

**BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU**

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March 24, 2026

The Honorable Mark J. Hashem, Chair
and Members
House Committee on Water & Water
Hawai'i State Capitol, Room 411
Honolulu, Hawai'i 96813

Dear Chair Hashem and Members:

Subject: Senate Bill 2398 SD 2, HD 1: Relating to Residential Housing Utilities

The Honolulu Board of Water Supply (BWS) strongly opposes Senate Bill (SB) 2398 Senate Draft (SD) 2, House Draft (HD) 1. While BWS supports the Legislature's goal of improving transparency and predictability in residential permitting, the amended HD1 language raises serious concerns, particularly with respect to the significant administrative and operational burdens it would impose on the Board of Water Supply. This measure would impose an unreasonable implementation burden that would require substantial staff time and resources that are infeasible within existing staffing and resource constraints.

BWS already provides water availability assessments free of charge and information is available on our BWS website, boardofwatersupply.com. Developers, consultants, existing and/or prospective homeowners may submit written inquiries by mail or by email via contactus@hbws.org to request an assessment of water availability for proposed developments. BWS typically provides a written response within two (2) weeks of receipt. See the attached instructions already on our website.

The scale of analysis contemplated by the bill is not feasible. Currently, BWS serves about 145,000 residentially zoned parcels that contains at minimum one (1) single-family water meter. This number does not include parcels that are not residentially zoned but are still allowed to have residential units, such as A-1 Apartment, A-2 Apartment Medium-density and mixed-use zones. Assuming all 145,000 parcels do not have any limitations and the evaluation of a single parcel is reduced to 1 hour per parcel. With 145,000 parcels, 1 hour per parcel, 8-hour

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workday, 247 workdays in a year (excluding weekends and 13 holidays a year), the total time required to complete this full assessment would take **73.4 years**. In practice, such assumptions are unrealistic, as the BWS water system is dynamic and conditions may change daily in response to water demand, infrastructure limitations, and operational factors. Some parcels may take longer than 1 hour to evaluate. Accordingly, BWS would be unable to meet the bill's annual requirement to prepare and annually update system-wide availability determinations.

Water availability assessment are inherently parcel specific and require an engineering review of zoning, distance and elevation relative to BWS water systems, hydraulic modeling analysis to evaluate source, transmission, and storage capacity, and analysis of fire flow and pressure requirements to ensure adequate fire protection for public health and safety, changes in water system conditions change due to drought, contamination events, equipment failures, or updated standards. Reliance on generalized maps may therefore create inaccurate expectations and expose counties to claims when actual conditions differ from published depictions.

For reasons stated above, BWS respectfully opposes advancing SB 2398 SD2, HD1.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

Attachment



Board of Water Supply

INQUIRIES ON WATER AVAILABILITY

Please submit your request in writing addressed to:

Mr. Ernest Y.W. Lau, P.E. Manager and
Chief Engineer Board of Water Supply
630 S. Beretania Street Honolulu, Hi. 96843

Or via email:

contactus@hbws.org

Providing the following information will assist us in assessing water availability to your proposed project.

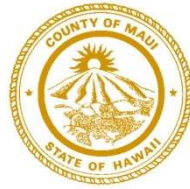
1. Tax Map Key, location and acreage of the property
2. Type of development and the number of units, i.e., single family, cluster, high-rise, commercial, etc.
3. Location of access to property
4. Elevations/contours of property
5. Building/street/lot layouts (if available)
6. Name of owner/developer
7. Contact person name, address, and phone number

We will notify you by letter of our assessment of water availability to your proposed project.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

ERIN K. WADE
Deputy Managing Director



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TO: Rep. Mark J. Hashem, Chair
Rep. Dee Morikawa, Vice Chair
Committee on Water and Land

FROM: Richard T. Bissen, Jr., Mayor
John Stufflebean, P.E., Director of the Department of Water Supply

DATE: March 23, 2026

SUBJECT: **OPPOSITION OF SB2398 SD2 HD1 - RELATING TO RESIDENTIAL HOUSING UTILITIES.**

Thank you for the opportunity to testify in OPPOSITION of this measure which would require each county board of water supply to publicly disclose through their website service connection availability for residential permitting and construction. Effective 7/1/3000. (HD1)

The County of Maui respectfully opposes this bill for the following reasons:

The measure proposes to add a new section to part II and III of Chapter 54, Hawaii Revised Statutes (HRS) requiring all county boards of water supply to reflect the availability of domestic water service, including the specificity of any limitations and supporting analysis explaining any deficiency that would disallow a service connection. The measure also requires general descriptions of broad geographic zones including limitations relating to unfulfilled, unconstructed, or incomplete developer-funded improvements. The bill further provides that a disclaimer may be included relating to the preliminary nature of the information and shall not be the actual permit determination on water availability.

The Department has significant security concerns regarding the public disclosure of water system information, particularly GIS-based data. The Department must adhere to homeland security guidance as well as federal environmental protection standards. There has been an increase in threats to water and wastewater systems nationwide, and making detailed system information publicly accessible could create vulnerabilities to critical infrastructure.

