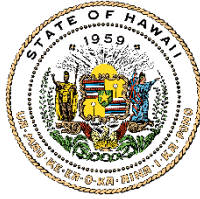


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER

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

**Testimony of
DAWN N. S. CHANG
Chairperson**



**Before the Senate Committees on
WATER AND LAND
And
AGRICULTURE AND ENVIRONMENT**

**Monday, February 5, 2024
1:15 PM
State Capitol, Conference Room 229 & Videoconference**

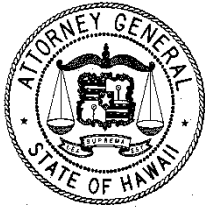
**In consideration of
SENATE BILL 3339
RELATING TO THE RED HILL REMEDIATION AUTHORITY**

Senate Bill 3339 proposes to establish the Red Hill Remediation Authority and creates the Red Hill Remediation Special Fund. **The Department of Land and Natural Resources (Department) is providing the following comments.**

DLNR's mission is to uphold the public trust mandates under Art. XI, Sec 1., and Art. XI, Sec. 7 of the Hawai'i Constitution by preserving and protecting our lands, resources, and water for present and future generations. DLNR supports the WAI's remediation strategies of 1) supporting subject matter experts of new remediation technologies and methods for Red Hill, and 2) accelerating the natural process of biodegradation. The bill establishes a process and funding source to provide the necessary resources to ensure the WAI's remediation strategies can be timely accomplished.

While the Department appreciates the intent of the bill to create the Red Hill Remediation Special Fund, the Department recommends an amendment to this bill clarifying that the cost of the actual remediation of the aquifer (i.e., pumping and treating water) should be borne by the U.S. Navy. The Department supports the use of the fund for monitoring, applied research, public outreach and education, and evaluation.

Thank you for the opportunity to comment on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

S.B. NO. 3339, RELATING TO THE RED HILL REMEDIATION AUTHORITY.

BEFORE THE:

SENATE COMMITTEES ON WATER AND LAND AND ON
AGRICULTURE AND ENVIRONMENT

DATE: Monday, February 5, 2024 **TIME:** 1:15 p.m.

LOCATION: State Capitol, Room 229 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Wade H. Hargrove III, Deputy Attorney General

Chairs Inouye and Gabbard and Members of the Committees:

The Department of the Attorney General opposes this bill.

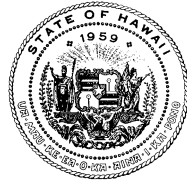
The purpose of this bill is to create a Red Hill Remediation Authority (the "Authority") administratively attached to the Department of Land and Natural Resources (DLNR) to: "(1) [f]acilitate and oversee the remediation of contamination resulting from the Red Hill Bulk Fuel Storage Facility; and (2) [e]ngage in direct implementation, as appropriate" [page 5, lines 17-20], with a governing board consisting of various elected officials and unelected persons, a Red Hill remediation special fund, and generate a report of the Authority's activities to the Legislature no later than December 1 of each year beginning in 2026. We are concerned about the potential for conflict and confusion caused by the Authority's work pursuant to this bill, which clearly overlaps with the regulatory responsibilities of the Department of Health (DOH).

DOH's Underground Storage Tank (UST) Program is approved by the United States Environmental Protection Agency (EPA) pursuant to federal law [Resource Conservation and Recovery Act (RCRA) section 9004; 42 United States Code (U.S.C.) section 6991c]. EPA's state program approval pursuant to 42 U.S.C. section 6991c(d) provides the authorized state program primary enforcement authority within that state, including authority over federally owned and operated UST systems [42 U.S.C. section 6991f]. This authority has enabled DOH to enforce its Administrative Order on Consent

