

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committees on
HEALTH, HUMAN SERVICES & HOMELESSNESS
and
ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, February 8, 2022
11:00 AM

State Capitol, Conference Room 329 & Via Videoconference

In consideration of
HOUSE BILL 1954
MAKING AN EMERGENCY APPROPRIATION TO FUND A GRANT TO THE
BOARD OF WATER SUPPLY FOR EMERGENCY OPERATIONS, FUTURE
PLANNING, AND GROUND WATER REMEDIATION

House Bill 1954 proposes to appropriate an unspecified amount of funds from the Department of Health's leaking underground storage tank fund as a grant award to the O'ahu Board of Water Supply pursuant to Chapter 42F, Hawaii Revised Statutes, to be used for emergency operations, future planning, and remediation resulting from the contamination of the southern Oahu basal aquifer. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and offers the following comments.**

The November 2021 Navy Red Hill fuel release and resulting contamination caused an unprecedented threat to the Moanalua and possibly Waimalu Aquifer Systems. The Honolulu Board of Water Supply has implemented immediate risk management activities to prevent the contamination of its nearby water sources by shutting off the Hālawā Shaft, Hālawā Wells, and 'Aiea Wells for an indefinite time period. The Honolulu Board of Water Supply will be challenged to meet its customers' increased water demand during the upcoming dry season with nearly 14 million gallons per day of sources suddenly becoming unavailable. The Department believes that along with emergency operations, planning and remediation, the Honolulu Board of Water Supply must also increase its public outreach and education water conservation campaigns to aggressively curtail customer demands. The Department believes that there is opportunity for reducing

Honolulu Board of Water Supply's per capita demand in the Honolulu service area, which is estimated to be approximately 150 gallons per person per day.

The Department understands that the Department of Health is currently utilizing the leaking underground storage tank funds to conduct emergency program activities related to the Navy Red Hill fuel release. The Department defers to the Department of Health on whether there is adequate funding to continue these emergency operations and whether it is appropriate to award a grant to the Honolulu Board of Water Supply from the leaking underground storage tank fund.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committees on
HEALTH, HUMAN SERVICES & HOMELESSNESS
and
ENERGY & ENVIRONMENTAL PROTECTION**

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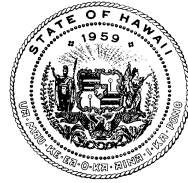
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Honolulu Board of Water Supply's per capita demand in the Honolulu service area, which is estimated to be approximately 150 gallons per person per day.

The Department understands that the Department of Health is currently utilizing the leaking underground storage tank funds to conduct emergency program activities related to the Navy Red Hill fuel release. The Department defers to the Department of Health on whether there is adequate funding to continue these emergency operations and whether it is appropriate to award a grant to the Honolulu Board of Water Supply from the leaking underground storage tank fund.

Thank you for the opportunity to comment on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB1954
MAKING AN EMERGENCY APPROPRIATION TO FUND A GRANT TO THE
BOARD OF WATER SUPPLY FOR EMERGENCY OPERATIONS, FUTURE
PLANNING, AND GROUND WATER REMEDIATION**

REPRESENTATIVE RYAN I. YAMANE, CHAIR
HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES, & HOMELESSNESS
REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date: 02/08/2022

Room Number: 329/Videoconference

1 **Fiscal Implications:** This measure, as written, would interfere with the current funding
2 mechanism for ongoing Department of Health's (department's) operations relating to Red Hill.
3 In addition, this measure may impact the priorities identified in the Governor's Executive Budget
4 Request for the department's appropriations and personnel priorities.

5 **Department Testimony:** The department appreciates the intent of this measure, to support the
6 Board of Water Supply (BWS)'s response to the ongoing environmental and health crisis relating
7 to Red Hill. However, we have serious concerns over making an appropriation *from* the leaking
8 underground storage tank (UST) fund for this purpose without also making an appropriation *to*
9 the fund and increasing the fund ceiling. The bill as currently written would interfere with an
10 important funding mechanism for the department's ongoing work.

