

JAN 20 2023

A BILL FOR AN ACT

RELATING TO WATER CATCHMENT SYSTEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State continues
2 to face a severe potable water shortage. Recent high-profile
3 petroleum leaks at the Red Hill bulk fuel storage facility
4 underscore the fragility of the State's water system. As
5 recently as March 2022, the board of water supply of the city
6 and county of Honolulu was forced to take precautionary measures
7 and shut down the Hālawā Shaft, Hālawā Well, and Aiea Well amid
8 concerns arising from contamination of the nearby Navy water
9 distribution system coupled with drought conditions.

10 The legislature further finds that access to water is a
11 prerequisite to addressing many of the State's current problems
12 relating to developing affordable housing, empowering local
13 businesses, diversifying the economy, and improving the economic
14 stability of the State's most vulnerable residents. Therefore,
15 the State must pursue innovative solutions to decrease use of
16 the State's limited aquifers, including the use of water
17 catchment systems.



1 The legislature further finds that water catchment systems
2 help to capture and utilize rainwater more efficiently and keep
3 existing state water infrastructure, including both municipal
4 water and stormwater systems, in working order. In 2017, the
5 Journal of Contemporary Water Research and Education published
6 an article entitled "Survey of Rainwater Catchment Use and
7 Practices on Hawaii Island", which states that "Up to 60,000
8 people in the state of Hawaii were estimated to be dependent on
9 rainwater catchment as their primary domestic water source",
10 with the majority of people dependent upon captured water living
11 on Hawai'i island.

12 The legislature further finds that water catchment systems
13 can supplement potable water systems, conserving natural
14 resources while serving as the sole daily water source for
15 people living in rural districts. However, existing law allows
16 captured water for personal uses only and prohibits the use of
17 captured water for business activities. A lack of nearby
18 commercial kitchens and county water infrastructure in
19 underserved rural areas inherently disadvantages local
20 businesses and contributes to unviable local business
21 conditions.



1 The legislature further finds that the department of health
2 recommends following the University of Hawaii at Manoa college
3 of tropical agriculture and human resources' revised 2020
4 rainwater catchment systems guidelines. The design,
5 maintenance, and treatment guidelines outline a safe process for
6 utilizing water captured for personal use that can be
7 appropriately applied to business activities, under certain
8 regulatory conditions.

9 Accordingly, the purpose of this Act is to require the
10 department of health to regulate water catchment systems used
11 for business activities.

12 SECTION 2. Chapter 340E, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§340E- Water catchment systems; business activities.

16 (a) The department shall adopt rules pursuant to chapter 91 to
17 regulate water catchment systems, including filtration quality,
18 used for business activities. Rules adopted by the department
19 under this section shall comply with the state plumbing code,
20 including appendix K, and chapter 448E.



1 (b) The department shall allow business owners to
2 participate in the department's annual water testing program
3 established under section 340E-4.8; provided that:

4 (1) The participating business owner shall pay
5 \$ _____ for the tests and the department shall
6 cover the remaining testing cost;

7 (2) The business owner shall utilize a certified private
8 analytical laboratory specified by the department or
9 the department may conduct the tests; and

10 (3) Each registered business utilizing filtered water
11 produced from a water catchment system may request one
12 set of tests per year.

13 (c) The department shall establish a nonregulatory program
14 that provides technical assistance to business owners who wish
15 to utilize filtered water from a water catchment system. To the
16 extent practicable, the department shall assist the business
17 owner by recommending practical, affordable, and safe methods to
18 improve water quality and filtration based on the specific
19 design and conditions of the water catchment system."

20 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY:





S.B. NO. 762

Report Title:

Water Catchment Systems; Regulates; Filtration; Businesses;
Tests; Department of Health

Description:

Requires the Department of Health to regulate water catchment systems used for business activity, provide water testing to businesses that utilize captured water, and establish a nonregulatory program that provides technical assistance to business owners who wish to utilize captured water.

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