



Waikama Stream,
North Kohala

ITEM C2: LEGISLATIVE UPDATE ON BILLS AND BUDGET

May 16, 2023

Water Bills of 2023

- Total of **153** Bills Tracked
- Testified on **19** Bills not including HB300 (Budget Bill)

HOUSE BILLS

- HB194 – Efficiency Standards – Sets minimum efficiency standards for toilets and urinals
- HB362 – State Water Code Penalties
- HB546 – Fuel Tank Advisory Committee – Quarterly meetings and budget to DOH
- HB905 – Sustainable Ground Water Yields – UH and CWRM to develop flexible groundwater model - T&C and GDE
- HB909 – Water Conservation – Water neutrality turf replacement program
- HB1212 – Water Neutrality – Water neutral by 2050
- HB1303 – Water Conservation – Pilot in Counties to incentivize landscape alternatives
- HB1405 – Natural Resources – Limu research with DAR and UH
- HB1511 – Water Resources – Grant to BWS for 7 monitoring wells and 1 exploratory well

Water Bills of 2023

SENATE BILLS

- SB71 – Environmental Impact Statements – Exempts drilling of well on DOA land from Chapter 343 HRS
- SB93 – Reuse Zones – Required nonpotable water reuse within certain distance
- SB735 – Disposition of Water Rights – Exempts instream use of water for commercial kalo cultivation from water license
- SB1066 – Fresh Water Security – Working Group to recommend priority CIP to increase water security
- SB1459 – Environmental Protection – Water quality task force to address Waipahu Wells II contamination
- SB1573 – Affordable Housing – Working group in Office of Governor determine water availability and streamline well permit approval processes

• Two Bills Passed

- HB1088 (SB1386) – Declaration of Water Shortage and Emergency
- HB153 (SB44) – State Water Code Penalties

• No Resolutions

Water Bills Passed

HB1088 - Declaration of Water Shortage and Emergency (Admin Bill)

Summary

- Bifurcates Shortage from Emergency
- Reaffirms Commission jurisdiction in and out of Water Management Areas
- Requires consultation with County and Department of Health
- Will allow for Commission to act immediately
- Requires Statewide Water Shortage Plan

Testimony

- Support from Charley Ice
- Comments and Opposition from Andrew Crossland, Honolulu BWS, and LURF
- Comments from Hawai‘i, Maui, Kaula‘i DWS





Water Bills Passed

HB153 – Water Code Penalties

Summary

- Sets a minimum fine of \$50 and maximum of \$60,000 per violation per day
- Water Quantity and Quality parity
- Clarifies what constitutes a Continuing Offense
- Requires Commission to make determination based on criteria and severity of offense

Testimony

- Support from Hawai'i Reef Ocean Coalition
- Opposition from Gerard Silva, LURF

LNR 404 Commission on Water Resource Management

Base Budget

- 27 Positions (22 General Funded 5 Special Funded)
- FY23 Operational Budget - \$4,120,444
 - \$2,951,202 General Funds
 - \$356,474 Special Fund (Water Resources Mgmt 326)
 - \$812,768 Special Fund (SPAM - 354)
- FY23 CIP Budget - \$2 Million
 - Deep Monitoring Wells





DHHL Kawaihae
Monitoring Well,
Hawai'i

FY 24-25

Biennium Budget Request

IGE

- Operating – (FY24: \$136,512 A; FY25: \$145,464 A) Full year funding for four (4.00 FTE) authorized Aquatic Biologist positions
- CIP – (FY24: \$2,000,000; FY25: \$2,000,000) in general obligation bond funds for new Deep Monitor Wells (DMWs) statewide.

GREEN GMs

- Seven (7) New Positions – Ground Water and Survey Branch
- Climate Crisis Research and Monitoring
 - USGS Stream Gages (5/year)
 - Limu Research
 - Hawai'i Mesonet

CWRM Biennium Budget FY24-25

- **33 Positions (28 General Funded, 5 Special Funded)**
 - Four (4) in Ground Water Regulation to assist with Red Hill Crisis and Water Use Permit Regulation
 - Two (2) in Planning – Water Code Compliance and Enforcement
- **FY24 Operational Budget - \$4,583,190**
- **FY25 Operational Budget - \$4,852,351**
 - Will need to request increase to base budget for increase expenses due to staff increase (i.e. travel, supplies, etc.)
- **FY24-FY25 CIP Budget - \$2 Million Each Year**
 - Deep Monitoring Wells