stand. com. rep. no. [265]

, 2025

Honolulu, Hawaii

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RE: S.B. No. 1221

S.D. 2 H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred S.B. No. 1221, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO STORMWATER MANAGEMENT SYSTEMS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit counties from permitting or allowing retention and detention ponds to be constructed, except under certain conditions;
- (2) Creating safety requirements for retention and detention ponds in the State and a program for monitoring and inspecting retention and detention ponds for compliance with the safety requirements; and
- (3) Requiring the Department of Land and Natural Resources to conduct a survey of existing retention and detention ponds statewide.

Your Committee received testimony in support of this measure from the Waikiki Neighborhood Board; Keiki Injury Prevention Coalition; Hawai'i Lodqing & Tourism Association; and numerous

individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources; Hawai'i Community Development Authority; and Hunt Development Group, LLC.

Your Committee finds that drowning is the number one cause of death for children between the ages of one and fifteen in the State. Your Committee further finds that retention and detention ponds, while essential for stormwater management, pose serious risks to public health and safety due to their potential for sudden water level changes and deep standing water. Improperly maintained and unregulated retention and detention ponds are particularly dangerous for young children, who are unaware of the risks these ponds pose. Your Committee believes that regulating the construction and permitting of retention and detention ponds, including the establishment of minimum safety standards, will help save the lives of our keiki and is necessary to ensure the health and safety of all residents and visitors.

Your Committee notes that during decision making, your Committee inadvertently announced that it intended to replace the contents of this measure with the contents of H.B. No. 1232 (Regular Session of 2025), which is the companion to this measure but did not receive a hearing in the House. However, your Committee intended to replace the contents of this measure with the contents of H.B. No. 1233, H.D. 2 (Regular Session of 2025), a substantially similar measure that was previously passed by your Committee.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1233, H.D. 2, a measure that:
 - (A) Requires the counties to adopt ordinances to regulate retention and detention ponds, including establishing a permitting process for the construction of new ponds and safety standards for ponds;
 - (B) Requires the counties to conduct a survey of existing retention and detention ponds statewide and submit a report to the Legislature; and

- (C) Appropriates funds as a grant-in-aid to the counties for these purposes;
- (2) Changing the effective date to July 1, 3000, 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1221, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1221, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

MARK J HASHEM Chair

State of Hawaii House of Representatives The Thirty-third Legislature

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Record of Votes of the Committee on Water & Land

Bill/Resolution No.: 8B 1271 8D 7	Committee Referral: VAV, JHA, FIN	Date: 3/11/25		
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)				
2. LAMOSAO, Rachele F. (VC)		A THE STATE OF THE		
			#*********************************	
3. BELATTI, Della Au				
4. ICHIYAMA, Linda	E 1 6 . Re 2 5 . 1 . 5	<u>t dia dia dia 1</u>		
5. IWAMOTO, Kim Coco			A CONTRACTOR OF THE PROPERTY O	24110110245-1111
6. MORIKAWA, Dee		2000 C		
7. POEPOE, Mahina				
8. WOODSON, Justin H.				
V Woodbort, Justin H.				
9. SHIMIZU, Garner M.		为自由中央公司 提出信任。 (1.11.11.11.11.11.11.11.11.11.11.11.11.1		PROPERTY NAME OF STREET
10. SOUZA, Kanani	\			
TOTAL (10)	θ		0	1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				