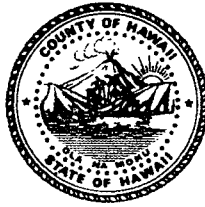


William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
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County of Hawai'i PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

May 14, 2015

Ellis J. Hester
P.O. Box 219
Pahala, HI 96777-0219

Dear Mr. Hester:

SUBJECT: VARIANCE DECISION - VAR-15-000274

Applicant: ELLIS J. HESTER, TRUSTEE
Owner: ELLIS JACOB HESTER TRUST/M.L.MACADAMIA ORCHARDS, LP
Request: Variance from Chapter 23, Subdivisions, Article 6, Division 2,
Improvements Required, Section 23-84, Water Supply
Tax Map Key: 9-6-005:017 (SUB-13-001245)

Upon review of your variance application, the Planning Director certifies the **approval** of Variance VAR-15-000274 subject to variance conditions. The variance grants relief for SUB-06-000371 from constructing minimum County dedicable water supply system improvements for the 2 lots as required by Hawai'i County Code (HCC), Chapter 23 (Subdivisions).

The variance is from the proposed subdivision's minimum requirements pursuant to HCC, Chapter 23 (Subdivisions), Article 6, Division 2, Improvements Required, Section 23-84, Water Supply, (1)(2).

BACKGROUND

1. **Location.** The referenced property, being all of Grant 1,374, containing approximately 59.05 acres, is situated in Pa'au'au, Ka'u, Hawai'i.
2. **County Zoning.** Agricultural – twenty acres (A-20a).
3. **State Land Use.** Agricultural (A).
4. **General Plan.** Land Use Pattern Allocation Guide (LUPAG) map designates the property as Important Agricultural Lands (ial).

5. **Subdivision Code Requirements.** The subdivision code requires that subdivisions be served by a water system meeting the minimum requirements of the County Department of Water Supply (DWS) and be provided with water mains and fire hydrants installed to and within the subdivision in accordance with the rules and regulations of the DWS.
6. **Subdivision Request/PPM.** Subdivision application SUB-13-001245 was submitted to subdivide the subject TMK property into 2 lots. Further action on the subdivision application has been deferred pursuant to letters dated October 9, 2013 and June 5, 2014 in the subdivision file.
7. **Variance Application.** The variance request from water supply improvements was acknowledged by Planning Department letter dated February 26, 2015. This variance application includes background history and circumstances and information regarding the pending subdivision application.
8. **Variance Application (VAR-15-000274) Agency Comments and Requirements.**
 - a. State of Hawai'i-Department of Health (DOH): See attached memorandum dated March 2, 2015.
 - b. County of Hawai'i Fire Department (HFD): See attached memorandum dated March 4, 2015.
 - c. Department of Water Supply (DWS): See attached memoranda dated March 17, 2015. We have also attached their comments in response to the subdivision application.
 - d. No other agency comments were solicited and none were received.
9. **Notice to Surrounding Owners/Posted Sign.** The applicant submitted evidence, on January 9, 2015, regarding the posting of a public notification sign on the subject property pursuant to Section 23-17(c) of the Hawai'i County Code (HCC). A picture of the posted sign was also submitted. Evidence received February 6, 2015 and mailing verification forms indicate that a notice of the application was sent to the surrounding property owners as required by Section 23-17(a). Due to the late notification to the surrounding property owners, the applicant granted a time extension to the Planning Director's decision date until March 10, 2015.
10. **Comments from Surrounding Property Owners or Public.** There were no written comments received from the surrounding property owners or the public.

