

**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 11, 2021  
9:00 AM  
State Capitol, Videoconference

**H.B. 1060**  
**RELATING TO STORMWATER FEES**

House Committee on Energy & Environmental Protections

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The Department of Transportation (DOT) **strongly supports** H.B. 1060.

H.B. 1060 proposes to exempt the State, and its departments and agencies, from county stormwater user fees and prohibit the county from denying services to the State or its departments and agencies by reason of nonpayment of user fees.

Like the City and County of Honolulu, the Department of Health (DOH) has issued to the DOT, Municipal Separate Storm Sewer System permits referred to as a small MS4 storm water permits, to ensure best management practices are managed to mitigate only rain entering the drains. Of the DOT's three divisions, the Highway Division has complied and is no longer under a consent decree. The Airports and Harbors Division implemented stormwater management plans, spent millions to upgrade its environmental compliance, and its annual compliance report are under the supervision of the U.S. Department of Justice and the U.S. Environmental Protection Agency/State DOH, Clean Water Branch.

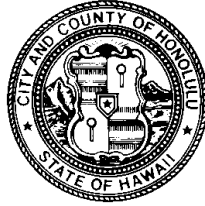
During the DOT's work to comply with its DOH permit, the DOT observed that there are unpermitted city drains that pour stormwater into State properties. There are also county outfalls and drainage systems that passthrough State property, for example the state harbors, to discharge stormwater into the ocean. Allowing the counties to charge the State user fees is not justifiable when stormwater flows mauka to makai through county outfalls and drainage systems and discharges into state waters. The DOT suggests that the counties join in a broader view and remove debris and other pollutants from its stormwater systems and drainage canals and not charge the state a user fee to support its program.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF FACILITY MAINTENANCE  
**CITY AND COUNTY OF HONOLULU**

1000 Ulu'ohia Street, Suite 215, Kapolei, Hawaii 96707  
Phone: (808) 768-3343 • Fax: (808) 768-3381  
Website: www.honolulu.gov

RICK BLANGIARDI  
MAYOR



ROGER BABCOCK, JR., Ph.D., P.E.  
DIRECTOR AND CHIEF ENGINEER DESIGNATE

TYLER K. SUGIHARA, P.E.  
ACTING DEPUTY DIRECTOR

IN REPLY REFER TO:  
21-034

February 10, 2021

The Honorable Nicole E. Lowen, Chair  
Committee on Energy & Environmental Protection  
House of Representatives  
415 South Beretania Street, Room 425  
Honolulu, Hawaii 96813

The Honorable Lisa Marten, Vice Chair  
Committee on Energy & Environmental Protection  
House of Representatives  
415 South Beretania Street, Room 311  
Honolulu, Hawaii 96813

Dear Representatives Lowen and Marten:

Subject: Department of Facility Maintenance, City and County of Honolulu  
Testimony in Opposition to H.B. No. 1060, Relating to Stormwater Fees

The Department of Facility Maintenance (DFM) of the City and County of Honolulu has primary responsibility for ensuring the County's compliance with stormwater regulations under the United States Clean Water Act. In 2015, the Hawaii State Legislature took the proactive and foresighted step of authorizing the counties to establish fee-based funding of storm water services, or "storm water utilities." Over the past two (2) years, the Department has undertaken a comprehensive program to develop a storm water utility and fee for the County pursuant to this State law. During this time, extensive information has been provided to State agencies and departments on the benefits and impacts of adopting a storm water fee. Please see the attached summary information. The Department opposes H.B. No. 1060, Relating to Stormwater Fees, which would exempt all State departments and lands from storm water fees and prohibit the City and County from enforcing penalties for non-payment of duly adopted fees.

Protecting and enhancing Oahu's groundwater, streams, and near-shore environment is a shared responsibility. Storm water utilities have been adopted by over 2,000 of our peer cities and counties in the United States and Canada, providing stable, equitable funding for these programs including permitting, maintenance, and necessary capital improvements. Under a storm water utility, all properties, including United States government properties, would pay a fee representing their fair share of the cost of providing services, similar to the water bills charged by the Honolulu Board of Water Supply and sewer bills by the Department of Environmental Services. Storm water fees will be assessed based on impervious area and the total raised may not exceed the demonstrated cost of storm water services, an important check and balance on spending that is not in place today. DFM has determined that it currently spends \$92 million per year on storm water services.

