

STAND. COM. REP. NO. **2510**

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2240
S.D. 1

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

Sir:

Your Committee on Water, Land, Culture and the Arts, to which was referred S.B. No. 2240 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose and intent of this measure is to require any petitioner for a district boundary amendment to obtain certification from the Commission on Water Resources Management that enough water is available for the project needs without causing harm to the relevant aquifers and provide that certification to the Land Use Commission.

Your Committee received testimony in support of this measure from the Hawai'i Food+ Policy and one individual.

Your Committee received testimony in opposition to this measure from the Maui Chamber of Commerce.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committee finds that ground water is a finite resource, that is threatened by contamination or damage to aquifers and the negative impacts of climate change. Because of these challenges, your Committee believes the Commission on Water Resource



Management must update standards for petitions to amend district boundaries in order to fulfill its main purpose of upholding the Public Trust Doctrine. This measure better accounts for the drier future expected in the State and will support the access to safe, clean, and drinkable water for the people of the State.

Your Committee acknowledges the recommendations raised in testimony by the Department of Land and Natural Resources and the Office of Planning and Sustainable Development that the "certification" required in this measure should be clarified to avoid implying a legal duty or guarantee regarding water availability and impacts to aquifers, and that "hydrologic unit" is a more general term that would encompass both ground and surface water resources. Amendments to this measure are therefore necessary to adopt these recommendations.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required any petitioner for a district boundary amendment to obtain certification from the Commission on Water Resources Management that enough water is available for the project needs without causing harm to the relevant aquifers and provide that certification to the Land Use Commission;
- (2) Specifying that, before the filing of any petition to the Land Use Commission for a district boundary amendment, the petitioner shall submit a written statement from the Commission on Water Resource Management on current water availability in the hydrologic unit or units where the parcel is located;
- (3) Inserting a definition of "hydrologic unit" to have the same meaning as defined in section 174C-3, Hawaii Revised Statutes;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Water, Land, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2240, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Culture and the Arts,

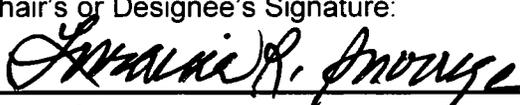


CHRIS LEE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, Culture and the Arts
WLA

Bill / Resolution No.:* SB 2240	Committee Referral: WLA, JDC	Date: 2-13-2026		
<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
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
CHANG, Stanley				✓
LAMOSAO, Rachele	✓			
DECORTE, Samantha	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes