



**TESTIMONY IN SUPPORT OF HOUSE BILL 969 HD2 SD1
RELATING TO WASTE DISPOSAL**

Senate Committee on Ways and Means
Hawai'i State Capitol

April 2, 2025

10:01 AM

Room 211

Aloha Chair Dela Cruz, Vice Chairs Moriwaki and Members of the Committee:

The Office of Hawaiian Affairs (OHA) **strongly supports HB 969 HD2 SD1**, which seeks to prohibit the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health. This measure is a critical step toward ensuring the long-term protection of Hawai'i's precious freshwater resources and aligns with the State's constitutional obligations to preserve water as a public trust resource.

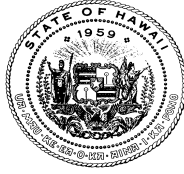
OHA has long advocated for the protection and stewardship of Hawai'i's natural and cultural resources, particularly water, which is essential to Native Hawaiian well-being. Water, or wai, is foundational to Native Hawaiian identity, sustenance, and sovereignty. In traditional Hawaiian society, the word for wealth—*waiwai*—reflects the intrinsic connection between water and prosperity. The Hawaiian Kingdom first codified water as a public trust resource in 1839, a principle that remains enshrined in the Hawai'i State Constitution today.

The placement of landfills and waste disposal facilities above significant aquifers introduces an unacceptable risk of leachate contamination, threatening drinking water sources that sustain communities and ecosystems. The Wahiawā Aquifer, which underlies a proposed landfill site, is one such vital source that must be safeguarded. The devastating Red Hill fuel spill of 2021 demonstrated the catastrophic consequences of groundwater contamination, affecting the health and livelihoods of hundreds of families. Given that 99% of Hawai'i's domestic water comes from underground aquifers, allowing landfill development over such a sensitive resource is reckless and shortsighted.

HB 969 HD2 SD1 ensures that all county, State and federal agencies integrate aquifer protection into their solid waste management planning by establishing clear prohibitions against landfill construction in high-risk areas. By requiring all agencies to acknowledge and respect these safeguards, this measure will prevent future conflicts

between waste disposal facilities and water security efforts. The inclusion of buffer zones in this bill further strengthens protections by preventing waste operations from encroaching on residential, school, and hospital areas.

OHA urges the Committee to **pass HB 969 HD2 SD1** and uphold Hawai‘i’s commitment to protecting its most precious resource—wai—for the well-being of present and future generations. Mahalo for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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WRITTEN
TESTIMONY ONLY

**Testimony in OPPOSITION to HB0969 HD2 SD1
RELATING TO WASTE OR DISPOSAL FACILITIES.**

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

April 2, 2025, 10:01 AM, Conference Room 211

1 **Fiscal Implications:** Potentially significant costs by and for counties to manage municipal solid
2 waste.

3 **Department Position:** The Department of Health (Department) opposes the measure.

4 **Department Testimony:** The Environmental Management Division Solid and Hazardous Waste
5 Branch (EMD-SHWB) provides the following testimony on behalf of the Department.

6 This measure proposes to prohibit the construction, modification, or expansion of any
7 waste or disposal facility including municipal solid waste and construction demolition landfill
8 units and components of landfill units on land that is above a significant aquifer as determined
9 by the Department.

10 We oppose this measure based on: (1) an increase in landfill siting restrictions that will
11 likely prevent future landfill siting and lead to a public health threat, and (2) the Department's
12 inability to immediately implement the measure as proposed.

13 **Solid Waste Management a Necessary Function**

14 The Department supports the protection of our drinking water resources as the
15 measure intends to address. However, we also see a potential public health crisis looming.

1 Based on their submitted annual reports, the County of Kauai currently has less than three
2 years and the City and County of Honolulu (City) currently has about seven years of permitted
3 landfill capacity remaining (not considering the closure date set by their Special Use Permit).
4 Both counties have spent many years, if not a decade or more, trying to site their next
5 municipal solid waste landfill, and given the proposed measure and current restrictions, will
6 likely be unable to do so.

7 If landfill sites are not available, costs for proper management of waste will significantly
8 increase, and we will likely see increased illegal dumping as a cost avoidance. The impact of
9 illegal dumping will create a greater environmental impact than what this measure is trying to
10 prevent.

11 We encourage the Legislature to allow the counties greater flexibility to look at landfill
12 siting more holistically, because given the current restrictions there is no one good location to
13 site a landfill. The counties, being both responsible for providing waste management services
14 and for ensuring that the future water needs of their counties are met, they are in the best
15 position to make this evaluation.

16 The City's testimony for HB0969 HD2 states that "if HB969, HD 2 were to become law,
17 the state could amend Act 73 [SLH 2020] to reduce or eliminate several of its restrictions in
18 order to make potential landfill sites available. Alternatively, if HB969, HD 2 were to become
19 law and Act 73 was not amended, the City would have no choice but to pursue a legally
20 prohibited expansion at WGSL [Waimanalo Gulch Sanitary Landfill]." The Department cannot
21 support legislation that will force the City to violate environmental laws for actions that are
22 necessary to protect public health.

23 Significant Aquifer Criteria

24 As we have mentioned in previous testimonies for this measure, the Department
25 requires criteria for which significant aquifer is to be determined, and if Legislature prefers

1 immediate implementation of this prohibition, then a specific demarcation is required. If the
2 Legislature is asking the Department to define what a “significant aquifer” is, we cannot ignore
3 other aquifer uses such as irrigation or native Hawaiian cultural practices as less significant than
4 drinking water. Therefore, if this measure passes as it is currently drafted, new landfills or
5 landfill expansions will be effectively prohibited in the state as there is no practical land under
6 which a significant aquifer lies.

7 **Offered Amendments:**

8 We have included proposed amendments to remove a discrepancy in the definition and
9 application of “buffer zones” in the existing statute. We do not want to prohibit landfill facilities
10 from obtaining more land to secure buffer zone distances. Note that we created a new
11 definition of “landfill unit” to only apply to the listed subsections. Being that this part is specific
12 to Municipal Solid Waste Landfill Criteria, subsection 342H-52(b), HRS, expands to construction
13 and demolition landfills, we want to be careful to not affect the definitions intended for the
14 remainder of the Part. The state relies on Part IV of chapter 342H, HRS, to ensure compliance
15 with federal regulations so that we may maintain our state program approval. These offered
16 amendments are meant to replace the entirety of SECTION 1 of the measure.

17 “SECTION 1. Section 342H-52, Hawaii Revised Statutes, is amended to read as follows:

18 “**§342H-52 Prohibitions; buffer zones.** (a) No person, including any federal agency, the
19 State, or any county, shall construct, operate, modify, expand, or close a municipal solid waste
20 landfill unit, or any component of a municipal solid waste landfill unit, without first obtaining a
21 permit from the director. All permits for municipal solid waste landfill units shall be subject to
22 any terms and conditions that the director determines are necessary to protect human health
23 or the environment.

24 (b) ~~[No]~~ Beginning July 1, 2025, no person, including the State or any county, shall
25 construct, modify, or expand a ~~[waste or disposal facility including a municipal solid waste~~
26 ~~landfill unit, any component of a municipal solid waste landfill unit, a construction and~~

1 ~~demolition landfill unit, or any component of a construction and demolition-]~~landfill unit or
2 component of a landfill unit without first establishing a buffer zone of no less than one-half mile
3 around the ~~[waste or disposal facility]~~landfill unit. This subsection shall not apply to the
4 continued operation of an existing ~~[waste or disposal facility]~~landfill unit that is properly
5 permitted; provided that continued operation does not require physical expansion, elevated
6 vertically from the above ground surface or horizontal, of the ~~[facility]~~landfill unit or component
7 of the landfill unit, requiring additional permitting review and a permit modification.

8 For the purposes of this subsection:

9 "Buffer zone" means the distance between the edge of waste or waste disposal activity
10 and the nearest residential, school, or hospital property line.

11 "Landfill unit" means a municipal solid waste landfill unit or a construction and
12 demolition landfill unit.

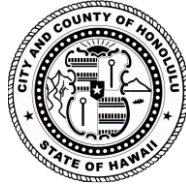
13 ~~["Waste or disposal facility" excludes individual, state-certified, non-industrial~~
14 ~~redemption centers.]""~~

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

DEPARTMENT OF ENVIRONMENTAL SERVICES
KA 'OIHANA LAWELawe KAIĀPUNI
CITY AND COUNTY OF HONOLULU

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HOPE PO'O

IN REPLY REFER TO:
WAS 25-53

March 28, 2025

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair
and Members of the Committee on Ways and Means
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Vice Chair Moriwaki:

SUBJECT: HB969, HD2, SD1 - Relating to Waste or Disposal Facilities

The City and County of Honolulu's (City) Department of Environmental Services (ENV) submits the following comments on HB969, HD2, SD1 Relating to Waste or Disposal Facilities.

In accordance with ENV's Special Use Permit for the Waimānalo Gulch Sanitary Landfill (WGSL), which provides that the WGSL shall close no later than March 2, 2028, and shall not accept any form of waste after March 2, 2028, on December 10, 2024, ENV identified an area northwest of Wahiawā as the site of the City's next landfill. The identified site is above an aquifer. ENV named this site because, after extensive evaluation of all possible alternative sites, it was determined to be one of the only legally available and feasible options. The only legally available and feasible options are above aquifers. Mayor Blangiardi has also stated that the City's next landfill will not be on the Leeward Coast.

