
A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State is
2 suffering from an acute shortage of affordable housing, with the
3 rapidly rising cost of housing in the State consistently pricing
4 out local renters and homeowners. The development of new
5 housing is hindered by barriers such as geographic limitations,
6 lack of major infrastructure, and government regulation. The
7 legislature recognizes that the State's ongoing housing crisis
8 warrants a thorough examination of every impediment to the
9 development of affordable housing, including access to potable
10 water.

11 The legislature also finds that under article XI, section
12 7, of the Hawaii State Constitution, "[t]he State has an
13 obligation to protect, control and regulate the use of Hawaii's
14 water resources for the benefit of its people." Thus, the
15 Hawaii water plan, established under the state water code
16 pursuant to chapter 174C, Hawaii Revised Statutes, implements a



1 comprehensive water resources plan to address supply and
2 conservation of the State's water resources.

3 The Hawaii water plan consists of four parts, with a
4 different entity responsible for preparing each part, including:

5 (1) A water resource protection plan, prepared by the
6 commission on water resource management;

7 (2) A water use and development plan, prepared by each
8 county;

9 (3) A state water projects plan, prepared by the
10 engineering division of the department of land and
11 natural resources; and

12 (4) A water quality plan, prepared by the department of
13 health.

14 Each component considers the other aspects of the Hawaii water
15 plan, therefore requiring the cooperation amongst the various
16 entities involved.

17 The legislature additionally finds that in recent years,
18 determinations made by the commission on water resource
19 management have conflicted with the recommended water resource
20 distribution determined in various counties' water use and
21 development plans, which align future demand with the county's



1 land use plans, the community's priorities, climate change
2 impacts, and other considerations. The legislature believes
3 that the counties are well-equipped to determine water
4 allocation to future land use, as prescribed by the Hawaii water
5 plan, to maintain consistency with its respective county zoning
6 and planning policies.

7 Accordingly, the purpose of this Act is to establish a
8 working group that will ascertain the State's available water
9 resources and water system source capacity and streamline well
10 permit approval processes to ensure available water supply to
11 further plan for the development of affordable housing.

12 SECTION 2. (a) There is established a working group to
13 ascertain and address state watershed management to enable the
14 development and construction of affordable housing projects
15 across the State.

16 The working group shall be placed in the office of the
17 governor for administrative purposes.

18 (b) The working group shall:

- 19 (1) Conduct an inventory of all available water resources
20 statewide and identify appropriate aquifer
21 replenishment as it pertains to each county water use



1 and development plan, including the water source
2 capacity for affordable housing development; and

3 (2) Streamline the well permit approval process to ensure
4 available water supply.

5 (c) The working group shall address and make
6 recommendations on:

7 (1) Mitigating impacts arising from affordable housing
8 development;

9 (2) Projected water usage following the completion of
10 affordable housing projects in each county;

11 (3) The adoption of rules for water allocation for each
12 county;

13 (4) Defining the role of the commission on water resource
14 management in relation to affordable housing
15 development statewide; and

16 (5) The impact of federal government obligations on the
17 development of new water sources for affordable
18 housing.

19 (d) The working group shall consist of the following
20 members:



- 1 (1) The chief housing officer, who shall serve as
2 chairperson of the working group;
- 3 (2) The chairs of the senate and house of representative
4 standing committees on housing;
- 5 (3) The executive director of the Hawaii housing finance
6 and development corporation, or the executive
7 director's designee;
- 8 (4) The chairperson of the commission on water resource
9 management, or the chairperson's designee;
- 10 (5) The chief of the department of health clean water
11 branch, or the chief's designee;
- 12 (6) The chief engineer of the department of land and
13 natural resources engineering division, or the chief
14 engineer's designee;
- 15 (7) The director of each county planning department, or
16 the director's designees;
- 17 (8) The director of each county housing department, or the
18 director's designees; and
- 19 (9) The chief engineer of each county board of water
20 supply, or the chief engineer's designee.



1 (e) The working group shall submit an interim report of
2 its status and progress, including any preliminary findings, to
3 the legislature no later than September 15, 2023. The interim
4 report shall include the working group's plan on how it intends
5 to proceed in carrying out its duties pursuant to this Act.

6 (f) The working group shall submit a final report of its
7 findings and recommendations, including any proposed
8 legislation, to the legislature no later than twenty days prior
9 to the convening of the regular session of 2024.

10 (g) The task force shall dissolve on June 30, 2024.

11 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Affordable Housing; Watershed Management; Water Resources;
Working Group

Description:

Establishes a working group within the Office of the Governor for administrative purposes to ascertain the State's available water resources and water system source capacity and streamline well permit approval processes to further plan for the development of affordable housing. Requires the working group to inventory all available water resources statewide and identify sources of aquifer replenishment in relation to affordable housing development. Requires an interim and final report to the Legislature. (SD2)

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