

STAND. COM. REP. NO.

1250

Honolulu, Hawaii

MAR 14 , 2025

RE: S.B. No. 984
S.D. 2
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 Energy & Environmental Protection, to which was referred S.B. No. 984, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Ensure that landowners in possession of ten thousand or more acres are liable for damages arising from runoff originating on the land and entering into state waters or onto state lands; and
- (2) Require the Department of Health to prioritize the enforcement of water pollution control regulations in known rural areas.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i; Hawai'i Food+ Policy; and five individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Brue Baukol Capital Partners; Hawai'i Farm Bureau; Ulupalakua Ranch; Haleakala Ranch; Chamber of Commerce Hawaii; and six individuals. Your Committee received comments on this measure

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from the Department of Health; Hawai'i Reef and Ocean Coalition; and one individual.

Your Committee finds that increased extreme rainfall events have led to severe runoff pollution that damages Hawaii's coastal ecosystems and marine life. Large landowners engaging in activities that destabilize soil contribute significantly to runoff, increasing the risk of polluted runoff entering state waters. This measure establishes civil liability for large landowners whose runoff causes environmental harm.

Your Committee has amended this measure by:

- (1) Changing the statutory placement of the language in this measure from the water pollution chapter to the nonpoint source pollution management and control chapter;
- (2) Clarifying that the liability applies to landowners of ten thousand or more acres that are within the State and for fines under nonpoint source pollution management and control penalties and damages;
- (3) Removing provisions that held these landowners liable for runoff entering onto state lands;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 984, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 984, S.D. 2, H.D. 1, and be referred to your Committee on Water & Land.



Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Nicole E. Lowen

NICOLE E. LOWEN, Chair