(AOC) in DOH Docket No. 15-UST-EA-01; amend its rules [chapter 11-280.1, Hawaii Administrative Rules (HAR)] in 2018 to make them more stringent than reciprocal federal requirements, and to implement successive Emergency Orders in DOH Docket Nos. 21-UST-EA-02 and 22-UST-EA-01, resulting in the closure and defueling of the Red Hill Bulk Fuel Storage Facility. A requirement of the Second Emergency Order, and of DOH's UST rules, is an obligation to submit to DOH for its approval a "Closure Plan" for the Red Hill Bulk Fuel Storage Facility, which by definition must encompass all reasonable measures necessary to address any and all contamination from the Red Hill USTs and remediate the aquifer. This plan will be evaluated by DOH utilizing its expertise, with assistance from experts at EPA and numerous environmental contractors, with an emphasis on doing work that is consistent with sound environmental science, including any novel or exploratory concepts. Notably, this effort will be undertaken with an appreciation that, with large-scale and unprecedented remediation projects, a commitment must first be made to do no additional harm. Any state effort undertaken without the authority provided pursuant to EPA's state program authorization, will likely encounter claims of federal sovereign immunity. Consequently, as a practical matter, only DOH, as an EPA authorized state program, will be able to fully implement the "total stewardship approach" to remediation this bill promotes [page 2, line 17].

This bill's creation of a working group, or quasi-state agency administratively attached to DNLR, tasked to perform work currently assigned to DOH pursuant to its legislative mandate in chapter 342L, Hawaii Revised Statutes, and its rules in chapter 11-280.1, HAR, creates ambiguity and the potential for confusion with respect to how the goals of the Authority and the regulatory responsibilities of DOH's UST Program are to be effectively implemented.

We respectfully ask that this bill be held for the reasons stated herein.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in OPPOSITION to SB3339
RELATING TO THE RED HILL REMEDIATION AUTHORITY**

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

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: February 5, 2024

Room Number: 229

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (Department) generally supports the
3 recommendations of the Red Hill Water Alliance Initiative (WAI) report. The creation of the
4 Red Hill remediation authority (Authority) was not among the WAI report's recommendations,
5 and the Department respectfully opposes SB3339 due to the entangled regulatory framework it
6 could potentially create.

7 This measure establishes the Red Hill remediation authority and Red Hill remediation
8 special fund. The proposed Authority's tasks are to "oversee the remediation of contamination
9 resulting from the Red Hill Bulk Fuel Storage Facility" and "engage in direct implementation, as
10 appropriate."¹ The bill gives the Authority various powers and duties, including broad authority
11 to adopt administrative rules for the purpose of fulfilling the assigned duties.² The oversight
12 portion of the mission and rules made for the purpose of overseeing remediation activity could
13 come into conflict with the Department's existing Underground Storage Tank (UST) program,
14 which already regulates remediation of releases from UST systems.

¹ Page 5 lines 16 to 20

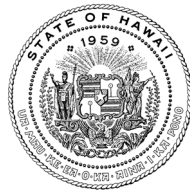
² Page 8 lines 19 to 20

1 The Department’s regulations in chapter 11-280.1, Hawaii Administrative Rules (HAR),
2 include requirements for site investigation and onsite and off-site cleanup and remediation of
3 releases from UST systems. The state’s regulations are based on United States Environmental
4 Protection Agency (EPA) regulations, and the Department’s program has earned delegated
5 authority from the EPA.³ Overlapping and conflicting regulation by the proposed Authority
6 appears to have the potential to jeopardize state program approval and federal funding.

7 **Offered Amendments:** None.

8 Thank you for the opportunity to testify.

³ State program approval by EPA pursuant to Title 42 United States Code (USC) section 6991c gives the DOH primary enforcement authority for the UST program, including authority over federally owned and operated UST systems within the state [42 USC §6991f].



