.**

Pursuant to Hawaii Revised Statutes Chapter 174C, the plan entitled “Waianae Watershed Management Plan,” dated August 2009, attached to this ordinance as Exhibit A-1, is hereby adopted and by reference is incorporated herein as a regional watershed management plan for Oahu. Exhibit A-1 need not be included in this code.

**Sec. 30-2A.3 Conflicting provisions.**

Any provision contained in this article shall, with respect to the Waianae District, prevail should there be any conflict with any other provisions of Articles 1 or 2 of this chapter.”



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SECTION 6. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.

SECTION 7. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Todd Apo (BR)

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DATE OF INTRODUCTION:

February 2, 2010  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Don S. Ritschky*  
Deputy Corporation Counsel

APPROVED this 2ND day of September, 2010.

*Kirk W. Caldwell*  
KIRK W. CALDWELL, Acting , Mayor  
City and County of Honolulu

PLEASE REFER TO  
ORD10-17 EXHIBIT A-1

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
C E R T I F I C A T E

ORDINANCE **10-17**

BILL 9 (2010), CD2

Introduced: 02/02/10 By: TODD APO (BR)

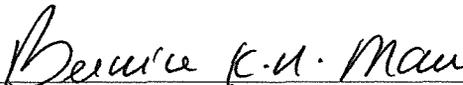
Committee: PLANNING

Title: A BILL FOR AN ORDINANCE TO ADOPT THE WAIANAE WATERSHED MANAGEMENT PLAN OF THE BOARD OF WATER SUPPLY.

Links: [BILL 9 \(2010\) EXHIBIT A \(12 MB\)](#)  
[BILL 9 \(2010\), CD1 EXHIBIT A](#)  
[BILL 9 \(2010\), CD2 EXHIBIT A-1](#)  
[CR-82](#)  
[CR-260](#)

COUNCIL	02/24/10	BILL PASSED FIRST READING AND REFERRED TO PLANNING COMMITTEE.				
	ANDERSON Y	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	
	GARCIA Y	KOBAYASHI Y	OKINO Y	TAM Y		
PLANNING	03/04/10	CR-82 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN <u>CD1 (EXHIBIT A)</u> FORM AND SCHEDULING OF A PUBLIC HEARING.				
PUBLISH	03/06/10	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.				
COUNCIL/PUBLIC HEARING	03/17/10	CR-82 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO PLANNING COMMITTEE.				
	ANDERSON Y	APO Y	CACHOLA A	DELA CRUZ A	DJOU Y	
	GARCIA Y	KOBAYASHI Y	OKINO Y	TAM Y		
PUBLISH	03/24/10	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.				
PLANNING	04/08/10	BILL DEFERRED IN COMMITTEE.				
NOTE: EFFECTIVE MAY 25, 2010, COUNCILMEMBER CHARLES DJOU, REPRESENTING COUNCIL DISTRICT IV, RESIGNED FROM OFFICE. (Refer to Communication <u>CC-99</u> )						
ON JUNE 9, 2010, THE APPOINTMENT OF LEE DONOHUE WAS APPROVED (Refer to <u>RES10-132, CD1, FD1 (VERSION A)</u> ) AND HE WAS SWORN INTO OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL REPRESENTING DISTRICT IV TO FILL THE REMAINING TERM OF FORMER COUNCILMEMBER CHARLES DJOU.						
PLANNING	08/05/10	CR-260 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN <u>CD2 (EXHIBIT A-1)</u> FORM.				
COUNCIL	08/18/10	CR-260 ADOPTED AND BILL 9 (2010), CD2 PASSED THIRD READING AS AMENDED.				
	ANDERSON Y	APO Y	CACHOLA Y	DELA CRUZ Y	DONOHUE Y	
	GARCIA Y	KOBAYASHI Y	OKINO Y	TAM Y		

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
BERNICE K. N. MAU, CITY CLERK

  
TODD K. APO, CHAIR AND PRESIDING OFFICER