A blanket exemption of State facilities as proposed in H.B. 1060 undermines this important element of equity and fairness. In fact, equity and fairness are the core purposes of adopting a storm water fee: Today, the full cost burden is on taxable properties, with the greatest impact on residential property owners. Under a storm water utility, everyone would pay a fair share based on storm water runoff generated from impervious surfaces. It is notable that the Clean Water Act itself requires all federal agencies (which own nearly 5% of the impervious area on Oahu) to pay duly adopted local storm water fees.

It is a fact that adoption of a fee at the level under consideration by the City and County of Honolulu would result in charging fees to State agencies for their share of the total cost of managing storm water runoff on O'ahu. However, there are multiple opportunities for each state agency to reduce its fees and to cooperate with DFM in finding mutually beneficial means of providing these services. Under the proposed structure of the storm water utility, all State agencies would have the opportunity to reduce their fees by up to 60%, by implementing beneficial water capture and storm water management practices on site, which most State agencies are doing. DFM also is aware of cooperative approaches other jurisdictions have taken to address the cost impact on State agencies. The current draft fee proposals exempt all public roadways and it is possible that other surfaces such as runways and docks can be considered fundamentally part of the public transportation systems and also be exempt from fees. There are also opportunities for credits and rebates associated with education on storm water and watersheds in the Department of Education schools. We have only so far released draft fee proposals and we have not had the opportunity to discuss these options with our partners in the various State agencies. H.B. 1060 would foreclose exploration of appropriate and fair fees and mutually beneficial options, including delayed/phased implementation based upon economic recovery.

Representative Nicole E. Lowen, Chair  
Representative Lisa Marten, Vice Chair  
Committee on Energy & Environmental Protection  
February 10, 2021  
Page 3

In its 2015 action authorizing counties to adopt storm water fees, the Legislature recognized the need to fund the protection of our waters sufficiently, and equitably. H.B. No. 1060 moves the State away from embracing that shared responsibility. DFM would be happy to conduct a presentation and Q&A on the storm water utility, fee proposals, potentials for phased implementation, etc. to this committee and any other interested legislators whenever convenient for you. We urge the committee to reject H.B. No. 1060 at this time to allow for further discussion and collaboration. Thank you for this opportunity to testify on this measure.

If you have any questions or would like to further discuss this issue, please contact me by email at [roger.babcock@honolulu.gov](mailto:roger.babcock@honolulu.gov) or by phone at 768-3343.

Sincerely,

Roger Babcock, Jr., Ph.D., P.E.  
Director and Chief Engineer Designate

Attachment



# Storm Water Utility

## Projected Rate, Revenues & Fee Impacts

February 9, 2021

### Proposed Rate, Maximum Reductions & Hardship Allowances

- Base storm water rate, before credits: \$4.85/month/1,000 SF of Impervious Area
- Maximum total fee reduction per customer: 60%
- Maximum monthly rate for low-income households: \$2.43/month
- Maximum annual charge to non-profit facilities: 0.5% of annual revenue *(based on individual sites, not parent/umbrella organization)*

### Proposed Exemptions

Exempt public & quasi-public roads and properties with <300 SF IA (\$0.10/month on base rate)

**\*Impact of State facilities blanket exemption: ~15% reduction in gross operating revenue**

- Adds \$0.73/month to base rate (\$5.58/month/1,000 SF IA)
- Fee at ~\$20/month for typical single family (increase of \$3/month)

