

Legislative Update from...

# Senator Mike Gabbard

July  
2015

*Aloha e Friends,*

Happy 4th of July! This marks the 239th birthday of our great nation. While there have been recent tragedies, like the Charleston church shooting, which create heartbreaking pain and sorrow, we'll always strive to rise above these challenges and stand as one nation. Please take a moment this 4th of July to reflect on our country's values of liberty and justice, as you celebrate with your friends and family.

And as always, please feel free to contact me at 586-6830 or email

[sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov) if I can help you or your family in any way. You can also follow me on Twitter [@senmikegabbard](https://twitter.com/senmikegabbard), Instagram [@sengabbard](https://www.instagram.com/sengabbard), and Facebook at [facebook.com/senmikegabbard](https://facebook.com/senmikegabbard).

## COMMITTEE CHAIR

Water, Land & Agriculture

## MEMBER

Transportation & Energy

Judiciary and Labor

Higher Education and the Arts

## District 20

Kapolei, Makakilo and portions of Ewa, Kalaheo, and Waipahu



## "Listen Story" Meeting

My next Listen-Story meeting will be at the Kapolei High School Teacher's Lounge **Saturday, July 25th, from 9am to 10am.**

Sen. Gabbard met with a great group of gentlemen at his Listen Story meeting June 20th at Ewa Mahiko District Park.

## Greater Urgency Needed on Red Hill Fuel Tanks

The situation at Red Hill continues to be a huge concern, given that the Navy has a facility there with 20 underground fuel tanks capable of holding 12.5 million gallons of fuel each. Each tank is 250 feet high, by 100 feet wide. These tanks are located 100 ft. above 25% of the island's drinking water and have leaked on many occasions. The latest leak involved 27,000 gallons of fuel which occurred in January 2014. This is a huge concern because our precious drinking water is irreplaceable. On June 18<sup>th</sup>, I presented testimony at a Public Comment meeting at Moanalua Middle School to discuss the proposed Administrative Order on Consent (AOC). This legally enforceable document includes the governing principles on the expected operation of the facility going forward. It would require the Navy and Defense Logistics Agency (DLA), the entity that owns the fuel, to evaluate and implement structural upgrades to the tanks at the Red Hill Facility, implement improved leak detection technologies, evaluate and update the groundwater monitoring network and to perform a risk and vulnerability assessment to determine the level of risk the Red Hill Facility may pose to the groundwater and drinking water aquifers in the areas surrounding the Red Hill Facility. This is a first step, but the problem is that the Navy has two years to do a study and 20 additional years to make the needed improvements. One thing that I and many people in the public are feeling is that there's a lack of urgency in moving forward with these needed improvements. I'm suggesting that in addition to the initial two-year study put forth in the AOC, the Navy and DLA move as quickly as possible to upgrading the fuel release prevention and detection at the facility. This is urgently needed to calm public fears and to show good faith that the Navy and the DLA are serious about being good stewards of our precious environment. Without an additional commitment, it's unlikely that the AOC will gain widespread community support. This session I authored SCR 57 which passed the Legislature. It will continue the work of the Red Hill Fuel Leak Task Force established by SCR 73 in 2014 and will also expand its mission to not only include the Red Hill Underground Fuel Storage facility, but also add the additional 26 underground storage tanks owned by the U.S. military. It will also add the Congressional delegation as members of the Task Force. I'm committed to working on this issue to ensure our precious drinking water is safe.

## Environmental Court Launched on July 1st

I spoke as part of a panel at the Hawai'i Environmental Court Symposium: "Our New Island Court in a Global Context at the UH Law School" on June 26th. Other panelists were Rep. Chris Lee, Marty Townsend of the Sierra Club, and Chris Wollaway of Keep Honolulu Beautiful. In 2014, as Energy and Environment Committee Chair, I helped secure passage of SB 632, which creates an environmental court within the State Judiciary at both the district and circuit court levels. It's pretty cool that we're the second state in the nation, after Vermont, to create a statewide environmental court (EC) system. A 2009 report authored by George and Catherine Pring called "Greening Justice: Creating and Improving Environmental Courts and Tribunals" has found that there are over 350 environmental courts/tribunals in 41 countries around the world. To be clear, I'm not talking about a separate bricks and mortar environmental court. An EC creates a "calendar" separate from other court cases so that judges can get in-depth experience in deciding on environmental cases and the system will have specialized training for the judges and attorneys in this area. The EC will be taking cases involving issues, such as illegal dumping, water & air pollution, noise pollution, trespassing at Kaho'olawe, littering, illegally harvesting in forests, fishing in restricted areas, overfishing, shark finning, damaging coral, etc.

