

ACT 144

H.B. NO. 1902

A Bill for an Act Relating to the State Water Code.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that water shortages and existing water quality will continue to worsen in many areas of the State as the urbanization of former agriculture lands reduces irrigation return-flow (i.e., groundwater recharge) and increases residential, industrial, and commercial water use. One way to preserve this renewable but limited resource is to use nonpotable water whenever flushing toilets and watering lawns, or whenever the use of potable water is not necessary for health and safety reasons. It is estimated that dual line water supply systems, which supply potable and nonpotable water through parallel but separate distribution lines, can reduce residential potable water use by about fifty per cent. One example of a successful residential dual line water supply system can be found in Kapalua, Maui, where ditch water is used for irrigation and well water is used for drinking. Because of health and safety concerns, specifically cross-contamination and groundwater

quality, the use of dual line water supply systems in residential settings has been limited to date.

In order to demonstrate the feasibility of using dual line water supply systems in residential settings, and to generate public awareness of and support for this technology, this Act applies only to new industrial and commercial developments located in designated water management areas. Public acceptance of dual line water supply systems may be our single, best hope for opening up arid parts of the State to development of any sort.

SECTION 2. Chapter 174C, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

“§174C- Dual line water supply systems; installation in new industrial and commercial developments located in designated water management areas. (a) The commission, as a condition for issuing permits pursuant to this part, may require the use of dual line water supply systems in new industrial and commercial developments located in designated water management areas. The commission shall not require the use of dual line water supply systems if:

- (1) There is a threat to existing water quality or to public health and safety, as determined by the department of health;
- (2) A source of nonpotable water will not be reasonably available in the near future as determined by the commission; or
- (3) There is a serious threat to permitted ground or surface water uses within a designated water management area as determined by the commission.

(b) The county boards of water supply, in consultation with the department of health, shall adopt standards for nonpotable water distributed through dual line water supply systems, and rules regarding the use of nonpotable water. The standards and rules shall be adopted in accordance with chapter 91 and shall protect existing water quality and the health and safety of the public.

(c) For the purposes of this section, the term:

“Developments” means one or more commercial or industrial subdivisions approved after the effective date of this Act. It shall not apply to any modification, addition to, or replacement of, any commercial or industrial subdivision in existence prior to the effective date of this Act.

“Dual line water supply system” means a supply system that distributes potable and nonpotable water through parallel but separate distribution lines.”

SECTION 3. New statutory material is underscored.¹

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

(Approved May 30, 2000.)

Note

1. Edited pursuant to HRS §23G-16.5.