### Anticipated Revenue – Annual Average over First 6 Fiscal Years with fixed rate

Gross Operating Revenue from Storm Water Fees: \$86.4 million

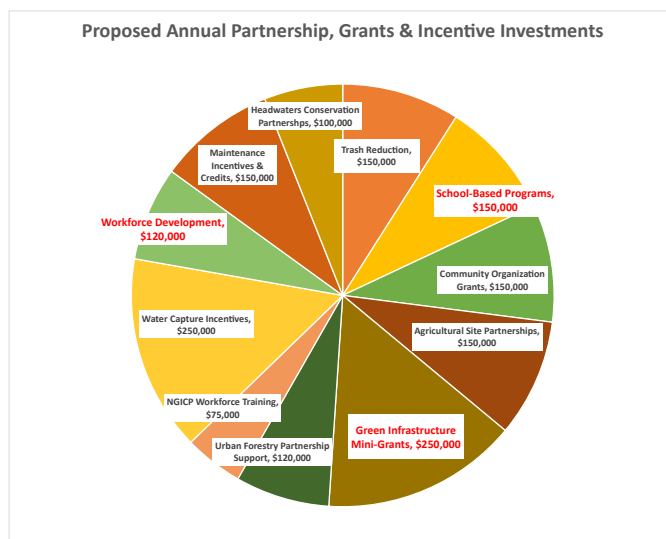
- Reduction from Uncollectible Accounts: 5% of gross revenue/\$4.25 million
- Reduction from Credits and Incentives: 5% of gross revenue/\$4.27 million

Net Operating Revenue from Storm Water Fees: \$77.97 million

+ Continued annual transfer from Highway Fund: \$22 million

Total Revenue to Storm Water Special Fund: \$99.97 million (+ grants & misc. fees)

\*Fees for all City & County-owned properties: \$3.189 million/year before credits



### Storm Water Services Budget Supported (2020 dollars)

Annual Average Operating Budget: \$62.16 million/~\$20 million increase from FY20  
 Projected “Steady State” Budget, FY 7+: \$65 million operating/\$37 million capital (includes debt service)

### Capital Budget Supported (2020 dollars)

Annual Average Cash-Funded CIP, Years 1-3: \$40 million (scheduled, permit-mandated projects)  
 \*Debt-funded capital issued in Year 4 for asset renewal: \$73 million/~\$5.7 mil. annual debt

service

Total Capital investment, Years 1-6: \$264.8 mil.; *without storm water fee, \$191.8 mil. + no asset renewal*



# Storm Water Utility

## Projected Rate, Revenues & Fee Impacts

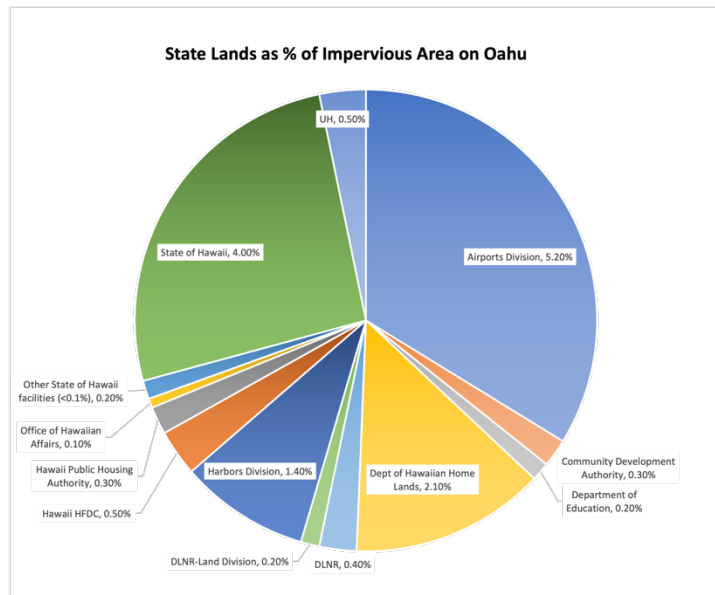
February 9, 2021

### Projected Fees for State Departments & Facilities

Customer (Total for all identified properties)	Monthly Fee	Annual Fee	Annual w/Max. Credit (60%) as currently proposed
DOT - Airports	\$389,746	\$4.68 million	\$1.87 million
State of Hawaii	\$289,994	\$3.8 million	\$1.39 million
DHHL	\$148,846	\$1.79 million	\$714,462
DOT – Harbors	\$100,776	\$1.2 million	\$483,723
U of Hawaii	\$35,190	\$422,279	\$168,911
HI DLNR	\$30,057	\$360,860	\$144,272
HI Housing F&DC	\$27,322	\$327,868	\$131,147
HI Public Housing Auth.	\$22,859	\$274,308	\$109,723
HI Com. Dev. Auth.	\$19,337	\$232,042	\$92,817
HI Dept. of Education	\$14,761	\$177,132	\$70,853
HI DLNR Land Division	\$13,231	\$158,777	\$63,511
Office of Hawaiian Affairs	\$6,327	\$75,928	\$30,371
<i>Other Departments &lt;\$2,500/month</i>			
<b>Total for all State-owned facilities</b>	<b>\$1.11 million</b>	<b>\$13.4 million</b>	<b>\$5.4 million</b>