11 The leaking UST revolving fund supports the department's ongoing Red Hill-related
12 work under the 2015 Administrative Order on Consent (AOC) in addition to the response to the
13 November 2021 release. Before the November 2021 incident, the department's semi-annual Red
14 Hill-related contractor expenses averaged about \$84,000 between January 2020 and July 2021,
15 which totaled about \$252,000. However, in FY 2022, after the incident occurred, the department
16 has already encumbered \$300,000 of the \$400,000 appropriation ceiling for the fund. The

1 department intends to encumber the remainder and requests a ceiling increase of an additional
2 \$1,000,000 (for a \$1,400,000 full ceiling amount) for additional expenses related to the
3 November 2021 release.

4 Since the leaking underground storage tank fund is a revolving fund with money being
5 reimbursed by responsible parties after being spent, replenishing the fund takes time. Under the
6 department's current agreement with the Navy, it can take up to a year for AOC contract work to
7 be encumbered, documented, charged, claimed, reimbursed, and the monies deposited back to
8 the fund. Thus, we need to ensure that we have a sufficient balance in the account to allow for
9 continued or additional release response work.

10 The leaking underground storage tank fund is also intended to be used to fund the
11 department's response at leaking UST sites that do not have a viable responsible party, so money
12 should be readily available in the fund for such situations. Without reimbursements from these
13 types of situations, we will see definitive decreases in our overall fund balance and can only rely
14 on incoming penalty collections to restore our balance. The average penalty collection over the
15 last five years is about \$53,000 per year, ranging from about \$15,000 to \$107,000 per year.

16 Similarly, using this fund to provide a grant to BWS would quickly deplete the fund
17 without a guarantee of reimbursement from the Navy for this expense, interfering with the
18 department's use of the fund.

19 **Offered Amendments:** The department recommends (1) using an alternative mechanism with
20 an appropriation from another source to provide grant funding to BWS, and (2) increasing the
21 ceiling on the leaking UST fund to be used by the department for its ongoing response efforts.

22 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEES ON HEALTH, HUMAN SERVICES, &
HOMELESSNESS AND ENERGY & ENVIRONMENTAL PROTECTION
ON
HOUSE BILL NO. 1954

February 8, 2022
11:00 a.m.
Room 329 and Videoconference

MAKING AN EMERGENCY APPROPRIATION TO FUND A GRANT TO THE BOARD OF WATER SUPPLY FOR EMERGENCY OPERATIONS, FUTURE PLANNING, AND GROUND WATER REMEDIATION

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1954.

H.B. No. 1954 appropriates an unspecified amount out of the Leaking Underground Storage Tank Fund in FY 22 to the Department of Health to fund a grant to the O'ahu Board of Water Supply to be used for emergency operations, future planning, and remediation.

B&F notes that pursuant to Section 9 of Article VII of the Constitution of the State of Hawai'i, no appropriation bill, except bills recommended by the Governor for immediate passage, or to cover the expenses of the Legislature, shall be passed on final reading until the supplemental appropriations bill has been transmitted to the Governor. It is unclear if H.B. No. 1954 is recommended by the Governor for immediate passage because the bill is not included in the Governor's Package or is designated by the Governor for immediate passage.

Thank you for your consideration of our comments.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



February 8, 2022

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair
KAPUA SPROAT, Vice Chair
RAY C. SOON
MAX J. SWORD
NA'ALEHU ANTHONY

JADE T. BUTAY, Ex-Officio
DAWN B. SZEWCZYK, Designate Ex-Officio

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

The Honorable Ryan I. Yamane, Chair
and Members
House Committee on Health, Human Services, & Homelessness
Hawaii State Capitol, Room 329
Honolulu, Hawaii 96813

The Honorable Nicole E. Lowen, Chair
and Members
House Committee on Energy & Environmental Protection
Hawaii State Capitol, Room 329
Honolulu, Hawaii 96813

Dear Chair Yamane, Chair Lowen and Members:

Subject: House Bill 1954: Making an Emergency Appropriation to Fund a Grant to the Board of Water Supply for Emergency Operations, Future Planning, and Ground Water Remediation

The Honolulu Board of Water Supply (BWS) strongly supports House Bill (HB) 1954.