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

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

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kāla
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY
TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON WATER AND LAND AND
AGRICULTURE AND ENVIRONMENT
ON
SENATE BILL NO. 3339

February 5, 2024
1:15 p.m.
Room 229 and Videoconference

RELATING TO THE RED HILL REMEDIATION AUTHORITY

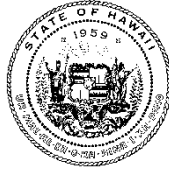
The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill (S.B.) No. 3339: establishes the Red Hill Remediation Authority to facilitate and oversee the remediation of contamination resulting from the Red Hill Bulk Fuel Storage Facility; and creates the Red Hill Remediation Special Fund (RHRSF) that would generate revenues through legislative appropriations, gifts, donations, grants, and interest for remediation and monitoring efforts. No special funds are appropriated in the bill.

As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should:

- 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process;
- 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue;
- 3) provide an appropriate means of financing for the program or activity; and
- 4) demonstrate the capacity to be financially self-sustaining. Regarding S.B. No. 3339, it is difficult to determine whether the proposed RHRSF would be self-sustaining.

Thank you for your consideration of our comments.



STATE OF HAWAI'I | KA MOKU'ĀINA O HAWAI'I
STATE PROCUREMENT OFFICE

P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 586-0554
email: state_procurement_office@hawaii.gov
<http://spo.hawaii.gov>

TESTIMONY
OF
BONNIE KAHAKUI, ACTING ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE
ON
WATER & LAND
AND
AGRICULTURE AND ENVIRONMENT
February 5, 2024, 1:15 p.m.

SENATE BILL 3339
RELATING TO THE RED HILL REMEDIATION AUTHORITY

Chair Inouye, Chair Gabbard, Vice Chair Elefante, Vice Chair Richards, and members of the committees, thank you for the opportunity to submit testimony on Senate Bill 3339. The State Procurement Office (SPO) supports the intent of the bill to establish the Red Hill Remediation Authority but opposes the exemption language in Section 2, page 9, lines 13-15, set forth below.

“Adopt rules governing the procurement and purchase of goods, services, and construction, not subject to the requirements of chapter 103D;”

Comment: While the SPO understands the critical need for the Authority, it objects to the procurement exemption and testifies that contracting of goods, services, and construction under this Act should be competitively procured.

Chapter 103D, Hawaii Revised Statutes, Hawaii Public Procurement Code (Code), is the State's single source of public procurement policy to be applied equally and uniformly, while providing fairness, open competition, a level playing field, government disclosure, and transparency in the procurement and contracting process vital to good government.

Public procurement's primary objective is to provide everyone with equal opportunity to compete for government contracts, to prevent favoritism, collusion, or fraud in awarding of contracts. To legislate that any one entity should be exempt from compliance with both Chapter 103D and 103F, HRS, conveys inequality in the law's application.

Exemptions to the Code mean that all procurements made with taxpayer monies will not have the same oversight, accountability and transparency requirements mandated by those procurements processes provided in the code. It means that there is no requirement for due diligence, proper planning, or consideration of protections for the state in contract terms and conditions, nor are there any set requirements to conduct cost and price analysis and market research or post-award contract management. As such, Agencies can choose whether to conduct a competitive procurement or go directly to one contractor. It also means Agencies are not required to adhere to the code's procurement integrity laws.

The National Association of State Procurement Officials states that "Businesses suffer when there is inconsistency in procurement laws and regulations. Complex, arcane procurement rules of numerous jurisdictions discourage competition by raising the costs to businesses to understand and comply with these different rules. Higher costs are recovered through the prices offered by a smaller pool of competitors, resulting in unnecessarily inflated costs to state and local governments."

Each year new procurement laws are applied to state agencies causing state agency contracts to become more complex and costly, while other public bodies, such as agencies with strong legislative influence, are exempted. Relieving some public bodies from some laws by exempting or excluding them from compliance with a common set of legal requirements creates an imbalance wherein the competitive environment becomes different among the various jurisdictions and the entire procurement process becomes less efficient and costlier for the state and vendors.