By way of background, in 2020, the Hawai'i State Legislature passed SB 2386, SD 2, HD 2, known as Act 73, which placed several restrictions on where a landfill could be located. Act 73 prohibits landfills from being located within one-half mile of residential, school or hospital property lines, or within a conservation district. In addition to Act 73, state law restricts landfills in tsunami evacuation zones and federal law prohibits landfills from being located within 10,000 feet of an airport. Combined, these restrictions drastically reduce the number of feasible sites for a landfill to a few small areas above O'ahu's aquifers. Additionally, following extensive discussions between 2023 and 2024, the Navy informed the City it was unable to offer federal land for a City landfill, including land on the Waipi'o Peninsula that the City had previously identified as a viable landfill site.

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair
and Members of the Committee on Ways and Means
March 28, 2025
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It is important to note that if HB969, HD2, SD1 were to become law and locating a landfill above an aquifer were legally prohibited, given the restrictions imposed by Act 73, other state and federal laws, decisions and orders and permits, the City and ENV would be left with no legally permissible and feasible options to site a landfill on O'ahu without further action to change existing legal limitations on siting an alternative landfill to WGSL outside the aquifer.

If HB969, HD2, SD1 were to become law, the state could amend Act 73 to reduce or eliminate several of its restrictions in order to make potential landfill sites available. Alternatively, if HB969, HD2, SD1 were to become law and Act 73 was not amended, the City would have no choice but to pursue a legally prohibited expansion at WGSL.

Should you have further questions, please contact me at (808) 768-3486.

Sincerely,

Roger Babcock, Jr., Ph.D., P.E.
Director

**BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU**

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April 2, 2025

The Honorable Donovan M. Dela Cruz, Chair
and Members
Senate Committee on Ways and Means
Hawaii'i State Capitol, Room 211
Honolulu, Hawaii'i 96813

Dear Chair Dela Cruz and Members:

Subject: House Bill 969, HD2, SD1: Relating to Waste or Disposal Facilities

The Honolulu Board of Water Supply (BWS) strongly supports House Bill (HB) 969, House Draft (HD) 2, Senate Draft (SD) 1. This bill proposes to prohibit the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health (DOH).

The BWS is opposed to any proposed waste or disposal facility to be placed over O'ahu's sole source aquifer, where the island's drinking water is not protected. Historically, the BWS had to treat the drinking water for pesticides and herbicides used in the pineapple plantations. Forty years later, the BWS is still treating for some of these contaminants.

In Article VII of the Revised Charter of the City and County of Honolulu ("City") 1973 (Revised 2017 Edition), as amended, Section 7-105(j)(2) states the BWS shall "prescribe and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of the charter, including the prevention of waste and pollution of water." Thus, in 1982, the BWS Board adopted Resolution No. 502, amending its Rules and Regulations by defining and establishing a "No Pass Zone" and outlined an appeals procedure from decisions of the BWS Manager. The No Pass Zone was established to protect O'ahu's drinking water from underground sources of contamination and there is a compelling basis upon which to expect that a landfill situated over the aquifer may impact the quality and/or quantity of the water resources used or expected to be used as drinking water.

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and Members
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Safeguarding O'ahu's water supply from source of potential contamination is not a matter of discretion; it is constitutionally mandated. The Hawai'i Constitution guarantees that "[a]ll public natural resources are held in trust for the benefit of the people" and directs the State, and by extension the BWS, "to protect, control and regulate the use of Hawai'i's water resources for the benefit of its people." Haw. Const. art, XI, §§ 1, 7. As the largest municipal drinking water utility in Hawai'i, the BWS has a constitutional public trust responsibility to protect the water resources it manages and to preserve the rights of present and future generations of Hawai'i.

The No Pass Zone was derived from the review of geologic maps and borings that define the areas of thick caprock around O'ahu. The caprock serves as a barrier to prevent surface contamination from reaching the underlying geology. Since O'ahu's groundwater is hydrogeologically connected and groundwater is always moving, contamination in one part of the aquifer can spread to and impact other parts of the aquifer. The groundwater flow can be unpredictable and can move relatively quickly (greater than ten feet per day in some instances). Contamination from landfill leachate poses a considerable risk to both O'ahu's groundwater aquifer and drinking water resources. If such contamination were to occur, it could – as was the case for Red Hill – eventually cause the BWS to shut down its water supply wells in the vicinity of the source of contamination at the landfill.

Thank you for the opportunity to provide testimony in support of HB 969, HD 2, SD 1.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Ernest Y. W. Lau', with a stylized flourish at the end.

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

A small, handwritten mark or signature in blue ink, possibly initials, located below the printed name.



April 2, 2025

Re: Commenting on HB969 HD2 SD1 Relating to Waste or Disposal Facilities

Aloha e Chair Donovan Dela Cruz, Vice Chair Sharon Moriwaki and Members on the Committee on Ways and Means,

The Prince Kūhiō Hawaiian Civic Club submits this testimony commenting on [HB969 HD2 SD1](#) Relating to Waste or Disposal Facilities. We support the current form of the bill AS IS, and raise concerns that other similarly situated vehicles have reduced the landfill buffer zone or inserted a total ban from recycling or reusing ash in safe ways.

We stand with the Association of Hawaiian Civic Clubs in supporting the **1/2 mile landfill buffer** zone and the prohibition of landfills in conservation districts, both established in Act 73, SLH 2020 and that landfills should not be situated over significant aquifers and may only be placed within conservation districts in exceptional circumstances.

We ask the committees to consider maintaining the landfill buffer zone at one-half mile. Please support funding for a comprehensive aquifer study and prohibit landfills near critical groundwater resources, allowing the Department of Health to review landfill permits near significant aquifers on a case-by-case basis. We also request that fly ash and bottom ash reuse be evaluated individually, rather than imposing a blanket prohibition. Finally, we urge you to ensure that impacted communities receive compensation through Community Benefits Packages.

1. Support The Half-Mile Buffer Zone: It's Essential for Public Health

The current half-mile buffer zone was established to provide a reasonable level of protection for families, schools, and farms. Scientific studies show that living near landfills is linked to:

- Higher rates of respiratory illness, birth defects, and certain cancers
- Exposure to toxic gases such as hydrogen sulfide, which can cause neurological and respiratory damage
- Long-term air and water quality degradation

Reducing the buffer zone to one-quarter mile would increase these health risks, disproportionately affecting Native Hawaiian, low-income, and rural communities. Protecting our people should take precedence over landfill siting convenience.

2. Support Environmental Justice: Stop Policies that Target Native Hawaiian and Rural Communities

Hawai'i has a long history of placing landfills near Native Hawaiian communities, despite clear evidence of higher health risks and environmental harm:

- In Nānākuli, the PVT landfill, which receives 42% of all O'ahu's waste, is located next to Hawaiian Homesteads and schools within 0.5-2 miles and homes that abut the landfill, where residents suffer from some of the shortest life expectancies in the state.

- In Kekaha, Hilo, Native Hawaiian families live within 1.5 miles of the old landfill and near the Hilo Airport, enduring decades of cumulative pollution.

Reducing the landfill buffer would only worsen these injustices. This is an issue of equity, health, and human dignity—our communities deserve better.

3. Support Protecting Groundwater: Prohibit Landfills Near Critical Aquifers

We strongly support proactive measures to protect Hawai‘i’s limited and vulnerable aquifers.

Specifically, we recommend:

1. Funding the Department of Health, in collaboration with the Commission on Water Resource Management, to conduct a comprehensive study identifying significant aquifers across Hawai‘i.
2. Prohibiting the establishment of waste or disposal facilities near or above critical aquifers, except for transfer stations, which only serve as temporary waste-holding sites.
3. Empowering the Department of Health to conduct case-by-case reviews only for proposed landfills located above the UIC Line, where the risk to significant aquifers is greatest. Landfills proposed below the UIC Line should not require this additional review.
4. Allowing transfer stations near aquifers only if strict environmental safeguards are met, ensuring no groundwater contamination risk.

Hawai‘i’s drinking water is too precious to risk contamination from landfill pollution.

4. Protecting Communities First — Not Just Agricultural Lands

SB446 SD2 adds important protections for Hawai‘i’s most valuable agricultural lands with A and B rated soils — and we support the effort to preserve these lands for future generations. However, these protections must not come at the expense of protecting our homes, hospitals, and schools.

Our kūpuna, keiki, and working families—especially in Native Hawaiian homestead communities like Nānākuli and Kekaha—deserve the same level of protection as conservation lands currently have and what this bill proposes to provide to Ag land with A and B rated soil. Protecting land is important, but protecting people is essential. Our health, safety, and future should never be sacrificed for administrative convenience or quick fixes.

5. Support Responsible Recycling and Reuse of Fly Ash and Bottom Ash

We oppose the blanket prohibition in SB438 SD2 and other similarly situated bills on the reuse of fly ash and bottom ash, as this would restrict its beneficial use in concrete mixes, flowable fill, and road construction. Instead, we support a case-by-case evaluation by the Department of Health.

A total ban on recycling these materials would:

- Eliminate sustainable reuse opportunities, forcing more materials into landfills;
- Increase landfill waste volume, creating permanent waste streams from waste-to-energy plants, including those burning invasive species, hemp, jatropha, switchgrass, and algae;
- Ignore potential advances in recycling technologies, which could safely repurpose these materials in the future.

We recommend allowing the Department of Health to assess the environmental impacts of fly ash and bottom ash reuse on a case-by-case basis, ensuring both public health and sustainability.

6. Support Community Benefits Packages for Landfill Host Communities

If a landfill is sited near a residential area, impacted communities must receive compensation. We call for the mandatory establishment of Community Benefits Packages that include:

- Free ongoing health screenings and medical care for affected residents
- Independent environmental monitoring (air, water, and soil quality)
- Financial compensation for decreased property values
- Investments in infrastructure, education, and cultural programs
- Long-term environmental restoration funding post-landfill closure

Landfill host communities should not bear the burden alone—they must receive meaningful benefits.