ANALYSIS OF GROUNDS FOR VARIANCE

No variance will be granted unless it is found that:

- (a) ***There are special or unusual circumstances applying to the subject real property which exist either to a degree which deprives the owner or applicant of substantial property rights that would otherwise be available or to a degree which obviously interferes with the best use or manner of development of that property.***

The Variance application meets criterion (a) for the following reasons(s):

The subdivision request is for two (2) lots in keeping with the existing A-20a zoning. Although a dedicable water system is a requirement of the code, the subject property is not able to be supported by the present service facilities of the existing DWS system and it would be unreasonable to expect the owners to construct the required service upgrades. Therefore, it is reasonable that, in lieu of constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for the pending 2-lot subdivision, a more reasonable alternative can be allowed pursuant to Planning Department Rule No. 22, Water Variance.

The above special and unusual circumstances would deprive the applicant from developing this property and interferes with the best use of this property.

Therefore, for this large lot agricultural subdivision, the best use and manner of the development allows for individual rain water catchment systems in keeping with the rural agricultural character of the surrounding area.

(b) *There are no other reasonable alternatives that would resolve the difficulty.*

The Variance application meets criterion (b) for the following reasons(s):

The DWS has indicated that the property is not within the service limits of their existing water system facilities. Constructing water system improvements to either extend/upgrade the DWS facilities or provide a private water system to DWS standards for the pending 2-lot subdivision would be placing excessive demands upon the applicant because of the extensive improvements and additions required to the existing DWS water system facilities. At an elevation of approximately 1,300 feet above sea level, the drilling of wells and construction of other water system improvements to DWS standards would also be unreasonable for a two (2) lot subdivision.

(c) *The variance will be consistent with the general purpose of the district, the intent and purpose of this chapter, and the County general plan and will not be materially detrimental to the public welfare or cause substantial, adverse impact to an area's character or to adjoining properties.*

The Variance application meets criterion (c) for the following reasons(s):

Given that there is adequate rainfall (approximately 60 inches to 80 inches of rainfall annually) to support individual water catchment and this is an agricultural subdivision, the granting of this variance would be consistent with the general purpose of the agricultural district. Water catchment is consistent with the intent of the policies of the general plan in that it will further

agricultural activity. Water catchment will not be materially detrimental to the public welfare as it serves only private parties.

Subject to conditions, granting of the variance will not cause substantial, adverse impact to the area's character or to adjoining properties. The collection of rainwater could help to reduce runoff and may be a benefit to the surrounding area.

Given that the subject area receives sufficient annual rainfall, a water variance would be consistent with the general purpose of the zoning district and the intents and purposes of the Zoning Code, Subdivision Code, Rule 22 and the Hawai'i County General Plan.

DETERMINATION-VARIANCE CONDITIONS

The variance to permit the proposed 2-lot subdivision of the subject TMK property without providing dedicable water system improvements meeting DWS standards is hereby **approved** subject to the following variance conditions:

1. The applicant, owners, their assigns, or successors shall be responsible for complying with all stated conditions of approval.
2. Should the Council adopt a Unified Impact Fees Ordinance setting forth criteria for the imposition of exactions or the assessment of impact fees, conditions included herein shall be credited towards the requirements of the Unified Impact Fees Ordinance.
3. The owners, their assigns, or successors shall file a written agreement document with the Planning Department within one (1) year from the issuance of tentative subdivision approval. This written agreement shall contain deed language, being covenants, conditions, and restrictions affecting the 2 lots created by the proposed subdivision which is not serviced by a County dedicable public water system. The agreement shall be duly recorded at the Bureau of Conveyances of the State of Hawai'i by and at the cost and expense of the owners. A copy of the recorded document shall be supplied to the Planning Department for our files.

In the event that there are any amendments or changes to the subdivision after the agreement is signed, the applicant shall be responsible for informing the County Planning Department of such amendments or changes so that the agreement can be amended concomitantly. Further, the recorded agreement shall be binding upon the owner(s), their successors or assigns and shall be incorporated as an exhibit and made part of each agreement of sale, deed, lease, or similar documents affecting the title of the existing property or approved subdivided lots.

