

## ACT 152

H.B. NO. 2835

A Bill for an Act Relating to Watershed Protection.

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

SECTION 1. Findings and purpose. The legislature finds that Hawaii's forests function as critical watersheds and are the primary source of fresh water for the islands. Hawaii's native forests in particular have evolved into efficient ecosystems that capture and store appreciably more water than any other natural milieu. The forested watersheds, both native and non-native, are vital recharge areas for Hawaii's underground aquifers and a dependable source of clean water for its streams.

The legislature finds that the relationship of Hawaii's forested uplands to a dependable supply of clean fresh water was recognized over a century ago. During that period, public and private interests recognized that years of extensive cattle grazing and other land use practices contributed significantly to the degradation of the forests. Public and private concerns about water supply and quality were the impetus for placing the forests into reserves and undertaking massive reforestation at the turn of the century. The legislature finds that since then, public and private investment in watershed protection and management has increasingly diminished and, once again, our forested watersheds are steadily degrading. Moreover, over the last one hundred years, Hawaii has lost half of its native forests.

The legislature recognizes that fresh water is not an infinite resource and that its high quality, quantity, and sustainability are essentially linked to the existence of forested watersheds. The legislature finds that there are presently approximately two million acres of major watershed areas statewide.

The purpose of this bill is to establish a watershed protection board to develop a watershed protection master plan to provide for the protection, preserva-

## **ACT 152**

tion, and enhancement of important watershed areas. The master plan shall include potential watershed protection projects, implementation plan, including funding sources, including but not limited to appropriations, assessments, contributions, grants, and donations from public and private sources.

**SECTION 2. Watershed protection board; established.** There is established under the department of land and natural resources a watershed protection board. The board shall consist of seven members, including the chairperson of the board of agriculture or a designated representative, and a representative from the U.S. military. Each county water agency shall appoint a member to the board. The chairperson of the board of land and natural resources or a designated representative shall serve as chairperson and as an ex officio voting member of the board.

**SECTION 3. Watershed protection board; powers and duties.** The board shall develop a watershed protection master plan to include:

- (1) Identification of potential watershed management areas to be protected;
- (2) Development of criteria for eligible watershed management projects;
- (3) Development of procedures and criteria for selecting eligible watershed management projects;
- (4) Designation of watershed management projects, including the amount of funds needed for such projects;
- (5) Development of an implementation plan for those designated watershed management projects;
- (6) Identification of potential sources of funding, including appropriations, assessments, contribution, grants, donations from public and private sources, and recommendation of funding sources;
- (7) Analysis of problems and issues encountered in the equitable levy, assessment, and collection of the watershed protection assessment on water users; and
- (8) Any other issues designated by the board.

**SECTION 4.** The cost of the watershed protection master plan shall be borne by some or all of the agencies that have representation on the board by agreement or from other funding sources as approved by the board.

**SECTION 5.** The board shall submit the watershed protection master plan to the legislature no later than June 30, 2001.

**SECTION 6.** This Act shall take effect upon its approval. This Act shall sunset on June 30, 2002.

(Approved May 30, 2000.)