

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
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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 Senate Committees on
JUDICIARY
and
WAYS AND MEANS

Wednesday, March 2, 2022
9:30 AM

State Capitol, Conference Room 211 Via Videoconference

In consideration of
SENATE BILL 2172, SENATE DRAFT 1
RELATING TO UNDERGROUND FUEL STORAGE TANKS

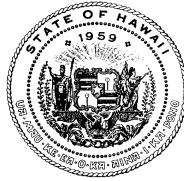
Senate Bill 2172, Senate Draft 1, proposes to: 1) Add a new section to Chapter 342L, Hawai'i Revised Statutes, prohibiting the issuance of permits for new underground fuel storage tanks mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022; 2) Prohibit operation of and renewal of underground fuel storage tank permits located mauka of the underground injection control line as defined by the Department of Health beginning January 1, 2023; and 3) Define underground fuel storage tank as any fuel tank or tank facility and associated infrastructure that is or includes field constructed tanks, or that has a capacity of over one hundred thousand gallons. **The Department of Land and Natural Resources (Department) supports this measure and offers the following comments.**

The Department is concerned about the risks of underground fuel storage tanks and their related plumbing leaking and contaminating potable drinking water aquifers. The Department and its Commission on Water Resource Management stands united alongside Hawai'i's Congressional delegation, the Hawai'i Department of Health, and the Honolulu Board of Water Supply calling on the Navy to immediately suspend operations at the Red Hill Bulk Fuel Storage Facility and fully comply with the Emergency Order to begin the process of planning and executing the safe removal of fuel that continues to pose a threat to O'ahu's drinking water.

Prohibiting the installation or continuance of underground fuel storage tanks systems *mauka* of the underground injection control line would mitigate this risk. While the underground injection control line is established to protect drinking water aquifers, the Department notes that there may be public trust protected uses like groundwater dependent ecosystems and/or traditional and

customary practices that may be impacted should contamination from underground storage tanks occur *makai* of the UIC line.

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

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of SB2172 SD1
RELATING TO UNDERGROUND FUEL STORAGE TANKS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 3/2/2022

Room Number: 211/Videoconference

1 **Fiscal Implications:** The fiscal implications of this measure are unknown at this time.

2 **Department Testimony:** The Department of Health (department) supports this measure and its
3 intent to protect the precious freshwater resources of our pae ‘āina. The current version of the bill
4 goes a significant distance to realize this intent and eliminate the unintended consequences of the
5 original bill. We offer amendments below to refine the bill language to further clarify intent and
6 avoid additional unintended consequences.

7 The department’s Underground Storage Tank (UST) program is responsible for
8 regulating and inspecting all USTs within the state. The program is authorized by chapter 342L,
9 HRS, and is approved and partially funded by the U.S. Environmental Protection Agency.
10 Section 342L-1, HRS, defines the program’s foundational concepts “underground storage tank”
11 and “underground storage tank system” in accordance with federal UST program definitions.
12 The introduction of a new definition “underground fuel storage tank” to refer only to tanks with a
13 capacity greater than 100,000 gallons could cause confusion because the term is so similar to the
14 existing term “underground storage tank.” In addition, USTs can store regulated substances other
15 than fuel. Potential problems for the program can be easily avoided by changing the new term to
16 “large capacity underground storage tank system.”

1 We also recommend adding a definition of “underground injection control line” that
2 points to a specific, existing line. The underground injection control (UIC) line defined in the
3 offered amendments is the current line defined by the department pursuant to statute (chapter
4 340E, which we believe is intended to be referenced on page 2 lines 12, 18, and 20). For the
5 purpose of the prohibitions proposed in this bill, the department believes it is helpful to point
6 directly to an already-defined line rather than the department’s authority to define such a line.

7 **Offered Amendments:** The Department respectfully offers the following to replace section 2 of
8 the bill.

9 SECTION 2. Chapter 342L, Hawaii Revised Statutes, is amended by adding a new
10 section to part I to be appropriately designated and to read as follows:

11 **“§342L- Large capacity underground storage tank systems; prohibited. (a)**
12 Beginning July 1, 2022, the department shall not issue a permit for a new large capacity
13 underground storage tank system inland of the underground injection control line; provided that
14 a permit may be issued by the department for purposes of repairing or removing an existing
15 underground storage tank.

16 (b) Beginning January 1, 2023, no person shall operate a large capacity underground
17 storage tank system inland of the underground injection control line, and no permit for a large
18 capacity underground storage tank system inland of the underground injection control line shall
19 be renewed.”

20 SECTION 3. Section 342L-1, Hawaii Revised Statutes, is amended by adding two new
21 definitions to be appropriately inserted and to read as follows:

22 ““Large capacity underground storage tank system” means an underground storage tank
23 system with any single tank with a capacity greater than 50,000 gallons or with a total tank
24 capacity greater than 100,000 gallons.”

1 ““Underground injection control line” means the Underground Injection Control line
2 represented by a dashed line on the “State of Hawaii Department of Health Underground
3 Injection Control Program” maps, made effective July 6, 1984, and identified as follows:

4 (1) For the island of Hawaii, quadrangles H-1 to H-74;

5 (2) For the island of Kauai, quadrangles K-1 to K-11;

6 (3) For the island of Lanai, quadrangles L-North and L-South;

7 (4) For the island of Maui, quadrangles M-1 to M-17;

8 (5) For the island of Molokai, quadrangles M-East and M-West; and

9 (6) For the island of Oahu, quadrangles O-1 to O-15.””

10 [Renumber existing sections 3 and 4.]

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

BOARD OF WATER SUPPLY

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



March 2, 2022

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Manager and Chief Engineer

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

The Honorable Donovan Dela Cruz, Chair
and Members
Senate Committee on Ways and Means
Conference Room 211 & Videoconference
Honolulu, Hawaii 96813

The Honorable Karl Rhoads, Chair
and Members
Senate Committee on Judiciary
Conference Room 211 & Videoconference
Honolulu, Hawaii 96813

Dear Chair Dela Cruz, Chair Rhoads, and Members:

Subject: Senate Bill 2172 SD1: Relating to Underground Storage Tanks

The Honolulu Board of Water Supply (BWS) supports the intent of the bill and offers the following comments for your consideration.

The bill proposes amending Hawaii Revised Statutes (HRS) Section 342L by adding a new section that require, beginning July 1, 2022, the Department of Health not issue a permit for a new underground fuel storage tank mauka of the underground injection control line as defined by the department pursuant to Chapter 342E. The bill also proposes, beginning January 1, 2023, that no person shall operate an underground fuel storage tank mauka of the underground injection control line as defined by the department pursuant to chapter 342E, and no permit for an underground fuel storage tank mauka of the underground injection control line as defined by the department pursuant to chapter 342E shall be renewed.

We believe the bill's citing 342E actually means chapter 340E. Chapter 342E pertains to non-point source pollution. The UIC line is currently defined as the line represented by a dashed line on the State of Hawaii department of health UIC program maps pursuant to HRS chapter 340E which is for protecting drinking water. Revising the bill to cite 340E avoids any intra-agency conflicts that may arise if the UIC line were also cited in chapter 342E. To ensure consistency, we recommend this measure adopt the proposed language in SB2600 SD1 in its entirety.

The Honorable Donovan Dela Cruz, Chair
The Honorable Karl Rhoads, Chair
and Members
March 2, 2022
Page 2

Thank you for your consideration of our testimony concerning SB 2172 SD1.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ernest Y. W. Lau', written in a cursive style.

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



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WAYS AND MEANS
SENATE COMMITTEE ON JUDICIARY

March 2, 2022

9:30 AM

Via Videoconference

In SUPPORT of SB2600 SD1: Relating to Underground Storage Tanks
and SB2172 SD1: Relating to Underground Fuel Storage Tanks

Aloha Chair Donovan Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Ways and Means and Judiciary Committees,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of SB2600 SD1 and SB2172 SD1, both of which will help to ensure that our drinking water aquifers are protected from contamination from the Red Hill Bulk Fuel Storage Facility and similar massive underground storage tank systems.