4. The subdivider and all grantees, successors, and assigns acknowledge that the parcels were created by a variance from the normal subdivision requirements of Hawai'i County, and that there are no longer any special or unusual circumstances applying to the property, and hence, no grounds exist or

will exist for another variance from the Subdivision Code to permit further subdivision of the properties.

5. The owners, grantees, successors, and assigns agree and accept the fact that a County dedicable public water system will not be extended to serve the 2 lots within proposed subdivision SUB-13-001245.
6. The owners, grantees, successors, and assigns agree and accept the fact that the County will not bear the responsibility of supplying public water to the 2 proposed lots. No further subdivision of the lots created will be permitted unless County dedicable public water system requirements and other requirements of HCC Chapter 23, Subdivisions, are met.
7. No condominium property regime will be allowed on either lot created, nor will an Ohana Dwelling Unit be permitted or allowed.
8. Any dwelling constructed on any created lot not served by the DWS shall be provided with and maintain a private rainwater catchment system which includes a minimum 6000-gallon water storage capacity for domestic consumption or potable uses. This private water storage system shall adhere to the University of Hawai'i's College of Tropical Agriculture and Human Resources' "Guidelines on Rainwater Catchment Systems for Hawai'i" as well as the DOH requirements related to water testing and water purifying devices.
9. Each permitted dwelling on a lot not served by the DWS shall also be provided with a **minimum** 3,000 gallon water storage capacity dedicated for firefighting and emergency purposes. The location and capacity of the emergency water supply system, including the necessary compatible fire apparatus connector system, shall be as specified by the HFD in the memorandum attached to this permit for reference. The HFD also advises, as a precautionary measure for other uninhabited structures, that consideration be given to the provision of a similar water storage system for firefighting and emergency purposes.
10. In the event that the County notifies the owner(s) of the lot(s) created that the County water system has been upgraded or an improvement district initiated to enable service to these lots, the owner(s) of lot(s) shall participate in such improvement district or shall pay their pro-rata share of the upgrade and installation of laterals, as determined by the DWS.
11. The pending subdivision application's (SUB-13-001245) final plat map shall meet all the requirements of the Hawai'i County Zoning Code and the Subdivision Code that are not covered by this variance.
12. The subdivider, owner(s), their assigns or successors shall pay any outstanding real property taxes and comply with all other applicable State statutes and County ordinances pertaining to building improvements and land use.

Ellis J. Hester
Page 6
May 14, 2015

Should any of the foregoing conditions not be complied with, the Planning Director may proceed to declare this Variance Permit null and void.

Sincerely,



DUANE KANUHA
Planning Director

JRH:nci

\\COH33\planning\public\Admin Permits Division\Variance\2015\VAR-15-000274 Hester Water\APVL.docx

Encls: Agency Comments

xc: DWS-Engineering Branch
HFD
R. Whitmore, CDP Planner (via email)
SUB-13-001245

xc w/encls: Thomas G. Pattison, LPLS
Pattison Land Surveying, Inc.
68-1125 North Kaniku Drive, Unit 906
Kamuela, HI 96743

G. Bailado, GIS Section (via email)



William P. Kenoi
Mayor

Darren J. Rosario
Fire Chief
Rosario, J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Room 2501 • Hilo, Hawaii 96720
(808) 932-2900 • Fax (808) 932-2928

PLANNING DEPARTMENT
COUNTY OF HAWAII
2015 MAR -05 PM 2:36

March 4, 2015

TO: DUANE KANUHA, PLANNING DIRECTOR
FROM: DARREN J. ROSARIO, FIRE CHIEF
SUBJECT: VARIANCE - VAR-15-000274
APPLICANT: ELLIS J. HESTER, TRUSTEE
OWNER: ELLIS JACOB HESTER TRUST/M.L. MACADAMIA ORCHARDS, LP
REQUEST: VARIANCE FROM CHAPTER 23, SUBDIVISIONS, ARTICLE 6,
DIVISION 2, IMPROVEMENTS REQUIRED, SECTION 23-84, WATER SUPPLY
TAX MAP KEY: 9-6-005:017 (SUB 13-01245)

In regards to the above-mentioned Variance application, the following shall be in accordance:

NFPA 1, UNIFORM FIRE CODE, 2006 EDITION

Note: NFPA 1, Hawaii State Fire Code with County amendments. County amendments are identified with a preceding "C-" of the reference code.

