

STAND. COM. REP. NO.

2389

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 3338

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 3338 entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish within the Department of Land and Natural Resources a policy lead and coordinator for Red Hill Water Alliance Initiative initiatives;
- (2) Create the Red Hill Remediation Special Fund; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, University of Hawai'i System, Sierra Club of Hawai'i, Democratic Party of Hawai'i, Kūpuna for the Mo'opuna, Environmental Caucus of the Democratic Party of Hawai'i, Free Access Coalition, and twenty-four individuals.

Your Committees received comments on this measure from the Department of Budget and Finance and five individuals.



Your Committees find that the United States Navy's Red Hill Bulk Fuel Storage Facility consists of twenty steel-lined underground storage tanks that were built from 1940 to 1943. On November 20, 2021, about ninety-three thousand individuals served by the Navy's potable water system for Joint Base Pearl Harbor-Hickam were directly affected when the Navy's Red Hill shaft was contaminated by the release of up to nineteen thousand gallons of fuel, including JP-5 jet fuel, stored at the Red Hill Bulk Fuel Storage Facility. Over six thousand individuals sought medical attention, and one thousand were forced to leave their homes due to the contamination. Your Committees further find that on May 9, 2023, officials from the State and City and County of Honolulu signed a unified statement on Red Hill, recognizing the stewardship responsibility to ensure that there is clean water on Oahu for future generations. The Red Hill Water Alliance Initiative (WAI), a working group, met regularly in 2023 since the signing of the unified statement. The Red Hill WAI posed questions, conducted research, listened to subject-matter experts, and formulated recommended policies. This measure will create a special fund, which will enable the WAI to fund necessary efforts to remediate the contamination resulting from the Red Hill Bulk Fuel Storage Facility.

Your Committees have amended this measure by:

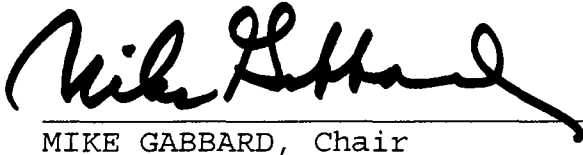
- (1) Clarifying that the Department of Land and Natural Resources shall be the State's policy lead on Red Hill WAI initiatives;
- (2) Adding language that requires the cost of the remediation of the aquifer be borne by the United States Navy;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3338, as amended herein, and



recommend that it pass Second Reading in the form attached hereto as S.B. No. 3338, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Respectfully submitted on behalf of the members of the Committees on Water and Land and Agriculture and Environment,

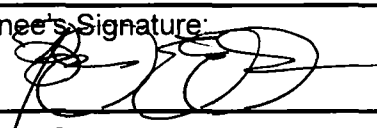
  
MIKE GABBARD, Chair

  
LORRAINE R. INOUÉ, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 3338</b>	Committee Referral: <b>WTL/AEN, WAM/JDC</b>	Date: <b>02/05/2024</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

Bill / Resolution No.:* <b>SB 3338</b>	Committee Referral: <b>WTL/AEN, WAM/JDC</b>	Date: <b>2/9/24</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn				✓
RHOADS, Karl	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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