

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
WATER & LAND

Thursday, January 30, 2025
9:00 AM

State Capitol, Conference Room 411 & Videoconference

In consideration of
HOUSE BILL 915
RELATING TO WATER USE

House Bill 915 proposes to: authorize the Commission on Water Resource Management (Commission), as a condition for issuing permits, to require the use of dual line water supply systems in new residential and mixed-use developments located in designated water management areas; authorize those residential and mixed-use developments to be included in irrigation projects, as defined in chapter 167, Hawai'i Revised Statutes (HRS); authorize the Board of Agriculture to investigate and survey the availability of nonpotable water; and require the Department of Health, Board of Agriculture, and the counties to update their rules, ordinances, to allow dual line water supply systems in residential and mixed-use developments. **The Department of Land and Natural Resources (Department) supports this measure and offers the following comments:**

Section 3

The Department supports the use of alternative water sources for appropriate use and supports the proposed amendments to §174C-51.5, HRS, which expands the Commission's authority to require dual line water systems to residential and mixed-use developments in designated water management areas.

Section 4

The Department has concerns about removing the requirement of a recycled water manager to oversee operation and maintenance of a recycled water distribution system for single-family residential homes. While this requirement may be seen as a barrier to expanding reuse, the Hawai'i Department of Health (DOH) Reuse Guidelines Volume II was carefully developed with input from reuse professionals and stakeholders to ensure that these systems are operated and maintained in a manner that protects public health. As such, the Department defers to DOH on whether the requirement for a recycled water manager should be removed.

Thank you for the opportunity to testify in support of this measure.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE/SENATE COMMITTEE ON WATER & LAND

THURSDAY, JANUARY 30, 2025
9:00 A.M.
CONFERENCE ROOM 411

HOUSE BILL NO. 915
RELATING TO WATER USE

Chair Hashem, Vice Chair Lamosao, and Members of the Committee:

Thank you for the opportunity to testify on House Bill 915. This bill authorizes the Commission on Water Resource Management, as a condition for issuing permits, to require the use of dual line water supply systems in new residential and mixed-use developments located in designated water management areas. Further, it authorizes those residential and mixed-use developments to be included in irrigation projects, as defined in chapter 167, HRS and authorizes the Board of Agriculture to investigate and survey the availability of nonpotable water. Lastly, it requires the Department of Health, Board of Agriculture, and the counties to update their rules, ordinances, to allow dual line water supply systems in residential and mixed-use developments. The Department of Agriculture (Department) respectfully opposes this measure and offers the following.

The Department appreciates the intent of this measure; however, it requires the Department's irrigation program to provide services that it was never intended for, nor set up to perform activities at this micro level of service. The purpose of the irrigation program is to provide irrigation water to commercial scale farms (five acres or larger), not individual house lots or apartment complexes to water lawns, personal plants, and



possibly interior non-potable use. We do not have resources to operate and maintain these types of systems. In order to scale up for this, the Department would need to triple staff size (or more), and add major equipment costs, as operations would need to add heavy equipment, operators, irrigation system workers, clerical, engineers, managers, and others, and land/facilities for larger base yards. We respectfully suggest that the county departments of water supply or public works may be a more suitable fit as many of these county departments maintain applicable fleets and facilities.

Additionally, we have doubts on the fiscal feasibility for bona fide agriculture of a system such as this. Previous discussions with purveyors of reclaimed water have consistently led the Department to understand that we would be charged for the R-1 water. The Department would then have to pass on the charge to its system users. The Department is currently reviewing its current water delivery rate of approximately 50 cents per thousand gallons. Without additional financial assistance, we estimate the current cost for operations at \$1.25 or more per thousand gallons delivered. The additional costs identified previously would likely significantly increase this figure. If we assume the county will charge the Department approximately \$1.50 per thousand gallons delivered, the combined delivery rate would start around \$3 per thousand gallons delivered. This is far too expensive for almost all agricultural operations to bear. Lastly, the installation cost may be borne by the developers, ultimately this will lead to more expensive homes. Again, the Department respectfully suggests that if this measure moves forward, the implementation be given to applicable county departments, and the Department of Agriculture's Irrigation Program be left to support bona fide commercial scale agriculture.

Thank you for the opportunity to testify.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀNA O KA MOKU'ĀNA 'OHAWAI'I



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB0915
RELATING TO WATER USE**

REPRESENTATIVE MARK J. HASHEM, CHAIR
HOUSE COMMITTEE ON WATER & LAND

January 30, 2025, 9:00 am, Room Number: 411

1 **Fiscal Implications:** None.

2 **Department Position:** The Department of Health (“Department”) acknowledges the intent of
3 this measure and offers the following comments and suggested revisions.

4 **Department Testimony:** The Environmental Management Division (EMD) provides the
5 following testimony on behalf of the Department.

6 The Department has concerns regarding eliminating the requirement for a recycled
7 water manager. The safety and health of the people, who live and work at or near the property
8 with R-1 reuse water, and the proper long-term operation and maintenance of a reuse water
9 system is dependent on the duties and responsibilities of the recycled water manager. The
10 recycled water manager is responsible for the training and education of all people, who live and
11 work at or near the property with R-1 reuse water, maintaining proper reuse water signage,
12 operating and maintaining the reuse water system equipment, and notifying county, state, and
13 federal agencies of any safety, health, and environmental issue in compliance with county,
14 state, and federal regulations.

1 **Offered Amendments:** The Department respectfully suggests the following revisions to the
2 proposed measure. Additions appear as underlined and deletions appear as bracketed
3 strikeouts.

4 SECTION 4, Page 10, lines 16-20: "(c) Notwithstanding any department of health rule,
5 policy, procedure, guideline, or material to the contrary, including the department of health
6 reuse guidelines, volume II, the irrigation of a single-family residential home shall be permitted
7 ~~without~~with the designation of a recycled water manager."

8 Thank you for the opportunity to testify on this measure.

HB-915

Submitted on: 1/29/2025 1:05:46 PM

Testimony for WAL on 1/30/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

YES to- Authorizes the Commission on Water Resource Management, as a condition for issuing permits, to require the use of dual line water supply systems in new residential and mixed-use developments located in designated water management areas. Authorizes those residential and mixed-use developments to be included in irrigation projects, as defined in chapter 167, HRS. Authorizes the Board of Agriculture to investigate and survey the availability of nonpotable water. Requires the Department of Health, Board of Agriculture, and the counties to update their rules, ordinances, to allow dual line water supply systems in residential and mixed-use developments.