The concept of “ola i ka wai” – that water is life – has been understood by the people of Hawai'i since time immemorial. Unfortunately, this concept has not been fully appreciated in historical decisions that have allowed for the installation of large underground storage tanks in close proximity to the groundwater aquifer that our environment and people have always depended upon. Tragically, due to these historic decisions, we have already witnessed the contamination of our islands' precious wai.

Accordingly, the Sierra Club supports these bills as a means to ensure that we do not repeat the mistakes of the past, in prohibiting the operation of massive underground fuel storage tanks and facilities that may pose an inherent risk to our water and our ways of life here in Hawai'i.

The Sierra Club notes that these measures are substantially similar, and defers to the Committees' judgement as to whether to advance one or both of these bills. **Should the Committees choose to advance SB2172 SD1, the Sierra Club does respectfully recommend changing the references to HRS Chapter 342E on page 2, line 12 and page 2, line 18 to HRS Chapter 340E, as the chapter applicable to underground injection control lines.**

Thank you very much for this opportunity to testify.



2022
Board of
Directors

February 27, 2022

Elizabeth Reilly
President

Hawaii Senate
Committee on Ways and Means / Committee on Judiciary
Meeting on March 2, 2022 at 9:30 a.m.
Conference Room 211 & Videoconference

Allen Tateishi
Vice President

Dianne Gleis
Secretary

Marian Grey
Treasurer

RE: **Strong support for SB2172**

Dean Takebayashi
Director

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and WAM/JDC Committee Members,

Gary Weller
Director

As you can glean from our name, Livable Hawaii Kai Hui is deeply concerned with the continuous threat posed by the Red Hill fuel tanks to our shared aquifer. This is why we **strongly support SB2172.**

Kendrick Chang
Community Outreach
Coordinator

It is of utmost importance that we pass this Bill as part of a series of measures at all levels of government to address the Red Hill water crisis and prevent others like it.

Dylan Ramos
Communications &
Operations

The events of the past few months – let alone the 74 years since the first *documented* leak at Red Hill – have opened our eyes to the ever-clearer threat to our precious water resources.

Website

www.hawaiikaihui.org
www.kaiwicoast.org

What does it say about our situation when the poisoning of nearly 100,000 people's water isn't even close to the worst case scenario? Every second that we don't do anything brings us closer to certain catastrophic failure. This is not hyperbole, it is what the Navy's own studies have indicated.

Like us on Facebook
Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast

Thank you for hearing this Bill and passing it on for Senate approval. While it may not be a cure-all, this and other efforts on the County and Federal level will be critical for ensuring a livable future for all living things on this island, and hopefully set a worldwide precedent.

Livable Hawaii Kai Hui is a 501(c)(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources, and upholding the integrity of the East Honolulu Sustainable Communities Plan.

Mahalo,

Elizabeth Reilly
Founder/President

Dylan Ramos
Communications & Operations



Protect Kaho'olawe 'Ohana

aloha 'āina

**Statement of the Protect Kaho'olawe 'Ohana
Regarding the Kapūkakī Fuel Storage Tank Facility
Calling for the immediate decommissioning and removal of the fuel tanks**

E ui aku ana au iā 'oe:

Aia i hea ka wai a Kāne?

Aia i lalo, i ka honua, i ka wai hū,

I ka wai kau a Kāne me Kanaloa —

He wai puna, he wai e inu,

He wai e mana, he wai e ola.

E ola nō, e-a!

One question I ask of you:

Where flows the water of Kāne?

Deep in the ground, in the gushing spring,

In the ducts of Kāne and Kanaloa,

A well-spring of water, to quaff,

A water of magic power, the water of life!

Life! O give us this life!

Source: He Mele No Kāne. Emerson, Nathaniel B. Unwritten Literature of Hawaii. Washington: Government Printing Office. 1909.

The lines quoted above comprise the last stanza of “He Mele No Kāne,” a composition that masterfully describes all of the places that water may be found. From the zenith of the heavens to the depths of the Earth, from the rising to the setting of the sun, water is everywhere. This water is a physical manifestation of the deity Kāne. It is sacred. It is life giving.

In recent weeks, a threat to our life-giving water has reared its menacing head. Officials and activists warned of this potential hazard for years. True to character, the United States Navy is attempting to downplay the seriousness of the issue at hand, just as it did for many years when we fought to stop the bombing of Kaho'olawe. The Navy's lack of integrity and absence of transparency prove that it once again cannot be trusted. The careless abuse of Kaho'olawe and lackadaisical cleanup of the island established precedence of their negligence. We again witness their carelessness and mismanagement of Hawai'i's precious resources.

The fuel storage tanks at Kapūkakī (Red Hill) are a known threat to O'ahu's aquifer. For many years, community groups such as the Sierra Club of Hawai'i and individuals such as Ernest Lau, Board of Water Supply Chief Engineer, cautioned of imminent discharge from the aging fuel tanks that sit over O'ahu's natural volcanic dikes. Yet the Navy continues to deny the

presence of such risk and chooses, instead, to evade the fact that we are on the brink of a devastating environmental disaster. At a December 2, 2021 Facebook Live town hall meeting, 25th Infantry Division Cmdr. Maj. Gen. Joseph Ryan told attendees, “Our readiness posture here in the Pacific is predicated, the foundation of it, is the life, health and safety of our service members and their families.” Is that not telling? It’s not about the island, the environment, and the people of Hawai‘i, it’s about the military families and their assets. And, tragically, the service members and families have been the first to be impacted.

The Protect Kaho‘olawe ‘Ohana supports the efforts of the Sierra Club Hawai‘i, the O‘ahu Water Protectors, Ka‘ohewai, and all other environmental advocacy groups that are calling for the **immediate** shut down and decommissioning of the Kapūkakī (Red Hill) Storage Tank Facility. Our water is too precious a resource to wait any longer to take action.

Of course, this is not the first example of a lack of concern for the source of life, our environment, and our well being. In 1965, the U.S. Navy carried out an “experiment” known as “[Operation Sailor Hat](#)” on Kaho‘olawe. Three 500-ton blasts of explosives created a crater on Kaho‘olawe that, in addition to other long lasting effects, may have cracked the water table, diminishing the island’s ability to support flora and fauna for generations. Was that “experiment” a foreshadowing of things to come? This cannot happen again, yet leaking fuel tanks and a possible explosion within the crater are a reality and may be probable should conditions such as this be allowed to continue.

The PKO strongly urges our members and our supporters to call upon Honolulu City Council members, State Senators and Representatives, and Hawai‘i’s congressional delegation to intervene and call for urgent action regarding the Kapūkakī (Red Hill) Fuel Storage Facility. The U.S. Navy must be held accountable for their blatant disregard for the purity of O‘ahu’s drinking water resources and the safety of O‘ahu’s communities. We cannot allow history to repeat itself and let the Navy get away with their reckless actions. E ola ka wai, e ola ka ‘āina, e ola kākou. Let the water live so that the land may live and so that we may live.

The PKO stands in **strong support** of SB2172 and SB2600 which seeks to protect our islands' most precious resource from fuel contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. Thank you for your consideration.

Aloha ‘Āina,
Protect Kaho‘olawe ‘Ohana



Aloha 'Āina Legal Group, LLC

Elwen A. Freitas, Esq.
Sharde K.M. Freitas, Esq., MPH

(808) 594-8274
alohaainalegal@gmail.com

SB2172 SD1

Relating to Underground Fuel Storage Tanks
Senate Committee on Ways and Means
Senate Committee on Judiciary

March 2, 2022

9:30 AM

Room 211

Aloha 'Āina Legal Group **STRONGLY SUPPORTS SB2172 SD1**, which would protect our islands' most precious, and lifegiving, resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Accordingly, we urge your Committees to **PASS** SB2172 SD1. Mahalo for the opportunity to testify.

