JOSH GREEN, M.D.

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA





STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621 HONOLULU, HAWAII 96809

DAWN N.S. CHANG

CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE FIRST DEPUTY

CIARA W.K. KAHAHANE DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND CODASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of DAWN N. S. CHANG Chairperson

Before the House Committee on FINANCE

Monday, February 24, 2025 2:00 PM State Capitol, Conference Room 308 & Videoconference

In consideration of HOUSE BILL 306, House Draft 2 RELATING TO STATE WATER CODE PENALTIES

House Bill 306, House Draft 2 proposes to: add a minimum penalty and a maximum penalty per violation of the State Water Code; expand the types of potential violations of the State Water Code; and make each day that a violation exists or continues to exist a separate offense. This bill also requires the Commission on Water Resource Management (Commission) to consider certain factors when imposing penalties and makes the setting, charging, and collecting of administrative fines by the Commission mandatory, rather than discretionary. The Department of Land and Natural Resources (Department) supports this measure with comments.

This bill will support the Commission in its affirmative duty "to protect, control and regulate the use of Hawaii's water resources" as articulated in Article XI Section 7 of the Constitution of the State of Hawai'i. As the "primary guardian" of the critical public trust resource, fresh water, ¹ the Commission places great importance on deterring violations of the State Water Code. The Department found that the current maximum penalty of \$5,000 per violation in Hawai'i Revised Statutes (HRS) Section 174C-15 does not have a sufficient deterrent effect.

In its 1994 Report to the State Legislature, the Review Commission on the State Water Code, pursuant to Section 5 of Act 45, proposed a maximum fine of \$25,000 for reckless, knowing, or intentional violations of the State Water Code. The Department recommends a maximum fine of at least \$25,000 to match the recommendations of the Review Commission, and refers to the language provided in House Bill 1142, which would provide for continued increases to penalties over time. The Department believes

¹ In re Water Use Permit Applications, 94 Hawai'i, 97, 141, 9 Pd.3, 409, 453 (2000). (Waiāhole I)

that these amendments will ensure that penalties remain an effective deterrent and provide ample advance notice to those who may be affected by the increased penalties.

House Bill 306, House Draft 2 closely aligns with House Bill 1142, which was introduced as part of the Administration Package. The Department respectfully requests the House Committee on Finance consider increasing the maximum fines to:

- (1) \$30,000 beginning January 1, 2030;
- (2) \$40,000 beginning January 1, 2035;
- (3) \$55,000 beginning January 1, 2040; and
- (4) \$75,000 beginning January 1, 2045.

Thank you for the opportunity to testify in support of this measure.

BOARD OF WATER SUPPLY KA 'OIHANA WAI CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET • HONOLULU, HAWAI'I 96843 Phone: (808) 748-5000 • www.boardofwatersupply.com

RICK BLANGIARDI MAYOR *MEIA*

ERNEST Y. W. LAU, P.E. MANAGER AND CHIEF ENGINEER MANAKIA A ME KAHU WILIKĪ

ERWIN KAWATA DEPUTY MANAGER HOPE MANAKIA



February 24, 2025

NĀ'ĀLEHU ANTHONY, Chair JONATHAN KANESHIRO, Vice Chair BRYAN P. ANDAYA LANCE WILHELM KĒHAULANI PU'U EDWIN H. SNIFFEN, EX-Officio GENE C. ALBANO, P.E., EX-Officio

The Honorable Kyle T. Yamashita, Chair and Members
Committee on Finance
House of Representatives
Hawai'i State Capitol, Room 308
Honolulu, Hawai'i 96813

Dear Chair Yamashita and Members:

SUBJECT: House Bill 306, HD2: Relating to State Water Code Penalties

The Honolulu Board of Water Supply (BWS) submits this letter to respectfully express its concerns regarding House Bill (HB) 306, House Draft (HD) 2, which is similar to a bill introduced by Governor Green this 2025 Legislative Session. The purpose of HB 306 proposes to do the same, but the provisions in the Governor's bill differ slightly. This HB 306, HD2, enables the Department of Land and Natural Resources (DLNR) and Commission of Water Resource Management (CWRM or Commission) to increase the water code's penalties and fines from a minimum of \$50 and leaving the maximum penalty unspecified. The Standing Committee Report by the Commission on Water Resources Management for your Committee on Finance to consider serving as a deterrence to violators of the State Water Code in section 174C-15, Hawaii Revised Statutes (HRS).

