

STAND. COM. REP. NO.

496

Honolulu, Hawaii

FEB 16

, 2023

RE: H.B. No. 1079

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Water & Land and Energy & Environmental Protection, to which was referred H.B. No. 1079 entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL,"

beg leave to report as follows:

The purpose of this measure is to amend sections in chapter 342D, Hawaii Revised Statutes, relating to water pollution, to:

- (1) Conform with federal definitions and civil penalty amounts pursuant to the Clean Water Act;
- (2) Consolidate separate water quality certification statutes into one section for clarity;
- (3) Clarify the authority of the Department of Health to conduct water quality certifications; and
- (4) Revise civil penalty amounts to ensure consistency within the Department.

Your Committees received testimony in support of this measure from the Department of Health and two individuals. Your Committees received testimony in opposition to this measure from one individual.

2023-1481 HB1079 HD1 HSCR HMSO



Your Committees find that the Department of Health has been authorized by the United States Environmental Protection Agency to administer the National Pollution Discharge Elimination program and section 401 Water Quality Certification of the federal Clean Water Act. This authority has been incorporated into chapter 342D, Hawaii Revised Statutes, relating to water pollution. Your Committees further find that for the Department of Health to effectively administer the federal programs, the definitions and penalties in chapter 342D, Hawaii Revised Statutes, must be amended to be consistent with the Clean Water Act.

Your Committees have amended this measure by:

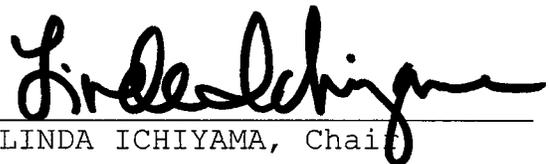
- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1079, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1079, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Energy & Environmental
Protection,



NICOLE E. LOWEN, Chair



LINDA ICHIYAMA, Chair