7. Conclusion: Protect Public Health, Preserve Water Resources, and Promote Sustainable Waste Management

The Prince Kūhiō Hawaiian Civic Club urges this committee to:

- Reject the reduction of the landfill buffer zone—leave it at one-half mile;
- Fund a comprehensive aquifer study and prohibit landfills near critical groundwater resources and allow the Department of Health to review landfill permits over significant aquifers on a case-by-case basis;
- Evaluate fly ash and bottom ash reuse on a case-by-case basis, rather than imposing a blanket prohibition;
- Ensure impacted communities receive compensation through Community Benefits Packages.

Hawai'i deserves waste policies that prioritize people over profits, health over convenience, and environmental justice over short-term gains.

Founded in 1964, the Prince Kuhio Hawaiian Civic Club (PKHCC) was established to promote the education and social welfare of people of Hawaiian ancestry. Its objectives include supporting high ethical standards in business, industry, and professional fields.

Mahalo for your attention and consideration.

Me ke aloha,

Norman Llanos
Pelekikena
president@pkhcc.org



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 EMPOWERING THE PACIFIC

THIRTY-THIRD LEGISLATURE, 2025,

Senate Committee on Ways and Means

HEARING DATE: Wednesday, April 2, 2025

TIME: 10:01 a.m.

PLACE: Committee Room 211

RE: House Bill 969, HD2 SD1 Related to Waste or Disposal Facilities- **IN STRONG SUPPORT**

Aloha Honorable Chair Dela Cruz, Vice-Chair Moriwaki, and Committee Members;

The International Brotherhood of Electrical Workers Local 1260 (IBEW 1260) would like to offer the following testimony in STRONG SUPPORT of House Bill 969, HD2 SD1.

IBEW Local 1260, is comprised of approximately 3,000 members throughout Hawaii and Guam and consists of a diverse and highly-skilled workforce that supports the electric utility infrastructure across our state as well as government service contracts and broadcasting. We are committed to protecting the well-being of the members we serve and the community at large.

HB969, HD2 SD1 prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

Water like energy, is a critical component to a society that we must protect. Studies indicate that despite advanced technology in landfill management, liners may become compromised over time and leak harmful toxic liquids into the area upon which the landfill sits.¹ IBEW 1260 supported the recently adopted Honolulu City Council Resolution 25-3, which reaffirmed Resolution 03-09, FD1, adopted on April 16, 2003, that Municipal Solid Waste landfills should not be located in proximity to the city's underground drinking water sources.²

Siting a landfill over a water source or aquifer risks irreparable harm, impacts future generations use of this precious resource, which far outweighs any perceived benefit. We should take note and learn from recent above-ground water contamination events. The impact to under-ground water resources should a leachate leak event occur over an aquifer is virtually irreversible.

Mahalo for this opportunity to testify on this measure.

¹ The Norman Landfill Environmental Research Site: What Happens to the Waste in Landfills? By Scott C. Christenson and Isabelle M. Cozzarelli; U.S. Geological Survey; August 2003; <https://pubs.usgs.gov/fs/fs-040-03/pdf/fs-040-03.pdf>

² Honolulu City Council; Resolution 25-003, CD1; January 29, 2025; <https://hnlidoc.ehawaii.gov/hnlidoc/measure/3168>



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WAYS AND MEANS

April 2, 2025

10:01 AM

Room 211

In **SUPPORT** of **HB969 HD2 SD1**: RELATING TO WASTE OR DISPOSAL FACILITIES

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club **STRONGLY SUPPORTS** HB969 HD2 SD1, which will help to uphold our kuleana to safeguard our precious and limited drinking water sources from irreparable contamination.

Deciding where to place a landfill, particularly in an island setting such as ours, will always be a difficult choice. No matter what site is selected, a landfill will inevitably create a range of painful burdens associated with the location selected. **However, as this measure recognizes, siting a landfill over one of our islands' precious, pure, and finite drinking water aquifers is by far the worst choice that can be made.**

As a salient example, the new landfill for O'ahu - proposed to be constructed in Wahiawā, above a drinking water aquifer - will store extremely toxic ash containing heavy metals, cancer-causing PFAS "forever chemicals," and other compounds not easily broken down through incineration, such as PCBs, asbestos, and others. This ash, when combined with rainwater, will create millions of gallons of toxic "leachate" per year. While the City and County of Honolulu administration has assured the public that this leachate will be continually pumped out, transported, and treated at a wastewater facility, it is next to impossible to prevent leachate releases in the years and decades ahead; the EPA itself has concluded that all landfills inevitably leak.

The leachate inevitably released from this proposed landfill, whether through chronic small leaks and/or sudden mass discharges due to fire, flooding, human error, deferred maintenance, or other causes, will slowly but surely percolate into the underlying groundwater table, eventually foreclosing another source of water that our children and grandchildren will need more than ever before, as they navigate an inevitably worsening climate crisis.

In other words, by siting a landfill over one of O'ahu's remaining drinking water aquifers, the City would all but guarantee another "Red Hill" situation that compromises the water security of the island's residents, if not in the near future, then at some point in the decades to come. Clearly, this must not be allowed to happen.



Therefore, the Sierra Club strongly supports this measure, as a means to ensure that landfills now and in the future will never be placed in a location that threatens the water security of our islands.

With the ongoing Red Hill water crisis still unfolding, we must remember the importance of protecting our remaining clean water sources throughout Hawai'i, if we wish to do right by our children, grandchildren, and all future generations. As our climate continues to destabilize and water and other natural resources become ever more scarce, we have a heightened kuleana to safeguard what resources we still have, so that we can give our islands' future residents and communities the best chance at a hopeful existence. HB969 HD2 SD1 takes one important step to ensuring that we do not fail in this generational duty.

Accordingly, the Sierra Club urges the Committee to **PASS** HB969 HD2 SD1. Mahalo nui for the opportunity to testify.



MAKAKILO/KAPOLEI/HONOKAI HALE NEIGHBORHOOD BOARD NO. 34

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD SUITE 160 • HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

RESOLUTION

**SUPPORTING EFFORTS TO DIVERT WASTE FROM LANDFILLS, INCLUDING RECYCLING TO
CREATE FUEL AND CONSTRUCTION MATERIALS**

Whereas, the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 ("Board") is a citizens' advisory board whose purpose is to "increase and assure effective citizen participation in the decisions of government" per the City and County of Honolulu's Neighborhood Plan of 2008; and

Whereas, every community in Hawai'i deserves a "clean and healthful environment" as guaranteed by the Hawaii State Constitution (Article XI, Section 9; In re Maui Elec. Co., 2017 Haw.); and

Whereas, in 2021, the total waste generated on O'ahu was 1,692,840 tons, with significant portions being recycled or diverted through various waste-to-energy initiatives, but still a substantial portion of waste ended up in landfills, including Construction and Demolition landfilling, general material recycling, and the H-Power Ash and Residuals; and

Whereas, nearly all landfilling, waste-to-energy processing, and recycling of O'ahu's waste occurs in West O'ahu at the City-owned Waimanalo Gulch Sanitary Landfill (WGSL) in Kahe Valley, adjacent to the Honokai Hale and Makakilo communities, and the City-owned H-POWER facility near Kapolei, where waste, including Construction and Demolition materials, passes through Makakilo, Kapolei, and Honokai Hale before being landfilled at WGSL or transported to PVT Land Company, Ltd. in Nānākuli; and

Whereas, the State of Hawaii has made significant strides in addressing climate change, including the declaration of a climate emergency in 2021, and the adoption of the Hawaii Clean Energy Initiative aiming for 100% renewable energy by 2045, and the adoption of Act 238, Session Laws of Hawaii 2022, to explore decarbonization pathways, including sustainable fuel production; and

Whereas, Hawaii's heavy reliance on imported fossil fuels continues to pose challenges to energy security, economic growth, and efforts to reduce greenhouse gas emissions, leading to the exploration of alternatives such as sustainable aviation fuel, renewable gas, and waste diversion through recycling as fuel; and

Whereas, the state's current waste disposal practices, particularly landfilling, have been associated with harmful public health risks, including respiratory, neurological, and gastrointestinal issues for nearby communities, as well as environmental hazards from landfill gases like hydrogen sulfide (H₂S), which are linked to serious health problems; and

Whereas, studies have shown that communities within a 3.1-mile radius of landfills, including the PVT landfill and Waimanalo Gulch Sanitary Landfill in West Oahu, are potentially exposed to harmful pollutants, which have been linked to lung cancer, respiratory illnesses, and other health issues; and

Whereas, the residents within the Nanakuli Census tracts (15003009608 & 15003940002), in which PVT landfill resides, suffer 10 years less in their life expectancy than the state average (U.S. Small-Area Life Expectancy Estimates Project, Center for Disease Control, US Department of Health, 2020); and

Whereas, to mitigate these risks and improve the quality of life for residents, it is essential to adopt measures that promote waste diversion from landfills, including the recycling of waste materials into renewable fuels, which aligns with the state's decarbonization goals and reduces dependence on imported petroleum; and

Whereas, the City and County of Honolulu executed a contract with Covanta to evaluate and pursue recycling a portion of the ash, which may significantly reduce the amount of ash disposed at the Waimanalo Gulch Sanitary Landfill; and