### Example Fees to Other Customers, Base & with 60% Maximum Credit

Customer	Monthly Fee	Annual Fee	Annual w/Max. Credit (60%)
Typical Single-Family Residence	\$17	\$204	\$82
Safeway Plaza, Salt Lake Blvd. & Ala Liliko'i Street	\$1,166	\$13,992	\$5,597
Roman Catholic Archdiocese (all properties)	\$15,609	\$187,308	\$74,923
Ala Moana Mall	\$34,000	\$408,000	\$163,200



### Supporting Documents

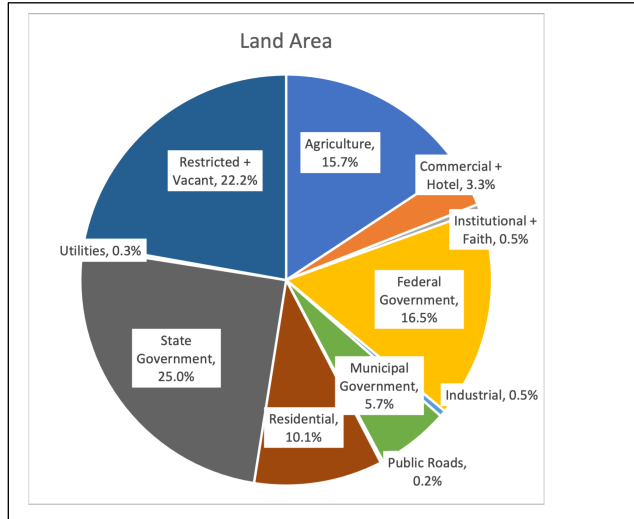
- Feasibility study summary report: [https://www.stormwaterutilityoahu.org/wp-content/uploads/HAWAII\\_HONOLULU-SWU\\_HCF-REPORT\\_FINAL-SUMMARY-REPORT\\_12-222020.pdf](https://www.stormwaterutilityoahu.org/wp-content/uploads/HAWAII_HONOLULU-SWU_HCF-REPORT_FINAL-SUMMARY-REPORT_12-222020.pdf)
- Overview of Storm Water Utility Legal Cases: <https://stormwater.wef.org/wpcontent/uploads/2015/01/NACWAs-Navigating-Ligitagtion-Floodwaters.pdf>
- Credits, Rebates & Exemptions analysis: [https://www.stormwaterutilityoahu.org/wpcontent/uploads/HI\\_HNL\\_SWU\\_TECH\\_TM\\_Credits-Hardship\\_Final\\_12.08.2020.pdf](https://www.stormwaterutilityoahu.org/wpcontent/uploads/HI_HNL_SWU_TECH_TM_Credits-Hardship_Final_12.08.2020.pdf)
- Rate Analysis: [https://www.stormwaterutilityoahu.org/wp-content/uploads/CCH\\_DFM\\_Rate\\_Analysis\\_Final.pdf](https://www.stormwaterutilityoahu.org/wp-content/uploads/CCH_DFM_Rate_Analysis_Final.pdf)