Should this bill pass this session, we expect the DLNR and CWRM staff exercise its due diligence and outreach to the general public for feedback. The maximum penalty should be reasonable in that it could negatively impact the agriculture industry, individuals, water utilities, etc. It is for the betterment of our State to be as transparent as possible to the people of our Island State.

The Honorable Kyle T. Yamashita, Chair and Members February 24, 2025 Page 2

Thank you for your consideration and the opportunity to testify sharing our concerns on HB 306, HD 2.

Very truly yours,

ERNEST Y. W. LAU, P.E. Manager and Chief Engineer



February 21, 2025

Representative Kyle T. Yamashita, Chair Representative Jenna Takenouchi, Vice Chair House Committee on Finance

Comments and Concerns in Opposition to HB 306, H.D. 2, Relating to State Water Code Penalties (Adds a minimum penalty and maximum penalty per violation of the State Water Code [Code], and makes each day that a violation exists or continues to exist a separate offense. Establishes factors the Commission on Water Resource Management [Commission] must consider when determining the amount of the penalty. Increases maximum fines in five-year increments from 2030 to 2045. Effective 7/1/3000.)

Monday, February 24, 2025, 2:00 p.m. State Capitol, Conference Room 308 and Via Videoconference

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers, and utility companies. LURF's mission is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to submit comments **in opposition** to this measure proposing to add penalties for violation of the Code and to afford the Commission the authority to assess the existence and length of time of the violation, and determine the amount of the penalty imposed based on the Commission's consideration of certain factors.

HB 306, H.D. 2. The stated purpose of this bill is to ensure that all violators of the Code are held accountable for their violations by 1) adding a minimum penalty and maximum penalty per violation of the Code and clarifying what constitutes a separate offense; and 2) requiring the Commission to consider certain factors when imposing penalties.

Because the measure fails to set forth a clear and warranted justification, as well as facts and information supporting the need for requiring the imposition and increase of penalties, a presumption could be made that the measure is intended to afford the Commission expanded authority to subjectively and unilaterally assess the existence and length of time of any violation, and to determine the amount of any mandatory penalty imposed for any violation of a provision, rule, order, or permit condition adopted pursuant to the Code.

House Committee on Finance February 21, 2025 Page 2

Moreover, this measure proposes that each day such a violation exists or continues to exist shall constitute a separate offense. Such authority would arguably afford the Commission unbridled power to subjectively and arbitrarily impose **mandatory** penalties upon water users and permittees which could potentially control and prohibit use of water resources throughout the State.

Such a presumption is plausible given at least two proposals similarly made in the recent past to expand the Commission's authority to 1) unilaterally allow the Commission to designate an area as a water management area by disregarding appropriate procedural vehicles, circumventing existing laws, failing to properly collaborate with county water authorities, and neglecting potential negative impacts to affected stakeholders and community members in doing so; and 2) amend Hawaii Revised Statures (HRS) Section 174-C, to technically separate "water shortage" from "water emergency" issues to justify an expansion of the Commission's authority to declare an emergency which would allow itself to take actions as it unilaterally deems necessary to address the emergency, including but not limited to apportioning, rotating, limiting or prohibiting the use of the water resources.

Consistent with those previous attempts to expand the powers of the Commission, LURF believes the authority now being sought to allow the Commission to assess violations and impose penalties **goes far beyond its statutory role as a policy-making body and will inappropriately overstep the counties' administrative and operational jurisdiction over State and county water management issues.** The proposed amendments to HRS Section 174-C-15 also appear to be unwarranted and inadvisable given that penalties are already adequately and appropriately addressed by existing provisions, making said amendments unnecessary.