E OLA I KA WAI!!!



Board Members

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Managing Partner,
Commercial & Business Lending

Secretary
Marcus Kawatachi
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Hawai'i Civil Rights Commission

Trina Orimoto
Clinical & Research Psychologist

Derrick Kiyabu
Hawai'i Island Resident

Miwa Tamanaha
O'ahu Resident

Philip Garboden
Assistant Professor,
University of Hawai'i at Mānoa

HACBED Staff

Brent N. Kakesako
Executive Director

Merri Keli'ikuli
Office Manager & Program Support

Corin Thornberg
Project Associate

Date: February 28, 2022
To: Senator Donovan M. Dela Cruz & Senator Karl Rhoads, Chairs, Senator Gilbert S.C. Keith-Agaran & Senator Jarrett Keohokalole, Vice-Chairs, and Members of the Committees on Ways and Means and Judiciary
From: Brent Kakesako, Hawai'i Alliance for Community-Based Economic Development (HACBED)
Re: Support for SB 2172 SD 1

Aloha e Chair Dela Cruz & Chair Rhoads, Vice-Chair Keith-Agaran & Vice Chair Keohokalole and Committee Members,

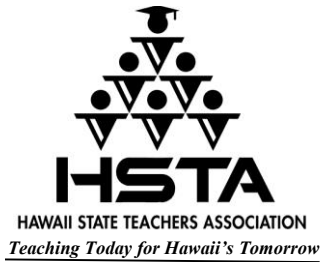
The Hawai'i Alliance for Community-Based Economic Development (HACBED) supports SB 2172 SD 1, which prohibits issuance of future underground fuel storage tanks within one-half mile of an aquifer beginning July 1, 2022, and prohibits operation of and renewal of underground fuel storage tank permits located within one-half mile from an aquifer. We ask that the bill be amended by implementing July 1, 2022, as the date after which no underground storage tank can be operated, except to defuel and decommission.

HACBED was established in 1992 as a nonprofit statewide intermediary to address social, economic, and environmental justice concerns through community-based economic development and asset building strategies. It advances its mission with core competencies in the areas of community and organizational capacity building, community and economic development planning, and asset policy development and advocacy. Water is life and core to livelihoods of families who call this place home and by extension broader place-based economic development. As such, HACBED supports the proposed bill with the previously mentioned amendments.

SB 2172 SD 1 would protect what is remaining of our precious water and watersheds for this generation and the many future generations.

Mahalo for this opportunity to testify,

Brent N. Kakesako
Executive Director
Hawai'i Alliance for Community-Based Economic Development



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita.
Vice President

Lisa Morrison
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON WAYS & MEANS
AND
THE COMMITTEE ON JUDICIARY

RE: SB 2172, SD1 - RELATING TO UNDERGROUND FUEL STORAGE TANKS

WEDNESDAY, MARCH 2, 2022

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Dela Cruz, Chair Rhoads, and Members of the Committees:

The Hawaii State Teachers Association **strongly supports SB 2172, SD1**, relating to underground fuel storage tanks. This bill prohibits issuance of future underground fuel storage tanks mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022. Prohibits operation of and renewal of underground fuel storage tank permits located mauka of the underground injection control line as defined by the department of health beginning January 1, 2023. Defines underground fuel storage tank as any fuel tank or tank facility and associated infrastructure that is or includes field constructed tanks, or that has a capacity of over one hundred thousand gallons. (SD1)

Delegates to the Hawaii State Teachers Association's annual state convention back in 2008 adopted the following policy statement: The Hawaii State Teachers Association believes that every school's drinking water should meet Environmental Protection Agency requirements for clean drinking water. HSTA further believes that school water should be tested every six months and irregularities should be reported immediately. **More recently, the HSTA Board of Directors unanimously called for the closure and emptying of the Red Hill Bulk Fuel Storage Facility.**

Despite the community coming out in force to support these schools with water donations and school personnel working together to mitigate the impact on students, it has not been easy dealing with this crisis on top of the issues related to the ongoing COVID-19 pandemic. Below is what one Central district teacher earlier this month had to say about everything going on:

"We are more impacted by the tainted water. I am only able to have students wash their hands twice a day with the bulk water they gave us with a pump. I am spending a lot of time outside pumping the water out of the bulk bottle, or



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

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Executive Director

using the individual water bottles to wash their hands. I don't feel comfortable using the spray hand sanitizer we were given to clean their hands. (It doesn't take off food particles, or other dirt and grime from their hands.) They did give some wipes for their hands, but those will be gone soon. I was washing their hands often, but not anymore. The custodians do not clean our desks. So I use the sanitizing wipes to wipe them down daily. Lots of prep time spent to clean the room. We are still not able to use the AC. We are required to keep windows open. Lots of dirt comes in all day. I also get some stray preschoolers come in the back door. The noise is ridiculous. (Airplanes, lawn mowers, other students at recess.) I don't understand how they think we are supposed to get these students up to grade level with all the distractions.”

HSTA held a virtual forum on Monday, January 24th, and we hope legislators and other members of the community were able to tune in and listen to speakers from the Board of Water Supply and the Sierra Club of Hawaii followed by educators at impacted schools who told their stories of the impacts that they and their students are experiencing. You can find more information at the link below: <https://www.hsta.org/news/recent-stories/hsta-board-of-directors-unanimously-supports-closure-of-red-hill-fuel-storage-facility/>

To provide safe water not only our keiki, teachers, public schools, but also to everyone who lives in Hawai'i, the Hawaii State Teachers Association asks your committee to **support this bill. Water is life.**

SB-2172-SD-1

Submitted on: 2/28/2022 3:56:56 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition	Support	No

Comments:

Support! Protect our drinking water and protect the reefs and ocean from petroleum!



3/2/2022

JDC/WAM Committee
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

Position: Support SB2172 SD1.

The Surfrider Foundation O'ahu Chapter would like to offer this testimony in **support of SB2172 SD1** to ensure that this measure fulfills its purpose of protecting our islands' most precious resource from potentially catastrophic contamination.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality. Accordingly, the Surfrider Foundation, O'ahu Chapter appreciates and supports this bill as a means to ensure that the installation and operation of future underground fuel storage tanks and facilities may not contaminate our water sources.

The Surfrider Foundation Hawai'i Region supports SB2172 SD1, which seeks to protect our islands' most precious resource from contamination. Our water is life-sustaining and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, we respectfully urge you to pass SB2172 SD1.

Thank you for your consideration of this testimony in support of SB2172 SD1, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland
Volunteer Policy Coordinator
Surfrider Foundation, O'ahu Chapter



Senate Committee on Judiciary / Senate Committee on Ways & Means

Wednesday, March 2nd, 2022, 9:30 a.m. Conference Room 211

Hawai'i Alliance for Progressive Action Supports: SB2172 SD1

Aloha Chair Rhoads / Dela-Cruz, Vice Chair Keohokalole / Keith-Agaran and Members of the Committees,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in support of SB2172 SD1.

The presence of leaky fuel tanks at Red Hill and the Navy's mismanagement of this crisis directly impacts the health and quality of life of Oahu's residents, and will continue to for generations to come. Some of our staff and many of our supporters are directly affected by this crisis. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations.

Mahalo for hearing SB2172 SD1 to prohibit the operation of existing underground storage tanks, as well as the future construction of underground storage tanks within half a mile of an aquifer. SB2172 SD1 seeks to protect our precious drinking water resources and this is of critical importance to our survival.

O'ahu's residents are facing a serious crisis which will continue for years. Board of Water Supply's Ernie Lau said that the Hālawa shaft – which was shut down as a precaution following the Navy's Red Hill well contamination – could be shut down for years, even permanently.

We cannot allow 80-year-old underground storage tanks that store up to 187 million gallons of fuel per day and that pose such an immense threat of leaking and contaminating our environment and water supply to operate 100 feet above O'ahu's sole-source drinking water aquifer.

