

Honolulu, Hawaii

MAY 12, 2020

RE: S.B. No. 2828
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which
was referred S.B. No. 2828, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Specify in the State Water Code that fire safety use is
a beneficial use of fresh water; and
- (2) Require the Department of Land and Natural Resources, in
consultation with the Hawaii Emergency Management Agency
and Office of Hawaiian Affairs, to cooperate with the
counties and reservoir owners to develop protocols and
agreements for the use of reservoir waters for fire
safety purposes.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources, Hawaii Farm
Bureau, Maui County Farm Bureau, and three individuals. Your
Committee receive testimony in opposition to this measure from the
Office of Hawaiian Affairs, Sierra Club of Hawai'i, Sierra Club
Maui, Earthjustice, Native Hawaiian Legal Corporation, Hui o Nā



Wai 'Ehā, and numerous individuals. Your Committee received comments on this measure from one individual.

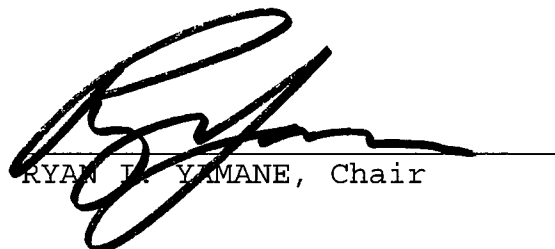
Your Committee finds that authorizing reservoir water use for fire safety will help to keep communities safe from the devastation and destruction of recent wildfires. This measure requires the cooperation from multiple entities to find ways to enable the use of reservoir water for fire safety while balancing other important water uses.

Your Committee has amended this measure by:

- (1) Removing the Office of Hawaiian Affairs as a consulting agency to cooperate with others to develop protocols and agreements for the use of reservoir waters for fire safety purposes;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2828, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Hawaiian Affairs,



RYAN I. YAMANE, Chair



HSCB 1188-20

Bill/Resolution No.: SB 2828 SDI		Committee Referral: WLH, FIN		Date: 03/11/20	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
WLH Members		Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)		✓			
2. TODD, Chris (VC)		✓			
3. HAR, Sharon E.		✓			
4. LOWEN, Nicole E.			✓		
5. TARNAS, David A.		✓			
6. WILDBERGER, Tina				✓	
7. WARD, Gene		✓			
TOTAL (7)		5	1	1	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: <u>Chris Todd</u>					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					