

STAND. COM. REP. NO. **580**

Honolulu, Hawaii

**FEB 17 2023**

RE: S.B. No. 508

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 508 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Clean Water Branch of the Department of Health to perform water quality testing during brown water advisories, as practicable, and inform the public of health risks associated with water runoff during brown water advisories;
- (2) Require the Department of Health to consider environmental justice issues when making certain assessments and determinations; and
- (3) Appropriate funds for the establishment of positions within the Department of Health.

Your Committee received testimony in support of this measure from Surfrider Foundation; Hawaii Lifeguard Hui; Polaniu Hiu; Windward Coalition; Sierra Club of Hawai'i; Hui O He'e Nalu, Inc; EarthJustice; Friends of Maha'ulepa; Waiwai'ola Waterkeepers; Center for Biological Diversity; Kia'i Wai O Wai'ale'ale; Kaiola Canoe Club; West Maui Preservation Association; Hawaii Association



for Marine Education and Research; Friends of Hanauma Bay; Maui Tomorrow; Young Progressives Demanding Action Hawai'i Environmental Justice Action Committee; Hawaii Wildlife Fund; Wastewater Alternatives and Innovations; The Kali'i Group; Mālama Maunalua; Kihei Community Association, HI Strikes Back; and seven individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the ocean is a vital part of community life in Hawaii, from recreation and meal gatherings to cultural and traditional practices, and that the way of life in Hawaii comes part and parcel with clean coastal beaches and waters. Your Committee additionally finds that statewide water quality monitoring at beaches in Hawaii currently lags behind other states, favors beaches predominately visited by tourists, and lacks data from wet weather and heavy rains that lead to runoff and brown water events. Thus, this measure will require the Department of Health to continue to test water quality during brown water advisories, issue health advisories to explain health risks associated with water runoff, consider environmental justice issues in assessments, and appropriate funds for the establishment of full-time employees to implement this initiative.

Your Committee has amended this measure by:

- (1) Clarifying that the Clean Water Branch shall adhere to their regularly scheduled beach sampling schedule;
- (2) Deleting the requirement that the Department of Health make proactive efforts to communicate brown water advisories with the public and replacing it with a requirement to post informational signs during brown water advisories at tier 1 beaches that explain the health risks associated with water runoff; and
- (3) Clarifying that the Department of Health shall prioritize environmental justice issues.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 508, as amended herein, and recommends that it pass



Second Reading in the form attached hereto as S.B. No. 508,  
S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Agriculture and  
Environment,



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MIKE GABBARD, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 508</b>	Committee Referral: <b>AEN, WAM</b>	Date: <b>02-16-23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	<input checked="" type="checkbox"/>			
RICHARDS, III, Herbert M. "Tim" (VC)		<input checked="" type="checkbox"/>		
DECOITE, Lynn		<input checked="" type="checkbox"/>		
RHOADS, Karl	<input checked="" type="checkbox"/>			
AWA, Brenton	<input checked="" type="checkbox"/>			
<b>TOTAL</b>	<b>3</b>	<b>2</b>		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:                     Original                     Yellow                     Pink                     Goldenrod File with Committee Report                     Clerk's Office                     Drafting Agency                     Committee File Copy				

\*Only one measure per Record of Votes