Navy officials cannot be trusted to protect our water. They have lied time and time again. The following reasons explain why the legislature must act since the Navy has failed to:

- The Navy lied about an active leak at Pearl Harbor for months, discovering the leak in January 2021 but not informing Health Department officials until May. This was revealed in whistleblower emails and documents in October.
- A whistleblower also told the Department of Health in September that Navy officials provided false testimony and withheld information about the full extent of the Facility's infrastructure, including connected pipelines, as well as "historical records of corrosion issues, including holes in tanks" at its Red Hill fuel facility during legal proceedings.
- The Navy suspended use of its Red Hill water shaft on November 28, but the public only found out on December 1. The Navy continues to confuse and gaslight community members.

- Hundreds of community members reported chemical smells in their water on November 28 and then health issues on November 29, which the Navy refused to acknowledge as a potential health concern until the state Department of Health advised residents to not drink the clearly contaminated water.
- A day after the Navy said it had detected diesel in its 'Aiea Hālawā well at levels more than double the DOH safety limit, the military backtracked, saying the contaminated sample "did not come directly" from the well and the Navy does not believe the result proves the well is contaminated.
- They continue to not be transparent despite agreeing to the Administrative Order of Consent, which requires them to be more forthcoming about operations at the Red Hill facility.
- The BWS Hālawā shaft will be shut down until fuel is removed from the tanks and may not reopen for years to come. This shaft was a source of water for South O'ahu from Hālawā to Maunāluā. The BWS has advised that mandatory water conservation measures will now need to be in place in the summer of 2022.
- The Navy "flushed" Red Hill contaminants for days in violation of Department of Health requirements despite repeated warnings. This risked long-lasting effects on birds, plants, fish, and other aquatic life from petroleum contamination

The Department of Health has agreed that the situation is inherently dangerous. DOH said that a water sample taken from the Red Hill drinking water shaft on December 5 confirmed the water is contaminated with "high levels" of petroleum and gasoline. The sample detected total petroleum hydrocarbons diesel range organics levels 350 times above the DOH Environmental Action Level (EAL) for drinking water, and gasoline range organics more than 66 times the DOH EAL.

The Red Hill facility – the fragile, antiquated fuel tanks and supporting systems – has a long history of leaking fuel into the surrounding environment and has already contaminated O'ahu's primary drinking water aquifer. Shutting down Red Hill immediately and entirely is the only way to guarantee the safety of our water and our people.

The Facility's tanks, each with a 12.5 million-gallon capacity, had a quarter-inch thick steel liner when first constructed nearly 80 years ago. They are encased in aging concrete and the steel liners have been corroding to the point where many through-wall holes have been found and in some areas they are one-third of their original thickness.

These tanks have leaked 180,000 gallons of fuel since they were constructed and the Navy's own risk assessment from 2018 concluded that the probability of an acute leak of between 1,000 and 30,000 gallons (independent of any earthquake risk) over the next ten years is 96%. The Navy cannot prove that the tank or tank system will not leak regulated substances into the environment.

Approximately 93,000 people living in military housing have been unable to use their water for over two months. If the Navy water system is further compromised, our housing crisis will mushroom.

Lower levels of petroleum products were also found in samples collected from the Aliamanu Child Development Center as well as homes located on the Navy's water system.

It's absolutely critical that the State Legislature take action immediately to address this major threat to Honolulu's water supply.

Please PASS SB2172 SD1 with the above amendments.

The Hawai'i Alliance for Progressive Action (HAPA) is a public non-profit organization under Section 501(c)(3) of the Internal Revenue Code. HAPA's mission is to catalyze community empowerment and systemic change towards valuing 'aina (environment) and people ahead of corporate profit.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', with a long horizontal flourish extending to the right.

Anne Frederick
Executive Director



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For Children in Hawai'i

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Pharmacare Hawai'i

Titimaea Ta'ase, JD
State of Hawai'i, Deputy Public Defender

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community Health
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Food Security Coalition

Date: February 28, 2022

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Re: Support for SB 2172, SD1, Relating to Underground Fuel
Storage Tanks

Hrg: March 2, 2022 at 9:30 AM, via Videoconference

Hawai'i Public Health Instituteⁱ is in **support of SB 2172, SD1**, which protects public health and O'ahu's clean drinking water supply by prohibiting future construction of underground storage tanks within half a mile of an aquifer beginning July 1, 2022 and the operation of existing underground storage tanks by January 1, 2023.

HIPHI is alarmed by the recent events surrounding Red Hill and the confirmation of petroleum in our water supply. Fresh, clean drinking water is a precious resource, with access to clean drinking water being a basic human right that is "essential for the enjoyment of life and all human rights."ⁱⁱ

For years, advocates and organizations like the Sierra Club have warned about the need to protect our drinking water, as the Red Hill Fuel Tank facility sits only 100 feet above the aquifer that supplies water to over 400,000 people, from Hālawā to Hawai'i Kai. The Red Hill facility has a long history of leaking fuel into the surrounding environment and has already contaminated O'ahu's primary drinking water aquifer. Ending operations of the Red Hill facility immediately and preventing future underground storage tanks from being constructed near aquifers is the only way to guarantee the safety of our water and our people.

This public health crisis was preventable, and we urge the Navy and the State to take swift action to protect our water supply. Clean water is essential for life, and access to clean, safe drinking water is a basic human right.

Mahalo,

A handwritten signature in black ink, appearing to read "Amanda Fernandes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amanda Fernandes, JD
Policy and Advocacy Director

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Resolution A/RES/64/292. United Nations General Assembly, July 2010.



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Donovan Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Re: **SB 2172 SD 1 RELATING TO UNDERGROUND STORAGE TANKS**
Hearing: Wednesday, March 2, 2022, 9:30 a.m., Conference Room 211 and
Via videoconference
Position: Strong support

Aloha, Chairs Dela Cruz and Rhoads, Vice Chairs Keith-Agaran and Keohokalole, and Members of the Committee on Ways and Means and Judiciary:

The Environmental Caucus of the Democratic Party of Hawai'i stands in support of SB 2172 SD 1. This measure would prohibit issuance of future underground fuel storage tanks within mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022. This measure also prohibits operation of and renewal of underground fuel storage tank permits located mauka of the underground injection control line as defined by the department of health beginning January 1, 2023. This measure also defines underground fuel storage tank as any fuel tank or tank facility and associated infrastructure that is or includes field constructed tanks, or that has a capacity of over one hundred thousand gallons. with a capacity of one hundred gallons or more.

In 2018, nearly four years ago, the O'ahu County Democrats, out of dire concern over the risk to the Moanalua-Waimalu Aquifer, our major drinking water source for Moanalua to Hawai'i Kai, affecting hundreds of thousands of residents, businesses and visitors of the Honolulu District, adopted a resolution, OC 2018-11, urging the Navy to retrofit its tanks or move them away from the aquifer. The Navy has taken no such action, and the situation has now become, in the words of your former colleague, U.S. Rep. Kai Kahele, "a crisis of astronomical proportions."

What might have been adequate measures four years ago, e.g., retrofit for double-walled containment, are no longer enough. As the Hearings Officer in the Docket 19-UST-EA-02 Emergency Proceedings between the Navy and the Hawai'i Department of Health concluded last month, the Navy is not capable of competently managing and operating this vast mega-facility. That's why the Navy claims "human error" every time there's a spill. Because Navy staff, who rotate into Hawai'i and then out again in two or three years, and who have inadequate plans and

data to work from, there is a pattern of repeated errors that result in spills that can't be avoided under the Navy's way of doing things.

But the Hearings Officer's decision, affirmed by the State Department of Health, requires gives the Navy to defuel the tanks for "corrective action," but eventually will result in refilling the tanks for an indefinite period. These administrative proceedings will result in no real eventual progress after a brief period of hoped-for "corrective action."