Recommendation: SPO Recommends SECTION 2, page 9, lines 13-15 be revised as follows:

"Adopt rules governing the procurement and purchase of goods, services, and construction, ~~not~~ subject to the requirements of chapter 103D;"

Thank you.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

LATE

Testimony Presented Before the
Senate Committee on Water and Land
Senate Committee on Agriculture and Environment
Monday, February 5, 2024 at 1:15 p.m.

By

Vassilis L. Syrmos, Vice President for Research and Innovation
University of Hawai'i System

SB 3339 – RELATING TO THE RED HILL REMEDIATION AUTHORITY

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and Members of the Committees:

The University of Hawai'i (UH) supports SB 3339, which seeks to establish the Red Hill remediation authority and creates a Red Hill remediation special fund.

While the imminent threat of future leaks has been minimized through the defueling of the Red Hill Bulk Fuel Storage Facility, years of clean up, monitoring, research and policy making will be needed for remediation of the aquifer and the surrounding ecosystem. The creation of Red Hill remediation authority will allow the findings and recommended actions of the Red Hill WAI to be acted upon at all federal, state and county levels to ensure quick and timely actions in terms of monitoring, research, remediation, etc.

Thank you for the opportunity to testify in support of this measure.

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

630 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96843
Phone: (808) 748-5000 • www.boardofwatersupply.com

RICK BLANGIARDI
MAYOR
MEIA

ERNEST Y. W. LAU, P.E.
MANAGER AND CHIEF ENGINEER
MANAKIA A ME KAHU WILIKI

ERWIN KAWATA
DEPUTY MANAGER
HOPE MANAKIA



NĀ'ĀLEHU ANTHONY, Chair
KAPUA SPROAT, Vice Chair
BRYAN P. ANDAYA
JONATHAN KANESHIRO
EDWIN H. SNIFFEN, Ex-Officio
GENE C. ALBANO, P.E., Ex-Officio

February 5, 2024

The Honorable Lorraine R. Inouye, Chair
and Members
Senate Committee on Water and Land
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

The Honorable Mike Gabbard, Chair
and Members
Senate Committee on Agriculture and Environmental Protection
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

Dear Chair Inouye, Chair Gabbard and Members:

Subject: Senate Bill 3339: Relating to the Red Hill Remediation Authority

The Honolulu Board of Water Supply (BWS) strongly supports Senate Bill (SB) 3339 and offers the following comments with its design.

We support establishing the Red Hill Remediation Authority to facilitate and oversee the remediation of the contamination resulting from the Red Hill Bulk Fuel Storage Facility. It's duty to engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice is critical to determining the nature and extent of the contamination needed for the remediation of the aquifer and environment.

Thank you for the opportunity to testify in strong support of SB 3339.

Very truly yours,

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



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

February 5, 2024

1:15 PM

Conference Room 229

In SUPPORT WITH AMENDMENTS of:
SB3338: RELATING TO WATER
SB3339: RELATING TO THE RED HILL REMEDIATION AUTHORITY

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, Vice Chair Richards, and Members of the Committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS WITH AMENDMENTS** SB3338 and SB3339. The Sierra Club appreciates and supports the intent to institutionalize the Red Hill Water Alliance Initiative's (WAI's) commitment to fully remediate our 'āina and wai; however, **the lessons of the last decade demand much greater safeguards against political interference by the U.S. military and its benefactors that will otherwise frustrate these measures' goals.**

The Sierra Club commends the Red Hill WAI for its members' explicit commitment to ensuring the full remediation of our 'āina and wai from the release of up to 2 million gallons of fuel and other toxic substances from the Navy's Red Hill Bulk Fuel Underground Storage Facility. The Sierra Club also appreciates that the establishment of a governmental entity or entities, as proposed by these measures, may be necessary to track and hold the Navy accountable for cleaning up its contamination of our island, particularly in light of the reality that it will take decades for full remediation to be achieved.

