

Honolulu, Hawaii

FEB 12 2020

RE: S.B. No. 2828

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Water and Land and Public Safety,
Intergovernmental, and Military Affairs, to which was referred
S.B. No. 2828 entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Specify that fire safety use is a beneficial use of water; and
- (2) Require the Department of Land and Natural Resources to work with the county governments, Hawaii Emergency Management Agency, and owners to use reservoir water for fire safety.

Your Committees received testimony in support of this measure from the Department of Fire and Public Safety; Maui County Farm Bureau; Mahi Pono, LLC; and one individual. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs and Earthjustice. Your Committees received comments on this measure from the Department of Land and Natural Resources and Department of Defense.

Your Committees find that it is important that there be water kept available in the former plantation reservoirs so that there is ready and efficient access to fresh water for the purpose of



fire control. Helicopters can retrieve the fresh water in reservoirs quicker than going to the ocean with less disruption to the public due to the closure of major thoroughfares. Also, using ocean salt water to put out fires results in damage to flora and fauna.

Your Committees further find that there are a number of key reservoirs that are currently not filled with water. Examples of those reservoirs include Mahinahina reservoir, Kahoma reservoir, Makila reservoir, Olowalu reservoir, and Ukumehame reservoir. This measure will help ensure that key reservoirs have adequate water in them for the public's health, safety, and welfare by having fresh water available to be used for fire safety.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2828 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Public Safety,
Intergovernmental, and Military
Affairs.



CLARENCE K. NISHIHARA, Chair



KAIALI'I KAHELE, Chair



Record of Votes
Committee on Water and Land
WTL

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

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|--|--|--------------------------|-----|---------|
| Bill / Resolution No.:* SB 2828 | Committee Referral: WTZ/PSM, JDC | Date: 2/5/2020 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div> | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| NISHIHARA, Clarence K. (C) | ✓ | | | |
| WAKAI, Glenn (VC) | ✓ | | | |
| BAKER, Rosalyn H. | ✓ | | | |
| HARIMOTO, Breene | | | | ✓ |
| FEVELLA, Kurt | | | | ✓ |
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| TOTAL | 3 | 0 | 0 | 2 |
| Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> | | | | |
| Chair's or Designee's Signature: | | | | |
| Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div> | | | | |

*Only one measure per Record of Votes