This bill would make an emergency appropriation to the leaking underground storage tank fund a grant to the BWS for emergency operations, future planning, and remediation resulting from the contamination of Oahu's sole-source groundwater aquifer so long as the Department of Health (DOH) seeks to enter into a memorandum of understanding with the U.S. Navy to reimburse the DOH for the full amount of the appropriation. The passage of this measure is needed even more now considering the Navy's recent decision to challenge in court the emergency order issued by the DOH requiring the defueling of the Red Hill Bulk Fuel Storage Facility (Red Hill). As the DOH hearings officer made clear in the decision upholding the emergency order, "the Red Hill Facility, as currently constituted, poses an imminent peril to human health and safety or the environment"

The BWS is extremely disappointed that despite repeatedly assuring legislators, regulators, and the public that it would comply with the emergency order and defuel the Red Hill Bulk Fuel Storage Facility (Red Hill) tanks, the Navy and the Department of Defense have prioritized the storage of fuel above our irreplaceable drinking water aquifer over than the health and safety of the people of Oahu. Although testing

The Honorable Ryan I. Yamane, Chair
The Honorable Nicole E. Lowen, Chair
and Members
February 8, 2022
Page 2

conducted to date indicates that the water served from the BWS' drinking water wells remains compliant with standards for safe drinking water, sampling from under and around the Red Hill facility, including testing of the Navy's drinking water at its Red Hill Shaft, has demonstrated the existence of petroleum contamination in the very aquifer that the people of Oahu rely upon for clean drinking water. The release of fuel from the Red Hill facility has already caused the BWS to incur costs and take responsive actions to address the potential impacts to Oahu's drinking water. Now the BWS has been forced to shut off its Halawa Shaft and its Halawa Wells and Aiea wells, reducing its capacity to provide water service to its customers and ratepayers. The BWS' ability to manage its resources has already been significantly impacted by the numerous episodic fuel releases from the Red Hill facility and bolstering resources for emergency operations, future planning, and remediation is of critical importance to the BWS and its customers. Ensuring funding is available to the BWS to offset some of the costs already incurred and to support future water resource protection measures is an important first step.

The BWS appreciates the legislature's leadership expressed in HB 1954 and only suggests a correction of a minor typographical error in Sections 2 and 3 of the text. The term "Oahu board of water supply" should be replaced with "Honolulu Board of Water Supply."

Thank you for your consideration of our testimony concerning HB 1954.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

HB-1954

Submitted on: 2/6/2022 9:53:04 AM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Henry Curtis	Life of the Land	Support	No

Comments:

Life of the Land supports this measure.

HB-1954

Submitted on: 2/6/2022 4:26:19 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
laurel brier	Kauai women's caucus	Support	No

Comments:

Water is life. Ultimately the government must answer to the well being of the people



To: The House Committee on Health, Human Services, & Homelessness (HHH)
and
The House Committee on Energy and Environmental Protection (EEP)
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Tuesday, February 8, 2022, 11am

In strong support of HB1954

Aloha Chairs Yamane and Lowen, Vice Chairs Tam and Marten, and members of the HHH and EEP committees,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org is in **strong support of HB1954** which makes an emergency appropriation to the leaking underground storage tank fund to fund a grant to the Oahu Board of Water Supply (BWS) for emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer.

The 2021 fuel leak at the United States Navy's Red Hill fuel storage facility on Oahu and subsequent groundwater contamination is an ongoing environmental and health crisis. Despite the Navy's agreement to drain the fuel storage tanks, the immediate threat of groundwater and aquifer contamination remains. Hawaii's drinking water supply was already at risk due to the effects of climate change. All the more reason to ensure we take great care in protecting our aquifer from fuel contamination, or any other source of pollution, keeping it safe for current and future generations.

