

Honolulu, Hawaii

FEB 12 , 2026

RE: H.B. No. 1652
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 1652 entitled:

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

begs leave to report as follows:

The purpose of this measure is to exempt agricultural ponds and low-risk green stormwater infrastructure from regulations covering retention ponds and detention ponds.

Your Committee received testimony in support of this measure from the American Council of Engineering Companies of Hawaii; Hawai'i Farm Bureau; Hawai'i Food+ Policy; Hawai'i Reef and Ocean Coalition; and five individuals. Your Committee received testimony in opposition to this measure from the Alex & Duke De Rego Foundation; Drowning Research and Injury Prevention Policy Institute; and numerous individuals. Your Committee received comments on this measure from the Hawaiian Lifeguard Association and Everybody Swim LLC.

Your Committee finds that after the enactment of Act 281, Session Laws of Hawaii 2025, there has been concern that agricultural ponds, whose primary purpose is irrigation, livestock watering, aquaculture, or fire protection, could be unintentionally swept into a regulatory framework designed for



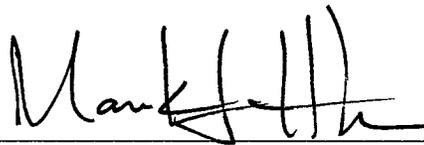
stormwater detention facilities. Your Committee further finds that the use of agricultural ponds and low-risk green stormwater infrastructure, which are ecologically beneficial stormwater management features, should not be discouraged. Your Committee also finds that this measure provides an important and reasonable clarification of the existing law.

Your Committee has amended this measure by:

- (1) Replacing the term "agricultural pond" with the term "agricultural infrastructure";
- (2) Changing its 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 H.B. No. 1652, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1652, H.D. 1, and be referred to your Committee on Finance.

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



MARK J. HASHEM, Chair



