

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

Testimony of the Maui County Department of Water Supply

Opposing HB 2204 Relating to Storm Water Management

House Committee on Water and Land

Friday, February 7, 2014, 8:30 am, Conference Room 325

Dear Honorable Representative Evans and Members of the Committee on Water and Land:

House Bill 2204 proposes to amend Hawaii Revised Statutes ("Haw. Rev. Stat.") §174C-31 by: 1) authorizing any county to establish and charge user fees to maintain storm water management systems or infrastructure included in the county's water use and development plan; and 2) directing the Commission on Water Resource Management ("Commission") to investigate how to reduce storm water runoff and create incentives for storm water reclamation and reuse in the water use and development plans. **The Maui County Department of Water Supply opposes this bill** for the all of same reasons as stated by the Department of Land and Natural Resources and the Commission on Water Resources Management

Reclaiming storm water is important for obvious reasons: 1) it is an alternative supply of non-potable irrigation water; 2) it helps prevent polluted run-off into Hawaii's near-shore ocean waters and reduces land based threats to coral resources; and 3) it retains storm water on land to recharge groundwater aquifers as aggregate rainfall over the Hawaiian Islands may be declining.

First, there are many private systems, improvement districts, and private subdivisions that develop storm water infrastructure other than the counties. This bill would place the **sole** burden and responsibility on the counties to fund and develop storm water systems. There are many situations in which counties simply play little or no role (e.g. large subdivisions in remote rural areas; agricultural subdivisions; Hawaiian home lands)

Second, the counties are responsible for developing, updating, and adopting their Water Use and Development Plans which are then submitted to the Commission for approval. The Water Use and Development Plans cover both private and municipal water needs and address a whole range of alternative strategies (including conservation, reuse, efficiency, storage, non-potable water use, among others). The proposed user fees are limited to storm water infrastructure, but could

"By Water All Things Find Life"

also usefully apply to reclamation and reuse infrastructure. There are a number of issues involving large scale runoff from impervious urban surfaces and agricultural land that need to be included. In addition, drainage and polluted runoff control (non-point source pollution) come under the control of the Department of Health.

Third, there are currently no rules or standards in place for storm water reclamation and reuse, as there are for wastewater. Pollutants and contaminants that may be carried in storm water are site-specific and a function of upstream land uses. Any proposed storm water reclamation and reuse project must first characterize the storm water quality, design appropriate treatment, and secure appropriate end uses to ensure public and environmental health are not placed at risk and that the project is economically sound.

Fourth, the county Water Use and Development Plans and the State Water Code are not the place to insert a county water fee.

Fifth, there may be an important role for non-governmental storm water utilities. Storm water is an important alternative source of non-potable water. Reclaiming storm water clearly deserves new attention. As the Commission notes, many organizations throughout the United States are shifting to fee-based enterprise funds as an alternative to tax-based funding, as a means of complying with storm water management permits and regulations. There are an estimated 600 storm water utilities in the U.S. Funding for these utilities is based on the amount of impervious surface area for a given property. A 2007 nation-wide survey found average monthly residential storm water service rates ranged from \$0.75 to \$16.82 per month. Establishing storm water utilities in Hawaii as a means funding storm water management could provide a revenue source for alternative means of management, including reclamation and reuse.

As stated by the Commission, they do not have any working experience with the model proposed in House Bill 2204. Some added research and planning is needed before legislation is enacted. Storm water utilities may provide a model to finance and further storm water reclamation and reuse in Hawaii. We urge the legislature to consider the experience of other jurisdictions and explore successful models currently being applied elsewhere in the nation.

Therefore, we agree with the Commission and also recommend a more complete assessment of the alternatives before legislation is adopted.

Thank you for the opportunity to testify on this measure.

Respectfully Submitted,



David Taylor, P.E.
Director of Water Supply

TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Stormwater management system user fee

BILL NUMBER: HB 2204

INTRODUCED BY: C. Lee

BRIEF SUMMARY: Amends HRS section 174C-31 to allow a county to establish and charge user fees to maintain any stormwater management systems or infrastructure included in the county's water use and development plan.