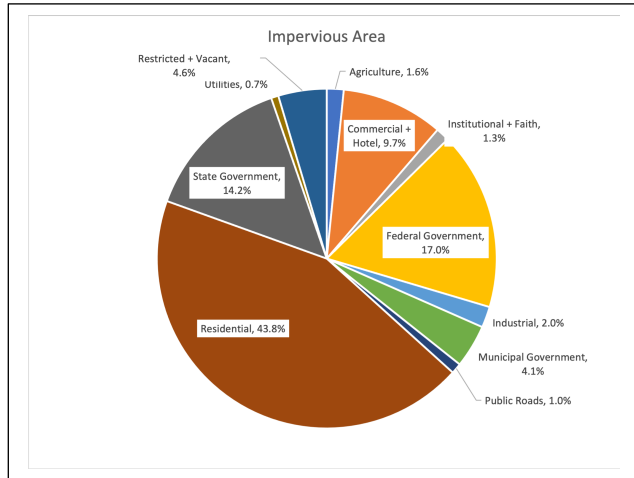
# Storm Water Utility

## Impervious Area, Land Area & Taxable Value

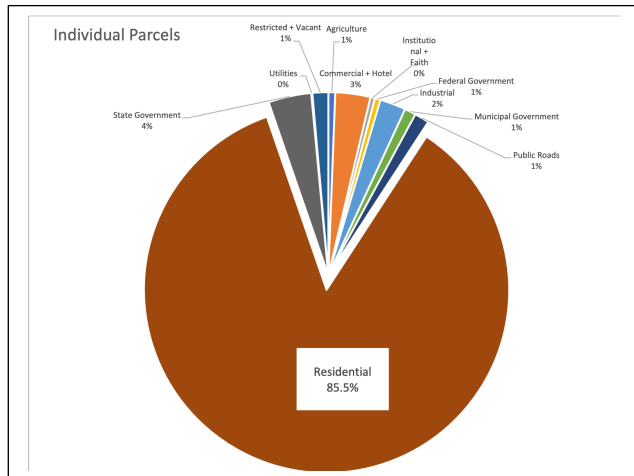
February 9, 2021



State-owned lands make up 25% of the land area on the Island of Oahu. Federal government and military facilities comprise another 16.5%. Residential, commercial, hotel, and industrial lands, which make up the bulk of the City & County's taxable value, represent only 13.8% of the Island's land area. These owners of taxable lands contribute roughly \$70 million in property taxes towards the \$92 million annual storm water budget. The remaining \$22 million is an internal transfer from the Highway Fund, representing the cost of maintaining roadway-related storm water systems.



An impervious area-based fee distributes the cost of storm water services across all property owners and across all land uses. Courts across the U.S. have upheld the use of impervious area as a legally valid basis for determining a property's proportional impact on the cost of storm water services. This approach generally reduces the share of the total storm water cost funded by taxable residential and commercial properties. Residential lands make up 43.8% of impervious area but generated 52% of 2020 tax receipts to the City and County<sup>1</sup>. Commercial and hotel properties contain 9.7% of impervious area and generated 36% of 2020 tax receipts.



A flat fee per parcel for storm water services would have the greatest impact on residential properties (left), which represent 85% of all individually-owned properties on Oahu.

<sup>1</sup> Technical Branch, Real Property Assessment Division, Department of Budget & Fiscal Services, City & County of Honolulu

MICHAEL P. VICTORINO  
Mayor

ROWENA M. DAGDAG-ANDAYA  
Director

JORDAN MOLINA  
Deputy Director

GLEN A. UENO, P.E., L.S.  
Development Services Administration

RODRIGO "CHICO" R. RABARA, P.E.  
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COUNTY OF MAUI  
**DEPARTMENT OF PUBLIC WORKS**  
200 SOUTH HIGH STREET, ROOM NO. 434  
WAILUKU, MAUI, HAWAII, 96793

TESTIMONY  
OF  
ROWENA M. DAGDAG-ANDAYA, DIRECTOR OF PUBLIC WORKS  
COUNTY OF MAUI

TO THE HOUSE COMMITTEE  
ON  
ENERGY & ENVIRONMENTAL PROTECTION  
THURSDAY, FEBRUARY 11, 2021, 9:00 A.M.

HOUSE BILL 1060  
RELATING TO STORMWATER FEES

Honorable Nicole E. Lowen, Chair,  
Honorable Lisa Marten, Vice Chair,  
and Members of the EEP Committee

Thank you for the opportunity to submit testimony on HB1060. The County of Maui Department of Public Works **OPPOSES** the proposed measure.

The bill seeks to exempt the State and its departments and agencies from payment of any stormwater utility fees that may be established by a County. The operation and maintenance of the County's stormwater system should be considered a utility like any other utility (water, wastewater, electric, cable TV, and telephone) where customers pay fees to use the services provided by the utility. This would be consistent with the how the State pays for water, sewer, and electrical services to its facilities.

There may be special categories of State facilities and lands, such as roadways, where limited exemptions may be appropriate. However, the indiscriminate granting of an exemption to the State is opposed because it would inequitably shift fees to private property owners and the counties and undermines the progress made by Act 42, SLH 2015 to encourage the protection of water resources through a stormwater user fee.