The Navy has shamefully been pushing back against the draining and removal of these jet fuel tanks that sit a mere 100 feet above Oahu's sole source aquifer, as if it was acceptable to put the importance of our health and well-being up for debate. If it wasn't for the swift actions taken by the BWS and shutting down the Halawa shaft, a worse-case scenario could have occurred with contaminated water spreading throughout the entire system.

Given that the climate crisis already threatens our drinking water, we must make it a priority to protect our precious aquifer. We all have complete trust and confidence in the BWS to take on these immense responsibilities noted in HB1954, but they will need additional resources to properly address the tasks that go beyond their normal capacity.

The Navy must be made to pay for the mess they made. However, given the Navy's actions over the last few months in response to this water contamination crisis, it may be a long battle to force them to do the right thing. Bottomline, *regardless of whether the DOH agrees to enter into a memorandum of agreement with the Navy*, funds need to be provided to the BWS to ensure they have the capacity to do

what is needed to perform emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer.

Mahalo for the opportunity to testify in **strong support** of this very important legislation.

Sherry Pollack
Co-Founder, 350Hawaii.org

HB-1954

Submitted on: 2/7/2022 6:01:48 AM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Travis Idol	Hawaii Interfaith Power and Light	Support	No

Comments:

I am the President of Hawaii Interfaith Power and Light (HIPL), a local nonprofit dedicated to helping religious people and communities in Hawaii respond to the climate crisis according to their religious beliefs, values, and vision for the future.

HIPL is in support of HB1954, a bill to provide funds to the Oahu Board of Water Supply (BWS) to help protect our precious water supplies.. In Hawaiian culture, water is equated with wealth, recognizing how important it is to not just everyday life but our ability to thrive and prosper. Threats to that water, therefore, should be taken extremely seriously, and our water supplies zealously protected.

BWS has for many decades done just that, planning, protecting, and supplying water for people and businesses on Oahu. Climate change is a major and uncertain threat to the sustainability of our water resources, given its potential effects on climate, weather events, and Hawaii’s ecosystems. We have trust and confidence in the BWS to take on these immense responsibilities noted in HB1954, but they will need additional resources to properly address the tasks that go beyond their normal capacity.

The catastrophe of aquifer contamination by a fossil fuel spill from the Navy’s Red Hill fuel storage facility highlights one of the long-known and understood threats to our water supply. The Navy must be made to restore our water supplies and minimize the threat of future contamination. Their responses so far have not been adequate, and it may be a long battle before they do the right thing. Thus, it is likely future spills and emergencies will happen, and we need to be prepared to respond to protect our critical water supplies.

Regardless of whether the state Department of Health agrees to enter into a memorandum of agreement with the Navy, funds need to be provided to the BWS to ensure they have the capacity to do what is needed to perform emergency operations, future planning, and remediation resulting from the contamination of our aquifers.

Because of this, we urge you to support HB 1954.



Environmental Caucus of The Democratic Party of Hawai'i

Sunday, February 6, 2022

To: House Committee on Health, Human Services & Homelessness
Hon. Ryan I. Yamane, Chair
Hon. Adrian K. Tam, Vice Chair

House Committee on Energy and the Environment
Hon. Nicole E. Lowen, Chair
Hon. Lisa Marten, Vice Chair

Re: HB 1954 – Emergency appropriation to Oahu Board of Water Supply
Hearing: Tuesday, February 8, 2022, 11:00 a.m., Room 329 & videoconference

Position: Strong support

Aloha, Chairs Yamane and Lowen, Vice Chairs Tam and Marten, and Members of the Committees:

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports this bill, just as we strongly support the courageous and principled stands that the Honolulu Board of Water Supply (BWS), under the leadership of Chief Engineer and Manger Ernie Lau, has been taking to respond to the dangers of the U.S. Navy's Red Hill Underground Fuel Storage Tank System.