EFFECTIVE DATE: Upon approval

STAFF COMMENTS: This measure would authorize the counties to establish and charge another user fee - in this case for stormwater management systems or infrastructure. While it is a user fee, it is questionable to whom the fee will be charged - will it be assessed to everyone, like a sewer fee?

While the amount of the fee is unspecified, if insufficient revenues are generated from this fee, there is no doubt that the amount of the fee will be increased or other sources of revenue may be tapped for the desired programs, in this case infrastructure in a county's water use development plan.

Digested 2/6/14

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
WILLIAM J. AILA, Jr.
Chairperson

Before the House Committee on
WATER & LAND

Friday, February 7, 2014
8:30 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2204
RELATING TO STORMWATER MANAGEMENT

House Bill 2204 proposes to amend Hawaii Revised Statutes ("Haw. Rev. Stat.") §174C-31 by: 1) authorizing any county to establish and charge user fees to maintain stormwater management systems or infrastructure included in the county's water use and development plan; and 2) directing the Commission on Water Resource Management ("Commission") to investigate how to reduce stormwater runoff and create incentives for stormwater reclamation and reuse in the water use and development plans. **The Department of Land and Natural Resources (Department) and the Commission oppose this measure.**

Reclaiming stormwater is important for obvious reasons: 1) it is an alternative supply of non-potable irrigation water; 2) it helps prevent polluted run-off into Hawaii's near-shore ocean waters and reduces land based threats to coral resources; and 3) it retains stormwater on land to recharge groundwater aquifers as aggregate rainfall over the Hawaiian Islands may be declining.

First, there are many private systems, improvement districts, and private subdivisions that develop stormwater infrastructure other than the counties. This bill would place the **sole** burden and responsibility on the counties to fund and develop stormwater systems. There are many situations in which counties simply play little or no role (e.g. large subdivisions in remote rural areas; agricultural subdivisions; Hawaiian home lands)

Second, the counties are responsible for developing, updating, and adopting their Water Use and Development Plans which are then submitted to the Commission for approval. The Water Use and Development Plans cover both private and municipal water needs and address a whole range of alternative strategies (including conservation, reuse, efficiency, storage, non-potable water use, among others). The proposed user fees are limited to stormwater infrastructure, but could also usefully apply to reclamation and reuse infrastructure. There are a number of issues

involving large scale runoff from impervious urban surfaces and agricultural land that need to be included. In addition, drainage and polluted runoff control (non-point source pollution) come under the control of the Department of Health.

Fourth, there are currently no rules or standards in place for stormwater reclamation and reuse, as there are for wastewater. Pollutants and contaminants that may be carried in stormwater are site-specific and a function of upstream land uses. Any proposed stormwater reclamation and reuse project must first characterize the stormwater quality, design appropriate treatment, and secure appropriate end uses to ensure public and environmental health are not placed at risk and that the project is economically sound.

Fifth, the county Water Use and Development Plans and the State Water Code are not the place to insert a county water fee.

Sixth, there may be an important role for non-governmental stormwater utilities. Stormwater is an important alternative source of non-potable water. Reclaiming storm water clearly deserves new attention. The Commission notes that many organizations throughout the United States are shifting to fee-based enterprise funds as an alternative to tax-based funding, as a means of complying with stormwater management permits and regulations. There are an estimated 600 stormwater utilities in the U.S. Funding for these utilities is based on the amount of impervious surface area for a given property. A 2007 nation-wide survey found average monthly residential stormwater service rates ranged from \$0.75 to \$16.82 per month. Establishing stormwater utilities in Hawaii as a means funding stormwater management could provide a revenue source for alternative means of management, including reclamation and reuse.

We do not have any working experience with the model proposed in House Bill 2204. Some added research and planning is needed before legislation is enacted. Stormwater utilities may provide a model to finance and further stormwater reclamation and reuse in Hawaii. We urge the legislature to consider the experience of other jurisdictions and explore successful models currently being applied elsewhere in the nation.