For these reasons, the Environmental Caucus of the Democratic Party of Hawai'i has concluded that we must demand permanent defueling and closure of the facility. Accordingly, the Environmental Caucus supports SB 2172 SD 1 as it would achieve this goal.

The passage of this measure would provide the people of the State of Hawai'i, particularly those residing, working, and visiting the county of Honolulu, a reduced risk of petroleum contamination in its major drinking water aquifer.

Mahalo for the opportunity to testify,

Melodie Adyja

Alan Burdick

Co-Chairs,

Environmental Caucus of the

Democratic Party of Hawai'i

Email: legislativepriorities@gmail.com



'Ahahui o nā Kauka

677 Ala Moana Blvd., Suite 1015

Honolulu HI 96813

Phone 808.548.0270

E-mail huikauka@gmail.com

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March 1, 2022

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Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

Group Testimony in Support of SB2172SD1 & SB2600SD1 RELATING TO UNDERGROUND FUEL STORAGE TANKS & RELATING TO UNDERGROUND STORAGE TANKS.

Mōhala i ka wai ka maka o ka pua

“Unfolded by the water are the faces of flowers.”

Meaning: Flowers thrive where there is water, as thriving people are found where living conditions are good.

Programs

Kim Ku'ulei Birnie

'Ahahui o nā Kauka (the Association of Native Hawaiian Physicians) calls for the urgent and permanent removal of the United States Navy's Bulk Fuel Storage Facility at Kapūkakī, commonly referred to as “Red Hill” in modern times. Safe drinking water is the foundation of health for all humans, and in Hawaiian culture carries even more significance as the base for our word for “wealth,” as our ancestors clearly knew people cannot thrive without safe water to nourish our bodies and the land. After decades of warnings about the danger posed by these leaking fuel tanks to sources of drinking water providing for an approximate 400,000 residents of by far the

most populous of our islands, we are dismayed to see that this threat has been allowed to progress to this fulminant crisis where both people and the land are being acutely poisoned by the Navy's persistent contamination at Kapūkakāi.

The fuel storage facility at Kapūkakāi was constructed by the United States Navy, at the time of the crisis of World War II, when its close proximity to a priceless aquifer could have been regarded as insignificant. Some of the liberties taken by the Navy in Hawai'i during this era may have been justified, but the ongoing disregard for our islands and people as little more than military assets since then has presented threats to our health that persist to this day. We are reminded of the 1965 detonation on Kaho'olawe meant to simulate a nuclear blast that cracked the cap rock and permanently destroyed a significant portion of the fresh water to the island, not to mention the continued threat of unexploded ordnance left by the Navy. More than 80 years after construction, it is time for the Navy to acknowledge the extraordinary threat its outdated, dilapidated fuel storage facility at Kapūkakāi poses to our people, land, and ocean.

After over a century of hosting the US Navy's military interests, Hawai'i and its people deserve to be treated as more than military assets left to suffer the harms of infrastructure neglect. As Native Hawaiian physicians, we can no longer turn a blind eye to physical and mental health effects this facility poses to our patients and communities not only by contaminating a large portion of the water supply but also by destroying the faith people had in the safety of our water. We applaud the legislative efforts to address this imminent threat, and prevent the development of future dangerous fuel storage facilities.



Papa Ola Lokahi
Nana I Ka Pono Na Ma

Papa Ola Lōkahi

894 Queen Street
Honolulu, Hawaii 96813

Phone: 808.597.6550 ~ Facsimile: 808.597.6551

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice-Chair

Senate Committee on Ways & Means
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice-Chair

Wednesday, March 2, 2022, 9:30 AM, Videoconference

RE: SB 2172 SD 1 – Relating to Underground Fuel Storage Tanks
Position: STRONG SUPPORT

Dear Chairs, Rhoads and Dela Cruz, Vice-Chairs Keohokalole and Keith-Agaran, and Members of the Committees on Judiciary and Ways & Means,

Papa Ola Lōkahi supports SB 2172 SD 1 and recommends amendment. This measure takes action to protect the health and life of our islands and communities through the protection of a precious resource – water. The work of Papa Ola Lōkahi to uplift Native Hawaiian health includes recognizing the ties between community health and the natural environment. In both history and the current day, Native Hawaiian wellbeing is linked to the status of the pae ‘āina and its elements.

Insight on the Native Hawaiian cultural perspective of water can be demonstrated by the word waiwai, commonly translated as “wealth” today. The importance of freshwater is a theme that continues as the threat to our freshwater aquifers is imminent; efforts to protect this resource must be prioritized. Measures like SB 2172 SD 1 to ensure that Hawai‘i remains a safe, viable place to live are critical to Hawai‘i’s future. Further, SB 2172 SD 1 seeks to take lessons learned from the Red Hill Bulk Fuel Storage Facility to prevent future or future harms.

In addition, Papa Ola Lōkahi respectfully recommends changing the references to HRS Chapters **342E** on page 2, line 12 and page 2, line 18 to HRS Chapter **340E**, as the chapter applicable to underground injection control lines, to strengthen the protection of freshwater resources in the State of Hawai‘i.

Thank you for the opportunity to testify in strong support with amendments of this critical legislation.

Ola i ka wai. Water is life.

Papa Ola Lōkahi, the Native Hawaiian Health Board authorized by the federal Native Hawaiian Health Care Improvement Act, is charged with raising the health status of Native Hawaiians to the highest possible level, which we achieve through strategic partnerships, programs, and public policy.

Papa Ola Lokahi

is the Native Hawaiian Health Board established in 1988 to improve the health and well-being of Native Hawaiians.

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Na Pu‘uwai

Office of Hawaiian Affairs

Executive Director

Sheri-Ann Daniels, EdD



**Church
of the
Crossroads**
United Church of Christ



LATE

A Just Peace and Open and Affirming Congregation

Testimony of Church of the Crossroads in support of SB 2600 SD1 and SB 2172 SD1 March 2, 2022

The Church of the Crossroads was founded in 1922, as Hawaii's first intentionally multi-ethnic church. With approximately 190 members, our mission includes pursuing peace, justice, and stewardship of our environment.

The Church of the Crossroads believes that water is sacred and we should do everything to protect its purity and safety. We are in strong support of SB2600 SD1 and SB2172 SD1 which seek to protect our islands' most precious resource from contamination.

Just few days ago, the Star-advertiser had a full page statement signed by more than 150 spiritual leaders to call on the permanent shut-down of the Navy's Red Hill fuel tanks located just 100 feet above the main aquifer for Honolulu. These fuel tanks are more than 70 years old and have caused oil spills, affecting the health of many, including service members and their families many of whom are still evacuated. Honolulu is now bracing for water use restrictions as well as additional leaks.

Red Hill fuel tanks are significant environmental, health, as well as spiritual concerns. As evident in this interfaith statement, there is a broad consensus that water is sacred and that it is an indispensable source of life. Across the spiritual traditions water is not only foundational to life but is often seen as a symbol of purity and rebirth. The stillness of waters provides a place of spiritual rest; the rushing of waters is a metaphor for lives of active engagement; the subtle ways in which water can soften stone, transform shorelines, create canyons and more is symbolic to many traditions of lives that are transformative. Protecting water is a sacred act.

The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, we respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Submitted on behalf of the Church of the Crossroads
By Aya H. Kimura, Co-Chair, Peace, Justice & Stewardship of Creation Mission Team

Email: office@churchofthecrossroadshawaii.org

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 3:23:38 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Honu Nichols	Testifying for Uprooted and Rising	Support	No

Comments:

Aloha e Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Honu'āina Nichols

SB-2172-SD-1

Submitted on: 2/27/2022 7:09:03 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Katie A	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Katie

SB-2172-SD-1

Submitted on: 2/27/2022 10:33:51 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kristen Young	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I **SUPPORT SB2172 SD1**, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2172 SD1.

