

STAND. COM. REP. NO. 197

Honolulu, Hawaii  
FEB 06 , 2025

RE: H.B. No. 1233  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 1233 entitled:

"A BILL FOR AN ACT RELATING TO STORMWATER MANAGEMENT SYSTEMS,"

begs leave to report as follows:

The purpose of this measure is to ensure the health, safety, and welfare of the citizens of the State by:

- (1) Prohibiting counties from permitting or allowing retention and detention ponds to be constructed except under certain conditions;
- (2) Creating safety requirements for Hawaii's rainwater retention and detention ponds; and
- (3) Require the Department of Health to conduct a survey of existing retention and detention ponds statewide.

Your Committee received testimony in support of this measure from the Keiki Injury Prevention Coalition; Hawaii Water Safety Coalition; Hawaiian Lifeguard Association; Hawai'i Lodging & Tourism Association; and numerous individuals. Your Committee received comments on this measure from the Department of Health.



Your Committee finds that retention and detention ponds, while essential for stormwater management and flood control, pose significant safety risks, especially to children, due to their potential for sudden water level changes and deep standing water. The State's high drowning rate, particularly among residents and visitors, underscores the need for stronger safety measures around these water retention systems. Your Committee recognizes the concerns raised in testimony by the Department of Health that conducting safety inspections, surveying existing storm water retention and detention ponds, and developing safety requirements fall outside the function and capability of the Department and that the counties would be better positioned to carry out these tasks.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the counties, rather than the Department of Health, to establish safety standards and conduct periodic inspections of retention and detention ponds;
- (2) Requiring the counties, rather than the Department of Health, to conduct a survey of existing retention and detention ponds statewide and provide a report to the Legislature; and
- (3) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1233, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1233, H.D. 1, and be referred to your Committee on Health.



Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

for   
MARK J. HASHEM, Chair



**Record of Votes of the Committee on Water & Land**

|  |   |                          |             |                |
|--|---|--------------------------|-------------|----------------|
| <b>Bill/Resolution No.:</b><br>HB 1233   | <b>Committee Referral:</b><br>WAL, HLT, FIN | <b>Date:</b><br>2/4/2025 |             |                |
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure.  |   |                          |             |                |
| <b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold<br><input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) |   |                          |             |                |
| <b>WAL Members</b>   | <b>Ayes</b>                                 | <b>Ayes (WR)</b>         | <b>Nays</b> | <b>Excused</b> |
| 1. HASHEM, Mark J. (C)   | ✓   |                          |             |                |
| 2. LAMOSAO, Rachele F. (VC)  | ✓   |                          |             |                |
| 3. BELATTI, Della Au   | ✓   |                          |             |                |
| 4. ICHIYAMA, Linda   | ✓   |                          |             |                |
| 5. IWAMOTO, Kim Coco   | ✓   |                          |             |                |
| 6. MORIKAWA, Dee   | ✓   |                          |             |                |
| 7. POEPOE, Mahina  | ✓   |                          |             |                |
| 8. WOODSON, Justin H.  | ✓   |                          |             |                |
| 9. SHIMIZU, Garner M.  | ✓   |                          |             |                |
| 10. SOUZA, Kanani  | ✓   |                          |             |                |
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| <b>TOTAL (10)</b>  | 10  | 0                        | 0           | 0              |
| <b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br><span style="margin-left: 150px;">committee acronym(s)</span>  |   |                          |             |                |
| <b>Vice Chair's or designee's signature:</b>   |   |                          |             |                |
| <b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO  |   |                          |             |                |