However, because of this lengthy remediation timeline – which will extend well beyond the tenure and even potential lifetimes of the Red Hill WAI's members – substantial amendments to these measures will be necessary to avoid the same political pitfalls that have led to the contamination of our aquifer and the poisoning of thousands of O'ahu residents. **The Sierra Club urges the members of the Committees to reflect upon the multiple missed opportunities that arose over the last ten years, that could have prevented our current water crisis – and to recognize that the U.S. military's political influence and willingness to deceive local and national elected officials as well as the general public contributed to our government's failure to protect our island and our people, until this crisis began.**¹ Unless precautions are taken to ensure

¹ For example, the responses of multiple administrations illustrate the unwillingness or inability of local political leaders to hold the Navy accountable, almost certainly due to the military's influence. After the reported release of 27,000 gallons of fuel from the Red Hill facility in 2014, Governor Abercrombie's administration negotiated a largely toothless "Administrative Order on



SIERRA CLUB OF HAWAI'I

the political insulation of any government entity tasked with implementing the Red Hill WAI's goals over the ensuing decades, such an entity will be unable to achieve these objectives, and will fail to hold the U.S. Navy accountable to its responsibility to fully clean up its mess.

Accordingly, the Sierra Club of Hawai'i strongly urges the Committees to include the following amendments to these measures:

First, the WAI Policy Coordinator and their staff, as proposed under SB3338, should be placed under the Remediation Authority, described in SB3339. Placing the WAI Policy Coordinator under the Chair of the Department of Land and Natural Resources, as proposed under SB3338, will only subject them to the influence of the Office of the Governor, which the last decade has demonstrated is highly vulnerable to the U.S. military's political influence. **It is absolutely critical to have the Policy Coordinator and staff answer to a multi-member board, rather than a political appointee of the Governor.** Combining these two entities will also better ensure consistency and coordination in their work.

Second, the Remediation Authority should not be dominated by appointees of the Governor. As currently proposed, 5 out of 9 voting members of the Authority will be selected by the Governor, who again is highly vulnerable to the military's political influence. **A majority of voting Remediation Authority members should be selected by independent organizations that represent the Hawai'i community, which was and will continue to be a driving force for true accountability to our island, our people, and our future.** Such organizations could include organizations such as: the Honolulu Board of Water Supply, the Office of Hawaiian Affairs, the Association of Hawaiian Civic Clubs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i.

Third, the Remediation Authority should be staffed by those with skills and expertise relevant to achieving the Red Hill WAI's goals, to enable it to objectively analyze and

Consent" (AOC) that surrendered ultimate decisionmaking authority over the Navy's response to the federal government in Washington D.C. Over the next six years, Governor Ige's administration did little to hold the Navy accountable to the AOC, which still remains largely unfulfilled – frustrating our current efforts to track and contain the contamination plume in our aquifer. Governor Ige's administration further failed to uphold state law and require the U.S. Navy to apply for an underground storage tank permit, until the Sierra Club of Hawai'i sued the Department of Health twice, in 2017 and 2019. Governor Ige also failed to call for the shutdown of the Red Hill Facility even after the catastrophic 2021 release, citing his belief that the military "is a vibrant part in our economy." Current Governor Green has also repeatedly made false claims regarding the status of the Facility's defueling, praising the efforts of the U.S. Navy even as O'ahu continues to struggle with the loss of our major drinking water shaft and while hundreds of individuals, including children, continue to report ongoing medical issues and financial instability.



SIERRA CLUB OF HAWAI'I

respond to politically-driven and potentially biased actions and responses by the U.S. Navy. This could include experts in environmental remediation, public relations, federal funding pathways, and community organizing.

Finally, the Remediation Authority special fund should include provisions to support non-governmental education and organizing efforts as an essential ingredient in achieving true accountability.

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committees to **PASS WITH AMENDMENTS** SB3338 and/or SB3339. Mahalo nui for the opportunity to testify.