Mahalo nui,

Kristen Young
Senate District 11

SB-2172-SD-1

Submitted on: 2/28/2022 6:40:49 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nanea Lo	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

me ke aloha ‘āina,

Nanea Lo

SB-2172-SD-1

Submitted on: 2/27/2022 7:22:33 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Hideki Kimukai	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Hideki Kimukai

SB-2172-SD-1

Submitted on: 2/28/2022 11:30:51 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nathan Yuen	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I strongly support SB2172 SD1, which aims to protect Hawaii’s most precious resource – pure drinking water in our aquifer -- from contamination.

Our water is precious, and we have an obligation to protect our islands' source of life for future generations. The pearl harbor aquifer is an irreplaceable and cannot be cleaned if contaminated. There is no technology to remove petroleum from porous lava rock with tiny holes and pockets through which the water is filtered.

We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Thank you for this opportunity to express my concerns. Please pass SB2172 SD1.

Mahalo,
Nathan Yuen

SB-2172-SD-1

Submitted on: 2/28/2022 12:10:27 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Hannah Matsunaga	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Hannah

SB-2172-SD-1

Submitted on: 2/28/2022 12:10:57 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mark Enomoto	Individual	Support	No

Comments:

The Navy and military have been poor stewards of Hawaii. Kahoolawe, Pohakuloa, Makua, Waiahole Waikane, Pearl Harbor and now the basic need for pure water is compromised. No more permits for underground tanks for the military.

SB-2172-SD-1

Submitted on: 2/28/2022 12:19:40 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
William Reese Liggett	Individual	Support	No

Comments:

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

*Mahalo nui,
William Reese Liggett*

SB-2172-SD-1

Submitted on: 2/28/2022 12:21:38 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Annie Thomas	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. As an O'ahu resident for my entire life, I am distressed at the leaks at Red Hill and the impact on families and our community if this practice of storing fuel above our precious aquifers is allowed to continuer.

Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. **Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.**

Mahalo nui,

Annie Thomas

SB-2172-SD-1

Submitted on: 2/28/2022 12:23:35 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kyle Koza	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Kyle Koza

SB-2172-SD-1

Submitted on: 2/28/2022 12:33:58 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Will Caron	Individual	Support	No

Comments:

I strongly support this bill. Mahalo!

SB-2172-SD-1

Submitted on: 2/28/2022 12:40:04 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rik Masterson	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Rik Masterson

Hilo, HI

SB-2172-SD-1

Submitted on: 2/28/2022 1:05:10 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wendy Bernier	Individual	Support	No

Comments:

I fully support SB2172 SD1. For the basic survival of our island community, we can not have anything man-made endangering our water supply. I can see no circumstance where burying fuel near a water supply is a good idea. The errors of the past must be corrected.

Thank you for listening.

SB-2172-SD-1

Submitted on: 2/28/2022 12:57:32 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Patricia Blair	Individual	Support	No

Comments:

Shut down underground tanks permanently!

SB-2172-SD-1

Submitted on: 2/28/2022 1:34:12 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Robert Quartero	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Robert Quartero

SB-2172-SD-1

Submitted on: 2/28/2022 2:05:04 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
tlaloc tokuda	Individual	Support	No

Comments:

Aloha JDC & WAM Chairs and Committees, i support SB 2172 SD1 and SB2600 and urge you and committees to also support these bills.

I support SB2172 SD1 because it asserts our rights to clean and uncontaminated water and protects our health and safety (something the Navy hasn't done) Please pass this bill.

SB2600 SD1 and SB2172 SD1, seeks to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo for your considerations.

Tlaloc Tokuda

Kailua Kona HI 96740

SB-2172-SD-1

Submitted on: 2/28/2022 2:13:10 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Scott Cooney	Individual	Support	No

Comments:

I urge you to support a bill, whatever bill it is, that makes a reasonably fast, and comprehensive solution to the Red Hill tanks into a reality. We need to not store jet fuel over drinking water, for all Hawaii's residents, plain and simple.

SB-2172-SD-1

Submitted on: 2/28/2022 2:47:12 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Denise Boisvert	Individual	Support	No

Comments:

Dear Senators,

Here is a list that I hope O’ahu never gets on:

Exxon Valdez – 1989

Deepwater Horizon – 2010

Flint, MI – 2014

Here is another list I hope we avoid, also based on disasters:

“Erin Brockovich” – 2000

“Dark Waters” – 2019

I hope the movie “Red Hill” is NOT in production!

I FULLY SUPPORT SB 2172 SD1; please pass it to prevent any fuel-caused disaster to our sole source aquifer!

Mahalo,

Denise Boisvert

Waikiki

SB-2172-SD-1

Submitted on: 2/28/2022 2:54:16 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kim Jorgensen	Individual	Support	No

Comments:

I am in FULL SUPPORT of SB2172 SD1.

Our island's current water situation related to the Red Hill storage tanks is the result of decades of human errors, greed, rust, procrastination, and very poor decisions made by elected and government officials, the U.S. Navy, and hired contractors.

Please pass SB2172 SD1 so our island's aquifer will be protected, and there won't be a need to say, 'Woulda', or 'Coulda', or 'Shoulda' decades from now.

SB-2172-SD-1

Submitted on: 2/28/2022 2:55:51 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nancy & Zeb Jones	Individual	Support	No

Comments:

Aloha Senate Chairs Dela Cruz and Rhoads, Senate Vice Chairs Keith-Agaran and Keohokalole AND Honorable Senate Ways & Means plus Judiciary Committee Members:

As farmers who rely on access to clean, non-petroleum-tainted water, we submit this testimony in STRONG SUPPORT of SB2172, HD1 to further protect O`ahu’s shrinking aquifer from potential future leaks emanating from underground fuel storage tanks. This bill prohibits: A) issuing future large capacity fuel storage tanks “mauka” of an underground injection control line; b) operation of and renewing relevant permits for such fuel storage tanks BUT not effective until July 1, 2050? These prohibitions serve to minimize the risk of leaked fuel contaminating Hawai`i’s diminishing fresh water resources no thanks to the MASSIVE increased development of the Ewa to Kapolei areas and no Koa Ridge on O`ahu.

While we urgently need to prevent future petroleum ingestion tragedies via our water system that so many O`ahu have endured for over a year, the bill -- as originally written -- might create unintended consequences. These included forcing the shutdown of every gas station in the State and impacting the fuel storage for emergency generators at hospitals and other critical locations. Accordingly, some of the amendments and language changes in SD1 make perfect sense to address these concerns, while still ensuring that the State's drinking water resources are protected. However, changing any effective dates to 2050 to either “prohibit underground fuel storage tank operations” [near injection lines] or to “encourage further discussion” is FAR too long to take action to prevent future catastrophes akin to what SO many military families and the general public are experiencing as we submit this. Implementation of all of these changes and prohibitions should occur ideally within the next 3 to 5 years – by 2025 or 2027, at the latest.

For all of the above reasons, we urge your honorable committees to please pass SB2172, SD1 with amendments as to time out of your committee. Mahalo again for this opportunity to present this testimony supporting SB2172, SD1.

Warm aloha,

Nancy & Zeb Jones

Hydroponics Alternatives LLC

SB-2172-SD-1

Submitted on: 2/28/2022 3:21:54 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
cheryl hendrickson	Individual	Support	No

Comments:

Please support SB2172, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

SB-2172-SD-1

Submitted on: 2/28/2022 3:43:45 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Susan E Stahl	Individual	Comments	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Susan E. Stahl

Kaneohe

SB-2172-SD-1

Submitted on: 2/28/2022 3:53:04 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
B.A. McClintock	Individual	Support	No

Comments:

I SUPPORT SB2172 SD1, which seeks to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2172 SD1.

SB-2172-SD-1

Submitted on: 2/28/2022 4:10:43 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carla Allison	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I strongly support SB2172 SD1 which seeks to protect our islands' water, a most precious resource, from contamination. We all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Please vote yes on SB2172 SD1

Thank you,
Carla Allison

SB-2172-SD-1

Submitted on: 2/28/2022 4:27:28 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maki Morinoue	Individual	Support	No

Comments:

Aloha

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Let's start making hard but the RIGHT decisions for this world in which we all live in together.

