

STAND. COM. REP. NO.

2384

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 2147
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 2147 entitled:

"A BILL FOR AN ACT RELATING TO REUSE ZONES,"

beg leave to report as follows:

The purpose and intent of this measure is to promote the use of certain recycled wastewater throughout the State. Specifically, this measure:

- (1) Requires any nonpotable water users or developers of real property within an unspecified number of miles of a wastewater treatment plant to use R-1 water for nonpotable water usage; and
- (2) Appropriates an unspecified amount of funds to the Department of Land and Natural Resources:
 - (A) To enforce R-1 water usage requirements; and
 - (B) For the establishment of an unspecified number of full-time equivalent positions within the Commission on Water Resource Management.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Ulupono Initiative, and



Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committees received comments on this measure from the Department of Health and Department of Land and Natural Resources.

Your Committees find that water is a precious resource that needs to be preserved and conserved to ensure sustainability for future generations. Your Committees further find that increasing nonpotable water use is a viable solution to offset the demand on Hawaii's vital and finite water resources. Your Committees note that R-1 recycled water is disinfected and poses no impact to public health relative to other types of nonpotable irrigation supplies.

Your Committees also find that not all wastewater treatment plants treat wastewater to R-1 water standards. Your Committees further note that the Department of Health, rather than the Commission on Water Resource Management, has the authority to enforce laws relating to water pollution. According to multiple testimonies received by your Committees, the Legislature appropriated funding for fiscal year 2024-2025 for additional planning and study to better understand the potential expansion of recycled water reuse in the State through a statewide assessment to utilize reclaimed water for uses other than drinking water and potable water needs in all state and county facilities by December 31, 2045, and to conduct a study for water security. Your Committees believe that this study should be completed before the establishment of reuse zones and find that the results of the study will be available in two years.

Your Committees have amended this measure by:

- (1) Requiring any nonpotable water users or developers of real property adjacent to or within reach of existing suitable infrastructure connected to a wastewater recycling facility that treats wastewater to R-1 water standards to use R-1 water for nonpotable water usage after January 1, 2026;
- (2) Amending the definition of R-1 water to mean "recycled water that has been oxidized, filtered, and disinfected

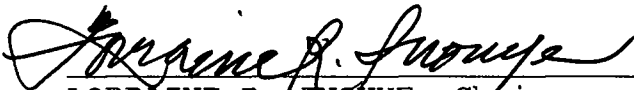


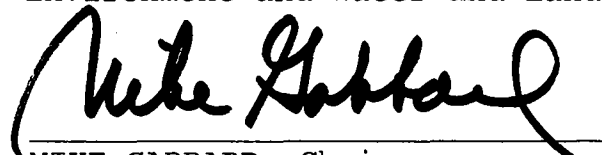
to meet the corresponding standards set in chapter 11-62, Hawaii Administrative Rules";

- (3) Moving the positions established to be within the Department of Health rather than the Commission on Water Resource Management;
- (4) Deleting language that would have appropriated funds to the Department of Land and Natural Resources to enforce R-1 water usage requirements;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2147, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2147, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Water and Land,


LORRAINE R. INOUE, Chair


MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 2147	Committee Referral: AEN/WTL, WAM	Date: 1/31/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn				✓
RHOADS, Karl	✓			
AWA, Brenton	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Hal Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 2147	Committee Referral: AEU/WTL, WAM	Date: 01/31/2024
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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