

Honolulu, Hawaii

MAR 20, 2026

RE: S.B. No. 2002
S.D. 2
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 S.B. No. 2002, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

begs leave to report as follows:

The purpose of this measure is to improve the management of water resources in the State by:

- (1) Allowing the Commission on Water Resource Management (CWRM) to retain independent counsel;
- (2) Repealing the position of First Deputy to the Chairperson of CWRM;
- (3) Establishing the position of Executive Director of CWRM;
- (4) Attaching CWRM to the Department of Land and Natural Resources for administrative purposes only;
- (5) Authorizing the members of CWRM to be eligible to serve as Chairperson;
- (6) Specifying that the Chairperson of the Board of Land and Natural Resources and Director of Health serve as ex



officio voting members who are ineligible to serve as Chairperson;

- (7) Adding one member to the nominating committee for CWRM, to be appointed by the Chief Executive Officer of the Office of Hawaiian Affairs;
- (8) Authorizing parties to whom an emergency order is directed to challenge the order under certain conditions;
- (9) Establishing new penalties and modifying fines for violations of the State Water Code; and
- (10) Clarifying the notification requirements of declarations of water shortages.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Hawaiian Home Lands; Honolulu Board of Water Supply; Sierra Club of Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Earthjustice; Chamber of Sustainable Commerce; Ko'olauloa Hawaiian Civic Club; Hawai'i Food+ Policy; Kua'āina Ulu 'Auamo; Hawai'i Reef and Ocean Coalition; Kupuna for the Moopuna; Free Access Coalition; Shimanchu Wai Protectors; Kihei Community Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Mayor of the County of Maui.

Your Committee finds that this measure seeks to effect long-standing recommendations to strengthen CWRM and ensure it can operate with the independence and professional capacity necessary to fulfill its constitutionally mandated responsibilities. Your Committee further finds that many of the reforms within this measure were recommended decades ago during the Legislature's comprehensive review of the State Water Code and align with the structure envisioned in the Model Water Code. Your Committee also finds that strengthening the independence, transparency, and capacity of CWRM is essential to rebuilding public trust and ensuring that Hawaii's water resources are stewarded wisely for present and future generations. Your Committee additionally finds, however, that more dialogue and discussion are necessary on



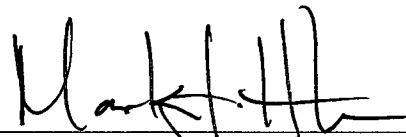
a matter as vitally important as the management of the State's water resources.

Therefore, your Committee has amended this measure by:

- (1) Deleting its contents and establishing a temporary working group within the Department of Land and Natural Resources to evaluate and make recommendations regarding the governance and structure of the Commission on Water Resource Management to ensure that it effectively fulfills its constitutional public trust responsibilities while maintaining operational efficiency and implementation capacity;
- (2) Sunsetting the working group on January 1, 2028;
- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) 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. 2002, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2002, 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