Whereas, the Aloha Sustainable Materials Recycling & Fertilizer Facility (SMRFF), currently under development in Kapolei, Hawaii, will serve as a waste recycling facility for local solid-organic wastes, including construction and demolition (C&D) debris, which will be sorted into recyclable and unrecyclable materials, with organic C&D waste components such as lumber, cardboard, fabric, and plastic film converted to energy using a fluidized-bed gasification system to self-power the facility, while inorganic C&D waste, including concrete and window glass, will be recycled into building materials, and landscaping waste, greenwaste from invasive species eradication, and wildfire prevention projects will also be converted to energy, with the resulting ash, along with other local nutrient-containing wastes, formulated into organic and potash fertilizers for use in Hawaii, all of which is expected to reduce waste sent to landfills on O'ahu by half, with ongoing efforts to innovate further; and

Whereas, the adoption of renewable energy practices, such as recycling waste as fuel and producing sustainable aviation fuel locally, would not only improve environmental health but also stimulate local job creation and investment in clean energy infrastructure, contributing to Hawaii's energy independence and long-term sustainability; now, therefore be it

Resolved, that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 supports efforts to divert waste from landfills, including recycling to create fuel and construction materials; and be it

Resolved, that the board supports the efforts of the City and County of Honolulu to recycle H-Power Ash for use in construction materials safely, and further supports the safe diversion of waste materials to the Aloha Sustainable Materials Recycling & Fertilizer Facility for recycling, including the creation of fuel; and be it

Resolved, the board supports efforts to divert waste from landfills, including recycling initiatives, provided that these efforts are implemented in a manner that minimizes and mitigates any negative effects on public health and safety; and be it

Resolved, the board supports the intent of bills [SB1220 \(2025\)](#) Relating to Renewable Gas Tariff and [HB976 \(2025\)](#) Relating to Renewable Fuel, and [SB764/HB750 \(2025\)](#) Relating to the Environment; and

Ordered, that copies of this resolution be transmitted to the Mayor of the City and County of Honolulu, Honolulu Council Members, Area Legislators, and all Neighborhood Boards.

Adopted by the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 at its February 26, 2025 Regular Board Meeting, 8-0-0 (**Aye**: Dudley, Ferreira, Khan, Lidstone, Moon, Singleton, Taala, Paris; **Nay**: None; **Abstain**: None)

HB-969-SD-1

Submitted on: 3/30/2025 12:36:13 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii	Support	Written Testimony Only

Comments:

SUPPORT to protect our drinking water!



Hawai'i State Capitol
415 S. Beretania St,
Honolulu, HI 96813

RE: Testimony for HB969 HD2 SD1

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

Aloha! My name is Jonnetta "Jonee" Peters and I live in 'Āhuimanu, Kāne'ohe, and the Executive Director for Conservation Council for Hawai'i, which is the Hawai'i state affiliate of the National Wildlife Federation. I also sit on several 'aina based coalitions and an executive board member of the Pacific Island Heritage Marine National Monument Coalition. I **strongly support HB969 HD2 SD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities above "significant" aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O'ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands' most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai'i home.

I urge you to **PASS HB969 HD2 SD1**.

Jonnetta "Jonee" Peters
Executive Director

Telephone/Fax: **224.338-6511** | email: **info@conservehi.org**
web: **www.conservehawaii.org** | P.O. Box 2923, Honolulu, HI 96802

President: Colleen Heyer | **Vice President:** Bret Nainoa Mossman | **Secretary:** Makaala Kaaumoana
Treasurer: Mashuri Waite, PhD |

Directors: Puanani Anderson-Fung, Steven Lee Montgomery, PhD, Emily Sarasa, Les Welsh, Sunshine Woodford |

Executive Director: Jonnetta "Jonee" Peters **Operations and Events Manager:** Leah Kocher

National Wildlife Federation Region 12 Director: Rachel Sprague

National Wildlife Federation Pacific Region Associate Director: Emily Martin

Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

April 2, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY ON HB 969, HD2, SD1
RELATING TO WASTE OR DISPOSAL FACILITIES

Conference Room 211 & Videoconference
10:01 AM

Aloha Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports HB 969, HD2, SD1, which prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

HFB recognizes the need for future landfill locations; however, we have serious concerns about future waste or disposal facilities being sited on lands that provide groundwater for agriculture, drinking water, irrigation, and domestic, commercial, and industrial needs.

While waste and disposal facilities are necessary, their location must be carefully considered to avoid unintended environmental and public health consequences. Waste sites near significant aquifers pose a serious risk of leachate infiltration, which could introduce harmful pollutants into our drinking water and agricultural irrigation systems. HB 969, HD2, HD1 ensures that critical water resources remain protected from these potential threats.

Water is the lifeblood of Hawai'i's agricultural industry and essential to the health and well-being of our communities. Our farmers and ranchers depend on clean and reliable water sources to sustain their operations and ensure food security for our state. Hawai'i's aquifers provide a primary source of drinking water and agricultural irrigation, making their protection a top priority. Once an aquifer is compromised, the damage is often irreversible, threatening not only agriculture but also public health, ecosystems, and Hawai'i's long-term sustainability.

Thank you for the opportunity to provide our comments and for your continued support of Hawai'i's agricultural community.



Officers

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Mason Scharer
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Kaiea Medeiros
Mauna Kahālāwai,
Maui

Kaipo Kekona
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Kilia Avelino-Purdy
Moloka'i

Negus Manna
Lāna'i

India Clark
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Ways and Means Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports HB969.**

This bill directly addresses the urgent need to protect our invaluable water resources. For farmers who rely heavily on clean and uncontaminated water for crop irrigation, livestock sustenance, and overall farm health, preserving the purity of these aquifers is of paramount importance. Contamination risks from waste facilities can lead to detrimental impacts on soil quality and farming productivity, threatening both the economic viability of agricultural enterprises and the health of local ecosystems.

Moreover, ensuring that waste management does not compromise aquifers aligns with broader environmental stewardship and sustainability goals by preserving the delicate balance inherent in Hawaii's unique ecosystems. Placing restrictions on waste and disposal facility locations demonstrates a conscientious approach towards land-use planning, prioritizing long-term environmental resilience over short-term industrial gains. This legislative action can act as a model for proactive environmental governance, supporting both the agricultural community's need for reliable water sources and the broader population's desire to maintain natural resource integrity for future generations.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union

April 1, 2025

Honorable Donovan Dela Cruz, Chair
Honorable Sharon Moriwaki, Vice Chair
Committee on Ways and Means

Re: HB 969, HD2, SD1 - RELATING TO WASTE DISPOSAL FACILITIES
SUBMITTING COMMENTS

Dear Chair Dela Cruz, Vice Chair Moriwaki and Members of the Committee:

My name is Joseph Shacat, and I submit this testimony as an independent consultant working for Reworld. Reworld is the operator of the H-POWER waste-to-energy facility owned by the City and County of Honolulu. The City and Reworld are working in partnership on a project to move up the waste hierarchy and reduce the amount of waste sent to the landfill.

I respectfully request that the committee not include the amendment suggested by other testifiers that bans the use of municipal waste combustion ash for the purposes of road building, construction, or as alternative daily cover material for a landfill. The suggested ash amendment would be premature because a comprehensive permit process on aggregate recovery and recycling is still being reviewed and analyzed by the Hawai'i Department of Health (DOH).

I am working with Reworld on the proposed aggregate recovery and recycling facility at H-POWER. I have nearly 20 years of experience focused on sustainability and environmental compliance in the construction materials industry and have worked at the National Asphalt Pavement Association and Grace Pacific LLC. I am also a past chair of the State of Hawai'i Environmental Council (2014-2018). I am specifically working on the environmental and engineering tests needed to safely and economically use the recovered aggregates that will be produced at the aggregate recovery and recycling facility.

The primary purpose of HB 969 HD2 SD1 is to protect Oahu's drinking water aquifers by prohibiting a solid waste disposal facility from operating on land near or above a significant aquifer or on agriculturally zoned land. Other testifiers are proposing to add an amendment to prohibit incinerator ash recycling and require landfill disposal of ash from waste-to-energy facilities.

The City & County of Honolulu's proposed aggregate recovery and recycling facility was designed by Reworld to produce high-quality, construction grade aggregate sand for Hawai'i's construction industry. Construction grade sand is the most expensive aggregate material produced by Oahu's quarries, indicating its value in the market. The ability to supplement Oahu's aggregate industry through the use of locally produced aggregates recovered from H-POWER bottom ash will have multiple benefits:

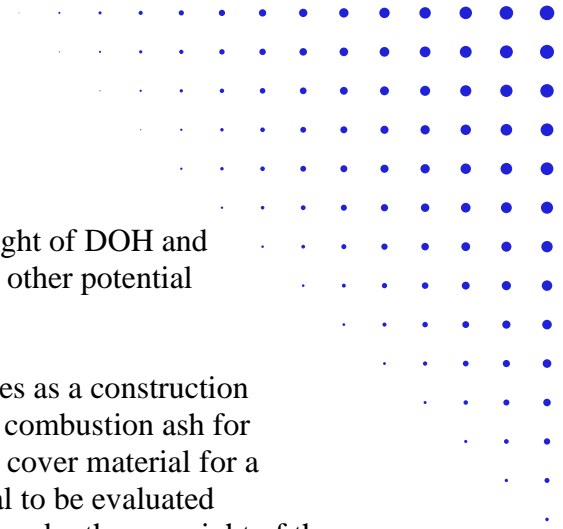
1. Reducing the cost of construction materials on Oahu by offering a lower cost construction-grade sand that meets agency material specifications.
2. Extending the life of Oahu's quarries by reducing demand for virgin aggregates while also reducing the construction industry's reliance on aggregates imported from Canada.
3. Reducing the volume of waste materials sent to the Waimanalo Gulch sanitary landfill, thereby reducing truck traffic on Farrington Highway.
4. Reducing the cost for the City & County of Honolulu to operate the H-POWER facility by recovering a valuable commodity rather than paying for its disposal at Waimanalo Gulch or any future landfill on Oahu. The project would reduce the amount of ash sent to the landfill by up to 60%.

