

# BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



February 9, 2023

RICK BLANGIARDI, MAYOR

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ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ERWIN M. KAWATA  
Deputy Manager

The Honorable Nicole E. Lowen, Chair  
and Members  
Committee on Energy and Environmental Protection  
House of Representatives  
Hawaii State Capitol, Room 325  
415 South Beretania Street  
Honolulu, Hawaii 96813

The Honorable Linda Ichiyama, Chair  
and Members  
Committee on Water and Land  
House of Representatives  
Hawaii State Capitol, Room 325  
Honolulu, Hawaii 96813

Dear Chair Lowen, Chair Ichiyama and Members:

Subject: House Bill 1212: Relating to Water Neutrality

The Honolulu Board of Water Supply (BWS) supports House Bill (HB) 1212, which establishes the water neutrality task force to develop a plan for Hawaii to become water-neutral by the year 2050. Water neutrality is defined in the measure as a process that balances water use through reduced water usage and investment in projects that increase the supply of fresh water.

The BWS is a strong advocate of water conservation and sustainable water supply development, including groundwater, water reuse and desalination.

Under subsection (d), the BWS recommends including a director-level representative(s) or designee(s) from a county agency with authority over water supply with an extensive water conservation program. If the water neutrality plan is required to include reducing water usage and increasing fresh water supply, in addition to increasing water reuse, then a county water supply representative is needed to fill the apparent gap. Therefore, the BWS requests adding an amendment to subsection (d) to include:

- (6) The Manager and Chief Engineer, or the Manager's designee, from each county board, or department, of water supply.

The Honorable Nicole E. Lowen, Chair  
The Honorable Linda Ichiyama, Chair  
and Members  
February 9, 2023  
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By finding new ways to reduce consumption of potable water it is important to plan wisely for our future. Emerging issues such as climate change sea level rise, droughts, extreme precipitation and flooding continue to have a profound global impact. As such, planning for future critical needs, such as infrastructure and resource resiliency needs to be addressed in a comprehensive framework. Water neutrality is a concept for managing water resources and this can be integrated into the framework.

Thank you for the opportunity to provide testimony in support of HB1212.

Very truly yours,

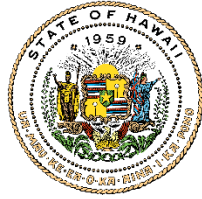
A handwritten signature in blue ink, appearing to read 'Ernest Y. W. Lau', written in a cursive style.

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

A small, handwritten mark or signature in blue ink, possibly initials, located below the typed name.

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committees on  
ENERGY & ENVIRONMENTAL PROTECTION  
and  
WATER & LAND

Thursday, February 9, 2023  
8:35 AM

State Capitol, Conference Room 325 and Videoconference

In consideration of  
HOUSE BILL 1212  
RELATING TO WATER NEUTRALITY

House Bill 1212 proposes to establish a task force to develop a plan for Hawai'i to be water-neutral by the year 2050, and requires the task force to submit a report to the Legislature. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and offers comments and amendments.**

The Department's Commission on Water Resource Management (Commission) is responsible for ensuring that water is available for future generations. This is accomplished through the Commission's regulatory, hydrologic monitoring, and planning programs. Hawai'i Revised Statutes (HRS) Section 174C-2, Declaration of policy, provides in subsection (b) that it is the Commission's policy to develop "*a program of comprehensive water resources planning to address the problems of supply and conservation of water. The Hawaii water plan, with such future amendments, supplements, and additions as may be necessary, is accepted as the guide for developing and implementing this policy.*" The impacts of climate change are expected to reduce water availability in many areas of the state of Hawai'i. It is important to consider actions that can be taken now to ensure that water is available to meet future water demands while continuing to protect the public trust purposes of water. The proposed Water Neutrality Task Force and report would help to guide future actions to improve water use efficiency, increase water supplies, and inform water resource management policies.

