

Honolulu, Hawaii
February 16, 2018

RE: H.B. No. 1708
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Water & Land, to which was referred H.B. No. 1708 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY OF HAWAII'S
WATER, "

beg leave to report as follows:

The purpose of this measure is to require and appropriate
funds to the Department of Health to study the protection of
waters in the State. This study shall:

- (1) Identify state statutes that rely on, or are applied in
conjunction with, the federal Clean Water Act;
- (2) Propose amendments to protect waters if there are
amendments to the federal Clean Water Rule, which
clarifies the scope of federal water protection over
additional bodies of water, including streams and
wetlands;
- (3) Identify waters that are at risk of pollution or
contamination; and
- (4) Recommend how the State can prepare for and address the
water pollution or contamination risks, including
disasters.



The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Cuddle Party, Kokua Hawaii Foundation, Sierra Club of Hawai'i, and two individuals supported this measure. The Hawaii Cattlemen's Council, Inc., PonoHolo Ranch Limited, Maui County Farm Bureau, Hawai'i Farm Bureau, and an individual opposed this measure. The Department of Health provided comments.

Your Committees have amended this measure by:

- (1) Requiring the Department of Health to identify state statutes that rely on, or are applied in conjunction with, the federal Clean Water Act, prior to the issuance of the Clean Water Rule;
- (2) Deleting the requirement that the study include proposed amendments to state statutes to protect state waters if the federal Clean Water Rule is amended; and
- (3) Changing its effective date to January 28, 2045, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1708, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1708, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Water & Land,



RYAN L. YAMANE, Chair



CHRIS LEE, Chair