Chapter 18 Fire Department Access and Water Supply

18.1 General. Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved.

18.1.1 Plans.

18.1.1.1 Fire Apparatus Access. Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.



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Hawaii's County is an Equal Opportunity Provider and Employer.

DAVID M. IGE
GOVERNOR OF HAWAII



PLANNING DEPARTMENT
COUNTY OF HAWAII

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

3 10 01

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILLO, HAWAII 96721-0916

MEMORANDUM

DATE: March 2, 2015
TO: Mr. Duane Kanuha
Planning Director, County of Hawaii
FROM: Newton Inouye
District Environmental Health Program Chief
SUBJECT: APPLICATION: VARIANCE-VAR-15-000274
APPLICANT: ELLIS J. HESTER, TRUSTEE
OWNER: ELLIS JACOB HESTER TRUST/M.L. MACADAMIA ORCHARDS, LP
REQUEST: Variance from Chapter 23, Subdivisions, Article 6, Division 2, Improvements Required, Section 23-84, Water Supply
Tax Map Key: 9-6-005:017 (SUB-13-001245)

The Department of Health's Safe Drinking Water Branch authority on drinking water quality is based on the definition of a "public water system." A "public water system" means a system which provides water for human consumption through pipe or other constructed conveyance if such system has fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. All public water systems are regulated by the Department of Health and shall be in compliance with the Hawaii Administrative Rules, Title 11, Chapter 20. Recommend the subdivision lots be connected to an existing public water system.

Concerns on water quality for lead, copper, algae and microbiological and chemical contaminants in private water systems have identified the need for self monitoring. The Department of Health does not support the use of these private rain catchment systems for drinking water purposes since the quality may not meet National Primary Drinking Water Standards for potable drinking water for human consumption. The U.S. Environmental Protection Agency (EPA) defines human consumption to include drinking, bathing, showering, cooking, dishwashing, maintaining oral hygiene and includes hand washing.

WORD: VAR-15-000274.ai

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18.2.3.4.6.3 Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.

18.2.3.4.7 Traffic Calming Devices. The design and use of traffic calming devices shall be approved by the AHJ.

18.2.3.5 Marking of Fire Apparatus Access Road.

18.2.3.5.1 Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof of both.

18.2.3.5.2 A marked fire apparatus access road shall also be known as a fire lane.

18.2.4* Obstruction and Control of Fire Department Access Road.

18.2.4.1 General.

18.2.4.1.1 The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

18.2.4.1.2 Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.

18.2.4.1.3* Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.

18.2.4.1.4 Entrances to fire departments access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.

18.2.4.2 Closure of Accessways.

18.2.4.2.1 The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.

18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.

18.2.3.4.1.2.2 Vertical clearances shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.

C- 18.2.3.4.2 Surface. Fire department access roads and bridges shall be designed and maintained to support the imposed loads (25 Tons) of the fire apparatus. Such FDAR and shall be comprised of an all-weather driving surface.

18.2.3.4.3 Turning Radius.

C- 18.2.3.4.3.1 Fire department access roads shall have a minimum inside turning radius of 30 feet, and a minimum outside turning radius of 60 feet.

18.2.3.4.3.2 Turns in fire department access road shall maintain the minimum road width.

18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.

18.2.3.4.5 Bridges.

18.2.3.4.5.1 When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with county requirements.

18.2.3.4.5.2 The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.

18.2.3.4.5.3 Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.