Therefore, the department recommends a more complete assessment of the alternatives before legislation is adopted. The Department is ready to participate in any such discussions.

Thank you for the opportunity to testify on this measure.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 11:32 AM
To: waltestimony
Cc: dkkseto@gmail.com
Subject: *Submitted testimony for HB2204 on Feb 7, 2014 08:30AM*

HB2204

Submitted on: 2/6/2014

Testimony for WAL on Feb 7, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel K. Seto	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
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KIRK CALDWELL
MAYOR



LORI M.K. KAHIKINA, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
WAS 14-24

February 6, 2014

The Honorable Cindy Evans, Chair
and Members of the Committee on Water & Land
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Evans and Members:

Subject: House Bill 2204, Relating To Stormwater Management

The City and County of Honolulu, Department of Environmental Services supports House Bill (HB) 2204, Relating to Stormwater Management, and the proposed authorization to allow counties to establish and charge user fees to maintain stormwater management systems and infrastructure. In addition, we support efforts to reduce stormwater runoff.

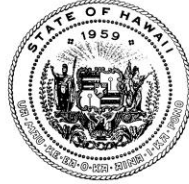
We recommend the committee pass HB 2204.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina".

Lori M.K. Kahikina, P.E.
Director



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

COMMITTEE ON WATER AND LAND
COMMITTEE ON FINANCE

HB 2204, RELATING TO STORMWATER MANAGEMENT

Testimony of Gary L. Gill
Acting Director of Health

February 7, 2014
8:30am

1 **Department's Position:** The Department of Health strongly supports this bill and offers some
2 suggestions.

3 **Fiscal Implications:** This bill authorizes counties to establish and charge user fees to maintain
4 stormwater management systems or infrastructure included in Water Use and Development Plans.

5 **Purpose and Justification:** The purpose of this bill is to better protect Hawaii's natural resources and
6 environment by allowing counties to charge user fees to support implementation of county Water Use
7 and Development Plans. Specifically, the fees would be used to maintain stormwater management
8 systems or infrastructure. The department strongly supports this bill because it addresses a statewide
9 priority of making our waters cleaner for the health and benefit of all of Hawaii's people and visitors.

10 Effective stormwater management is important, because polluted stormwater runoff is
11 discharged untreated into our streams and ocean through stormwater management systems. Stormwater
12 runoff often contains motor oil and other toxic chemicals, sediment, fertilizers, pesticides, bacteria,
13 nutrients, and debris, which potentially harm drinking water supplies, public recreation, fisheries, coral
14 reefs, and other wildlife.

1 This bill would allow the counties to better prevent harmful pollutants from being washed or
2 dumped into stormwater management systems. Such pollution prevention efforts may include
3 increasing the amount of porous (or pervious) surfaces on developed property, or implementing best
4 management practices in agricultural and conservation lands. These efforts would increase groundwater
5 recharge and stormwater infiltration, which ultimately leads to less polluted stormwater runoff reaching
6 the precious waters on which we depend.

7 The stormwater management projects that the counties would be able to carry out under this
8 program complement the pollution prevention efforts of the department. The department could assist
9 the counties in these efforts where applicable, which may include review of Water Use and
10 Development Plans, and collaborative funding opportunities for implementation projects addressing
11 nonpoint source pollution.

12 Thank you for the opportunity to testify.



Feb. 6, 2014

Committee Chairs & Members of Water And Land (WAL)

RE: Strong Support for HB 2204 – Relating to Stormwater Management

Hearing on Fri., Feb. 7, State Capitol, Conf. Rm. 325, 8:30am.

Dear Chair Evans, Vice Chair Lowen and Committee Members,

My name is Stuart Coleman, and I am the Hawaii Coordinator of the Surfrider Foundation. With more than 5000 activists and members across the state, Surfrider's Hawaii Chapters strongly support passage of HB 2204. This bill is designed to address the harms of stormwater runoff, which is the leading source of water pollution and a threat to the environment and human health.