The Navy's Red Hill complex is an existential threat to continued human habitation of the entire island of O'ahu. It seems we must remind everyone that the proceedings under the Administrative Order on Consent, which have dragged on for five years already, will NOT result in either prompt or permanent closure of the USTs. It will take a federal lawsuit or an act of Congress to make that happen, and meanwhile the people of O'ahu remain under threat of more petroleum "spills" and "releases" that the Navy appears incapable of controlling.

In our view, the Red Hill complex is too large, too old, too complicated to be operated by personnel who rotate into and out of Pearl Harbor every couple of years, and it is a maze of old drawings and plans and undocumented pipes and tunnels. It is just too dangerous to continue in operation.

We thank Chair Yamane for sponsoring this bill, which would provide an emergency appropriation to the Honolulu Board of Water Supply for emergency operations, future planning, and remediation resulting from the contamination of the southern O'ahu basal aquifer. to be used

for emergency operations, future planning, and remediation resulting from the contamination of the southern O‘ahu basal aquifer. The amount of the appropriation has not yet been identified in the bill, but we trust that it will be sufficient to cover all of the above-listed needs, plus sufficient legal fees for BWS to pursue legal remedies against the Navy to actually permanently close the Red Hill facility, either solely or in alliance with community groups seeking this same remedy.

This is a truly necessary bill. Thank you very much!

Melodie R. Adyja

Alan B. Burdick

Co-Chairs, Environmental Caucus

Email: legislativepriorities@gmail.com

HB-1954

Submitted on: 2/3/2022 5:20:40 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Barbara Barry	Individual	Support	No

Comments:

Aloha,

I support HB 1954.

Mahalo,

Barbara Barry

HB-1954

Submitted on: 2/3/2022 5:11:06 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
lynne matusow	Individual	Support	No

Comments:

Thank you for considering. I am in full support. O'ahu's water is in peril and this will help. Please vote yes.

HB-1954

Submitted on: 2/6/2022 5:08:04 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Roseann Michaud	Individual	Support	No

Comments:

I strongly support this bill that appropriates funds to the Board of Water Supply to deal with emergency operations, future planning and remediation resulting from the contamination of the aquifer from the Navy's Red Hill fuel storage facility.

HB-1954

Submitted on: 2/6/2022 11:57:17 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Andrea Nandoskar	Individual	Support	No

Comments:

Strongly support!

HB-1954

Submitted on: 2/7/2022 5:59:13 AM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Yamane, Vice Chair Tam, Committee on Health, Human Services & Homelessness, Chair Lowen, Vice Chair Marten and Committee on Energy & Environmental Protection,

I strongly support HB 1954 to make an emergency appropriation to the leaking underground storage tank fund to fund a grant to the Oahu Board of Water Supply for emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer; provided that the Department of Health seeks to enter into a memorandum of understanding with the United States Navy to reimburse the Department of Health for the full amount of the appropriation.

Hawaii's drinking water supply was already at risk due to the effects of climate change. All the more reason to ensure we take great care in protecting our aquifer from fuel contamination, or any other source of pollution, keeping it safe for current and future generations. We are dependent on the water cycle and the collection of water in our aquifers to supply our tap water. One raindrop's trip from the top of the Koolau Mountains to the aquifer below can take 25 years!

Our state does not have the funds or technology to build large desalination plants to supply fresh drinking water to the entire population on Oahu. Desalination is costly. The maintenance for desalination plants is very high. I doubt that any tax paying Oahu resident wants to pay more costs for their water utilities.

Please support HB1954.

Thank you for your time and attention to this matter. I appreciate the opportunity to provide testimony in support of HB 1954.

Mahalo,

Caroline Kunitake

HB-1954

Submitted on: 2/7/2022 7:09:02 AM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Janet L Pappas	Individual	Support	No

Comments:

The U.S. Navy is not fully committed to protecting Hawaii's precious drinking water. Please pass HB1954 to support our local agencies who WILL see to it that our water supply remains pristine.

HB-1954

Submitted on: 2/7/2022 8:05:08 AM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Matthew Geyer	Individual	Support	Yes

Comments:

I am testifying in support of HB1954 because the board of water supply has been leading the charge on protecting our water from the leaking fuel tanks at Red Hill.