## Governor Ige Releases Construction Funding for Senate District 20

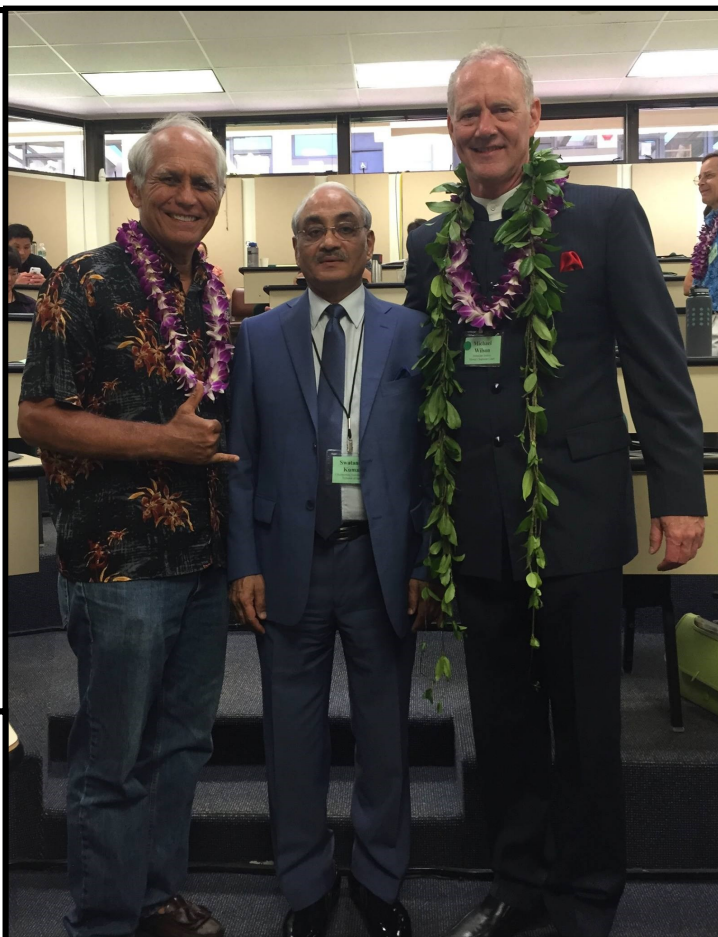
I received letters from Governor Ige on April 10th and May 15th notifying me that he had released \$37,371,000 in previously appropriated state funding for construction funding in our district.

### Here's a breakdown of what was released:

- Addition/Modification of H-1 Access (Kapolei Interchange Complex) - \$5,381,000
- Kalaeloa Enterprise Energy Corridor - \$350,000
- Youth Challenge Academy, Kalaeloa Building Improvements - \$340,000
- National Kidney Foundation (New Program Center in Kapolei) - \$1,500,000
- UH West O'ahu Administration and Allied Health Facility - \$28,800,000

## Race for Water Odyssey Visits Hawai'i

I presented an honorary certificate at a press conference at Kewalo Harbor to celebrate the arrival of a special vessel, R4WO "Race for Water Odyssey," on June 18th. The Race for Water Foundation, a charity based in Switzerland, is touring the world in a racing sailboat to raise awareness about water preservation. Their multihull sailboat has embarked on a worldwide expedition to serve as an ambassador for the cause of protecting the oceans and the people who depend on it from plastic pollution.  
(continued next page...)



Sen. Gabbard spoke as part of a panel at the Hawai'i Environmental Court Symposium: "Our New Island Court in a Global Context at the UH Law School" on June 26, 2015. (Pictured L to R: Sen. Gabbard; Justice Swatanter Kumar, Presiding Judge of the National Green Tribunal of India; and Hawaii Supreme Court Associate Justice Michael Wilson, Environmental law expert.)



(Race for Water Odyssey continued...)

The Race for Water Odyssey began on March 15, 2015. Their unique expedition aims to visit the beaches of islands located in the oceans' 5 vortexes of trash, in order to investigate the areas around the world affected by plastic garbage polluting the oceans, and highlight its consequences on the populations. Along the way the Odyssey crew will collect comparable data in order to create an environmental and human report on plastic pollution in the oceans. The Race for Water Foundation will then draw up the first global report about plastic pollution in the oceans.