Sincerely,

ROWENA M. DAGDAG-ANDAYA  
Director of Public Works





February 9, 2021

## **TESTIMONY IN OPPOSITION OF HOUSE BILL 1060**

Dear Representatives Lowen and Marten, Chairs of the Committee on Energy and Environmental Protection;

Roth Ecological Design Intl. provides strategic water planning and integrated water management design. We believe responsible and sustainable water management, including upgrading drainage infrastructure and supporting green stormwater infrastructure initiatives, are critical components for Hawaii to adapt to climate change and build resiliency in our infrastructure and communities. The proposed City and County of Honolulu's Stormwater Utility will be critical to ensure there is a dedicated fund to upgrade undersized and aging infrastructure on Oahu as well as support communities to adopt green stormwater infrastructure solutions that will also offer benefits in improving water quality, water security, carbon sequestration, reduction in heat island effect, and flooding.

Roth Ecological Design Int. strongly opposes House Bill 1060! For the state to exempt themselves from the future stormwater utility fee entirely is unacceptable. This would set a very bad precedent and not only display a lack of leadership to help steer the canoe to move Hawaii towards building resiliency in its infrastructure, communities and ecosystems, but creates a stigma of authoritarian power by releasing the state of responsibility without any regard of its constituents. The City and County Stormwater Utility Advisory Group which consists of a broad range of stakeholders from neighborhood boards to building associations and large landowners have worked diligently over the last two years developing a fair and equitable approach such that everyone would pay fairly based on their impervious area that contributes to stormwater runoff. This is a critical component for the program to be successful. Should the state back out of paying their fair share this would be highly disruptive and would cause backlash across the community. Moreover, it is counterproductive, disingenuous and goes against all the work set to help prepare our communities for climate change. There needs to be collective, aligned effort where everyone is in the canoe and all paddles are in; the climate issues Hawaii will be facing require everyone to take part in the solution and we need to start now. It is also unprecedented in the U.S. for a state to completely exempt their properties from a city/county stormwater utility fee. Budgets are tight for everyone, not just the state. The fees would not likely be initiated for at least 2-3 more years to create enough time to plan and allocate budgets accordingly. We are hoping a solution will arise, however as it is currently written we strongly oppose HB 1060!

Sincerely,

Lauren C. Roth Venu, President  
lauren@rothecological.com



Email: [communications@ulupono.com](mailto:communications@ulupono.com)

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
Thursday, February 11, 2021 — 9:00 a.m.

**Ulupono Initiative respectfully opposes HB 1060, Relating to Stormwater Fees.**

Dear Chair Lowen and Members of the Committee:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food; renewable energy and clean transportation; and better management of freshwater and waste.

**Ulupono respectfully opposes HB 1060**, which exempts the State and its Departments and Agencies from county stormwater user fees and prohibits the counties from denying services to the State or its Departments and Agencies by reason of nonpayment of user fees.

One aspect of stormwater utilities that improves their ability to manage stormwater successfully is having a broad user base that supports the system through the payment of fees—this provides more support than property taxes alone. All users that own/manage non-permeable surfaces such as roofs, asphalt, and concrete, directly contribute to an increase in stormwater runoff. Enabling exemptions of any kind, but particularly from a large land owner and visible leader such as the State, sets a dangerous precedent and threatens to undermine the purpose and ability of a stormwater utility. Therefore, it is imperative that all users support the stormwater utility's efforts to increase recharge and otherwise decrease runoff and the resulting damage to our nearshore waters and beaches.

Ulupono supports increased water security throughout the State, including efforts to expand recharge to reduce potential runoff and flooding. As the counties look to implement stormwater utilities, the State should look to actively support sustainable stormwater management and contribute to the utility as a responsible user.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata  
Director of Government Affairs

*Investing in a Sustainable Hawai'i*



**HAWAII COMMUNITY FOUNDATION**  
*Amplify the Power of Giving*

**Testimony of the Hawaii Community Foundation on HB 1060  
Relating to Stormwater Fees  
House Committee on Energy and Environmental Protection**

**February 11<sup>th</sup>, 2021  
10:50am  
Conference Room 325**

Aloha Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection,

Hawaii Community Foundation **strongly opposes HB 1060** which exempts the State and its department and agencies from county stormwater user fees.

