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February 6, 2022

TO: Honorable David A. Tarnas, Chair
House Committee on Water and Land

FROM: Alice L. Lee
Council Chair

DATE: February 6, 2022

SUBJECT: **OPPOSE OF HB 2181, RELATING TO STORMWATER FEES**

Thank you for the opportunity to testify in **OPPOSITION** of this measure. The purpose of this measure is to exempt the State from county stormwater user fees.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **OPPOSE** this measure for the following reasons:

1. This measure arbitrarily reduces county revenue by exempting the State from county stormwater user fees.
2. The operation and maintenance of the County's stormwater system should be considered a utility, where customers, including the State, pay fees to use the services. This is consistent with the how the State pays for water, sewer, and electrical services to its facilities.
3. The indiscriminate granting of an exemption to the State is opposed because it would inequitably shift fees to private property owners and the counties and undermines the progress made by Act 42 (2015) to encourage the protection of water resources through a stormwater user fee.

For the foregoing reasons, I **OPPOSE** this measure.

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