

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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COMMISSION ON WATER RESOURCE
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS**

**Thursday, February 20, 2025
2:00 PM**

State Capitol, Conference Room 325 & Videoconference

**In consideration of
HOUSE BILL 915, HOUSE DRAFT 1
RELATING TO WATER USE**

House Bill 915, House Draft 1, proposes to: authorize the Board of Agriculture to investigate and survey the availability of nonpotable water; authorize the Commission on Water Resource Management, as a condition for issuing permits, to require the use of dual line water supply systems in new residential and mixed-use developments located in designated water management areas; authorize those residential and mixed-use developments to be included in irrigation projects, as defined in chapter 167, HRS; and require the Department of Health, Board of Agriculture, and counties to update their rules, ordinances, to allow dual line water supply systems in residential and mixed-use developments. **The Department of Land and Natural Resources (Department) supports this measure and offers the following comments:**

Section 3

The Department supports the use of alternative water sources for appropriate use and supports the proposed amendments to §174C-51.5, HRS, which expands the Commission's authority to require dual line water systems to residential and mixed-use developments in designated water management areas.

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

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



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DEPARTMENT OF AGRICULTURE
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SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

THURSDAY, FEBRUARY 20, 2025
2:00 P.M.
CONFERENCE ROOM 325

HOUSE BILL NO. 915, H.D.1
RELATING TO WATER USE

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

Thank you for the opportunity to testify on House Bill 915, H.D.1. This bill authorizes the Commission on Water Resource Management, as a condition for issuing permits, to require the use of dual line water supply systems in new residential and mixed-use developments located in designated water management areas. Further, it authorizes those residential and mixed-use developments to be included in irrigation projects, as defined in chapter 167, HRS and authorizes the Board of Agriculture to investigate and survey the availability of non-potable water. Lastly, it requires the Department of Health, Board of Agriculture, and the counties to update their rules, ordinances, to allow dual line water supply systems in residential and mixed-use developments. The Department of Agriculture (Department) appreciates the intent of this measure with the following concerns and offers comments.

Chapter 167, Hawaii Revised Statutes is titled "Irrigation Water Development". The Findings and declaration of necessity in Chapter 167-1, HRS state "It is important to the welfare of the people of Hawaii that agricultural production be developed as fully as possible..." The Department has concerns that this measure is inappropriate to try



and amend into the departments irrigation program as it seems to have limited application to providing agricultural irrigation water for commercial agricultural operations. This measure's purpose is to serve R-1 water to "new residential and mixed-use developments..." which we anticipate would include includes individual house lots or apartment complexes to water lawns, personal plants, and possibly interior non-potable use.

The irrigation program provides irrigation water to commercial scale farms (five acres or larger) and its Statutes, Administrative Rules, fees, and billing systems are set up accordingly. This seemingly simple addition to the Irrigation Program will confuse the intent of the program and create conflict between its intended agricultural users and the new users added via this bill. This measure will require an entirely new fee and billing structure as the current water delivery fee structure is unsuitable to apply to this measure. Additionally, Chapter 167 lacks ANY direction on how to administer a program such as this. Unintended consequences may include agricultural water delivery rates of \$3.00/1,000 gallons or higher.

Should this measure continue to move forward, the Department strongly suggests that the county departments of water supply, Environmental Services, or Public Works may be more suited to perform these tasks as many of these county departments maintain applicable fleets and facilities.

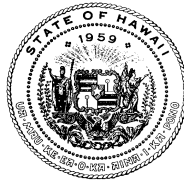
If this program is to remain with the Department of Agriculture, we respectfully request that this measure be implemented as a completely new Statute, with a dedicated Hawaii Revised Chapter to administer and operate the program. We anticipate this new program will necessitate the Department to provide services that would require research, training and resources to perform activities at this level as it has no experience doing so. To scale up for this, the Department requests a new branch titled "Non-Agricultural Water Branch" and estimates at least three times the labor force of the Agricultural Infrastructure Branch staff size. We would also require additional major equipment and operations costs. Additional staffing would need to add heavy

equipment operators, pipe fitters, clerical support, engineers, managers, and others, as well as land/facilities for base yards.

The Department of Agriculture respectfully requests that its Irrigation Program be left to continue to support and focus on bona fide commercial scale agriculture.

Thank you for the opportunity to testify.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'OHAWAI'I



KENNETH S. FINK, MD, MGA, MPH
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**Testimony in SUPPORT of HB0915 HD1
RELATING TO WATER USE.**

REPRESENTATIVE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

February 20, 2025; 2:00pm; Room Number: 325

- 1 **Fiscal Implications:** None.
- 2 **Department Position:** The Department of Health ("Department") supports this measure.
- 3 **Department Testimony:** The Environmental Management Division Wastewater Branch
- 4 (EMD-WWB) provides the following testimony on behalf of the Department.
- 5 The Department supports residential and mixed-use developments being included in
- 6 irrigation projects provided that the water shall be sourced from county-supplied R-1 water.
- 7 **Offered Amendments:** None.
- 8 Thank you for the opportunity to testify on this measure.

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

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ERWIN KAWATA
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KĒHAULANI PU'U
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February 20, 2025

The Honorable David A. Tarnas, Chair
and Members
House Committee on Judiciary and Hawaiian Affairs
Hawaii State Capitol, Room 325
Honolulu, Hawaii 96813

Dear Chair Tarnas and Members:

Subject: House Bill 915, HD1: Relating to Water Use

The Honolulu Board of Water Supply (BWS) supports House Bill (HB) 915, House Draft (HD) 1.

The BWS supports the use of alternative water sources for appropriate use and supports the proposed amendments to §174C-51.5, Hawaii Revised Statutes, which expands the Commission's authority to require dual line water systems to residential and mixed-use developments in designated water management areas, if nonpotable water supply is reasonably available.

Thank you for the opportunity to testify in support of HB 915, HD 1.

Very truly yours,

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