A stormwater utility will help promote sustainable stormwater practices that enhance water recharge and is a strong component of Hawaii's sustainability goals; notably the 2016 Sustainable Hawai'i Initiative highlighted the need to protect nearshore ocean waters by reducing sediment and pollution and the State of Hawai'i adopted the Aloha+ Challenge goal of minimizing the impacts of land use on the natural environment. The **Fresh Water Initiative** also adopted the 2030 target of increasing water security by 100 million gallons per day. Part of this target is increasing recharge by 30 million gallons per day by 2030, which will not only result in increased water security but will also reduce runoff pollution and overflows that result in flooding.

As climate change persists, sustainably managing stormwater will become even more important as sea levels rise and rainfall patterns become less predictable. This challenge, combined with aged infrastructure and increasing populations, help build a strong argument **against HB 1060 while instead supporting the further development of storm water utilities that engage all land users**. Over 2,000 locations across the U.S. have been using stormwater utilities for decades to ensure stormwater management as a public service. Court cases within the U.S. have upheld that state properties are not exempt from paying stormwater utility fees (City of Gainesville vs. State, as one example).

With regard to fees, a stormwater utility will help evenly spread the cost of stormwater management services by allowing the cost to be directly related to impervious surface area. Landowners, including State agencies, will be able to reduce their fees by implementing sustainable stormwater practices such as green infrastructure or developing other innovative, sustainable stormwater solutions.

In order for Hawai'i to continue being a leader in sustainability, connecting climate change mitigation and the health and prosperity of our communities, we urge you to **oppose HB 1060** and instead allow for the continued development of effective stormwater utilities across Hawaii's urban areas with the inclusion of State departments. Please let us know if we can provide any further information on this matter.

For questions, please contact Dana Okano, PhD, AICP, Program Director, Hawai'i Community Foundation at [dokano@hcf-hawaii.org](mailto:dokano@hcf-hawaii.org).

Personal Written Testimony in Opposition  
presented before the  
House Committee on Energy and Environmental Protection  
Thursday, February 11, 2021, 9:00 am, Room 325  
by  
Donald B. Young

RE: HB 1060 Relating to Stormwater Fees

Chair Lowen, Vice Chair Marten, and Members of the Committee

My name is Donald Young. I am currently President of Enchanted Lake Residents Association. I am writing in opposition to HB 1060.

HB 1060 exempts the State, and its departments and agencies, from county stormwater user fees and prohibits county from denying services to the State or its departments and agencies by reason of nonpayment of user fees.

Our storm drains and curb inlets are not cleaned and many do not have protective screens to prevent debris from entering our waterways. Our culverts are overgrown with weeds and brush significantly reducing their effectiveness. Best management practices on construction sites are not enforced or monitored resulting in major negative impact on our fragile waterways and estuaries. Our stormwater management needs improvement to be in compliance with clean water regulations. The State has a major responsibility in supporting such management and improvement.

Exempting the State from its responsibilities of paying stormwater fees when the State is a major contributor to stormwater runoff is not appropriate or acceptable. If residents, businesses and all others have to pay these fees, the State should pay its fare share as well. We all must share in the responsibilities to maintain our fragile environments and share in the costs of such maintenance.

Thank you for the opportunity to provide testimony.

**HB-1060**

Submitted on: 2/9/2021 8:23:56 PM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matthew Moore	Individual	Oppose	No

Comments:

Aloha,

My name is Matt Moore, I work for Hawaii Engineering Services as a Sales Engineer in the water and wastewater industry. I strongly OPPOSE House Bill 1060. The State and Counties are equally responsible for their impervious hard infrastructure as the residents of Hawaii are.

Mahalo,

Matt Moore

Honolulu, HI

**HB-1060**

Submitted on: 2/10/2021 8:57:15 AM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Levani	Individual	Oppose	No

Comments:

Dear Chair Lowen and Vice-Chair Marten and Committee Members:

I am testifying in opposition to HB1060. The State should not be exempt in paying Stormwater fees. Stormwater runoff is a major polluter of our waterways and ocean. A stormwater utility is critical to the process of ensuring adequate water quality. The maintenance of stormwater infrastructure in our State has badly been lacking and insufficient. The current budget to address stormwater management comes from general funds in the C&C budget. The creation of a stormwater utility would help direct a consistent stream of funding towards this important service.