LURF's Position. Throughout the State, LURF members have continued to serve as good stewards of Hawaii's water resources and as active partners with the State and counties in the conservation of water resources, as well as the preservation and protection of existing and potential water sources. LURF, therefore, unquestionably supports the objectives of the Commission to preserve and protect the State's precious water resources.

Based, however, on its understanding and review of the information presented relating to the proposed bill, LURF must respectfully **oppose** the proposed expansion of the Commission's authority for the following reasons:

A. <u>Provisions of HRS Section 174-C-15 Which Adequately Protect and Manage Water Resources Should Not be Amended Without Facts and Information Necessary to Justify the Proposed Amendments.</u>

HB 306, H.D. 2 now proposes amendments to HRS Section 174-C-15 to afford the Commission authority to unilaterally assess and impose penalties for violation of the Code and the Commission's orders, as well as the sole authority to determine the amount of the penalties based on the Commission's evaluation of the circumstances of the violation. As far as LURF is aware, proponents of this measure have not presented any findings or evidence to support a viable reason or justification for such a proposal to impose such mandatory penalties, nor has any information or findings been offered to support the imposition of mandatory penalties in the amounts as indicated in the bill.

House Committee on Finance February 21, 2025 Page 3

Any attempt made by proponents of this measure to justify the proposed imposition of increased penalties by relying upon the Commission's alleged intent to "**create parity**" with its co-trustee, the Department of Health (DOH), to establish the same maximum penalties for "water quality violations" would not be appropriate in this case. LURF believes such a parity-based justification is misplaced since the DOH penalties apply to violations relating to the **quality** of water, as opposed to the **usage and allocation** of water in the context of protecting and managing water resources pursuant to the provisions of HRS Section 174-C-15. As there may likely be different attending concerns, issues, and factors relating to the imposition of penalties for the two distinctive types of violations, any assertion that parity may be required is arguably mitigated, if not invalidated as justification for this bill.

Proposed expansion of the Commission's authority without critical safeguards (including, but not limited to established criteria for the implementation of different types of Code violations as well as the corresponding dollar amounts of penalties to be implemented), together with the lack of sufficient information, facts, and findings to support the need to mandatorily impose such penalties in subjective amounts upon water users and existing water permittees, would be to allow circumvention and disregard of important established rights and protections contained in existing laws and the Code which were judiciously and collaboratively developed and vetted by all essential stakeholders.

LURF believes that this type of arbitrary, unregulated, and potentially unmonitored action is dangerous and may actually pose a threat to the health and safety of the public, as well as to the economy of the State.

1. Laws and Regulations Relating to Water Resources Should at the Very Least, be Properly Exercised in "Collaboration" With the Counties.

State and county laws and regulations regarding water resources that relate to land use and waterworks already exist and are properly administered by the counties via powers conferred upon it by the State Legislature through Hawaii Revised Statutes (HRS), Chapters 46 and 174C.¹ Section 174C-2(e) of the HRS, provides that the State Water Code shall be liberally interpreted and applied in a manner which conforms with intentions and plans of the counties in terms of land use planning.

Because the Commission's mandatory imposition of penalties for Code violations would affect the statutory powers of the counties relating to land use and waterworks, as well as impact local land use planning determinations and policy decisions made by the counties, it is LURF's position that the expanded authorization of the Commission currently being sought should rightfully be obtained in **full collaboration and agreement** with the counties and their respective water departments, and not unilaterally by the Commission.

¹ HRS Chapter 46 confers certain powers, including powers relating to land use and waterworks to the counties, and HRS Chapter 174C-31 grants unto the counties the power to establish, pursuant to the State Water Code, water use development plans which include, amongst other things, future land uses and related water needs (HRS 174C-31(f)(2)); and "regional plans for water developments and relationship to the water resource protection" (HRS 174C-31(f)(3)).

For example, County Charter provisions (Article 8, Chapter 11 of the Maui County Charter) afford the counties' water departments the authority to manage and operate all water systems owned by the counties.

