

Honolulu, Hawaii
FEB 08 , 2022

RE: H.B. No. 1968
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1968 entitled:

"A BILL FOR AN ACT RELATING TO WASTE OR DISPOSAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to prohibit the construction, modification, or expansion of any waste or disposal facility on land that covers a significant aquifer as determined by the Department of Health.

Your Committee received testimony in support of this measure from the Royal Kunia Community Association, Hawaii Crop Improvement Association, Hawai'i Farm Bureau, Village Park Community Association, and four individuals. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Environmental Services. Your Committee received comments on this measure from the Department of Health, Department of Land and Natural Resources, and one member of the Kaua'i County Council.

Your Committee finds that there are serious concerns about future waste or disposal facilities being sited on lands above important sources of groundwater for agriculture, drinking, irrigation, domestic, commercial, and industrial needs. This measure ensures the protection of the State's aquifers and helps



to prevent contaminants reaching these important natural resources.

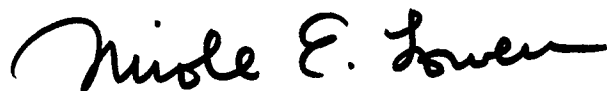
Your Committee notes that the passage of this measure may negatively impact the City and County of Honolulu's efforts to identify a new location for a landfill, as directed by the Land Use Commission, by December 31, 2022, and future landfill siting on the island of Kauai.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health to work in consultation with the Department of Land and Natural Resources' Commission on Water Resource Management to determine what constitutes a "significant aquifer" and whether sites are near or above a significant aquifer;
- (2) Changing the effective date to July 1, 2100, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1968, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1968, H.D. 1, and be referred to your Committee on Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



NICOLE E. LOWEN, Chair