As an active community member advocating for water quality and keeping pollution out of our ocean — I am consistently receiving complaints and documentation through photos and email that our stormdrains are not cleaned, our silt basin is not functional, our hardended culverts are overgrown with brush, our culverts need protective screens, streetsweeping machines can't do their job, and that best management practices on construction sites are not enforced or monitored. These are critical components of stormwater management as is building a workforce to maintain this massive infrastructure often beneath our feet. This is a long term investment.

We cannot say that we are being environmental as a state, if we don't act on it. The stormwater utility calculates its payments on the amount of impermeable surface area on a parcel of land. Exempting the State from paying such fees when it is a major contributor to stormwater runoff —is not acceptable in my opinion. If our residents, businesses and nonprofits have to pay —the State should pay as well. We all contribute to stormwater runoff and we all need to share in the kuleana of our ocean and waterways.

Thank you for your consideration.

/Levani Lipton/

**HB-1060**

Submitted on: 2/10/2021 1:54:36 PM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
LeonardLepine	Individual	Oppose	No

Comments:

Neither the State or any other landowner should be exempt from State storm water utility fees. Storm water management is vital to maintaining pollution free near shore ocean water.



Chair Lowen, Vice-Chair Marten and Committee Members:

I do not support HB 1060 in its exemption of the State and its departments and agencies from county stormwater user fees.

Some years ago my childhood City of Minneapolis began an inspired and inspiring program of assigning an ESU (equivalent stormwater unit) value to properties in the city, based on the percentage of the property's footprint which was permeable square footage.

"Inspiring" because it encouraged each property owner to make new or renovating changes to increase their property's permeable square footage, thereby reducing the ESU value and likewise the Stormwater Fee charged as part of their property tax.

There is now debate on Oahu/Hawaii as to the details within the forming Stormwater Utility. The concept is similar to the above, and overdue in our State.

Some exemptions from this responsibility within the City & County are likely warranted. The exemption for State of Hawaii lands included in HB 1060 however would, in my opinion, raise too much public rancor. It would smack of favoritism in the public eye.

The State instead should serve as a public example in moving its current impervious footprint toward a more accountable condition of absorbing water, ie., less stormwater runoff. To the extent it does not it should be subject to a similar financial burden as private landowners whose major impervious footprint is likely their home itself.

There will be other demanding issues in our immediate future resulting from our awareness of climate change. Supporting a strong and informed State government is part of the way forward.

Thank you for the opportunity to express my opinion.

Robert Gratz.

**HB-1060**

Submitted on: 2/10/2021 5:36:55 PM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Margaret Novack	Individual	Oppose	No

Comments:

Chair Lowen and Vice-Chair Marten and Committee Members:

I am testifying in opposition to HB1060. The State should not be exempt from paying Stormwater fees. Stormwater runoff is a major polluter of our waterways and ocean. My family and I live on the shore of the Enchanted Lake, in Kailua. The lake receives all of the storm water runoff from the surrounding hardscape.

I am very supportive of the concept of a stormwater utility because the current maintenance in our state has been very poor. Our lake is under threat because of this. The creation of a stormwater utility would help direct a consistent, predictable stream of funding towards this important service.

Exempting the State from paying such fees, when it is a major contributor to stormwater runoff is wrong. If our residents, businesses and nonprofits have to pay —the State should pay as well. We all contribute to stormwater runoff and we all need to share in the kuleana of our ocean and waterways.

Thank You.â€”

**HB-1060**

Submitted on: 2/11/2021 2:49:53 AM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pauline Mac Neil	Individual	Oppose	No

Comments:

The State should not be exempt from paying stormwater fees.

**HB-1060**

Submitted on: 2/11/2021 9:00:47 AM

Testimony for EEP on 2/11/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Amato	Individual	Oppose	No

Comments:

Dear Chair Lowen and Vice-Chair Marten and Committee Members:

I am testifying in opposition to HB1060. I feel that the State should not be exempt from paying Stormwater fees. As a coral reef Scientist in Hawaii, It is clear that stormwater is the main pollutant to our nearshore waters. The State is largely responsible for much of this pollution because of the large amount of land that the state maintains in Hawaii. Therefore, the state must contribute to funding solutions to this problem and support statewide stormwater mitigation. Thank you. -Daniel Amato