

MAR 07 2025

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## SENATE CONCURRENT RESOLUTION

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REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONVENE A WORKING GROUP TO CLARIFY THE PURPOSE OF THE  
COMMISSION ON WATER RESOURCE MANAGEMENT AND DETERMINE  
WHETHER THE LEADERSHIP STRUCTURE AND COMPOSITION OF THE  
COMMISSION SHOULD BE AMENDED.

1 WHEREAS, effective and efficient water resource management  
2 requires continuous and experienced leadership, especially given  
3 the climate crisis and urgent need to properly steward water  
4 resources to meet the affordable housing needs of local  
5 residents; and

6  
7 WHEREAS, on December 28, 1994, the Review Commission on the  
8 State Water Code submitted its final report to the Legislature  
9 pursuant to Act 45, Session Laws of Hawaii 1987; and

10  
11 WHEREAS, the Review Commission determined that amendments  
12 to the State Water Code were necessary to enable the Commission  
13 on Water Resource Management to more effectively carry out its  
14 mandate pursuant to article XI, section 7, of the Hawaii State  
15 Constitution to "set overall water conservation, quality and use  
16 policies; define beneficial and reasonable uses; protect ground  
17 and surface water resources, watersheds and natural stream  
18 environments; establish criteria for water use priorities while  
19 assuring appurtenant rights and existing correlative and  
20 riparian uses and establish procedures for regulating all use of  
21 Hawaii's water resources"; and

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23 WHEREAS, further clarification of the Commission on Water  
24 Resource Management's purpose, including its leadership  
25 structure and composition of the board, will provide greater  
26 accountability and protection of the State's waters; now,  
27 therefore,

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29 BE IT RESOLVED by the Senate of the Thirty-third  
30 Legislature of the State of Hawaii, Regular Session of 2025, the



1 House of Representatives concurring, that the Department of Land  
2 and Natural Resources is requested to convene a working group to  
3 clarify the purpose of the Commission on Water Resource  
4 Management and determine whether the leadership structure and  
5 composition of the Commission should be amended; and  
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7 BE IT FURTHER RESOLVED the working group is requested to:  
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- 9 (1) Recommend a more explicit public trust purpose for the  
10 Commission on Water Resource Management;  
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- 12 (2) Recommend whether the Commission on Water Resource  
13 Management should be allowed to retain independent  
14 counsel;  
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- 16 (3) Recommend whether the position of First Deputy to  
17 Chairperson of the Commission on Water Resource  
18 Management should be repealed;  
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- 20 (4) Determine whether the position of Executive Director  
21 of the Commission on Water Resource Management should  
22 be established to replace the position of First Deputy  
23 to the Chairperson of the Commission on Water Resource  
24 Management;  
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- 26 (5) Recommend whether the Commission on Water Resource  
27 Management should be administratively attached to the  
28 Department of Land and Natural Resources;  
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- 30 (6) Recommend which members should be eligible to serve as  
31 Chairperson of the Commission on Water Resource  
32 Management;  
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- 34 (7) Determine whether the Chairperson of Board and Land  
35 and Natural Resources and the Director of Health  
36 should not be eligible to serve as Chairperson of the  
37 Commission on Water Resource Management;  
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- 39 (8) Determine whether entities to whom an emergency order  
40 is directed should be authorized to challenge the  
41 order under certain conditions;  
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(9) Recommend whether the existing notification requirements and contents of declarations of water shortages should be made clearer; and

(10) Determine whether the Commission on Water Resources management should impose harsher fines for certain water use offenses; and

BE IT FURTHER RESOLVED that the working group is requested to comprise the following members:

(1) The Chairperson of the Board of Land and Natural Resources or the Chairperson's designee;

(2) The Director of Health or the Director's designee;

(3) The Attorney General or the Attorney General's designee;

(4) The Director or Manager and Chief Engineer of each county's respective Board or Department of Water Supply or their designees; and

(5) The Mayor of each county or their designees; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources, Director of Health, Attorney General, Director or Manager and Chief Engineer of each county Board or Department of Water Supply, and Mayor of each county.

OFFERED BY: *Ernie R. Young*