House Bill 1212 proposes to establish a task force within the Department of Health (DOH) to create a water neutrality plan. As stated in HRS Section 174C-66, Jurisdiction over water quality, DOH administers the State's water quality program including water reuse and recycling. The proposed water

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CHAIRPERSON  
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LAURA H.E. KAAKUA  
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M. KALEO MANUEL  
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

neutrality plan shall include plans to reduce water usage and increase in the supply of fresh water including the increase of water reuse and recycling. The focus of the water neutrality plan seems focused on water quantity, which falls under the purview of the Commission. Additionally, convening a large task force and conceiving a comprehensive plan to achieve water neutrality for the State of Hawai'i is a complex and time-consuming task that should also include community and stakeholder input. The Department does not believe that a meaningful water-neutrality plan could be accomplished in the short timeframe proposed in this measure and that funding would be necessary to complete a functional and realistic plan. Thus, the Department suggests that the task force should be established within the Commission, additional time allowed for the plan, and funding appropriated, and offers the following amendments (grey highlight):

SECTION 2. (a) There is established within the ~~[department of health]~~commission on water resource management for administrative purposes the water neutrality task force.

(b) The task force shall create a plan for Hawaii to become water-neutral by the year 2050. The water neutrality plan shall include plans to:

- (1) Reduce water usage;
- (2) Increase water reuse and water recycling; and
- (3) Increase the supply of fresh water.

(c) The task force shall consist of the following members or their designees:

(1) The ~~[deputy director for environmental health administration of the department of health]~~chairperson of the commission on water resource management or their designee, who shall serve as the chairperson of the task force;

(2) The ~~[chairperson of the board of land and natural resources]~~deputy director for environmental health administration of the department of health;

(3) The chairperson of the board of agriculture;

(4) ~~[A]~~The member of the commission on water resource management~~[, other than the chairperson of the board of land and natural resources]~~with substantial experience or expertise in traditional Hawaiian water resource management techniques expertise;

(5) The chairperson of the house of representatives committee with subject matter purview over water and land; and

(6) The chairperson of the senate committee with subject matter purview over water and land.

(d) In addition to the members specified in subsection (c), the chairperson shall invite the following individuals to be members of the task force:

(1) A director-level representative from a county agency with permitting or implementation authority over water reuse in that county;

(2) A representative from a public agency with permitting or implementation authority over wastewater;

(3) A representative of the Fresh Water Council of Wai Maoli: Hawaii Fresh Water Initiative;

(4) The environmental program director of the Hawai`i Community Foundation, or the director's designee; and

(5) Any other individual whom the ~~deputy~~ ~~director~~ chairperson of the task force determines would provide a benefit to the task force.

(e) Private members of the task force shall serve without compensation but may be reimbursed for actual expenses, including travel expenses, incurred in the performance of their duties.

(f) The task force shall consider the recommendations made by the water reuse task force established pursuant to H.C.R. No. 86, S.D.1 (2018).

(g) The task force shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of ~~2024~~ 2026. The report shall include the water neutrality plan, findings, recommendations, and any proposed legislation.

(h) The task force shall cease to exist on June 30, ~~[2024]~~2026.

~~SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$                    or so much thereof as may be necessary for fiscal year 2023-2024 to establish a water neutrality task force and water neutrality by 2050 plan.~~

~~The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.~~

SECTION ~~[3]~~4. This Act shall take effect upon its approval.

Mahalo for the opportunity to provide comments and suggested amendments on this measure.



**Environmental Caucus of  
The Democratic Party of Hawai'i**

To: The Honorable Nicole E. Lowen, Chair  
The Honorable Elle Cochran, Vice Chair  
Members of the Committee on Energy & Environmental Protection

The Honorable Linda Ichiyama, Chair  
The Honorable Mahina Poepoe, Vice Chair  
Committee on Water & Land

Re: **HB 1212 – RELATING TO WATER NEUTRALITY**

Hearing: Thursday, February 9, 2023, 8:35 a.m., Conference Room 325 & Videoconference

Position: **Strong support**

Aloha, Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committee on Energy & Environmental Protection and Committee on Water & Land:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of HB 1212. This measure establishes the water neutrality task force to develop a plan for Hawaii to become water-neutral by the year 2050 and requires the task force to submit a report to the Legislature.

The Hawaii State Constitution, Article XI, Section 7, entitled WATER RESOURCES provides:

**Section 7.** The State has an obligation to protect, control and regulate the use of Hawaii's water resources for the benefit of its people.

The legislature shall provide for a water resources agency which, as provided by law, shall set overall water conservation, quality and use policies; define beneficial and reasonable uses; protect ground and surface water resources, watersheds and natural stream environments; establish criteria for water use priorities while assuring appurtenant rights and existing correlative and riparian uses and establish procedures for regulating all uses of Hawaii's water resources.

