

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

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CHAIRPERSON
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COMMISSION ON WATER RESOURCE
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LAND
STATE PARK

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committees on
ENERGY AND INTERGOVERNMENTAL AFFAIRS
and
WATER, LAND, CULTURE AND THE ARTS

Thursday, March 19, 2026
3:00 PM

State Capitol, Conference Room 224 and Via Videoconference

In consideration of
HOUSE BILL 1728, HOUSE DRAFT 1
RELATING TO RAINWATER CATCHMENT SYSTEMS

House Bill 1728, House Draft 1, requires the counties to allow for the installation and operation of rainwater catchment systems for potable and non-potable uses on all properties and authorizes the counties to regulate and enforce standards for the use of rainwater catchment systems. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and offers the following comments.**

The ongoing climate crisis is exacerbating statewide drought conditions and the threat of future water shortages. This may have impacts on the State's freshwater resources and the availability of both groundwater and stream flows. As a result, the Commission on Water Resource Management (CWRM) encourages the use of alternative water sources, including reuse, wastewater, stormwater, and rainwater catchment.

CWRM does not regulate rainwater catchment systems and defers to the counties and other regulatory agencies such as the Department of Health (DOH) to comment on the regulatory implications of using rainwater catchment for potable and non-potable uses.

Mahalo for the opportunity to testify on this measure.

COUNTY COUNCIL

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KipuKai Kualii, Vice Chair
Addison Bulosan
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Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

March 17, 2026

**TESTIMONY OF FERN HOLLAND
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

HB 1728, HD 1, RELATING TO RAINWATER CATCHMENT SYSTEMS

Senate Committee on Energy and Intergovernmental Affairs

Senate Committee on Water, Land, Culture and the Arts

Thursday, March 19, 2026

3:00 p.m.

Conference Room 224

Via Videoconference

Dear Chair Wakai, Chair Lee, and Members of the Committees:

Thank you for this opportunity to provide testimony in SUPPORT of the intent of HB 1728, HD 1, Relating to Rainwater Catchment Systems. My testimony is submitted in my individual capacity as a member of the Kauai County Council.

I write in strong support of the intent of this measure, which recognizes the important role rainwater catchment can play in Hawai'i's future. Across the islands, limited water infrastructure has become a significant barrier to housing development and responsible land use. Many properties cannot move forward with otherwise permitted homes because county water systems are at capacity or unable to provide additional service. Rainwater catchment systems offer a practical and sustainable way to supplement water supplies, conserve existing resources, and allow families to responsibly develop their properties.

Legalizing and supporting safe rainwater catchment systems is also an important step toward addressing Hawai'i's housing challenges. By allowing homes that are already permitted or zoned to move forward despite water infrastructure limitations, catchment systems can help unlock housing opportunities for local families while reducing the strain on public water systems. Catchment also promotes water resilience and conservation by capturing rainfall that would otherwise be lost as runoff.

However, while I support the intent and goals of this measure, I do have significant concerns with the regulatory structure proposed in the bill.

As currently drafted, the measure would require the counties to both permit and regulate rainwater catchment systems, including establishing standards, enforcement mechanisms, and inspections. This creates a structural concern because county water departments are themselves providers of water services. Asking the

Chair Wakai, Chair Lee, and Members of the Committees
Re: Testimony in Support of HB 1728, HD 1
March 17, 2026
Page 2

same entity to simultaneously act as both the provider and the regulator of alternative water systems raises an inherent conflict and may create operational and policy challenges.

In regulatory systems, it is generally considered best practice that the entity providing a service should not serve as the primary regulator of that service. Separating these roles helps maintain clear oversight, consistent standards, and public confidence in the regulatory process.

For these reasons, I respectfully suggest that the Hawai'i Department of Health (DOH) be designated as the primary regulatory authority for rainwater catchment systems rather than the individual county water departments. The DOH already has statewide responsibility for drinking water quality, environmental health protections, and public health standards, and DOH is well positioned to establish consistent guidance and oversight for catchment systems across all counties.

A state-level regulatory framework administered by DOH would help ensure:

- Consistent safety and water quality standards statewide,
- Clear separation between water providers and regulators,
- Reduced administrative burden on county water departments, and
- Greater public confidence in oversight and enforcement.

Rainwater catchment has been safely used by many Hawai'i residents for decades, particularly in rural areas, and thousands of households rely on these systems as a primary water source. At the same time, establishing thoughtful statewide standards will help ensure these systems are designed, maintained, and operated in ways that protect public health and water quality.

HB 1728, HD 1, represents an important opportunity to modernize Hawai'i's approach to water resilience and housing barriers. With a small but meaningful adjustment to the regulatory framework, this bill could both expand responsible access to rainwater catchment and ensure appropriate public health oversight.