18.2.3.4.6 Grade.

C- 18.2.3.4.6.1 The maximum gradient of a Fire department access road shall not exceed 12 percent for unpaved surfaces and 15 percent for paved surfaces. In areas of the FDAR where a Fire apparatus would connect to a Fire hydrant or Fire Department Connection, the maximum gradient of such area(s) shall not exceed 10 percent.

18.2.3.4.6.2* The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

18.3.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

18.3.6 Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

18.3.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

C- 18.3.8 Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for Firefighting.

Buildings 2001 - 3000 square feet, shall have a minimum of 6,000 gallons of water available for Firefighting.

Buildings, 3001 - 6000 square feet, shall have a minimum of 12,000 gallons of water available for Firefighting.

Buildings, greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(6) of this code.

NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:

(1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting.

18.2.4.2.3 Roads, trails, and other accessways that have been closed and obstructed in the manner prescribed by 18.2.4.2.1 shall not be trespassed upon or used unless authorized by the owner and the AHJ.

18.2.4.2.4 Public officers acting within their scope of duty shall be permitted to access restricted property identified in 18.2.4.2.1.

18.2.4.2.5 Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals that have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with, or otherwise vandalized in any manner.

18.3 Water Supplies and Fire Hydrants

18.3.1* A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural, Occupancies, the requirements of section 18.3.1 may be modified by AHJ.

18.3.2* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

18.3.3* The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

18.3.4 Fire Hydrants and connections to other approved water supplies shall be accessible to the fire department.

greater than 2000 square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.

(5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact the Fire Prevention Bureau at (808) 932-2911.


DARREN J. ROSARIO
Fire Chief

RP/lc

- (2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:
- (a) 4" for C900 PVC pipe;
 - (b) 4" for C906 PE pipe;
 - (c) 3" for ductile iron;
 - (d) 3" for galvanized steel.
- (3) The Fire Department Connection (FDC) shall:
- (a) be made of galvanized steel;
 - (b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
 - (c) be located between 8 ft and 16 ft from the Fire department access. The location shall be approved by the AHJ;
 - (d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
 - (e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;
 - (f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
 - (g) also comply with section 13.1.3 and 18.2.3.4.6.1 of this code;
- (4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus' conducting drafting operations at once, in mind.
- (5) Inspection and maintenance shall be in accordance to NFPA 25.
- (6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appearance of the system.

EXCEPTIONS TO SECTION 18.3.8:

- (1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.
- (2) Buildings less than 800 square feet in size that meets the minimum Fire Department Access Road requirements.
- (3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.
- (4) For one and two family dwellings, agricultural buildings, and storage sheds



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
345 KEKUAO'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

RECEIVED
PLANNING DEPARTMENT
MARCH 17 2015

March 17, 2015

TO: Mr. Duane Kanuha, Director
ATTENTION: MR. JONATHAN HOLMES
Planning Department

FROM: Quirino Antonio, Jr., Manager—Chief Engineer

SUBJECT: VARIANCE APPLICATION (VAR 15-000274)
SUBDIVISION APPLICATION (SUB-13-001245)
APPLICANT - ELLIS J. HESTER TRUST/M.L. MACADAMIA ORCHARDS, LP
TAX MAP KEY 9-6-005:017

We have reviewed the subject application, and our comments from our memorandum to you of June 13, 2013, regarding the subject subdivision still stand.

We have no objection to the use of a rainwater catchment system; however, we cannot approve or comment as to the adequacy of those systems as they do not meet the requirements of the Department's Water System Standards.

We recommend that the owner(s) consult with the County of Hawaii, Planning Department, the County of Hawaii, Department of Public Works, and/or the State of Hawaii, Department of Health, to determine any other guidelines, recommendations, or regulations regarding the use of rainwater catchment systems.

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 255.

Sincerely yours,

Quirino Antonio, Jr., P.E.
Manager—Chief Engineer

TS:dfg