We need to support them in this effort and it shouldn't come as an increased cost in residents water bills.

Thank you for hearing and supporting this measure

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



February 8, 2022

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair
KAPUA SPROAT, Vice Chair
RAY C. SOON
MAX J. SWORD
NA'ALEHU ANTHONY

JADE T. BUTAY, Ex-Officio
DAWN B. SZEWCZYK, Designate Ex-Officio

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

The Honorable Ryan I. Yamane, Chair
and Members
House Committee on Health, Human Services, & Homelessness
Hawaii State Capitol, Room 329
Honolulu, Hawaii 96813

The Honorable Nicole E. Lowen, Chair
and Members
House Committee on Energy & Environmental Protection
Hawaii State Capitol, Room 329
Honolulu, Hawaii 96813

Dear Chair Yamane, Chair Lowen and Members:

Subject: House Bill 1954: Making an Emergency Appropriation to Fund a Grant to the Board of Water Supply for Emergency Operations, Future Planning, and Ground Water Remediation

The Honolulu Board of Water Supply (BWS) strongly supports House Bill (HB) 1954.

This bill would make an emergency appropriation to the leaking underground storage tank fund a grant to the BWS for emergency operations, future planning, and remediation resulting from the contamination of Oahu's sole-source groundwater aquifer so long as the Department of Health (DOH) seeks to enter into a memorandum of understanding with the U.S. Navy to reimburse the DOH for the full amount of the appropriation. The passage of this measure is needed even more now considering the Navy's recent decision to challenge in court the emergency order issued by the DOH requiring the defueling of the Red Hill Bulk Fuel Storage Facility (Red Hill). As the DOH hearings officer made clear in the decision upholding the emergency order, "the Red Hill Facility, as currently constituted, poses an imminent peril to human health and safety or the environment"

The BWS is extremely disappointed that despite repeatedly assuring legislators, regulators, and the public that it would comply with the emergency order and defuel the Red Hill Bulk Fuel Storage Facility (Red Hill) tanks, the Navy and the Department of Defense have prioritized the storage of fuel above our irreplaceable drinking water aquifer over than the health and safety of the people of Oahu. Although testing

The Honorable Ryan I. Yamane, Chair
The Honorable Nicole E. Lowen, Chair
and Members
February 8, 2022
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conducted to date indicates that the water served from the BWS' drinking water wells remains compliant with standards for safe drinking water, sampling from under and around the Red Hill facility, including testing of the Navy's drinking water at its Red Hill Shaft, has demonstrated the existence of petroleum contamination in the very aquifer that the people of Oahu rely upon for clean drinking water. The release of fuel from the Red Hill facility has already caused the BWS to incur costs and take responsive actions to address the potential impacts to Oahu's drinking water. Now the BWS has been forced to shut off its Halawa Shaft and its Halawa Wells and Aiea wells, reducing its capacity to provide water service to its customers and ratepayers. The BWS' ability to manage its resources has already been significantly impacted by the numerous episodic fuel releases from the Red Hill facility and bolstering resources for emergency operations, future planning, and remediation is of critical importance to the BWS and its customers. Ensuring funding is available to the BWS to offset some of the costs already incurred and to support future water resource protection measures is an important first step.

The BWS appreciates the legislature's leadership expressed in HB 1954 and only suggests a correction of a minor typographical error in Sections 2 and 3 of the text. The term "Oahu board of water supply" should be replaced with "Honolulu Board of Water Supply."

Thank you for your consideration of our testimony concerning HB 1954.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

HB-1954

Submitted on: 2/7/2022 11:48:01 PM

Testimony for HHH on 2/8/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kara Kelay	Individual	Support	No

Comments:

I support HB1954 as I know it's going to take a lot of funding to clean up the contaminations in our aquifers. I believe it's best to fund the Board of Water now so that they can get started on a solution. And yes, it's a must to ensure the U.S. Military pays the bill.