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Council to fight today for water code changes

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The City Council does not believe the proposed state water code being considered by the Legislature clearly ensures the city's right to determine how water will be used on Oahu, Council member Patsy Mink said yesterday.

The Council also fears that the code falls short of making sure individuals and companies cannot own water rights, she said.

The Council agreed during an Intergovernmental Relations Committee meeting this week to lobby today for changes to the code during a public hearing at 1:30 p.m. before the House Finance Committee.

The 1978 Constitutional Convention mandated that a state water agency be established by the Legislature to set policy for water conservation, quality and use, and to protect water resources and environments.

The proposed code drafted by Rep. Calvin Say gives counties a role in issuing water use permits, while placing overall control with the state Board of Land and Natural Resources.

Several Council members say

the proposed code misses the mark by setting up a "superagency" that would administer procedures for water allocation, but would not fulfill the constitutional mandate to set policy on water conservation, preservation and use.

Mink said she feared the code would create a "superstructure" over and above the city's Board of Water Supply, which issues water use permits and which she believes should continue to have the authority to determine how the water is used.

The Council also is concerned that the proposed code includes terms that suggest ownership of water.

The Council committee also wants the code to include a provision that would give farmers the first chance at using water relinquished by another agriculture user.

Mink said that provision would avoid a recent situation in which Oahu Sugar Co. relinquished the right to use 22 million gallons a day, and the water was allocated to developers and not to Waianae farmers whose water use is restricted by a moratorium.

Fasi OKs West Beach zoning changes

Mayor Frank Fasi approved zoning changes this week that clear the way for West Beach Estate to build a major resort and residential development in Ewa.

Fasi signed an ordinance that rezones the West Beach area of Ewa from a restricted agricul-

tural district to low- and medium-density apartment, resort, hotel, community business and preservation districts.

Those zone changes will permit the developer to proceed with plans to build 5,200 residential and 4,000 resort units at West Beach.