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

SENATE COMMITTEES ON WATER AND LAND and AGRICULTURE AND ENVIRONMENT

FEBRUARY 5, 2024

SB 3339, RELATING TO THE RED HILL REMEDIATION AUTHORITY

POSITION: SUPPORT

The Democratic Party of Hawaii **supports** SB 3339, relating to the Red Hill Remediation Authority. In 2022, delegates to the Democratic Party of Hawaii's State Convention adopted resolution 2022-11, demanding that the Red Hill fuel tanks and piping infrastructure be expeditiously decommissioned and that new monitoring and exploratory wells be immediately developed.

Ola i ka wai. Water is life.

The United States Navy's Red Hill Bulk Fuel Storage Facility consists of 20 steel-lined underground storage tanks that were built from 1940 to 1943, each of which can store 12.5 million gallons of fuel. In total, the Red Hill Bulk Fuel Storage Facility can store up to 250 million gallons of fuel. The tanks are located only about 100 feet above the United States Environmental Protection Agency's designated sole-source groundwater aquifer that provides drinking water to approximately 4,000 residents of the island of O'ahu.

Over the past eighty years, numerous spills have occurred at Red Hill. Most dramatically, on November 20, 2021, about 93,000 individuals served by the Navy's potable water system for Joint Base Pearl Harbor-Hickam were directly affected when the Navy's Red Hill shaft was contaminated by the release of up to

19,000 gallons of fuel, including JP-5 jet fuel, older fuels stored at the Red Hill Bulk Fuel Storage Facility, and any additives used. Over 6,000 individuals sought medical attention, and 1,000 were forced to leave their homes due to the contamination. Much of the fuel released from the Red Hill Bulk Fuel Storage Facility remains in the environment, trapped within the complex geological formations that surround the tanks. Notably, this leak also caused the restriction and diversion of Honolulu's water sources to cover losses from contaminated fuel, temporarily endangering the ability of the state and the county to perform vital public services, such as increasing the supply of affordable housing.

Subsequently, On May 9, 2023, officials from the state and City and County of Honolulu signed a unified statement on Red Hill, recognizing the stewardship responsibility to ensure that there is clean water on Oahu for future generations. The Red Hill Water Alliance Initiative (WAI), a working group, met regularly in 2023 after the signing of the unified statement, posing questions, conducting research, listening to subject-matter experts, and formulating policy recommendations to address the Red Hill contamination and prevent future leaks. The working group strived to preserve and protect public trust resources, including water resources that are essential for life to flourish in our island home.

Members of the Red Hill WAI working group focused on the remediation needs after the defueling of the tanks and removal of residual fuel and contaminants from the Red Hill Bulk Fuel Storage Facility. The working group expressed ongoing concerns about fuel contaminants already in the ground, as well as the residual supply of fuel plume in local aquifers because of the spill that occurred on November 20, 2021. The group found that there may be as many as 1,940,000 gallons of fuel constituents in the ground that have leaked or spilled over eight decades. Accordingly, the group believes that remediation is necessary for the future well-being of the aquifer to contain the risk to current and future water sources, including the Halawa Shaft, Halawa wells, and Aiea wells; the water distribution system; and local ecosystems. For the sake of the public trust and future generations of Hawai'i's people, we must adopt the recommendations of the Red Hill WAI working group and empower their important work to continue.

Mahalo nui loa,

Kris Coffield

Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons

Co-Chair, Legislative Committee
(808) 352-6818
abbyalana808@gmail.com

Kūpuna for the Mo'opuna
committed to the well-being of Hawai'i for the next generations to come
kupuna4moopuna@gmail.com



COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Herbert M. "Tim" Richards, III, Vice Chair

Date: Monday, February 5, 2024

Time: 1:15 PM

Place: Room 415

SB 3338 – RELATING TO WATER

SB 3339 – RELATING TO THE RED HILL REMEDIATION AUTHORITY

SUPPORT WITH AMENDMENTS

Aloha,

We, Kūpuna for the Mo'opuna, a hui of Hawaiian Homes Commission Act beneficiary kūpuna farmers from Pana'ewa, Hawai'i, **submit the following testimony in support with amendments SB 3338 and SB 3339.**

We appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy's Red Hill Bulk Fuel Storage Facility. **However, it is critical that these measures be amended by:**

1) Creating a single entity to work on the implementation of the Red Hill WAI Report's goals, including through continuous public education and engagement. Creating two separate entities

with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;

2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report's vision; and

3) Ensuring that this entity is adequately insulated from the military's political influence over Hawai'i's executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our 'āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our 'āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Please **PASS** these measures with critical **AMENDMENTS** listed above. Mahalo nui!