The Democratic Party of Hawai'i Platform plank on the environment provides that its members are to "protect and preserve Hawai'i's environment and achieve energy sustainability, advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change, and work towards 100% renewable energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.

We believe in the resource management principles outlined in the Public Trust doctrine of [Article XI, Section 1 of] the Hawai'i State Constitution. . . .



Environmental Caucus of  
The Democratic Party of Hawai'i

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We believe that a key part of a sustainable and self-sufficient future for Hawai'i lies in achieving energy independence through a transition to clean renewable energy sources. We support policy that eliminates our dependence on fossil fuels and other dirty energy sources.” [OUR PLATFORM | DPH \(hawaiidemocrats.org\)](https://www.hawaiidemocrats.org)

Establishing the water neutrality task force to develop a plan for Hawaii to become water-neutral by the year 2050 and requiring the task force to submit a report to the Legislature are consistent with the state and counties' duties under Article XI, Section 7 on Water Resources; Article XI, Section 1 on the Public Trust Doctrine; and the DPH Platform environmental goals toward creating a more sustainable society.

Please support and pass this bill.

Mahalo for the opportunity to testify on this measure.

/s/ Melodie Aduja and Alan Burdick

Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i



**HB-1212**

Submitted on: 1/31/2023 7:08:03 PM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

I support HB1212

**HB-1212**

Submitted on: 2/3/2023 10:38:56 AM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

**HB-1212**

Submitted on: 2/6/2023 2:32:28 AM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Miyajima	Individual	Support	Written Testimony Only

Comments:

Hawaii needs to work on ways to conserve water. Just telling people to turn off their faucets and sinks isn't enough. We need a task force working on this and trying to find ways to conserve and produce more fresh water, especially with the recent Red Hill leaks and other sources of pollution, as well as the drought conditions we've recently had.

I support this bill.

**HB-1212**

Submitted on: 2/7/2023 7:23:54 PM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Vanderpool	Individual	Oppose	Written Testimony Only

Comments:

Public Private partnership is a popular term straight out of the UN Agenda 2030 playbook. When corporations become government that is Fascism. That is where this is leading. Study. One corporations and their lawyers get in government it becomes too powerful. Be careful with our tax money. [[[ In regards to any CLIMATE CHANGE]]]. Please do not spend any of our good hard earned tax payer money on 'Climate Change'. 1. We should send any money or loans on our needs in Hawaii. Period. I have done hard analysis on this subject. 1. There is no scientific consensus. 2: We have a miniscule carbon footprint. 3. Notice; Obama, Bezos, Oprah, Bill Gates all have oceanfront properties here in Hawaii. 4: WE DON'T HAVE MONEY. 5: Consider. please, spend any 'climate money on our oceanside highways having new bypasses built at slightly higher altitudes to mitigate any oceanrise. 6: Do not send any of our money to Belgium/UN/WEF/ and other IMF/CFR supposed Climate Programs ... It is a waste and scheme. Study UN Agenda 2030 ... Please wake up like Tulsi Gabbard did. KEEP ALL TAX DOLLARS IN HAWAII. Helping with pollution-GREAT... New energy programs here-GREAT, -- Lastly ... The ocean was 400 ft lower 8 thousand years ago ... the ocean rises and lowers relative to naturally osuring solar cycles. Study-Save our tax dollars for Hawaii's residents.

**HB-1212**

Submitted on: 2/7/2023 8:51:44 PM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Charles Mapa	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is not well thought out. It creates an entity which looks tame enough on the surface, but may be given actual power over the lives of the citizens of Hawaii. Entities often have the power to unilaterally develop policy which has the force of law. I support the comprehensive STUDY of potential problems. I would rather see the counties given the authority and funding to study this issue. What do residents of dry South Oahu, where I was born, know about the water of East Hawaii? Nothing. Greater care must be taken before forming a bureaucracy that has power.

**HB-1212**

Submitted on: 2/7/2023 9:33:42 PM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vivek Pathela	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE

**HB-1212**

Submitted on: 2/8/2023 6:04:17 AM

Testimony for EEP on 2/9/2023 8:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leslie Miles	Individual	Oppose	Written Testimony Only

Comments:

Oppose