
A BILL FOR AN ACT

RELATING TO ASSISTING DAM AND RESERVOIR OWNERS.

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

1 SECTION 1. Section 39A-341, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending the definition of "appurtenant works" to
4 read:

5 "Appurtenant works" [~~shall have the same meaning in this~~
6 ~~part as it has in section 179D-3.~~] means any structure, such as
7 spillways in the dam or separate therefrom, the reservoir and
8 its rim, low level outlet works, aboveground freshwater storage
9 tanks, and water conduits, such as tunnels, pipelines, or
10 penstocks, through the dam or its abutment."

11 2. By amending the definition of "dam" to read:

12 "Dam" [~~shall have the same meaning in this part as it has~~
13 ~~in section 179D-3.~~] means any artificial barrier, including
14 appurtenant works, that impounds or diverts water and that:

15 (1) Is twenty-five feet or more in height from the natural
16 bed of the stream or watercourse measured at the
17 downstream toe of the barrier, or from the lowest



1 elevation of the outside limit of the barrier if it is
2 not across a stream channel or watercourse to a
3 maximum water storage elevation;

4 (2) Has an impounding capacity at maximum water storage
5 elevation of fifty acre-feet or more; provided that
6 this definition shall not apply to any artificial
7 barrier that is less than six feet in height
8 regardless of storage capacity or that has a storage
9 capacity at maximum water storage elevation less than
10 fifteen acre-feet regardless of height; or

11 (3) Meets additional criteria or is specifically exempt as
12 determined pursuant to rules adopted by the board of
13 land and natural resources."

14 3. By amending the definition of "reservoir" to read:

15 ~~"Reservoir" [shall have the same meaning in this part as~~
16 ~~it has in section 179D-3.]~~ means any basin that contains or will
17 contain water impounded by a dam, including appurtenant works."

18 SECTION 2. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on March 15, 2099.



Report Title:

Special Purpose Revenue Bonds; Dam and Reservoir Owners;
Appurtenant Works

Description:

Clarifies that aboveground freshwater storage tanks are included in the definition of "appurtenant works" for the purpose of authorizing the issuance of special purpose revenue bonds to assist dam and reservoir owners. Effective 3/15/2099. (SD1)

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