2. The Delineated Role of the Commission is to Set Policies, Protect Resources, Define Uses and Establish Priorities Relating to the State's Water Resources.

Pursuant to HRS 174C, the Commission is the entity charged with the policy-making responsibilities of the State, as trustee of water resources, including setting policies, defining uses, establishing priorities while assuring rights and uses, and establishing regulatory procedures.

In the past, the various counties have expressed their concerns, and LURF agrees, that the Commission's intervention into the counties' administrative and operational jurisdiction over water issues via amendments to HRS Section 174-C-15 may result in inconsistencies between conclusions of the Commission, DOH, and respective county water departments; may **conflict** with the counties' decisions; and would lead to the **confusing and chaotic** situation wherein the Commission itself would then be required to administer penalties and fines imposed by the Commission for violation of laws, rules and regulations of the Code separate and apart from administration by the counties. Such action by the Commission would set **bad precedent** and lead to **further complicated issues** relating to the management of the State's water resources.

B. The Proposed Amendments May Result in Substantial Unnecessary Costs for Landowners, Water Users, Permittees, and the Counties.

Should this bill be passed, landowners, water users and permittees would be compelled to invest inordinate time, resources, and money to ensure strict compliance with provisions of the Code in order to avoid subjective noncompliance determinations and resulting subjective penalties imposed by the Commission. County water departments and their respective staff would also need to invest substantial time reviewing Commission orders and monitoring actions required of and conditions imposed by water users and permittees. Concerns regarding potential impacts to housing projects still exist, as described in Governor Green's veto message and statement of objections to H.B. 153 (2023). This measure could have unintended negative consequences and increase the costs and risks of existing and future state and private housing developments which unknowingly utilize water from county systems that may be in minor violation of water code provisions. Given even the slightest infraction, all parties would be forced to incur **substantial time and expense for legal challenges** brought as a result of this proposed measure.

LURF believes the proposed bill is also unsound because it fails to include **specific cost information** regarding the need for any additional employees, equipment, and other expenses required in connection with the Commission's imposition of penalties which would overlap the efforts of state and county agencies. The proposal also fails to address the aforementioned cost of legal challenges relating to the subjective implementation and imposition of penalties. Approval of any expansion of the Commission's authority without determining or even identifying the potential resulting costs to the State and county taxpayers would be arguably imprudent and irresponsible.²

² (HAR) §11-200.1-24(b) requires at appropriate points, cost-benefit analyses.

C. <u>The Proposed Expansion of Authority May Discourage Future Water Source Development Throughout the State</u>.

Looking ahead, the unjustified expansion of the Commission's authority and arbitrary penalties that may be imposed pursuant to this measure will make the development of additional ground water supplies even **more expensive and cost prohibitive** in the future. Private landowners will be less willing to provide land for new water well sites since the harsh and subjective imposition of mandatory penalties for subjective Code violations, as well as the potential for separate offenses will be unknown.

The proposed amendment could also create **unintended negative consequences** on the development of new water resources by the counties attempting to avoid arbitrary penalties. Such apprehension due to the subjective imposition of penalties will increase the costs of new water development.

D. <u>The Proposed Measure May Negatively Impact Landowners Due to the Fear of Unknown, Unanticipated and Arbitrary Penalties Which May be</u> Incurred in Connection With the Use of Water Resources on Their Lands.

As discussed above, the proposed authority of the Commission to impose discretionary penalties for violations of the Code could potentially impact current uses of existing water sources, requiring new State Water Use Permits, the application process for which would entail burdensome procedural requirements, and/or legal challenges such as **Contested Case Hearings**. These concerns are another strong **disincentive** for property owners to expand, reconstruct, or develop their property for various uses, including providing housing.