Thank you again for this opportunity to provide testimony in support of the intent of HB 1728, HD 1, and *mahalo* for your continued work to address Hawai'i's water and housing challenges. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,




FERN HOLLAND
Councilmember, Kaua'i County Council

RM:sf



 808-733-7060

 808-737-4977

 1259 A'ala Street, Suite 300
Honolulu, HI 96817

March 19, 2026

The Honorable Glenn Wakai, Chair

Senate Committee on Energy and Intergovernmental Affairs

The Honorable Chris Lee, Chair

Senate Committee on Water, Land, Culture and the Arts
State Capitol, Conference Room 224 & Videoconference

RE: House Bill 1728, HD1, Relating to Rainwater Catchment Systems

HEARING: Thursday, March 19, 2026, at 3:00 p.m.

Aloha Chair Wakai, Chair Lee, and Members of the Joint Committees:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR **supports** House Bill 1728, HD1, which requires the counties to allow for the installation and operation of rainwater catchment systems for potable and non-potable uses on all properties. Requires the counties to regulate and enforce standards for the use of rainwater catchment systems. Effective 7/1/3000.

Limited water infrastructure continues to be a major barrier to housing development across the State and especially on the neighbor islands. Allowing rainwater catchment systems for both potable and non-potable uses on all properties is a practical way to supplement our water supply and help homeowners and our communities.

Mahalo for the opportunity to provide testimony on this measure.



March 19, 2026

TO: Chair Wakai and Members of the Senate Committee on Energy and
Intergovernmental Affairs
Chair Lee and Members of the Senate Committee on Water, Land, Culture and
the Arts
RE: HB 1728 HD1, Relating to Rainwater Catchment Systems

Dear Chairs Wakai, Lee and Committee Members,

Housing Hawai'i's Future is a nonprofit dedicated to creating opportunities for Hawai'i's next generation by ending the workforce housing shortage.

We support House Bill 1728 HD1. This bill would require the counties to allow for the installation and operation of rainwater catchment systems for potable and non-potable uses on all properties.

Water infrastructure is a foundational component of housing production. In many areas—particularly rural areas that lack access to centralized water systems—limited water availability can be a significant barrier to housing construction.

This bill helps address that constraint, providing for alternative water-infrastructure models that facilitate the construction of housing in areas where traditional infrastructure may be unavailable or cost-prohibitive.

Let's advance HB1728 HD1.

Thank you,



Lee Wang
Executive Director
Housing Hawai'i's Future
lee@hawaiisfuture.org



Perry Arrasmith
Director of Policy
Housing Hawai'i's Future
perry@hawaiisfuture.org



March 18, 2026

The Hon. Glenn Wakai
Chair, Committee on Energy and Intergovernmental Affairs
State Capitol
415 S. Beretania St.
Honolulu, HI 96813

The Hon. Chris Lee
Chair, Committee on Water, Land, Culture and the Arts
State Capitol
415 S. Beretania St.
Honolulu, HI 96813

RE: House Bill 1728, H.D. 1 -- SUPPORT

Aloha Chairs Wakai and Lee,

The International Association of Plumbing and Mechanical Officials (IAPMO) and the American Rainwater Catchment Systems Association International (ARCSA) are pleased to support HB 1728, HD 1, which would require counties to permit the installation and operation of rainwater catchment systems for both potable and non-potable uses. We respectfully request the bill be passed with amendments to include sound technical standards for the safe design, installation, and maintenance of rainwater catchment systems.

As you know, the State of Hawai'i adopts the Uniform Plumbing Code (UPC), providing guidance and requirements for both potable and non-potable rainwater catchment systems. These provisions outline the installation, construction, and alteration of such systems to offset the diminishing supply of fresh water in wells and aquifers. Today, consensus-based national standards such as ARCSA/ASSE/ANSI 63 (Rainwater Catchment Systems) align with the UPC to provide the highest level of public health protection.

Explicitly referencing the ARCSA/ASSE/ANSI 63 standard in this legislation would provide local building officials and contractors with a clear, technically sound roadmap for system design to ensure harvested water is safe for use. Furthermore, providing this regulatory clarity and consistency will ease broader adoption of rainwater capture through standards that open the market and make this approach accessible to all who seek to use it. Additionally, ASSE/ARCSA/IAPMO/ANSI Series 21000 standard provides ANSI-accredited certification for rainwater catchment personnel, complementing the ARCSA/ASSE/ANSI 63 system design standard with minimum training and certification requirements for designers, installers, and inspectors of these systems. Accordingly, IAPMO recommends updating the language to include those standards, per the attached language.

By enabling wider use of rainwater catchment systems, the state will promote water conservation and the use of alternate sources of water for residents while alleviating strain on Hawai'i's vital water infrastructure. For these reasons, we thank you for considering this measure and look forward to its passage with the proposed amendments referencing the ARCSA/ASSE/ANSI 63 standard and ASSE/ARCSA/IAPMO/ANSI Series 21000 standard. If we can assist further, please contact IAPMO Director of Government Relations David Yow at david.yow@iapmo.org or ARCSA Executive Director Heather Kinkade at heather.kinkade@arcsainternational.org.

Sincerely,

A handwritten signature in black ink that reads "David Yow". The signature is written in a cursive, flowing style.

David Yow
IAPMO Director of Government Relations

A handwritten signature in black ink that reads "Heather Kinkade". The signature is written in a cursive, flowing style.