Ash derived from waste-to-energy facilities has been successfully used as a construction material in Europe for decades and, more recently, has been approved for use in other US states including Pennsylvania and Florida. The bottom ash-derived aggregates from the advanced processing operations at the proposed aggregate recovery and recycling facility are expected to be significantly cleaner than the ash that has been approved in other states.

DOH is currently reviewing a comprehensive non-hazardous solid waste management permit application and environmental testing process required by DOH to determine whether bottom ash-derived aggregates from the H-POWER facility pose any threat to human health or the environment. This is part of DOH's responsibility for enforcing HRS 342Gⁱ and HAR 11-58.1ⁱⁱ. The application process includes a comprehensive sampling and analysis plan to evaluate the environmental risk associated with metals, PFAS, and other potential contaminants prior to using the aggregate as a construction material. DOH is the regulatory lead agency, which allows it to enforce more stringent recycling requirements than the EPA.

The City and County of Honolulu has conducted significant research on this issue in the past, when it studied the use of combined ash as an aggregate replacement for asphalt pavements through laboratory testing and a field trial from 1998 to 2002. This research was largely funded by the National Renewable Energy Laboratory under the oversight of DOH. A test section of asphalt pavement containing approximately 5% H-POWER ash was constructed by Grace Pacific in 1998. The environmental testing included aquatic toxicity tests and laboratory analysis of runoff and leachable metals from asphalt pavements amended with H-POWER ash. The test results indicated no statistically significant increase in leaching or runoff of metals from ash-amended pavements relative to conventional asphalt pavements with no ash. The assessment of dust generation during roadway demolition concluded that worker exposure to dust and metals was significantly below the OSHA Permissible Exposure Level (PEL).ⁱⁱⁱ Engineering tests also demonstrated that the ash-amended asphalt met or exceeded all of the Hawai'i Department of Transportation material specifications for asphalt pavements.^{iv}

While these past studies are promising, the City & County of Honolulu and Reworld plan to conduct an additional comprehensive suite of engineering and environmental testing to ensure that its ash-derived aggregates meet DOH requirements for preventing harm to human health and



the environment. This analysis will be conducted under the oversight of DOH and will address concerns related to leachability of metals, PFAS, and other potential contaminants.

Given the potential benefits of using bottom ash-derived aggregates as a construction material, it would be premature to ban the use of municipal waste combustion ash for the purposes of road building, construction, or as alternative daily cover material for a landfill. The most prudent course of action is to allow this material to be evaluated through a transparent, scientifically defensible permitting process under the oversight of the DOH through its existing, robust regulatory framework.

Thank you for the opportunity to testify on this measure.

Joseph Shacat, MS, MBA

ⁱ Hawai'i Revised Statutes (HRS) Chapter 342G, the Integrated Solid Waste Management Act.

ⁱⁱ Hawai'i Administrative Rules (HAR) Chapter 11-58.1, Solid Waste Management Control.

ⁱⁱⁱ Magee, B., R. Okoji, C. Jones, and J. Hahn (2004). Environmental Monitoring During Resource Recovery Combustion Ash Reuse Demonstration Projects (on file at the City and County of Honolulu, available upon request).

^{iv} Jones, C.M., J.L. Hahn, B.H. Magee, N.Q.S. Yuen, K. Sandefur, J.N. Tom, and C. Yap (1999). Utilization of Ash from Municipal Solid Waste Combustion: Final Report Phase II. National Renewable Energy Laboratory, Golden, Colorado. Report No. NREL/SR-570-26068.
<https://www.osti.gov/biblio/757056>.

HB-969-SD-1

Submitted on: 3/29/2025 12:02:13 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Susan RobertsEmery , I am Co Chair of the Green Party of Hawai'i. The Greens of Hawai'i are in strong support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and 'āina!

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai'i home.

The Green Party of Hawai'i urges you to **PASS HB969 HD2 SD1.**

Mahalo,

Susan RobertsEmery
Green Party of Hawai'i
Paauilo

HB-969-SD-1

Submitted on: 3/28/2025 4:39:13 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Nellis	Testifying for Dole Food Company Hawaii	Support	Written Testimony Only

Comments:

I am Daniel Nellis, General Manager of Dole Food Company of Hawaii, and we strongly support this bill banning landfills on land above our drinking water aquifers. It is key to protect all our sacred water resources for future generations and landfills will ultimately cause contamination of the aquifer if they are located above it. We also strongly oppose putting landfills on productive agricultural land which also is an essential scarce resource for our island state.



Mike Biechler
Chair
North Shore Law Offices

Carol Philips
Vice-Chair
North Shore Surf Girls

Marcia Murphy
Treasurer
Pacific One Mortgage

Bill Ward
Recording Secretary
Corcoran Properties

Lamont Brown
Director
Maya's Tapas and Wine

Nicolas Vargas Calvo
Director
World Class Notary

T.J. Cuaresma
Director
Tita Ei Nei Productions

Dave Fuga
Director
KT Protection Systems

Erica Lehmkuhl
Director
Seaside Realty

Bill Martin
Director
Island X Hawai'i

Thomas Naylor
Director
Ke Nui Kitchen

Mary Wood
Director
Resident

Michael Sweetman
Law Offices of
Einwechter & Hyatt

Teresa Berthiaume
Administrator

Marsha Taylor
Community Outreach
Coordinator

66-434 Kamehameha Hwy
Haleiwa, HI 96712
(808) 637-4558

info@gonorthshore.org / www.gonorthshore.org

Testimony in Strong Support of HB969 HD2 SD1
Relating to the Protection of Hawai'i's Aquifers

Senante Committee on Ways and Means

Hawai'i State Legislature - State Capitol

10:01 AM, Wednesday, April 2, 2025, RM 211

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

My name is Carol Philips, and I am submitting this testimony on behalf of the **North Shore Chamber of Commerce** in strong support of **HB969 HD2 SD1**, which seeks to protect Hawai'i's aquifers for current and future generations.

1. Importance of Aquifers to the North Shore Economy and Community

Our local economy on the North Shore depends on a robust and reliable water supply. From small businesses and family-run farms to world-class visitor attractions, a stable source of clean freshwater underpins the livelihoods of our members. Aquifers supply the majority of our drinking water, support agriculture and ecotourism, and sustain cultural practices that shape the unique identity of our community.

2. Fulfilling Our Kuleana to Future Generations

At the North Shore Chamber of Commerce, we strive to promote responsible economic development that aligns with our shared values. Ensuring the long-term health of our aquifers reflects our *kuleana*—our responsibility—to protect the natural resources that future generations of residents and businesses will depend upon. By passing HB969 HD2 SD1, we can safeguard freshwater availability and preserve the authentic character of our region.

3. Critical Threats to Aquifer Sustainability

- **Over-Pumping and Saltwater Intrusion:** Excessive withdrawals risk contaminating our water supply with saltwater, impacting both residents and local industries that rely on fresh water.
- **Contamination:** Agricultural runoff, urban development, and industrial activities can introduce pollutants that degrade water quality and harm public health.
- **Climate Impacts:** Changing rainfall patterns, rising temperatures, and increasing drought conditions threaten the natural recharge process of our aquifers.

*The North Shore Chamber of Commerce is a 501(c)3 nonprofit organization,
Federal Tax ID# 99-0265444*



Mike Biechler
Chair
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Island X Hawai'i

Thomas Naylor
Director
Ke Nui Kitchen

Mary Wood
Director
Resident

Michael Sweetman
Law Offices of
Einwechter & Hyatt

Teresa Berthiaume
Administrator

Marsha Taylor
Community Outreach
Coordinator

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info@gonorthshore.org / www.gonorthshore.org

4. Economic and Cultural Ramifications

Clean and abundant water is essential for tourism, agriculture, and the many small businesses that define the North Shore. Protecting our aquifers ensures that local farms can thrive, that visitor experiences remain memorable and authentic, and that the cultural and environmental treasures of our community remain intact. When our water sources suffer, so do the many families and entrepreneurs who depend on this resource for their livelihoods.

5. Why HB969 HD2 SD1 Matters

By strengthening safeguards around aquifer management, HB969 HD2 SD1 ensures that we balance economic growth with environmental stewardship. This measure proposes critical strategies—such as stricter monitoring, enhanced watershed management, and collaborative oversight—that will help protect our water resources, maintain our unique local character, and enable businesses to operate sustainably.

The North Shore Chamber of Commerce strongly urges the passage of **HB969 HD2 SD1** to protect Hawai'i's aquifers, preserve our community's well-being, and uphold our commitment to responsibly steward our natural resources. We appreciate your thoughtful consideration of this measure and your dedication to a prosperous and sustainable future for Hawai'i.

Mahalo nui loa for the opportunity to testify, and we look forward to working with you to ensure the continued vitality of our state's most precious resource.

Respectfully submitted,

Carol Philips
VP, North Shore Chamber of Commerce

HB-969-SD-1

Submitted on: 3/31/2025 10:38:19 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Country Talk Story	Testifying for CountryTalkStory	Support	Written Testimony Only

Comments:

SUPPORT

HB-969-SD-1

Submitted on: 3/27/2025 3:14:29 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

Please PASS this bill.

Those saying that a landfill over an aquifer will always be safe are talking with their fingers crossed behind their backs.

HB-969-SD-1

Submitted on: 3/27/2025 3:08:56 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

To be blunt, it is hard to believe that this bill is even needed!!!

There is no logical reason why anyone would want a landfill ABOVE a major aquifer; let alone, seriously think it would be forever safe over the future decades.