### **Ko'oloa'ula Phase 2 Groundbreaking**

I attended the groundbreaking for Phase 2 of the Ko'oloa'ula project on June 5th. This affordable housing project is being developed by Mutual Housing Association and the contractor is DR Horton Schuler. This will be an additional 188-unit affordable apartment community added to the existing 120 apartments, located behind the Kroc Center in Kapolei. Phase 2 should be completed by mid-2017 and the monthly rents will be between \$453 and \$1,463.

### **Kalaeloa Heritage Park Holds Fundraiser**

I attended a fundraiser for the Kalaeloa Heritage Park on June 20<sup>th</sup>. The Kalaeloa Heritage and Legacy Foundation, a non-profit, was created to lead the stewardship of 77 acres of land in Kalaeloa, which have become the Heritage Park. KHLF members and volunteers have logged almost 13,000 volunteer hours and, along with its partners, cleared about 2.5 acres of overgrown kiawe bush to reveal a cluster of significant archeological sites, which include sink holes, habitation structures, a religious altar, and a trail that is being used as an educational site. The goal of KHLF is to build a multi-purpose educational community and visitor center where the mo'olelo (stories) of Kalaeloa can be shared, where cultural practitioners can display their art, and where the community can embrace their heritage.



Sen. Gabbard presented an Honorary Certificate to The Race for Water Foundation President, Marco Simeoni on June 18th.

## Youth Challenge Graduation a Success

Congratulations to Hawai'i Youth CHalleNGE Academy for graduating 82 of 105 cadets at a ceremony held at Pearl City High School on June 19th. I presented honorary certificates from the State Senate to all the graduates and awarded a \$500 scholarship to a cadet at both the Kalaeloa and Hilo campuses. A week before the graduation I gave a pep talk to the Kalaeloa graduates. For those who aren't familiar, the Hawai'i Youth CHalleNGE Academy provides 16 to 19 year-old "non-traditional at risk" youth a second chance to obtain their high school diploma and become productive citizens within the community. The Academy instills discipline and a sense of self-worth by using military training to significantly improve the life skills and employment potential of young people. The program's eight core components focus on the holistic development of the youth and include: academic excellence, life-coping skills, job skills, health & hygiene, responsible citizenship, community service, leadership / followership, and physical fitness. The five-month residential phase of the program is followed by a year-long mentoring relationship with specially trained members of each graduate's community. The Academy was founded in August 1994 and is administered by the Hawai'i National Guard. It has campuses in Kalaeloa on O'ahu and in Hilo on Hawai'i Island. Each cycle, the program accepts 150 young people. Roughly 21 percent of those who enter the

Academy fail to complete the course. Since its inception, the program has graduated close to 4,000 students with 80 percent of them going on to earn their high school diploma.



Sen. Gabbard met with a group of Youth Challenge Academy Cadets in his office on March 23, and attended their graduation on June 19. He awarded Honorary Certificates to all 82 graduates and a \$500 scholarship to one cadet at both the Kalaeloa and Hilo campuses.

## Wakea Gardens Opens

I presented an honorary certificate from the State Legislature at the Grand Opening of Wakea Gardens in Kalaeloa on June 30<sup>th</sup>. The Bachelor Officers' Quarters (BOQ) at Hornet and Roosevelt in Kalaeloa was built in 1958 as part of the former Naval Air Station Barbers Point. The building hasn't been used for housing since the closure of the base in 1999. Hunt has converted the BOQ to 100 one-bedroom, 490 square foot units. The apartments will feature split AC systems, energy efficient refrigerator/freezers, microwave ovens, and double insulated low-e glass windows. Other property amenities include an outdoor courtyard, community recreation room, workout facility, lounge, laundry room, barbecue area, and assigned parking. Rents will average at \$1,300.



Sen. Gabbard attended and spoke at the Wakea Garden Apartments Grand Opening on June 30, 2015. (L-R: Uncle Shad Kane, Kalaeloa Heritage and Legacy Foundation; Councilmember Kimberly Pine; Rep. McDermott; Sen. Gabbard; Rep. Tupola; Steve Colon, President of Hunt Cos. Hawai'i division; and Jose Bustamante, Vice Pres. Hunt Cos. Hawai'i division.)