



STATE OF HAWAII
DEPARTMENT OF HEALTH
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doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB2653
RELATING TO WATER QUALITY**

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

SENATOR LORRAINE R. INOUYE, CHAIR
SENATE COMMITTEE ON WATER AND LAND

Hearing Date: 2/14/2022

Room Number: Via Videoconference

1 **Fiscal Implications:** This measure includes a general appropriation for a multi-year study to
2 investigate the consequences of the Red Hill water crisis and the subsequent impacts to the
3 environment, infrastructure, public health, and the economy.

4 **Department Testimony:** The Department of Health (Department) supports this measure with
5 comments. The mission of the Department is to protect and improve the health and environment
6 for all people in Hawaii. The missions of the Clean Water Branch (CWB), Safe Drinking Water
7 Branch (SDWB) and Wastewater Branch (WWB) are in alignment with the mission of both the
8 Department and the proposed Water Quality Task Force. Because the Water Quality Task Force
9 studies have a heavy emphasis on potable water and environmental quality, the Department is
10 able to bring to the task force a regulatory perspective and experience with the Red Hill water
11 crisis. The SDWB, CWB and the Solid Hazardous Waste Branch (SHWB) have provided
12 regulatory oversight over multiple aspects of the Red Hill Water crisis. In the case of WWB, the
13 branch has experience involving wastewater reuse which could offer an alternative water
14 resource in the face of water scarcity.

15 The Department is responsible for regulating the water quality of our public water
16 systems; therefore, we believe that we would be better suited to co-chair the task force with the

1 Department of Land and Natural Resources, Commission on Water Resource Management
2 (CWRM) instead of the Honolulu Board of Water Supply.

3 **Offered Amendments:** The Department recommends the following amendments to:

4 Section 1, Lines 7-9:

5 (2) One member from the [Honolulu board of water supply] department of health, who shall
6 serve as co-chair;

7 (3) One member from the [department of health] Honolulu board of water supply;

8 Section 2, Lines 9-11:

9 (3) Water quality impacts on public health; [and]

10 (4) Economic impacts from water quality[.]; and

11 (5) A wastewater reuse study for the purpose of combating water scarcity caused by water
12 rationing from the Red Hill water crisis.

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

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
HEALTH
and
WATER AND LAND**

**Monday, February 14, 2022
1:00 PM**

State Capitol, Conference Room 229 & Videoconference

**In consideration of
SENATE BILL 2653
RELATING TO WATER QUALITY**

Senate Bill 2653 proposes to establish a task force to investigate the environmental, infrastructure, public health, and economic consequences of the Red Hill water crisis and include a recommendation plan that also considers water rationing and appropriate funds. **The Department of Land and Natural Resources (Department) offers the following comments.**

The Department and its Commission on Water Resource Management (Commission) 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 department of Health's 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.

The Commission is currently investigating some of the environmental consequences of the Red Hill water crisis and is developing recommendations and actions that would help to mitigate future risk of contamination from the Red Hill Bulk Fuel Storage Facility and to address the matter of a potential water shortage in the Pearl Harbor and Honolulu Aquifer Sector areas due to the discontinuance of wells affected by the Navy Red Hill Shaft contamination. The Commission will be looking at solutions to ensure that water will continue to be available to citizens served by the Navy and Honolulu Board of Water Supply water systems despite the loss of several significant sources. These may involve administrative actions. The Commission is working with the Department of Health and the Honolulu Board of Water Supply to explore options.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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Thank you for the opportunity to comment on this measure.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
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February 14, 2022

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

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

The Honorable Jarrett Keohokalole, Chair
and Members
Senate Committee on Health
Conference Room 229 & Via Videoconference
Honolulu, Hawaii 96813

The Honorable Lorraine Inouye, Chair
and Members
Senate Committee on Water and Land
Conference Room 229 & Via Videoconference
Honolulu, Hawaii 96813

Dear Chair Keohokalole, Chair Inouye, and Members:

Subject: Senate Bill 2653: Relating to Water Quality Management

The Honolulu Board of Water Supply (BWS) supports the intent of Senate Bill (SB) 2653. This bill proposes to establish a water quality task force to address the water crisis caused by the Red Hill fuel leak.

This bill is similar in form to the fuel tank advisory committee established in §342L-61 and -62 but with the mandate to examine the consequences of the water crisis caused by the Red Hill fuel leak. While the bill's objective is appropriate, the measure as written does not give the task force the authority to conduct investigations, enter premises, and obtain confidential facility documentation in order to acquire the information and facts it needs to satisfactorily prepare and submit a report of its findings and recommendations to the legislature. The task force's mandate needs to also include coordination with existing state authorities that have or may have similar mandates as those being described in this bill to avoid any conflicts of scope and purpose. We recommend the bill be amended to establish a legislative working committee headed by one representative of the Senate and one representative of the House to develop the framework and legal authorities to accomplish the objectives proposed in this measure.

Thank you for your consideration of our testimony concerning SB 2653.

Very truly yours,

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

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

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

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

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON HEALTH AND WATER AND LAND
ON
SENATE BILL NO. 2653

February 14, 2022
1:00 p.m.
Room 229 and Videoconference

RELATING TO WATER QUALITY MANAGEMENT

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2653: establishes a water quality task force to address the water crisis caused by the Red Hill fuel leak; requires the task force to conduct a comprehensive study to examine the consequences of the Red Hill fuel leak; appropriates an unspecified amount of general funds for FY 23 to be expended by the Commission on Water Resource Management for a multi-year study on the impacts of the Red Hill water crisis; and requires a report to the Legislature.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

SB-2653

Submitted on: 2/13/2022 12:11:09 PM

Testimony for HTH on 2/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Herinah Asaah	Individual	Support	No

Comments:

The Red Hill Contamination crisis has been a nightmare for me and my family. I am a senior in high school, and I live on the Aliamanu Military Reservation with my older sister, mother, father, and dog. We have lived in Hawaii for about 4 years, and I loved living here, until December when we were informed that our water may be contaminated with petroleum. How long had the military suspected this? How long had they been keeping it from us? How long had my family been potentially ingesting petroleum water?

On top of a socially debilitating global pandemic, we've been hauling water for months with no end in sight. I am grateful that the Army has provided us with free water and resources, but I am beyond frustrated that virtually **NO** progress has been made. I have to wake up early in the morning to heat water on the stove so I can "shower" with a bucket and a scooper every morning before school. I have to wash my face and brush my teeth with a water bottle, and if doing the dishes was a dreaded task before, it's almost unbearable now. I don't want to have to wash myself with a bucket the day of my graduation.

A task force should have been commissioned as soon as anyone suspected an issue, but better late than never. It seems to me like those with the power to fix this want to shift the blame around instead of doing whatever needs to be done to help the people affected by this crisis. To anyone reading this, I ask: if it were your own family, if you were the one without clean running water, what would you do?

LATE

SB-2653

Submitted on: 2/13/2022 8:01:06 PM

Testimony for HTH on 2/14/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Susan Pcola_Davis	Individual	Support	No

Comments:

STRONGLY SUPPORT

There is established the water quality task force to address the water crisis caused by the Red Hill fuel leak.

TWO Members of the Public: I am requesting that I be considered.

The water quality task force shall conduct a comprehensive study to examine the consequences of the water crisis caused by the Red Hill fuel leak.:

The study shall include a recommendation plan, including a plan to handle water rationing on Oahu.