There have been too many very questionable (*read: ridiculously idiotic*) decisions made over the past dozens of decades in Hawai‘i that have had DEVASTATING RESULTS to the environment and native species.

Let's not give future generations yet another opportunity to wonder, "*What the heck were they thinking???*"

Please PASS this bill. Mahalo.

Testimony to the Senate Ways and Means Committees Supporting HD969

April 2, 2025

Thank you to the Committee Chairs and members for the opportunity to submit testimony.

Our opposition to placing the landfill over the aquifer on prime Dole Pineapple land in Wahiawa is not NIMBY. In fact, because of the geology, it is our neighbors in Waialua and the North Shore that would be affected. We are against poisoning the aquifer anywhere.

A January 15th town hall on this subject drew 250 angry people.

Most of the waste will be HPower ashes with high levels of toxic metals. City officials say that they will monitor and remove the thousands of gallons a day of leachate that will drain from the site. But the Board of Water Supply says that all landfills eventually leak. At some point after we are gone, the toxins will leak into the aquifer.

When we asked City officials what they would do in 50 years when the dump was full, they said they would find another site, presumably with the same recipe. So, we will have multiple sites leaking into the aquifer - Red Hill on steroids.

In addition, Wahiawa has heavy rainfall. This means that periodically the site would flood and dump huge amounts of toxic runoff, as already happened at Waimanalo Gulch.

We have a responsibility to preserve the aquifer and prime agricultural land for seven generations and more.

We also have a responsibility to suggest an alternative.

Kalaeloa in Central Oahu was rejected as a site because of the proximity of a lightly-used airport. However, the legislation on landfills bans sites near residences, schools and hospitals. It does not mention airports. And polluting the aquifer forever is more dangerous than a possible airplane crash.

Therefore, I respectfully suggest amending the pertinent statutes to allow a landfill at Kalaeloa, "to mitigate significant risks to public safety and health." (SB 2386, 2020). This would only be the beginning of the process. But it would offer a possible alternative to poisoning our water.

If we allow a landfill over the aquifer, when it leaks, and it will leak, what will future generations say about us?

Mahalo for the opportunity to testify.

Larry Meacham, 306B Lehua St, Wahiawa, HI 96786. meacham.hawaii@gmail.com

HB-969-SD-1

Submitted on: 3/29/2025 10:08:02 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

*I **strongly support HB969 HD2 SD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.*

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu.

Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

*I urge you to **PASS HB969 HD2 SD1**.*

Michael Plowman

‘Ewa Beach

HB-969-SD-1

Submitted on: 3/30/2025 7:52:48 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is William Reese Liggett and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
William Reese Liggett

HB-969-SD-1

Submitted on: 3/30/2025 8:02:26 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Monica Morris	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Committee on Ways and Means,

My name is Monica Morris. I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to PASS HB969 HD2 SD1.

Thank you.

HB-969-SD-1

Submitted on: 3/30/2025 12:47:44 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Biggs	Individual	Support	Written Testimony Only

Comments:

Protect our groundwater resources. Once contaminated, it is too late. Prohibit landfills from being sited above drinking water aquifers.

HB-969-SD-1

Submitted on: 3/31/2025 7:10:28 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to PASS HB969 HD2 SD1.

Sincerely,

R A Culbertson

Honokaa

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and members of the committee,

Support HB969_HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

Hawaii aquifers are irreplaceable sources of freshwater that sustain our communities. If contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Water is life.

I urge you to pass HB969 HD2 SD1.

Sincerely,

Keith Neal
Waimea

HB-969-SD-1

Submitted on: 3/31/2025 9:26:36 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel Lee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Samuel Lee and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to pass HB969 HD2 SD1.

Sincerely,
Samuel

HB-969-SD-1

Submitted on: 3/31/2025 7:43:28 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Benton Kealii Pang, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I am writing in **strong support** of HB969 HD2 SD1, a critical measure to protect Hawai‘i’s drinking water from landfill contamination.

As a resident of Pālolo and a scientist who has studied environmental degradation across the islands, I am deeply concerned about the implications of siting any waste facility above a significant aquifer. We cannot risk poisoning our most precious resource—our freshwater—through negligence or political expediency.

This bill is a proactive, common-sense measure to ensure our future generations inherit a Hawai‘i with clean water and protected ecosystems. Mahalo for standing with the community, with science, and with the next generation.

Please PASS HB969.

Mahalo,

Benton Kealii Pang, Ph.D.

HB-969-SD-1

Submitted on: 3/29/2025 11:10:06 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Peter Wilson and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
Peter Wilson

HB-969-SD-1

Submitted on: 3/30/2025 3:36:13 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorna Holmes	Individual	Support	Written Testimony Only

Comments:

I write in strong support of HB969. Please, let's prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

I urge you to PASS HB969 HD2 SD1.

Mahalo for your attention,

Dr. Lorna Holmes,

Honolulu 96817

HB-969-SD-1

Submitted on: 3/30/2025 9:46:16 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to PASS HB969 HD2 SD1.

me ke aloha ‘āina,

Nanea Lo

Mō‘ili‘ili, HI 96826

Sierra Club of Hawai‘i Executive Committee Member

Board Member, Hawai‘i Workers Center

Kanaka Maoli/Lineal Descendant of the Hawaiian Kingdom

HB-969-SD-1

Submitted on: 3/30/2025 10:35:57 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to PASS HB969 HD2 SD1.

HB-969-SD-1

Submitted on: 3/29/2025 8:02:08 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Support	Written Testimony Only

Comments:

Aloha Kākou,

I believe the decision is clear. NO toxic waste over our aquifer. We do not need another Red Hill on our hands in the years to come where our children and grandchildren will be having to deal with such a mess. Please support HB 969.

Mahalo,

Malia Marquez

HB-969-SD-1

Submitted on: 3/29/2025 4:09:16 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Leonberger	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Laura Leonberger and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
Laura Leonberger

HB-969-SD-1

Submitted on: 3/29/2025 11:06:38 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Support	Written Testimony Only

Comments:

My name is Bo Breda and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
Bo Breda

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I **strongly support HB969 HD2 SD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1**.

Sincerely,

A handwritten signature in black ink, appearing to read "Marshall Hung", written over a horizontal line.

Marshall Hung

HB-969-SD-1

Submitted on: 3/29/2025 10:51:16 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Diane Ware and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
Diane Ware

Volcano 96785

HB-969-SD-1

Submitted on: 3/29/2025 11:14:16 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Davie-ann Momilani Thomas	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Davie-ann Momilani Thomas. I firmly support HB969 HD2 SD1

My Navy retired ohana and self has lived 10 years in pearl city peninsula Navy housing on the Navy's previous landfill that Navy neglected to thoroughly clean up all the toxins from their landfill in 1980s and prior. Then our home, entire street, adjacent streets and a neighborhood park facing our house, was constructed & opened for Hawaii military families in 1991.

Our home is also over Navy plumbing pipes that got affected by JP5 Jet fuel from Red Hill.

If our law makers do not hear my life experience, me and ohana plus our past pets, were all exposed to military environmental toxins. The doctors on island , majority, will not nor can detect nor distinguish environmental toxins link to mild to severe health issues or how to detox or heal from environmental toxins. Unless you go to a facility that one will dish out of pocket on how to detox.

I feel sorry for those who will need to be treated for mysterious health issues if this land fill goes through.

Mahalo

HB-969-SD-1

Submitted on: 3/31/2025 11:42:13 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Tuyet Nguyen	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1**.

HB-969-SD-1

Submitted on: 3/31/2025 12:19:50 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Samantha Nelson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to PASS HB969 HD2 SD1.

HB-969-SD-1

Submitted on: 3/31/2025 12:24:14 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Ezgi Green	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Ezgi Green, and I am writing in strong support of **HB969**, which seeks to prohibit the construction or expansion of waste and disposal facilities on land above significant aquifers. This legislation is essential to protecting the North Shore's vital groundwater resources.

Clean, uncontaminated water is the foundation of life in our community. It sustains local households, supports agriculture, and fuels the tourism industry that many residents depend on. By ensuring that potential pollutants are kept at a safe distance from these critical water sources, we can maintain the high quality of water for current and future generations.

Hawai'i's ecosystems and natural resources demand proactive protection. Once groundwater is contaminated, the damage is often irreversible, leading to severe environmental and public health consequences. **HB969** is a necessary safeguard against such risks, ensuring that we prioritize sustainable and responsible land use practices.

I strongly urge the committee to pass this important measure to uphold the integrity of our water resources and protect the well-being of our community.

Mahalo for your time and consideration.

Ezgi Green

Waialua

HB-969-SD-1

Submitted on: 3/31/2025 1:17:03 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Support	Written Testimony Only

Comments:

Aloha legislators,

I hope we learned how precious and vulnerable our water is, from Red Hill! Please support this measure to prohibit the siting of toxic landfills over our aquifers.

mahalo,

Cory

HB-969-SD-1

Submitted on: 3/31/2025 2:11:09 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard D Serman	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm a LONG TIME resident of the North Shore (now a senior citizen) and own a Real Estate Company in Haleiwa (EST.1981).

PLEASE help to NEVER allow a Land Fill over any of Oahu's AQUIFERS!

To think - we barely dodged the Red-Hill spill... on a mostly CONTAINED aquifer.

The Waialua Aquifer is our last and largest Fresh Water Aquifer on Oahu!

Besides that - we are finally getting the Bottle-Neck of Laniakea hopefully cleared up... creating a Bottle-Neck that could choke off our main access to and from Honolulu (leaving just a dangerous, small and winding road) would be a double nightmare.