Heather Kinkade
ARCSA Executive Director



ATTACHMENT – RECOMMENDED AMENDMENTS

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

" § 46- Regulation of rainwater catchment systems.

(a) Under the authority granted to the counties under section 46-1.5(13) and (14)(A)(ii), each county shall permit the installation and operation of rainwater catchment systems for potable and non-potable uses on all properties, regardless of whether the property is connected to a county water system.

(b) The counties shall adopt rules or ordinances for the regulation and enforcement of rainwater catchment systems, which include safety, maintenance, design, and backflow prevention standards to prevent contamination of any public, county, or private water source. *In adopting such rules or ordinances, counties shall consult, and may adopt by reference, the most current edition of ARCSA/ASPE/ANSI 63: Rainwater Catchment Systems, as published jointly by the American Rainwater Catchment Systems Association and the American Society of Plumbing Engineers, which establishes minimum design, installation, and safety standards for rainwater catchment systems. Counties shall also consult, and may adopt by reference, the most current edition of ASSE/ARCSA/IAPMO/ANSI Series 21000: Professional Qualifications Standard for Rainwater Catchment Systems Personnel, as published jointly by ASSE International, the American Rainwater Catchment Systems Association, and the International Association of Plumbing and Mechanical Officials, which establishes uniform minimum qualifications for designers, installers, and inspectors of rainwater catchment systems.*

(c) Each county may require registration, inspection, or notification of rainwater catchment systems where necessary to protect public health or water quality but shall not unreasonably restrict or prohibit their use.

(d) As used in this section:

"County water system" means any public water infrastructure operated or regulated by a department or board of water supply of the county.

"Rainwater catchment system" means a system designed to collect and store rainwater from rooftops or other surfaces for potable and non-potable use, including irrigation, toilet flushing, cleaning, and landscape watering."

March 19, 2026, 3 p.m.
Hawaii State Capitol
Conference Room 224 and Videoconference

To: Senate Committee on Energy and Intergovernmental Relations

Sen. Glenn Wakai, Chair
Sen. Stanley Chang, Vice-Chair

Senate Committee on Water, Land, Culture and the Arts

Sen. Chris Lee, Chair
Sen. Lorraine R. Inouye, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB1728 HD1 — RELATING TO RAINWATER CATCHMENT SYSTEMS

Aloha Chairs, Vice Chairs and other Committee Members,

The Grassroot Institute of Hawaii **supports** [HB1728 HD1](#), which would require the counties to allow the installation and use of rainwater catchment systems in all areas.

This bill would give Hawaii residents the opportunity to use rainwater for drinking water and irrigation, and it could help them overcome a barrier to expanding their homes or building small, accessory dwelling units on their properties.

Right now, tens of thousands of Hawaii residents — especially in rural areas — rely on catchment systems for their drinking water.¹ But regulations can make it difficult or impossible to construct a catchment system in areas that have access to a public water system, even if that water system is at capacity and cannot service any additional homes.

¹ Patricia Macomber, "[Guidelines on Rainwater Catchment Systems for Hawai'i](#)," College of Tropical Agriculture and Human Resources, University of Hawai'i at Mānoa, 2020, p. 3.

This is the situation across much of Kauai, where public water systems do not have the capacity to handle more users, but rainwater catchment is prohibited.²

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² Jonathan Helton, "[Kauai lawmakers should revisit water catchment issue](#)," The Garden Island, Sept. 20, 2025.

HB-1728-HD-1

Submitted on: 3/16/2026 2:41:08 PM

Testimony for EIG on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael I Rice	Individual	Support	Written Testimony Only

Comments:

I am in full support of this bill. While I would like as little regulation as possible when it comes to water catchment, this is a step in the right direction. As much as possible we should be encouraging water catchment systems being installed, not just in rural areas on the outer islands but on heavily urbanized Oahu as well.

HB-1728-HD-1

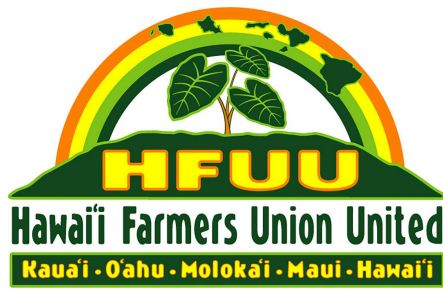
Submitted on: 3/18/2026 8:23:07 AM

Testimony for EIG on 3/19/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!!! MAHALO!



LATE

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Kaua'i

Aloha Chairs Wakai & Lee, Vice Chairs Chang & Inouye, and Committee Members,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports HB1728.**

Rainwater catchment systems offer a key means to address the challenges of water scarcity. By allowing the installation and operation of rainwater catchment systems for both potable and non-potable uses on all properties, this bill empowers farmers and residents alike to harness an abundant and renewable resource. The authorization for counties to regulate and enforce standards ensures that these systems meet safety and quality guidelines, thus safeguarding public health while enabling the flexibility needed for diverse applications. This not only supports environmental stewardship but also promotes self-sufficiency, decreasing reliance on municipal water sources and reducing associated costs.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union