Additionally, this measure would impose a substantial administrative burden without providing reliable or actionable information to the public. The Department already responds to individual requests for

water availability, and these determinations are highly parcel-specific. Accurate assessments require detailed engineering review, including:

- Zoning and land use considerations
- Distance and elevation relative to Department of Water Supply infrastructure
- Hydraulic modeling to evaluate source, transmission, and storage capacity
- Analysis of fire flow and pressure requirements to ensure adequate fire protection

Moreover, water system conditions are dynamic and subject to change due to drought, contamination events, equipment failures, or evolving regulatory standards. As such, any generalized or static information posted online could quickly become outdated or misleading, despite the inclusion of disclaimers.

For these reasons, the County believes that the current process—where inquiries are evaluated on a case-by-case basis—remains the most accurate and responsible approach.

Mahalo for your consideration.



Hawai'i YIMBY
Honolulu, HI 96814
hawaiiyimby.org
info@hawaiiyimby.org

March 24, 2026

House Committee on Water & Land
Hawai'i State Capitol
Honolulu, HI 96813

RE: SUPPORT for SB 2398 SD2 HD1 - RELATING TO RESIDENTIAL HOUSING UTILITIES

Aloha Chair Evslin, Vice Chair Miyake, and Members of the Committee,

On behalf of Hawai'i YIMBY, we are writing in **support of SB 2398 SD2**, which is an important step toward more responsible and timely housing development by improving transparency around water infrastructure capacity. Access to clear, publicly available information about water service availability helps communities better understand where new homes can realistically be built and where constraints exist.

In the midst of a severe housing shortage and affordability crisis, uncertainty around infrastructure can add unnecessary delays, costs, and risk to housing projects. When builders, homeowners, and permitting agencies lack clear information, projects are often stalled late in the process or redesigned after significant time and money have already been spent. SB 2398 SD2 helps address this problem by making water availability information accessible upfront.

By allowing homebuilders to identify parcels where water capacity already exists, this bill helps target housing production to areas that are ready to support growth. This can shorten development timelines, reduce carrying costs, and lower overall project expenses, all of which are critical to producing housing that people can afford. Clear information also allows public agencies to coordinate permitting more efficiently and plan infrastructure investments more strategically. The bill also establishes a process for



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property owners to obtain conditional confirmation of water availability based on these maps. By providing a time-limited assurance that water service will be honored if a permit is submitted promptly, this provision reduces uncertainty and helps prevent costly delays late in the development process.

Transparency and predictability in infrastructure capacity does not weaken protections. Instead, it strengthens planning, accountability, and trust. SB 2398 SD2 supports smarter growth by aligning housing development with real-world infrastructure conditions, helping ensure that new homes are built where they make the most sense and can be delivered more quickly to the people who need them most.

Hawai'i YIMBY (*Yes In My Backyard*) is a volunteer-led grassroots advocacy organization dedicated to supporting bold and effective solutions for Hawai'i's devastating housing crisis. Our members are deeply concerned about Hawai'i's chronic and worsening housing shortage, which has caused home prices to rise much faster than incomes and pushes thousands of kama'āina out to the mainland or into homelessness every single year.

We ask your support for this bill. Thank you for the opportunity to testify.

Sincerely,
Damien Waikoloa
Chapter Lead, Hawai'i YIMBY

Edgardo Díaz Vega
Chapter Lead, Hawai'i YIMBY

Huey Kwik
Chapter Lead, Hawai'i YIMBY





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800 Bethel Street, Suite 501
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Phone 808.587.7770
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WRITTEN TESTIMONY

IN SUPPORT OF S.B. NO. 2398, S.D. 2 HD1

RELATING TO RESIDENTIAL HOUSING UTILITIES

Avalon Development Company strongly supports S.B. No. 2398, S.D. 2, H.D 1 which requires county boards of water supply to publish generalized, non-binding information regarding the availability of domestic water service for residential development.

As a developer in Hawai'i, we have directly experienced how uncertainty around water service availability undermines project feasibility, extends timelines, and increases financial risk. Too often, projects advance through planning and early permitting stages only to encounter previously undisclosed infrastructure constraints. The result is avoidable delay, escalating costs, and, in some cases, the loss of otherwise viable housing opportunities.

At a time when Hawai'i faces an acute housing shortage, infrastructure uncertainty should not remain an invisible barrier to production. Reliable access to water is fundamental to residential development. Providing high-level reference maps and explanatory analysis, clearly identified as preliminary and non-determinative, will give landowners, developers, lenders, and public agencies the early insight necessary to make informed decisions. Importantly, S.D. 2, H.D 2 appropriately clarifies that water service limitations may include unfulfilled or incomplete developer-funded improvements, reflecting real-world capacity constraints without requiring parcel-specific determinations.

We also appreciate the Legislature's continued attention to balancing transparency with operational concerns. The use of broad geographic zones, the authorization of disclaimers, and the absence of any reliance, appeal, or entitlement provisions ensure that this measure improves coordination without compromising utility operations or permitting authority.

S.B. No. 2398, S.D. 2 is a practical, targeted reform that will improve planning certainty, reduce wasted effort, and support the responsible delivery of much-needed housing across the state. For these reasons, Avalon Development respectfully urges support for S.B. No. 2398, S.D. 2, H.D1

Respectfully submitted,

Avalon Development Company LLC