E. <u>The Commission's Proposed Expansion of Authority Could Violate the Spirit and Intent of the "Right to Farm" Law and May Negatively Impact Farmers and Agricultural Operations.</u>

The proposed expansion of the Commission's authority may also arbitrarily restrict the agricultural use of reclaimed water for agricultural irrigation, continuance of animal feeding operations, and the use of fumigants and pesticides despite those practices having been conducted for years until present in a manner consistent with generally accepted agricultural and management practices. These concerns could create major issues for farmers and agricultural operators and violate the spirit and intent of the Hawaii State Planning Act and Hawaii's "Right to Farm" law, HRS Chapter 165. Under the Hawaii State Planning Act, it is a declared policy of this State to "foster attitudes and activities conducive to maintaining agriculture as a major sector of Hawaii's economy." Accordingly, Hawaii's "Right to Farm" law protects farmers from nuisance lawsuits "if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices." The "Right to Farm" law further creates a rebuttable presumption that a farming operation does not constitute a nuisance.

HB 306, H.D. 2 is therefore arguably inconsistent with Hawaii's "Right to Farm" law because its subjective aspects may allow the imposition of arbitrary penalties upon agricultural stakeholders, thereby impacting farming and agricultural operations even if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices.

Conclusion.

Aside from the procedural objection that this measure may be proposed and furthered primarily by the Commission itself, LURF must respectfully oppose this bill based on:

- the inability of proponents and the Commission to justify the need for this
 measure and to present any undisputed material facts to conclusively prove
 that the proposed amendments to afford itself unilateral authority to expand
 and modify existing penalty provisions currently contained in the HRS and
 authorize itself to determine the amount of such mandatory penalties are
 clearly warranted;
- 2) the fact that adequate current State and county laws and regulations already exist to protect water resources;
- 3) the fact that the proposed authority sought exceeds the role of the Commission as delineated by statute;
- 4) the fact that any and all laws and regulations relating to water resources should be properly vetted with the counties which are conferred the authority to administer State and county laws and regulations regarding water resources that relate to land use and waterworks;
- 5) the lack of consideration of reasonable, well-collaborated, and more practical alternatives; and
- 6) the fact that this proposal could potentially result in significant negative practical and economic repercussions for the counties, the State, water users, water permittees, landowners, agricultural stakeholders and state and private housing developments.

LURF must, despite its steadfast support of efforts to protect and preserve Hawaii's precious water resources, respectfully **oppose**, and request a **deferral** of the proposed measure.

Thank you for the opportunity to provide comments and concerns regarding this important matter.

HB-306-HD-2

Submitted on: 2/22/2025 7:47:11 PM

Testimony for FIN on 2/24/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawai'i Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

STRONG SUPPORT!

I represented the DOH Clean Water Branch on enforcement cases for many years. The authority proposed in this bill is similar to DOH CWB's. This is the authority the Commission on Water Resources needs to propoerly enforce the Water Code.



Email: communications@ulupono.com

HOUSE COMMITTEE ON FINANCE Monday, February 24, 2025 — 2:00 p.m.

Ulupono Initiative strongly supports HB 306 HD 2, Relating to State Water Code Penalties.

Dear Chair Yamashita and Members of the Committee:

My name is Mariah Yoshizu, and I am the Government Affairs Associate at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food, renewable energy, clean transportation choices, and better management of freshwater resources.

Ulupono strongly supports HB 306 HD 2, which adds a minimum penalty and amends the maximum penalty per violation of the State Water Code, expands the types of potential violations of the State Water Code, and makes each day that a violation exists or continues to exist a separate offense. This bill also establishes factors the Commission on Water Resource Management (CWRM) must consider when determining the amount of the penalty and increases maximum fines in five-year increments from 2030 to 2045.

What value do we place on an irreplaceable resource? Currently, CWRM can only impose a maximum fine of \$5,000 per violation of the State Water Code. This stands in stark contrast to other jurisdictions like Arizona, California, and Texas that have the authority to issue fines of \$10,000 per day to water users who exceed their permitted allocations. Even within our own state, the Hawai'i Department of Health (DOH) can charge a maximum penalty of \$60,000 per water pollution violation.

We cannot issue a water pollution fine if there is no water left to pollute. The State Water Code was established to protect Hawai'i's water resources, but its effectiveness depends on compliance and meaningful enforcement. This bill sends a message that we value the health and wellbeing of water, and mistreatment of such a vital resource can have serious financial consequences.