Since 1950, Oahu's resident population has doubled and so have the hard surfaces we create in the form of rooftops, parking lots and roads. As rain falls on these hard surfaces, it quickly moves through our system of storm drains and inundates our coastal waters with land-based pollutants such as fertilizers, motor oils and pet waste. This toxic soup of pollution flushes into the ocean via waterways like the Ala Wai Canal, a highly-used recreational waterbody which regularly fails state water standards. The frequent brown water advisories and polluted water cast a dark shadow on our shorelines and could dramatically affect our tourism industry.

Right now, counties are being forced to comply with increasingly strict permit requirements enforced by the Federal Environmental Protection Agency and State Department of Health. Traditionally, the funding needed to screen for pollution, maintain drainage networks and educate the public on best practices has come from general tax funds, whose allocation can change from year to year. Also, the current funding scheme provides little incentive for property owners to reduce the runoff that their properties generate. HB2204 would allow counties to explore the use of user fees, an increasingly popular and effective way of funding stormwater management which has successfully been utilized on the mainland for several decades.

In this funding scheme, user fees are charged to property owners by a stormwater utility for the service of managing the stormwater runoff and associated pollutants coming from their property. The fee is calculated based on the demands a property places on the drainage system, which provides an incentive for property owners to reduce the runoff that they generate. Also, this fee is usually administered separately from general tax fund, ensuring adequate and dedicated funding for these critical services.

In Hawaii, our waterbodies are an essential part of our lives and provide a key resource for fishing, swimming, and recreation for residents and tourists alike. Our counties need adequate funding to meet the lofty goals set by regulating agencies to keep our surface water clean. User fees are an effective, tested and equitable tool to provide this funding, and as such I strongly urge the committee to pass this measure and allow the counties to further explore this funding source. Mahalo for your time and consideration and please feel free to contact me if you have any questions or suggestions.

Sincerely,
Stuart Coleman
Stuart H. Coleman
Hawaii Coordinator

Surfrider Foundation Hawaii Chapters * 2121 Algaroba St., #1107 * Honolulu, HI 96826
808-381-6220 * scoleman@surfrider.org * www.surfrider.org

Name/Title: Phil Potter, Environmental Consultant

Committee: Committee on Water & Land

Date/Time: Friday February 7 2014, 8:30am

Measure Number: HB2204

Aloha Ladies and Gentleman of the Committee,

My name is Phil Potter and I am an environmental consultant with over five years of experience addressing water resource management issues in Hawaii. I am here today to **strongly support** House Bill 2204 relating to stormwater management.

As Oahu's resident population has doubled since 1950¹, so too have the hard surfaces we create in the form of rooftops, parking lots and roads. Over 25 percent of Oahu was classified as developed in 2000¹ and this is bound to increase as our population grows by at least 30% in the next quarter century². As rain falls on these developed areas, it quickly moves through our system of hardened pipes and conveyances, increasing the frequency and severity of flooding and inundating our inland and coastal waters with land-based pollutants like fertilizers, motor oils and pet waste.

To put the problem in context, the urbanized areas of Oahu's south shore host the equivalent of 300 football field's worth of roof area which alone can generate up to 17 Olympic-size swimming pools of runoff during a typical storm event³. This toxic soup of pollution flushes into the ocean via waterways like the Ala Wai Canal, a highly-used recreational waterbody which regularly fails state water standards. These hard surfaces also block the land's ability to recharge groundwater, reducing our supply of clean drinking water.

To keep our surface water clean, counties must comply with increasingly strict permit requirements enforced by the Federal Environmental Protection Agency and State Department of Health. Traditionally, the funding needed to screen for pollution, maintain drainage networks and educate the public on best practices has come from general tax funds, whose allocation can change from year to year. Also, the current funding scheme provides little incentive for property owners to reduce the runoff that their properties generate. **HB2204 would explicitly permit counties to explore the use of user fees, a mechanism of funding stormwater management which has successfully been utilized on the mainland for several decades.**

¹ Klasner, F.L., C.D. Mikami (2003). Land Use on the Island of Oahu, Hawai'i, 1998. U.S. Geological Survey Water Resources Investigations Report 02-4301.

