

STAND. COM. REP. NO. **2253**

Honolulu, Hawaii

**FEB 13 2026**

RE: S.B. No. 2127  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committees on Health and Human Services and Agriculture and Environment, to which was referred S.B. No. 2127 entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a landowner in possession of ten thousand or more acres in the State to be liable for damages and fines arising from runoff originating on the land and entering into state waters or onto state lands; and
- (2) Require the Department of Health to adopt rules and prioritize enforcement of water pollution control regulations in rural areas where there are existing reports of runoff and other forms of water pollution.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation.

Your Committees received testimony in opposition to this measure from the Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; and two individuals.

Your Committees received comments on this measure from the Department of Health.



Your Committees find that climate change has led to increased frequency and magnitude of extreme rainfall in the State, and that the resulting groundwater can become polluted and carry silt and other debris into coastal waters. Your Committees further find that damage from water runoff has been especially prevalent in areas where owners of large tracts of land use those lands for activities that destabilize the soil, causing a higher risk of runoff and resultant damage to surrounding resources. This measure seeks to protect the State's water resources from contamination by establishing accountability for runoff from large tracts of land that enter State waters.

Your Committees acknowledge the concerns raised in testimony that runoff is influenced by a complex combination of factors, including rainfall intensity, slope, soil conditions, historic land use, upstream activities, and extreme weather events, and that this measure places an unrealistic and disproportionate burden on agricultural producers without adequately accounting for all of these factors, existing regulatory frameworks, or shared responsibility among land uses. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

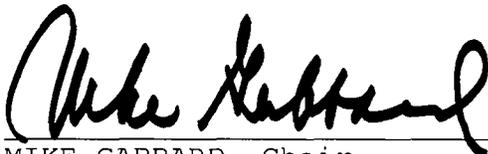
- (1) Deleting section 2, which would have:
  - (A) Established civil liability for certain large landowners; and
  - (B) Required the Department of Health to adopt rules;
- (2) Deleting section 3, which would have required the Department of Health to prioritize enforcement of water pollution control regulations in rural areas where there are existing reports of runoff and other forms of water pollution;
- (3) Inserting language to establish a water pollution working group to establish liability standards for water pollution runoffs;



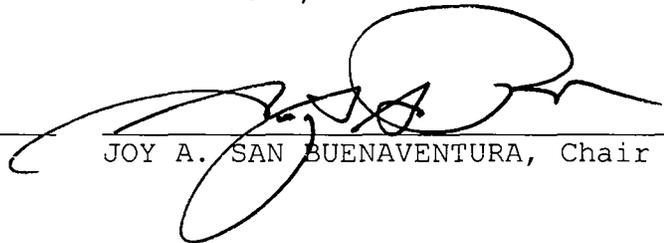
- (4) Inserting an effective date of January 30, 2050, to encourage further discussion;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2127, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2127, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and Human  
Services and Agriculture and  
Environment,



MIKE GABBARD, Chair



JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:* <b>SB 2127</b>	Committee Referral: <b>HHS/AEN, JDC/WAM</b>	Date: <b>2/2/2026</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)	✓			
KANUHA, Dru Mamo	✓			
KEOHOKALOPE, Jarrett				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink File with Committee Report    Committee                  Drafting Agency				

\*Only one measure per Record of Votes