Mahalo

Maki Morinoue

96725

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,
Heather Ramiro

SB-2172-SD-1

Submitted on: 2/28/2022 5:06:40 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Anne Massie	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Anne K. Massie

SB-2172-SD-1

Submitted on: 2/28/2022 5:19:27 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Matthew Geyer	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2172 SD1.

March 2, 2022

Senator Donovan M. Dela Cruz, Chair
Committee on Ways and Means
Senator Karl Rhoads, Chair
Committee on Judiciary

RE: SB2600 SD1 and SB2172 SD1, Relating to Underground Fuel Storage Tanks

Dear Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee on Ways and Means, and Chair Rhoads, Vice Chair Keohokalole and Members of the Committee on Judiciary,

I SUPPORT SB2600 SD1 and SB2172 SD1, which are critical measures to help protect our islands' most precious resource from fuel contamination now and in the future. In our fragile island ecosystem, water is an especially valuable resource. We are counting on our Legislature to do all it can to prevent future water contamination and to protect our islands' source of life for present and future generations.

Please PASS SB2600 SD1 and SB2172 SD1 without reservation.

Thank you for the opportunity to testify.

A handwritten signature in black ink, appearing to read "Therese M. Argoud". The signature is fluid and cursive, with a large initial "T" and "A".

Therese M. Argoud, MPH
3314 Woodlawn Dr.
Honolulu, HI 96822

SB-2172-SD-1

Submitted on: 2/28/2022 5:40:43 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dain Christensen	Individual	Support	No

Comments:

To whom it may concern,

I strongly support the passing of measures SB2600 and SB2172. With the intent of protecting our water, our most precious resource, these measures will prohibit future underground fuel tanks near aquifers and prevent the renewal of permits needed to operate existing underground fuel tanks such as the Red Hill facility.

I support these measures and other legislation like it that effectively protect Hawaiian groundwater from contamination.

Mahalo to the bold legislatures that have the will to introduce and PASS such actions.

There is no substitute for pure water.

Dain Christensen

SB-2172-SD-1

Submitted on: 2/28/2022 10:46:11 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Danielle Espiritu	Individual	Support	No

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Danielle Espiritu
Waimalu, 'Ewa, O'ahu

SB-2172-SD-1

Submitted on: 2/28/2022 11:37:39 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Bruce Lum	Individual	Support	No

Comments:

Aloha kākou,

My name is Bruce Lum, resident of Halawa, a native Hawaiian and great-grandfather to 7 great-grand children.

I am in in full agreement and support of SB2172 SD1. Mahalo for allowing testimony on this Bill SB2172 SD1 and to all the legislators who have worked diligently, and stood in coalition to protect our great 50th State’s, collective aquifers, and in doing such, protecting the health and livelihoods of all Hawaii’s people, and guests from now and into perpetuity.

Ola I ka wai, Water is Life, and protecting our pure water source is the number one kuleana of all Hawai’i’s people.

Simply put, Ernest Lau, Honolulu Board of Water Supply Manager and Chief Engineer says, “The DOH Hearings Officer at the evidentiary hearing held in December 2021 stated, ““the Red Hill Facility, as currently configured and operated, poses an imminent threat to human health and safety of the environment.””

The navy’s oversight and management of the Red Hill fuel facility has a long history of failures and fuel leaks and proves the navy cannot protect the water from the leaking fuel in its antiquated fuel storage system. This crisis is real and we know it. This crisis has not been resolved and we know it. The military’s negligence to adequately maintain it’s decaying fuel farm positioned 100 feet above O’ahu’s sole-source aquifer is a calamity that has happened several times, and recorded for more than 80 years.

In November 2021 The state ordered the U.S. Navy to halt operations at the Red Hill facility after a petroleum leak on Nov. 20 contaminated the military drinking water supply that serves some 93,000 military and civilian customers. This is the disaster that happened, and this is the disaster that all of the nation should recognize and be alarmed that the Red Hill fuel facility is now the greatest current threat to the security of Hawai’i, and all military installations drawing water from Oahu’s aquifer system. Like Ernie Lau so elegantly suggests, Its the same aquifer

and that means every well that supplies Oahu with drinking water is like individual straws drawing from one glass of water. Contamination at any well should be regarded a potential threat (over time) to every other well.

I leave you with this final thought: Health is fundamental to a state's and nation's security. All people need clean water to be healthy and productive. If people are unhealthy, they can't work. If they can't work, they can't contribute to the economy. If they can't contribute to the economy, the government can't provide services and infrastructure. If the government can't provide services and infrastructure, then states and nations are persistently vulnerable to security threats.

Please adopt SB2172 SD1 to secure the health security of Hawai'i and the United States of America.

'A'ohē hana nui ke alu 'ia.

No task is too big when done together by all.

Mahalo piha,

Bruce Lum

SB-2172-SD-1

Submitted on: 3/1/2022 7:37:55 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Clemens Mayer	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I **SUPPORT SB2172 SD1**, which seeks to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS SB2172 SD1**.

Mahalo nui,

Clemens Mayer

SB-2172-SD-1

Submitted on: 3/1/2022 8:59:24 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
M Iolani Castro	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Iolani Castro

SB-2172-SD-1

Submitted on: 3/1/2022 9:16:57 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Irene Zane	Individual	Support	No

Comments:

Dear Chairman, Rhoads, Vice Chairman, Keohokalole and members of the Judiciary Committee,

Thank you for this opportunity to give public in-put.

My name is Irene Zane. I've lived and worked in Honolulu most of my 77 years. I never gave a second thought if my water was safe to drink when I turned on the tap faucet. Until now. Now, given the Red Hill water contamination crisis and the daily thought of fuel tanks located 100 feet above what used to be a clean, safe water aquifer, makes me worried and angry.

I applaud the ACTION you are taking as our lawmakers, to prevent underground storage tanks like the Red Hill facility from being permitted above ANY of our drinking water aquifers.

I **SUPPORT** SB2172 SD1 which seeks to protect our island's natural resource, clean water, from being contaminated.

Respectfully,
Irene Zane

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 9:40:02 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
BRADLEY FRYE	Individual	Support	No

Comments:

The Government of Hawaii must immediately take strong action to stop the Navy from damaging our water supply. The Red Hill oil storage system is well past its designed life. As an engineer, I know that past and recent leaks are evidence of its irrevocable deterioration, which will inevitably accelerate. The impending acceleration of its failure is why the entire system needs to quickly be substantially upgraded to current design standards or replaced. For many years, Hawaii has tried to cooperatively work with the Navy to solve the Red Hill problem. The Navy has responded with delays, broken promises and outright lies. The Navy has not, and will not, protect Hawaii's water quality because, quite frankly, that is not its job. That is the job of Hawaii's government. Hawaii's government must fulfill that responsibility by forcing the Navy to live up to their obligation as a tenant of Hawaii to respect and protect Hawaii's water supply. SB2172 is an important and necessary way to do that.

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 12:43:03 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
DIANE CHOY FUJIMURA	Individual	Support	No

Comments:

Dear Chair, Vice-Chair, members of the Senate Judiciary Committee:

I support SB 2172 SD1, as it is an important step to protecting our most precious natural resource, our aquifer, from contamination. It is already late in the game, our precious aquifer may be irretrievably contaminated. The supposed steward for overseeing the Red Hill fuel tanks, the U.S. Navy, has failed miserably in its duty and responsibility to protect the aquifer by seeing that these 80 year old behemoths are in safe, working order. They are not. The Navy is not the steward it should be. Already we are facing water shortages and rationing in the approaching summer months, not only for this summer, but possibly in future summers, and maybe year round! Already the contaminated water has forced thousands of military family members to relocate to Waikiki hotels, to purchase bottled water for their everyday needs. This is a multiple-pronged issue, and the legislature must do all that it can to remove the threat of something far worse occurring to our water supply . . . NOW!! Please act NOW to eliminate any FUTURE disasters for future generations!