² State of Hawai'i Office of Planning (2006). Hawai'i Ocean Resources Management Plan. Coastal Zone Management Program. December.

³ State of Hawai'i Commission on Water Resource Management [HCWRM] (2008). A Handbook for Stormwater Reclamation and Reuse Best Management Practices in Hawai'i. December.

In this funding scheme, user fees are charged to property owners by a stormwater utility for the service of managing the stormwater runoff and associated pollutants coming from their property. The fee is calculated based on the demands a property places on the drainage system, which provides an incentive for property owners to reduce the runoff that they generate. Also, this fee is usually administered separately from general tax fund, ensuring adequate and dedicated funding for these critical services.

In the current political climate, it may be easy to dismiss this bill as 'just another fee' which will further burden our local residents and business owners. It is important to emphasize, though, that increased stormwater pollution has always been a cost of development; this cost has been traditionally pushed on to public in the form of resource degradation and on to the counties in additional capital and staffing expenses. By requiring property owners to properly manage increased stormwater, the community is simply placing those costs back on the people that create them and benefit from the underlying development.

In Hawaii, our waterbodies are an essential part of our way of life. They provide a key resource for fishing, swimming, and recreation for residents and tourists alike. Our counties need adequate funding to meet the ambitious goals set by regulating agencies to keep our surface water clean. **User fees are an effective, tested and equitable tool to secure this funding, and as such I strongly urge the committee to pass this measure and allow the counties to further explore this funding source.**

Thank you for your time and consideration.

Name/Title: Rafael Bergstrom, Surfrider Oahu Chapter Administrator; Junior Researcher, Department of Natural Resources and Environmental Management, UH Manoa

Committee: Committee on Water & Land

Date/Time: Friday February 7 2014, 8:30am

Measure Number: HB2204

Aloha Committee Members,

Thank you in advance for taking the time to read this testimony regarding HB 2204 and efforts to find innovative ways to help with a very serious issue affecting our precious near-shore marine resources – stormwater runoff. Honolulu, and Hawai‘i in general, has undergone rapid urbanization in recent decades to the point that much of our land has been covered with impervious roof, roads, and parking. An associated consequence of such development is the increase in stormwater runoff into our streams and surrounding oceans. As more and more land is paved over the ability of rain water to return to the soil and ground water storage areas is lost as rain water hits impervious surface, picks up pollutants like gasoline, animal waste, and debris and washes directly into streams that connect to the ocean. This is already having serious consequences for our most precious resources. A stroll along the ala wai canal or a snorkeling trip anywhere on Oahu, but especially in the most heavily developed areas, tells the story of stormwater pollution. There is no denying this anymore, there is no reason to ignore this anymore. We need to begin a proactive campaign to reverse these degradations and take responsibility for our actions.

I am a student of natural resources management and have had a particular interest in progressive urban planning to reshape our cities into more livable areas. I choose to see the problems that we are faced with as an opportunity to be leaders in change, to making this place an example of how we can take responsible and creative action to live with our beautiful environment and not against it. We must return to being stewards of our natural resources and not just takers.

Myself and a group of dedicated individuals has been researching stormwater reduction methods for over a year in an effort to come up with plans to reduce its impact in Hawai‘i. Across the nation, states, cities and counties are having success with storm water utilities and user fees which give local governing authorities the resources needed to not only ramp up cleanup, but also to incentivize change through the implementation of green infrastructure and low impact development such as rain gardens, green roofs, rain catchment, and grey-water systems. These are all mechanisms that represent the future of urban design and Honolulu could sorely use an accelerated implementation of such methods.

HB 2204, is a small first step in moving towards this more sustainable future. The bill does not impose any fees or direct mandates at this point in time, rather it provides protection for cities and counties to do so once the appropriate research has been done. This is responsible legislation because it is not jumping the gun on these issues – it is recognized that these issues are not able to be fully realized until more entities are on board and have created a feasible plan for implementation. HB 2204 also calls for this further research that will be specific to Hawai‘i.

Please consider this bill as an important first step in recreating our urban environment to one that protects our most precious resources here in Hawai‘i – our near shore reefs, coastlines, recreational meccas, fishereies, and fresh water sources.