We applaud the Legislature for underscoring the immeasurable value of *wai* by considering this measure for passage.

Thank you for the opportunity to testify.

Respectfully,

Mariah Yoshizu Government Affairs Associate



Testimony of Lahaina Strong Before the House Committee on Finance

In Consideration of House Bill No. 306 HD2 RELATING TO STATE WATER CODE PENALTIES

To Chair Yamashita, Vice Chair Takenouchi and the honorable members of the committee,

We are writing on behalf of Lahaina Strong, an organization deeply rooted in our community's resilience and advocacy. Originally formed in 2018 following the Hurricane Lane fire in Lahaina and revitalized after the devastating fires of August 8, 2023, Lahaina Strong has become the largest grassroots, Lahaina-based community organization, with over 35,000 supporters. Our mission is to amplify local voices and champion community-driven solutions, which are more critical than ever as we continue rebuilding and recovering.

Lahaina Strong stands in **strong support of House Bill 306 HD2**, which seeks to bolster enforcement mechanisms for water violations by increasing penalties. As a community that has fought tirelessly for responsible water stewardship, we have seen firsthand how weak enforcement and insufficient fines have allowed the continued exploitation of our wai—threatening ecosystems, public health, and the resilience of our communities.

Water is not a commodity to be abused—it is a public trust resource that sustains our way of life, ecosystems, and future generations. For too long, over-extraction and illegal diversions have drained the lifelines of our 'āina, leaving streams dry, ecosystems struggling, and lo'i farmers in crisis. Existing penalties have been too low to deter violations, allowing corporations and bad actors to treat fines as the cost of doing business. This bill takes a necessary step in correcting that imbalance.

HB306 HD2 strengthens enforcement by ensuring penalties reflect the true impact of violations. While this bill takes an important step in holding violators accountable,

without substantial penalty increases, it risks falling short of its intent. Lahaina Strong urges you to consider adding a substantial minimum penalty per violation to prevent any violation from being dismissed as insignificant. A meaningful maximum fine, as proposed, should escalate over time with strong initial numbers that reflect the true cost of water mismanagement. Additionally, clearer definitions of repeat offenses and escalating penalties will ensure chronic violators face real consequences.

Penalties should match the severity of the harm caused and ensure violators face lasting consequences. Meaningful fines are critical to protecting our wai, kahawai, and aquifers—especially as we work toward recovery after the August 8, 2023, wildfires.

Lahaina Strong urges you to **support HB306 HD2** with the strongest possible penalty increases to ensure Hawai'i's water resources are protected, equitably managed, and available for future generations. Upholding water stewardship requires real accountability—let's make enforcement strong enough to deter exploitation once and for all.

Ola i ka wai.

Sincerely,

Lahaina Strong

HB-306-HD-2

Submitted on: 2/24/2025 12:05:42 PM

Testimony for FIN on 2/24/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Takenouchi and Members of the Committee,

My name is Keala Fung and i am writing in full support of House Bill 306 HD2, which strengthens penalties for violations of the Hawaii State Water Code. This bill is critical for protecting water resources, especially in places like Lahaina, where access to water has been an ongoing struggle for local families and cultural practitioners.

For too long, West Maui's water has been diverted and mismanaged, prioritizing large corporate interests over the needs of 'ohana who have lived here for generations. Lahaina's streams have run dry while resorts, golf courses, and private entities benefit from lax enforcement and minimal consequences for violations. Meanwhile, our community fights just to ensure water reaches kalo farmers, local households, and ecosystems that depend on it.

Increasing penalties for water code violations is: necessary step toward accountability. Without stronger enforcement, the same players will continue to exploit our wai with little to no repercussions. This bill helps ensure that our water is managed responsibly, upholding its role as a public trust resource for the people of Hawaii.

I urge you to pass HB306 HD2 and take this step toward restoring balance and justice in how our water is managed. Mahalo for your time and consideration.

Sincerely,

Keala Fung, Honolulu