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STATE PARKS

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

**Before the Senate Committee on  
WATER AND LAND**

**Wednesday, February 5, 2025  
1:00PM**

**State Capitol, Conference Room 229 & Videoconference**

**In consideration of  
SENATE BILL 145  
RELATING TO DECLARATION OF WATER SHORTAGE AND EMERGENCY**

Senate Bill 145 proposes to amend the conditions, manner, and areas in which the Commission on Water Resource Management can declare and provide notice of water shortages and emergencies. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

Climate change and drought combined with increased population and aging water infrastructure can lead to water shortage situations in some areas of the state. The changing rainfall patterns in Hawai'i along with more prolonged and intense drought events are causing water demands to meet or exceed the available freshwater supplies in some areas. While the county water departments and private water utilities have the ability to restrict their customers' use of water, only the Commission on Water Resource Management (Commission) has authority over all the water resources in the state. Water shortages impact all water users in a region – and since the counties and private utilities can only restrict uses of water under their control, it is vital for the Commission to have expanded flexibility to respond to conditions anywhere in the state that threaten our water supplies when issuing water shortage declarations. Current language in Section 174C-62, HRS, prevents the Commission from declaring a water shortage in non-designated water management areas, and requires the Commission to declare a water shortage by a lengthy administrative rulemaking process.

This measure proposes amendments to Section 174C-62, HRS, which would:

- Increase public input to the Commission by requiring a rulemaking process under Chapter 91, HRS, when formulating water shortage plans, developing a reasonable system of permit classification in designated water management areas, and publishing a set of criteria for determining when a water shortage exists;

- Provide the Commission discretion and immediacy to declare water shortages statewide by adding areas outside of designated water management areas to be eligible for water shortage declaration and removing the requirement “by rule” to declare a water shortage;
- Expand the Commission’s authority to impose restrictions on well and stream diversion works owners and operators during a water shortage outside of designated water management areas; and
- Enhance the requirements of public notice and permit holder notification of a water shortage.

The Commission supports this measure, which would allow the Commission to quickly declare a water shortage during a crisis anywhere in the state. This measure also provides for improved public input on establishing criteria for determining when a water shortage exists, formulating a water shortage plan, and developing a reasonable system of permit classification. If enacted, this measure would allow for the Commission to further protect water resources statewide, particularly as the impacts of climate change threaten the future of our wai.

Mahalo for the opportunity to testify in strong support of this measure.