Cheers,

Rafael Bergstrom



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 7, 2014

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER AND LAND

TESTIMONY ON HB 2204
RELATING TO STORMWATER MANAGEMENT
Room 309
9:00 AM

Aloha Chair Evans and Members of the Committees:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,832 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

Hawaii Farm Bureau **provides comments on HB2204** authorizing Counties to charge user fees to maintain stormwater management systems and infrastructure and directing CWRM to report on efforts to reduce stormwater and incentivizing reclamation and reuse.

Agriculture has long recognized stormwater as a valuable resource for irrigation. We have partnered with the Bureau of Reclamation for projects to assist with drought mitigation utilizing stormwater. The Hawaii Association of Conservation Districts (HACD), founded in 1954, is an association of the 16 local soil and water conservation districts in Hawaii. HACD pools district experience and knowledge to develop policies, provide technical and educational resources to agricultural land users, and encourage use of best management practices (BMPs) to mitigate soil erosion and water pollution. Erosion events occur during storm events so these projects are largely stormwater management. Each County has major multimillion dollar HACD projects that currently assist with stormwater management.

HFBF believes that a strong partnership between the Counties and HACD is needed to accomplish the goals of this measure in a cost effective manner. Without good planning and implementation of features on the ground, stormwater can create greater pollution issues. CWRM has also worked on storm water reclamation reports. An update and further discussion between CWRM and HACD is timely and appropriate.

Please consider the following amendments:

(7) The county shall consult with local Soil and Water Conservation Districts to identify best practices to manage stormwater

And

SECTION 2. The commission on water resource management in accordance with its powers and duties pursuant to section 174C-5, Hawaii Revised Statutes, shall update their ~~investigate~~ investigations and make recommendations for incorporating means of reducing stormwater runoff quantity and incentivizing stormwater reclamation and reuse in county water use and development plans in collaboration with the Hawaii Association of Conservation Districts. The commission shall submit a report of its findings, recommendations, and any proposed legislation, to the legislature no later than twenty days before the convening of the regular session of 2015.

We respectfully request your support of this measure with the suggested amendments. If there are any questions, please contact HACD President Wes Nohara at 280-6164.

Thank you for the opportunity to provide testimony on this matter.

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 4:56 PM
To: waltestimony
Cc: mhesketts@mac.com
Subject: Submitted testimony for HB2204 on Feb 7, 2014 08:30AM

HB2204

Submitted on: 2/6/2014

Testimony for WAL on Feb 7, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Heskett	Surfrider Foundation Oahu Chapter	Support	No

Comments: Aloha, Being an active and concerned surfer as well as the Father of an 8 year old surfer, I am often impacted by runoff into our near shore waters. We have come to understand that all of the hardened and paved surfaces we added to the island produce several detrimental effects ranging from increased polluted storm water runoff to reducing the recharge rates of our aquifers. We are fortunate to live without much industry or other larger polluters that compromise water quality elsewhere in the world but are forced to suffer from non point source pollutants. This bill will help to put our community on a path to reduce the brown water advisories we now receive after most rain events, suggesting we avoid doing what we love most, getting in our otherwise beautiful ocean. As a homeowner, I am willing to pay a fee that will help cover the true cost of the water that runs off my property, furthermore, we are attempting to capture water flowing from our roof to use on non edible garden spaces, helping to conserve water while reducing runoff. I encourage your support of this wonderfully crafted bill that puts our community on the right path towards a more sane use of our most previous resource.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 6, 2014

**Senate Committee on Water and Land
House Committee on Finance**

TESTIMONY IN SUPPORT OF HB2204 by USGBC—Hawaii Chapter

Dear Chair Evans,

The US Green Building Council Hawaii Chapter **supports** HB2204. We believe responsible and sustainable stormwater management is a key component of sustainable water resource practices as well as a necessary measure with the uncertainties of climate change, availability of water resources and increases in population growth.