Please pass SB2172 SD1.

Mahalo,

Diane Choy Fujimura

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 3:23:36 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dante Gonzales	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Dante Gonzales

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 3:26:04 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rachel Huang	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

Hoping for a better future.

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

These measures would prevent large-capacity underground storage tanks from threatening our drinking water aquifers, and hopefully force the U.S. Navy to focus solely on defueling and shutting down its Red Hill Bulk Fuel Storage Facility. Please save RED HILL!

Mahalo nui,

RAY

LATE

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I **SUPPORT SB2172 SD1**, which seeks to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

This is a pressing issue that must be dealt with accordingly through legislative bills like these. The Red Hill leak could've been prevented if the legislature and government departments held the Nacy accountable for maintaining the fuel tanks and protecting Oahu's water supply. Accordingly, I respectfully urge you to PASS SB2172 SD1.

Mahalo nui,

Diana Garcia

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 3:35:23 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gabriela Silva	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I **SUPPORT SB2172 SD1**, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to **PASS SB2172 SD1**.

Mahalo nui,

Gabriela Silva

SB-2172-SD-1

Submitted on: 3/1/2022 6:26:01 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maya Abarca	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

As a resident of Hawai'i and the dependent of a retired veteran who was born and raised in Hawai'i who has spent the majority of his career helping serve the country, I urge you to take the most NECESSARY step to pass bill SB2172 to shut down the Red Hill Fuel Storage on O'ahu to protect civilians, the Indigenous people of Hawai'i, and the natural land of Hawai'i itself. The U.S. military and government for many, many decades have shown how little they care for Hawai'i and the U.S. military's response to Red Hill Fuel leaks is another example of how the Navy does not care for the land they have forcibly militarized through colonization. The Navy CONTINUES to pursue legal actions with its attorneys in defense for its carelessness and you have the power to stop the further effects of the leak. Families, military service members, children, pets, school communities, and the greater community of Hawai'i have been severely affected by this event and your help is needed as soon as possible. Please do the right thing and pass this bill to hold the Navy accountable, to make sure this tragedy never happens again, and to protect Hawai'i's water. I support bill SB2172 and hope you will support it too by passing this bill.

With Gratitude,

Maya Abarca

91-538 Makalea st. Ewa Beach, HI, 96706

SB-2172-SD-1

Submitted on: 3/1/2022 6:34:37 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thor Mendez	Individual	Support	No

Comments:

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Thor Mendez

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 8:12:39 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kapulei Flores	Individual	Support	No

Comments:

Aloha,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. If we have learned anything from this Red Hill Crisis is how vital and important our water and natural resources are. Those tanks need to be out, cleared, and this situation shouldn't be allowed to happen again. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come.

Mahalo



LATE

To: The Senate Committee on Judiciary
and
The Senate Committee on Ways and Means
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Wednesday, March 2, 2022, 9:30am

In support of SB2172 SD1

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and members of the JDC and WAM committees;

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **supports** this measure which seeks to protect our precious water from fuel contamination, and we respectfully offer a **suggested amendment**.

Hawaii's drinking water supply is 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. With recent tragic events, we have had a glimpse into what it means to lack access to safe, fresh drinking water as we have witnessed the tragic suffering of families who are users of the Navy's Red Hill drinking water well and who are now struggling with a water contamination crisis. Since November, these families are unable to drink or use tap water from their homes because it is tainted with petroleum from a facility that is in too close proximity to a drinking water well. Imagine if this had affected our groundwater aquifer for the community at-large? Let this be a lesson we learn and implement safeguards to prevent this from ever happening again. We welcome legislation that will lead to the **permanent defueling and closure of the Red Hill Bulk Fuel Storage Facility** that currently threatens Oahu's primary drinking water supply.

To better ensure that this measure can fulfill its purpose and protect our precious water, we respectfully offer an amendment for your consideration.

Please amend this measure by prohibiting the renewal of permits for underground fuel storage tanks mauka of the underground injection control line as defined by the department of health, beginning **July 1, 2022**. Every day we delay in protecting our precious drinking water we risk catastrophic consequences.

Please **PASS** SB2172 SD1 with the above amendment.

Thank you for the opportunity to testify on this very important bill.
Sherry Pollack
Co-Founder, 350Hawaii.org

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 9:46:15 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jonilee Polanco	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Jonilee Polanco

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 9:57:51 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

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

Comments:

Dear WAM Chair Dela Cruz, JDC and HTH Chair Keohokalole and AEN Chair Gabbard,

Red Hill is a disaster.

SB2172 SD1 will prohibit issuance of future underground fuel storage tanks in the specific area of Red Hill defined by the Department of Health beginning July 1, 2022. SB2172 SD1 further prohibits operation of and renewal of underground storage tank permits in the specific area of Red Hill defined by the Department of Health beginning January 1, 2023.

The threat of additional leaks is imminent. We must do all we can to protect our precious water supply and keep Hawaii's people safe.

Please pass this bill immediately.

Sincerely,

Jan Pappas and Ronald Yasuda

Aiea, Hawaii 96701

LATE

SB-2172-SD-1

Submitted on: 3/1/2022 11:29:16 PM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chariya Terlep-Cabatbat	Individual	Support	No

Comments:

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and members of the Senate Ways and Means and Judiciary Committees,

I SUPPORT SB2600 SD1 and SB2172 SD1, which seek to protect our islands' most precious resource from contamination. Our water is precious and we all have a duty to protect our islands' source of life for present and future generations. We have already seen the devastating impacts that water contamination from leaky underground storage tanks may have on people and the environment, with additional effects likely to ripple across our island over the summer and into the foreseeable future. The legislature must do all that it can to remove the threat of something far worse happening to our water supply, both now and for future generations to come. Accordingly, I respectfully urge you to PASS SB2600 SD1 and SB2172 SD1.

Mahalo nui,

Chariya Terlep-Cabatbat

LATE

SB-2172-SD-1

Submitted on: 3/2/2022 12:50:38 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Audrey Lee	Individual	Support	No

Comments:

I support SB2172 SD1 which prohibit large capacity underground tanks to be placed above our drinking water aquifers after Jan. 1, 2023. If these tanks remain above the aquifers, even if drained, there may come a time when they may be filled with other toxic liquids that could once again poison the water making it unsuitable to sustain life here. The tanks and pipes must all be carefully drained and then taken away from their current location. These should not be allowed to sit and rust and allow that rust to infiltrate the water as the rain goes through the porous rock to reach the aquifer. Please, please thoroughly understand this simple process. Those tanks should never have been allowed to be there. We are now all aware of this. It is time to get them out as soon as possible. There should be no hesitation on what needs to be done. Please pass these bills and keep Hawaii a place where we can live and thrive for now and for the future.

LATE

SB-2172-SD-1

Submitted on: 3/2/2022 6:12:59 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
melissa tomlinson	Individual	Support	No

Comments:

Absolutely support this bill! The Red Hill Fuel tank storage facility Must be shut down and removed before a real assessment of damage and restoration efforts can be made. Understanding the harm caused from storing fuel underground has become wildly apparent. This bill becoming law is necessary at this time.

LATE

SB-2172-SD-1

Submitted on: 3/2/2022 7:47:04 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John & Rita Shockley	Testifying for FREE ACCESS COALITION	Support	No

Comments:

Aloha Senators!

As with SB2600, We at the Free Access Coalition urge you to protect public access to clean drinking water. Please vote for this viatally important Bill.

Mahalo for your time and hopefully, your vote!

LATE

SB-2172-SD-1

Submitted on: 3/2/2022 8:35:48 AM

Testimony for JDC on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wailani Stoner	Individual	Support	No

Comments:

I support this bill because we don't need anymore "accidents" that negatively impacts our communities, the water and land. We need to take steps to ensure the safety of everyone - human and non-human alike. Mahalo for the opportunity to submit testimony.