

ACT 21

H.B. NO. 18-S

A Bill for an Act Making an Appropriation to Improve Effectiveness of the Nonpoint Source Pollution Control Program.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Nonpoint source (water) pollution (NPS) is polluted runoff that cannot be traced to a single identifiable source. Nonpoint source pollution is the major water quality problem in Hawaii. Currently, the State has two different components to deal with nonpoint source pollution. The first component is the comprehensive, statewide nonpoint source pollution control program being developed through the office of state planning. The second component is the Hawaii nonpoint source pollution management and control program in the department of health, which is concerned primarily with funding demonstration and state public education projects. The mission of these programs is to protect and improve the quality of water resources for the enjoyment of, and for use by, the people of Hawaii through the prevention and reduction of nonpoint source pollution and the balancing of health, environmental, economic, and social concerns.

The federal Coastal Zone Act Reauthorization Amendments of 1990 require each coastal state to develop a comprehensive, statewide nonpoint source pollution control program, and provides federal funds to each of these states for the development of this program, subject to a dollar-for-dollar state match. In Hawaii this program is being developed through the coastal zone management program in the office of state planning.

The Hawaii nonpoint source pollution management and control program in the department of health began in 1988 as a result of the 1987 federal Clean Water Quality Act. The program funds demonstration and implementation projects that control nonpoint source pollution, as well as public education activities, and is in turn funded primarily through a federal Clean Water Act section 319(h) grant from the United States Environmental Protection Agency (EPA), which requires a forty per cent state match of the total funds.

According to section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990, failure to develop a comprehensive, statewide nonpoint source pollution control program by 1996 may result in fiscal penalties to both the coastal zone management program in the office of state planning and the department of health's section 319(h) grant-funded program.

The purpose of this Act is to appropriate funds for the development of a comprehensive, statewide nonpoint source pollution control program in the office of state planning so the State can receive the maximum amount of federal matching funds available for this program.

SECTION 2. The federal Coastal Zone Act Reauthorization Amendments of 1990 require each coastal state to develop a comprehensive nonpoint source pollution control program, and provide federal funds to each of these states for the development of a statewide, coastal nonpoint source pollution control program, subject to a dollar-for-dollar state match. The match can be attained through direct state funding or in-kind matches. According to the federal statute, these states are required to develop this nonpoint source pollution control program to continue to receive all available federal Coastal Zone Management funds.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$60,000, or so much thereof as may be necessary for fiscal year 1995–1996, for the office of state planning to develop a comprehensive, statewide nonpoint source pollution control program.

The sum appropriated shall be expended by the office of the governor for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 1995.

(Approved June 29, 1995.)