Again - the main thing is - we KNOW just about ALL Land-Fills have leaks... we KNOW - this Land-Fill is right over one of our most pristine fresh water supplies... WE NEED TO PROTECT THAT AQUIFER!~. Mahalo. Richard D Serman, STERMAN REALTY

HB-969-SD-1

Submitted on: 3/31/2025 2:23:38 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Support	Written Testimony Only

Comments:

My name is Emily Gambino and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,

My name is [Your name] and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,

Emily Gambino

HB-969-SD-1

Submitted on: 3/31/2025 2:34:52 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah King	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

My name is Deborah King and I am in ***strong support*** of HB969 HD2 SD1, which seeks to protect Hawai‘i’s aquifers for current and future generations. I also recommend amending the effective date to "When then bill passes" instead of 12/31/2050, which is 25 years in the future.

1. Importance of Aquifers to the North Shore Economy and Community

Our local economy on the North Shore depends on a robust and reliable water supply. From small businesses and family-run farms to world-class visitor attractions, a stable source of clean freshwater underpins the livelihoods of our members. Aquifers supply the majority of our drinking water, support agriculture and ecotourism, and sustain cultural practices that shape the unique identity of our community.

2. Fulfilling Our Kuleana to Future Generations At the North Shore Chamber of Commerce, we strive to promote responsible economic development that aligns with our shared values. Ensuring the long-term health of our aquifers reflects our kuleana—our responsibility—to protect the natural resources that future generations of residents and businesses will depend upon. By passing HB969 HD2 SD1, we can safeguard freshwater availability and preserve the authentic character of our region.

3. Critical Threats to Aquifer Sustainability

- **Over-Pumping and Saltwater Intrusion:** Excessive withdrawals risk contaminating our water supply with saltwater, impacting both residents and local industries that rely on fresh water.
- **Contamination:** Agricultural runoff, urban development, and industrial activities can introduce pollutants that degrade water quality and harm public health.
- **Climate Impacts:** Changing rainfall patterns, rising temperatures, and increasing drought conditions threaten the natural recharge process of our aquifers.

4. Economic and Cultural Ramifications

Clean and abundant water is essential for tourism, agriculture, and the many small businesses that define the North Shore. Protecting our aquifers ensures that local farms can thrive, that visitor experiences remain memorable and authentic, and that the cultural and environmental

treasures of our community remain intact. When our water sources suffer, so do the many families and entrepreneurs who depend on this resource for their livelihoods.

5. Why HB969 HD2 SD1 Matters

By strengthening safeguards around aquifer management, HB969 HD2 SD1 ensures that we balance economic growth with environmental stewardship. This measure proposes critical strategies—such as stricter monitoring, enhanced watershed management, and collaborative oversight—that will help protect our water resources, maintain our unique local character, and enable businesses to operate sustainably.

I have been advocating with the North Shore Chamber of Commerce and i agree with them strongly urges the passage of HB969 HD2 SD1 to protect Hawai‘i’s aquifers, preserve our community’s well-being, and uphold our commitment to responsibly steward our natural resources. We appreciate your thoughtful consideration of this measure and your dedication to a prosperous and sustainable future for Hawai‘i.

I lived in an area in Naples, Italy from 2004 to 2017 as a dependent and during this time they found contaminated water and soil. The United States Government tested the water and provided the results. I have many health issues due to being exposed to this contamination; however, most of the symptoms resemble symptoms for allergies and other common illnesses so a diagnosis for water contamination is hard to be given by a doctor. I am still suffering.

Mahalo for the opportunity to testify.

Deborah W. King

HB-969-SD-1

Submitted on: 3/31/2025 3:33:40 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
SharLyn Foo	Individual	Support	Written Testimony Only

Comments:

Aloha I fully support this bill. Please keep our water safe

mahalo SharLyn Fio

HB-969-SD-1

Submitted on: 3/31/2025 4:24:29 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Kylie Hopkins	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

This bill is crucial for protecting our vital groundwater resources, as illustrated by a short-sighted proposal to site a landfill over a drinking water aquifer serving Central and North O‘ahu. Landfills inevitably leak, and placing one above a drinking water aquifer will only result in the further contamination of our islands’ most precious resource, by highly toxic landfill leachate. This measure accordingly ensures that we do not threaten the water security of our children and future generations by siting landfills above their drinking water sources.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1**.

Kylie Hopkins

HB-969-SD-1

Submitted on: 3/31/2025 6:25:00 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Heiser	Individual	Support	Written Testimony Only

Comments:

By prohibiting the construction or expansion of waste and disposal facilities on land above significant aquifers, this legislation protects the North Shore's vital groundwater resources.

Clean, uncontaminated water is essential for local households, agriculture, and tourism.

Ensuring that potential pollutants are kept at a safe distance helps maintain the high quality of water for current and future generations.

HB-969-SD-1

Submitted on: 3/31/2025 7:03:47 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara J Logan	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of HB969 HD2 SD1 to protect Hawai‘i’s aquifers.

Our local economy on the North Shore depends on a robust and reliable water supply. From small businesses and family-run farms to world-class visitor attractions, a stable source of clean freshwater underpins the livelihoods of our members. Aquifers supply the majority of our drinking water, support agriculture and ecotourism, and sustain cultural practices that shape the unique identity of our community.

Critical Threats to Aquifer Sustainability: ● Over-Pumping and Saltwater Intrusion: Excessive withdrawals risk contaminating our water supply with saltwater, impacting both residents and local industries that rely on fresh water. ● Contamination: Agricultural runoff, urban development, and industrial activities can introduce pollutants that degrade water quality and harm public health. ● Climate Impacts: Changing rainfall patterns, rising temperatures, and increasing drought conditions threaten the natural recharge process of our aquifers.

Clean and abundant water is essential for life, our residents, tourism, agriculture, and the many small businesses that define the North Shore. When our water sources suffer, so do the many families and entrepreneurs who depend on this resource for their lives and livelihoods.

By strengthening safeguards around aquifer management, HB969 HD2 SD1 ensures that we balance economic growth with environmental stewardship. This measure proposes critical strategies—such as stricter monitoring, enhanced watershed management, and collaborative oversight—that will help protect our water resources.

Please pass HB969 HD2 SD1 to protect Hawai‘i’s aquifers, preserve our community’s well-being, and uphold our commitment to responsibly steward our natural resources. I appreciate your thoughtful consideration of this measure and your dedication to a prosperous and sustainable future for Hawai‘i. Mahalo nui loa for the opportunity to testify.

Warm aloha, Barbara

HB-969-SD-1

Submitted on: 3/31/2025 7:05:20 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Kohn MD	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1**.

HB-969-SD-1

Submitted on: 3/31/2025 10:28:44 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I strongly support HB969 HD2 SD1 that would protect our precious and limited drinking water resources from the threat of landfills. Water is life, and the protection of our precious drinking water should always be the highest priority. Once contaminated, these water sources can be permanently damaged, posing a significant threat to public health and the environment.

With the limited options available on our island for appropriately siting a landfill, the military should be made to offer some of the lands that are currently under their control to be used for this purpose, especially considering our current drinking water crisis is the result of the Navy's negligence at Red Hill. I urge you to pass this important measure towards protecting our precious water and home for current and future generations.

Mahalo for the opportunity to testify.

HB-969-SD-1

Submitted on: 3/31/2025 10:29:57 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Manawaiakea	Individual	Comments	Written Testimony Only

Comments:

Testimony in Support of HB969 HD2 SD1 & SB438 SD2 HD2

Submitted Under Exclusive Equity Jurisdiction – Ko Hawai‘i Pae ‘Āina

Rule of Law | Rule of Evidence | Common Law Equity

Aloha Chair Dela Cruz, Vice Chair Morikawa, and members of the Committee on Ways & Means,

My name is Roslyn Manawaiakea Cummings, and I submit this testimony under exclusive equity jurisdiction as a ho‘oilina (heir) and lawful mālama (steward) of Ko Hawai‘i Pae ‘Āina. I affirm this testimony under the common law, invoking the rule of law and rule of evidence, which remain binding upon any forum purporting to administer justice—regardless of venue or jurisdiction.

I strongly support HB969 HD2 SD1 and SB438 SD2 HD2, which prohibit the siting of toxic landfills atop vital drinking water aquifers, which are not only critical to the public health of Hawai‘i’s people but are, by law and by divine origin, protected sacred trusts of this Kingdom.

These aquifers are not mere geological features; they are the piko of our ecological, genealogical, and spiritual systems. In Hawaiian Kingdom law, wai is inseparable from lāhui—it is the first law of life. Contaminating wai is not just a public health violation; it is a violation of the natural law, the kanawai, and the terms of trust between land, people, and creator.

The rule of evidence is clear: peer-reviewed scientific data confirms that landfills leach toxins—especially under stress from climate and seismic events. The evidence of historical contamination at existing sites, such as Red Hill, establishes a pattern of recklessness that violates the precautionary principle embedded in fiduciary law and native custom alike.

The rule of law demands protection of what is sacred and irreplaceable. No court or committee can override the divine covenant encoded into the land and water of Ko Hawai‘i Pae ‘Āina. HB969 and SB438 align with both the spirit and letter of the law that requires stewardship, not exploitation.

As a mālama of our ‘ohana GodTrust and ho‘oilina to protected ‘āina under the Great Māhele, I declare that the continued endangerment of our aquifers constitutes:

- A breach of fiduciary trust
- A violation of due process and common law equity
- An act of criminal negligence under rule of evidence

I therefore urge this Committee to PASS HB969 HD2 SD1 and SB438 SD2 HD2, and to recognize that the protection of wai is not only legally enforceable, but spiritually binding and generationally non-negotiable.