We would like to acknowledge that the 2012 UPC codes and the 2012 IGCC Water Efficiency Provisions are being reviewed for adoption at the State Building Code Council and have provisions for the reuse of stormwater, which may help support these initiatives down the road.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Venu".

Lauren C. Roth Venu
Vice-Chairman, Advocacy Committee
USGBC Hawaii Chapter
lauren@rothecological.com
808-781-7583

lowen2-Lanaly

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 06, 2014 5:48 PM
To: waltestimony
Cc: aagbanna@hawaii.edu
Subject: *Submitted testimony for HB2204 on Feb 7, 2014 08:30AM*

HB2204

Submitted on: 2/6/2014

Testimony for WAL on Feb 7, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Antonia Agbannawag	Individual	Support	Yes

Comments:

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Name: Annie Lovell, Project Coordinator

Committee: Committee on Water & Land

Date/Time: Friday, February 7, 2014, 8:30am

Measure Number: HB2204

Ladies and Gentlemen of the Committee,

My name is Annie Lovell and I have been focusing on storm water management issues for the past five years as an environmental scientist with a private consulting firm in Honolulu and now as a project coordinator for a non-profit watershed management organization based in Kailua. I am in **strong support of House Bill 2204** relating to storm water management in Hawai'i.

Hui o Ko'olaupoko (HOK) is a 501(c)3 non-profit organization working on protecting ocean health by addressing non-point source (NPS) pollution across the numerous watersheds from Makapu'u to Kualoa. Ko'olaupoko moku, and its eleven ahupua'a is the largest water producing area on the island of Oahu¹. In speaking specifically to the NPS issues that affect the watersheds within our region, HOK has found through extensive research, field investigations, observations and antidotal support that NPS pollution, as a result of urban development and impervious surfaces, is a leading cause of water quality impairment and natural resource degradation. Within the urban areas of the Ko'olaupoko watershed, impervious surfaces reach nearly 60% in some areas and through water quality efforts conducted by Hawaii Pacific University, we see water pollutant parameters spike in the stream areas running through urban areas². Many of these pollutants are coming from impervious surfaces in commercial and residential properties. Rain fall in these developed areas runs directly off the land into storm drains and/or hardened conveyances, which transport the storm water and many pollutants, including motor oil, metals from brake pads, trash, organic debris, fertilizers and pesticides. This storm water is then dumped into our streams and oceans causing a multitude of environmental and human health problems.

In order to protect our waters, counties must comply with increasingly strict permit requirements enforced by the Federal Environmental Protection Agency and State Department of Health. Programs for municipal storm water management are extremely broad in scope, chronically underfunded and are not adequately protecting water and environmental resources, nor are they meeting the needs of the citizens or the requirements of the law. The current scheme of using the General Fund to finance storm water management programs is not only providing inadequate resources to municipal efforts, but it also does nothing to incentivize businesses and homeowners to reduce runoff that is generated on their properties.

HB2204 would explicitly permit counties to explore the use of user fees, a mechanism of funding municipal storm water management programs, which has successfully been utilized in many other municipalities for decades.

¹ Kailua Bay Advisory Council (2007) Ko'olaupoko Watershed Restoration Action Strategy. Kailua, Hawaii. June.

² Carstenn, Susan (2013) He'eia Stream Nutrients. Unpublished

There are a variety of options for managing storm water that both businesses and homeowners can implement to address storm water runoff generated on their properties. In 2011, HOK developed a residential rain garden program to teach residents how to install rain gardens on their properties to capture runoff on their property. Additionally, in September 2011, HOK completed an Urban Sub-basin Action Plan which identified 220 low-impact development and low-impact retrofit sites that could be implemented to address storm water runoff. Since the completion of this plan, HOK has implemented two of the identified projects. These programs have been highly successful, but the ability to protect water resources could be elevated with laws that incentivize these types of storm water management and low-impact development projects.

User fees are an effective, tested and equitable tool to secure this funding for municipal storm water management programs as well as incentivize Hawaii residents to implement their own measures for urban NPS reduction. Therefore, I strongly urge the committee to pass this measure and allow the counties to further explore this funding source.

Thank you for your time and consideration.