

JAN 15 2025

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# A BILL FOR AN ACT

RELATING TO WATER SYSTEMS.

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

1           SECTION 1. The legislature finds that West Maui's water  
2 resources are under significant strain due to prolonged drought  
3 conditions, climate change, and increased demand from private  
4 entities controlling approximately eighty per cent of these  
5 resources, supplying water to hotels, golf courses, and large  
6 estates. The 2023 Maui wildfires, exacerbated by invasive  
7 grasses and limited water availability, highlighted the critical  
8 need for improved water management and accessibility.  
9 Additionally, the diversion of streams for private use has  
10 negatively affected traditional Native Hawaiian agricultural  
11 practices and the ecological health of the region.

12           The legislature further finds that it is imperative to  
13 assert public control over west Maui's water systems to ensure  
14 equitable distribution, enhance resilience against climate-  
15 induced droughts and wildfires, and uphold the public trust  
16 doctrine enshrined in the Hawaii State Constitution.



1           Accordingly, the purpose of this Act is to mandate that the  
2 department of land and natural resources acquire all west Maui  
3 water systems through eminent domain and hold them in a trust  
4 for management by the county of Maui.

5           SECTION 2. (a) The department of land and natural  
6 resources shall exercise its power to acquire water and water  
7 sources by eminent domain pursuant to section 174-5, Hawaii  
8 Revised Statutes, to acquire all west Maui water systems and  
9 hold the systems in trust.

10           (b) The county of Maui shall manage the west Maui water  
11 systems acquired pursuant to subsection (a).

12           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'L. H.', is written over a horizontal line.

# S.B. NO. 386

**Report Title:**

DLNR; Maui County; Water Systems; Eminent Domain

**Description:**

Requires the Department of Land and Natural Resources to acquire all West Maui water systems by eminent domain and hold the water systems in trust for the County of Maui to manage.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

