

Honolulu, Hawaii

, 2022

FEB 08

RE: H.B. No. 2148
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2148 entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Add, amend, and reorganize sections in chapter 342D, Hawaii Revised Statutes, to consolidate water quality certification requirements and include wetlands in the definition of "state waters";
- (2) Clarify the Director of Health's responsibility as a water quality certifying agency under federal regulations; and
- (3) Increase maximum statutory civil penalties to match the amounts of federal penalties and the state penalty in section 342B-47(d), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and three individuals.

Your Committee finds that although wetlands are included in the definitions of "state waters" under section 342E-1, Hawaii

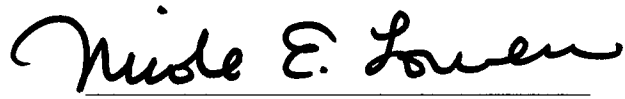


Revised Statutes, and Hawaii Administrative Rules, wetlands are not included in the definition of "state waters" in section 342D-1, Hawaii Revised Statutes. Additionally, your Committee finds that this measure will provide a framework for the State's certification program to implement Hawaii's water quality standards and further maintain a sufficient economic deterrence against violations of water pollution control laws.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2148, H.D. 1, and be referred to your Committee on Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,


NICOLE E. LOWEN, Chair