Wai is life.

Wai is law.

Wai is sacred inheritance.

Do not sell it. Do not pollute it. Do not gamble with what cannot be replaced.

Me ka ‘oia‘i‘o,

Roslyn Manawaiakea Cummings

Mālama: Cummings ‘Ohana GodTrust

Ho‘oilina of Ko Hawai‘i Pae ‘Āina

Under Exclusive Equity Jurisdiction, by Rule of Law

Sustainable Hawaii, LLC

P . O. Box 892704
Mililani, Hawaii 96789

To the Honorable Members of the
Hawaii House of Representatives and
Senate

Re: Support House bill 969

Gentlemen and Ladies:

In Hawaii, especially highly populated areas such as Oahu, have to be careful of our water supply not only for now, but in the future. All of our water comes from rain. It is stored either in surface reservoirs, but in largest part, in fresh water aquifers floating on top of salt water which permeates the ground under our islands.

The rainfall flows into reservoirs from streams; it flows to the aquifer from rain soaking into the ground and filtering down through layers of rock and soil to the aquifer. The aquifer is shaped as a lens; deeper in the center areas of the island, shallow in areas near the shoreline. We know from it's shape that the water in the aquifer migrates from the center point of highest filtration, towards the shore. The water is recovered for use by a series of deep wells that reach to the aquifer.

Water is needed constantly and at some times more than others. Monthly rain at our family farm in Central Oahu drops to two inches per month about April 15 each year, and stays at that level until October 15. Without irrigation during this dry seasonn, our coffee and fruit trees would simply not produce. Our irrigation comes from well water from the aquifer.

Because the aquifer is the primary source of water for all Oahu uses, poisoning the aquifer can have catastrophic consequences for our people. That happens when rain water soaks down into the ground, but passes through a place where the contamination exists. That can happen at a dump especially as older protective structures begin to fail. The contamination can slowly spread toward the ocean. It can poison all wells in its path.

We are told that we have become so advanced, that (we are told) contamination at a dump can be contained and thus would not flow into our aquifer. The containment can be complete, even if users deposit contaminated materials outside the containment area! It can be designed and maintained so, free from human error forever, it will last forever, and will never, ever, leak. Apparently at a dump no one will ever, ever dump waste in areas where it's against the rules. And of course, guaranteed, we know every source and type of contamination and how to protect for it, now and for the unlimited future. Presumably we will never have a major rain storm overruns the capacity of a containment system.

But we know from the Red Hill fuel tanks, even with direct federal budgeting, and a specific known source of contamination, we could not protect against it. When contamination does leak, we find out only gradually and only after the damage done is massive. Those in charge first deny the contamination exists, then deny it comes from them, then deny fault. Meantime, hundreds or maybe thousands are poisoned, made sick, even in bad cases, killed. And wells, critical to our supply of water for human consumption, watering crops which are eaten by people, and many other part of agriculture, may be contaminated.

Dump sites should be sited only at locations far from the deep parts of the aquifer and

where migrating water will contaminate the least possible area.

We have a lot of theories about how the aquifer may not migrate, about how contamination may be contained and not spread, in the aquifer. But that's it. Theories. Maybe even best guesses. But the aquifer is far underground and in fact, we know very little.

The purpose of Bill 969 is to prevent mis siting of a dump to a location where it can do unknown and untold damage to our water supply. It is critical to the long term welfare of our Islands.

Submitted Respectfully and with Aloha

Howard R. Green

Sustainable Hawaii, LLC

HB-969-SD-1

Submitted on: 4/1/2025 9:10:53 AM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Morikwaki, and members of the Ways & Means Committee,

My name is Madison Owens and I strongly support HB969 HD2 SD1, to prohibit landfills from being sited above drinking water aquifers and threatening the water security of our islands and our future generations.

This bill is crucial for protecting our vital groundwater resources. Our drinking water aquifers are irreplaceable sources of pure, precious wai that have sustained and must continue to sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home.

I urge you to **PASS HB969 HD2 SD1.**

Sincerely,
Madison Owens

SOLID WASTE DIVISION

DEPARTMENT OF PUBLIC WORKS

TROY K. TANIGAWA, P.E., COUNTY ENGINEER

BOYD GAYAGAS, DEPUTY COUNTY ENGINEER



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

Testimony of Allison Fraley

Solid Waste Division Chief

County of Kaua'i, Department of Public Works

Before the

Committee on Ways and Means

Wednesday, April 2, 2025, 10:01 AM

Conference Room 211 and Videoconference

In consideration of

House Bill 969 HD2 SD1

Relating to Waste or Disposal Facilities

Honorable Chair Dela Cruz, and Vice Chair Moriwaki, and Members of the Committees:

The County of Kaua'i Department of Public Works **offers comments** on House Bill 969 HD2 SD1, which prohibits the construction, modification, or expansion of any waste or disposal facility on land above a significant aquifer, as determined by the Department of Health.

We appreciate the Legislature's commitment to protecting Hawai'i's drinking water sources and public health. The County of Kaua'i Department of Public Works stands ready to collaborate with State agencies to strengthen environmental safeguards while ensuring that our residents have access to essential waste disposal infrastructure. We recommend that the Legislature, in consultation with the Department of Health (DOH), adopt a clear and consistent definition of "significant aquifer." As currently written, the term is potentially so broad that it could apply to virtually all aquifers. In many areas on Kaua'i and throughout Hawai'i, all land could be classified as lying over an aquifer. This broad application may inadvertently restrict any modifications or expansions to existing landfills, potentially creating a critical shortage of municipal waste disposal capacity.

We respectfully request that the committee consider allowing a County-specific exemption process overseen by the Department of Health (DOH) to offer a balanced path forward, protecting water resources while recognizing that counties such as Kaua'i face unique geographic and resource constraints. An exemption could be considered if Counties can demonstrate the following:

1. Engineering Controls: Use of modern landfill liners, leachate collection systems, and sophisticated groundwater monitoring technologies that meet State and Federal standards.
2. Hydrological and Geological Assessments: Comprehensive studies verifying that the risk of aquifer contamination can be mitigated through robust design and operational safeguards.

3. Emergency or Critical Needs: Documentation showing the County's urgent need for safe waste disposal alternatives in light of limited landfill space elsewhere.

We further recommend that the final version of this legislation include a grandfather clause, to allow existing landfills that have demonstrated compliance with environmental regulations to be permitted for expansion, provided they undergo the appropriate permitting processes. This approach ensures that current, responsibly managed facilities can maintain critically needed disposal capacity. The Kekaha Landfill is Kaua'i's only active landfill and is scheduled to reach capacity in 2030. We are pursuing a vertical expansion on Cell 3, which will provide a minimum of 16 years of landfill capacity. This expansion is critical as we explore options for a new landfill site.

By clarifying the definition of "significant aquifer" and creating both an exemption or variance process and a grandfathering clause based on proven engineering and environmental standards, we believe the legislation can achieve its goals without unduly hindering Hawai'i's waste management capacity.

Thank you for the opportunity to submit comments on this measure.

HB-969-SD-1

Submitted on: 4/1/2025 12:53:32 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Palma-Glennie	Individual	Support	Written Testimony Only

Comments:

HB969HD2SD1 is a no-brainer.

Please SUPPORT.

mahalo and best,

janice palma-glennie

kailua-kona

HB-969-SD-1

Submitted on: 4/1/2025 3:14:53 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Koster	Individual	Support	Written Testimony Only

Comments:

My family and I strongly support HB969 HD2 SD1, which prohibits landfills from being sited above drinking water aquifers. This seems like basic common sense. Thanks for listening.

HB-969-SD-1

Submitted on: 4/1/2025 7:57:34 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Roanne Abe	Individual	Support	Written Testimony Only

Comments:

I support protecting our aquifers. As we have learned through the Red Hill Fuel leakage, compromising a significant aquifer can have widespread effects on the island. Our underground drinking water sources are vital to our community's health, environment, and local economy. Operating a landfill near or on these water resources threatens our current and future water supply.

HB-969-SD-1

Submitted on: 4/1/2025 10:58:35 PM

Testimony for WAM on 4/2/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Aiko Yamashiro	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I strongly support HB969 HD2 SD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities above “significant” aquifers.

As a mother to a two-year-old, I acutely feel the importance and responsibility of stewarding clean fresh water for our future generations. I am very grateful for all those generations who came before me, who worked to safeguard the clean water we depend on today.

Let us join this long line of guardianship and protection.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAI'I 96793
www.mauicounty.gov

TO: Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Committee on Ways and Means

FROM: Richard T. Bissen, Jr., Mayor
Shayne Agawa, Director of Environmental Management

DATE: April 1, 2025

SUBJECT: **COMMENTS ON HB969, RELATING TO WASTE DISPOSAL FACILITIES**

Thank you for the opportunity to testify in **OPPOSITION** of this important measure. The Act prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

Our COMMENTS are as follows:

1. We understand the importance of clean and safe drinking water for Hawai'i residents. We are not opposed to restricting the construction of waste disposal facilities that could impact the availability of clean drinking water for our residents, but regulated waste disposal facilities, such as landfills, are necessary and HB969 will restrict the ability for development of a landfill.
2. The Department of Health already has the Underground Injection Control Program, which designates the boundary between exempted aquifers and underground sources of drinking water on all major islands.
3. "Significant aquifer" and "near" are not clearly defined and may eliminate many or all possible locations for existing and future landfill expansion/siting.
4. Federal and State Regulations governing the siting of solid waste facilities are specifically developed to protect drinking water sources.

Mahalo for your consideration.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



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Senator Sharon Y. Moriwaki, Vice Chair
Committee on Ways and Means

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Mahalo for your consideration.