

JAN 20 2023

A BILL FOR AN ACT

RELATING TO FRESH WATER SECURITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaii Community
2 Foundation's Fresh Water Council defined water security for
3 Hawaii as a "sustainable, plentiful, and cost-effective fresh
4 water supply for all of Hawaii's agricultural, cultural,
5 domestic, economic, and ecosystem needs by 2030." Over a
6 century ago, Hawaii's plantation agricultural enterprises
7 supported and created water infrastructure. Those historic
8 investments established the water infrastructure that is used
9 today, but the industry has since left the State along with the
10 money necessary to maintain it. Further, that same
11 infrastructure is expected to deliver an even greater set of
12 water values and benefits than before.

13 The legislature further finds that the State has been left
14 with dams and reservoirs that have become liabilities rather
15 than assets; insufficient watershed protection that threatens
16 Hawaii's natural fresh water sources; and outdated, inefficient,
17 and leaky water transmission systems. Climate change is rapidly



1 altering Hawaii's water reality, and the State's ongoing
2 responsibility to provide water to satisfy the increasing needs
3 of multiple beneficial uses requires increasing capital
4 investment.

5 The legislature further finds that the Fresh Water Council
6 distilled nearly two years of water security research and
7 analysis into a single goal: the need to create one hundred
8 million gallons per day in additional, reliable fresh water
9 capacity for the islands by 2030. To achieve this goal, water
10 experts and evidence suggests that significant investments are
11 needed in the forms of system upgrades, new source development,
12 improved conservation, watershed restoration and protection,
13 relocated wastewater treatment plants, decentralized and scaled
14 water recycling, storm water capture, and more efficient water
15 transmission.

16 The legislature further finds that new and innovative
17 investment partnerships and community engagement are needed to
18 mobilize large-scale investment in Hawaii's fresh water
19 security. This will require partners from multiple sectors,
20 including county, state, and federal governments, as well as



1 private philanthropic and corporate entities, to work together
2 to leverage funds and provide matching opportunities.

3 The legislature finds that the risks of doing nothing are
4 enormous. The Red Hill Bulk Fuel Storage Facility fuel leak and
5 the climate change-induced water crisis unfolding around the
6 globe offer potent reminders of the human, economic, and
7 environmental harms associated with a dramatic reduction in
8 fresh water supply. These alarming circumstances demand
9 innovative strategies that braid streams of capital to make
10 long-needed projects viable.

11 Accordingly, the purpose of this Act is to establish within
12 the department of land and natural resources a water security
13 working group to study and recommend priority capital
14 improvement projects for legislative consideration and approval
15 that leverage public-private investment to increase Hawaii's
16 water security.

17 SECTION 2. (a) There is established within the department
18 of land and natural resources a water security working group to
19 study and recommend priority capital improvement projects for
20 legislative consideration and approval that leverage public-



1 private investment to increase Hawaii's water security. The
2 working group shall consider projects that:

- 3 (1) Protect and manage Hawaii's forested watersheds;
- 4 (2) Renovate dams and reservoirs;
- 5 (3) Improve the efficiency of water transmission and
6 irrigation systems;
- 7 (4) Reduce the use of potable water for landscape and
8 other nonfood irrigation;
- 9 (5) Encourage water re-use;
- 10 (6) Monitor the quality and quantity of the water supply;
11 and
- 12 (7) Are deemed appropriate, pursuant to the discretion of
13 the working group.

14 (b) The working group shall establish criteria for
15 evaluating potential capital improvement projects and priority
16 based on but not limited to:

- 17 (1) The public and private benefits of the project;
- 18 (2) The level of community support or opposition to the
19 project;
- 20 (3) The cost estimates and timetable for the completion of
21 the project;



1 (4) The potential for financial and in-kind contributions
2 from funding partners; and

3 (5) The amount of water conserved, recharged, or re-used
4 by the project.

5 (c) The working group shall consist of but not be limited
6 to the following members:

7 (1) A manager or chief engineer of a county water utility;

8 (2) The deputy director of the commission on water
9 resource management of the department of land and
10 natural resources;

11 (3) A member with knowledge of agricultural water storage
12 and transmission systems;

13 (4) A member from a private landowning entity that
14 actively partners with a watershed partnership;

15 (5) A member with knowledge, experience, and expertise in
16 Native Hawaiian cultural practices; and

17 (6) A member representing a philanthropic organization.

18 (d) The working group may request assistance and feedback
19 from the counties of Oahu, Maui, Kauai, and Hawaii, the
20 department of land and natural resources, department of
21 agriculture, and any other department deemed appropriate, to



1 provide expertise to the working group in conducting the water
2 security study. The working group shall further consult with
3 industry stakeholders, private landowners, and other
4 environmental organizations, who are encouraged to cooperate and
5 provide information or input.

6 (e) The working group shall submit a report of its
7 findings and recommendations, including any proposed
8 legislation, relating to the water security study to the
9 legislature no later than twenty days prior to the convening of
10 the regular session of 2024.

11 (f) The members of the working group shall serve without
12 compensation but shall be reimbursed for expenses, including
13 travel expenses, necessary for the performance of their duties.

14 (g) No member of the working group shall be subject to
15 chapter 84, Hawaii Revised Statutes, solely because of the
16 member's participation in the working group.

17 (h) The working group shall be dissolved on June 30, 2024.

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$200,000 or so much
20 thereof as may be necessary for fiscal year 2023-2024 for the
21 working group's support, travel, meeting, and operational costs;



1 provided that all moneys from the appropriation that are
2 unencumbered as of June 30, 2024, shall lapse to the credit of
3 the general fund.

4 The sum appropriated shall be expended by the department of
5 land and natural resources for the purposes of this Act.

6 SECTION 4. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: 



S.B. NO. 512

Report Title:

Water Security Working Group; Department of Land and Natural Resources; Study; Capital Improvement Projects; Appropriation

Description:

Establishes within the Department of Land and Natural Resources a water security working group to study and recommend priority capital improvement projects for legislative consideration and approval that leverage public-private investment to increase Hawaii's water security. Makes an appropriation.

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