LATE

SB-3339

Submitted on: 2/4/2024 8:38:26 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Comments	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy's Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report's goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report's vision; and
- 3) Ensuring that this entity is adequately insulated from the military's political influence over Hawai'i's executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our 'āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our 'āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

www.WeAreOne.cc



Environmental Caucus of The Democratic Party of Hawai'i

To: Senate Committee on Water and Land
Hon. Lorraine R. Inouye, Chair
Hon. Brandon J.C. Elefante, Vice Chair

LATE

Senate Committee on Agriculture and Environment
Hon. Mike Gabbard, Chair
Hon. Herbert M. "Tim" Richards, III, Vice Chair

Re: SB 3338 RELATING TO WATER
SB 3339 RELATING TO THE RED HILL REMEDIATION AUTHORITY

Hearing: Monday, February 5, 2024, 1:15 p.m., Room 229 & videoconference

Position: Supports with amendments

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards, and Members of the Committees:

The Environmental Caucus of the Democratic Party of Hawai'i (DPH) supports SB 3338 and SB 3339 with amendments. SB 3338 establishes a WAI policy coordinator and other positions within the Department of Land and Natural Resources for coordination of Red Hill WAI initiatives. It creates the Red Hill remediation special fund and appropriates funds. SB 3339 establishes the Red Hill remediation authority. It creates the Red Hill remediation special fund.

The PLATFORM OF THE DEMOCRATIC PARTY OF HAWAI'I as adopted at the 2022 State Convention on May 28, 2022, states as follows:

ENVIRONMENT AND ENERGY

Protect and preserve Hawai'i's environment and achieve energy sustainability. Advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change. Work towards 100% renewable clean energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems. [Emphasis added.]

We believe in the resource management principles outlined in the Public Trust doctrine of the Hawai‘i State Constitution. We support policy that incorporates indigenous resource-management practices and technologies such as the Ahupua‘a System in modern urban planning and development to create an ecologically sustainable balance between the needs of the people and the rights of nature. [Emphasis added.]

We believe that a key part of a sustainable and self-sufficient future for Hawai‘i lies in achieving energy independence through a transition to clean renewable energy sources. We support policies that eliminate our dependence on fossil fuels and other dirty energy sources. We support policies that expand access to public transportation and encourage transit-oriented development and walkable communities.

Based on the DPH Platform, the Environmental Caucus appreciates that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. However, we strongly urge you to amend these measures by:

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai in the first place. It will take decades to fully remediate the contamination from the Red Hill facility, thus failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability that these measures seek.

Any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, the Sierra Club of Hawai‘i, and the Environmental Caucus of the Democratic Party, and/or other appropriate entities, should be allowed to designate members of this board.

Accordingly, we urge you to **PASS** these measures with the **AMENDMENTS** listed above.

Thank you for the opportunity to testify.

Melodie Aduja legislativepriorities@gmail.com

Alan B. Burdick burdick808@gmail.com

Co-Chairs,
Environmental Caucus of the
Democratic Party of Hawai‘i

SB-3339

Submitted on: 2/2/2024 8:49:31 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

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

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,
Please amend this bill so our land, water, and people can be healed in the present time, and protected in future times.

1-Create one single entity to implement the goals of the Red Hill WAI Report, so everyone knows the buck stops here.

2-Staff the entity with people who know about public relations, grant writing, remediation technology, and community organizing, so they can hold the Navy's feet to the fire.

3-Have a board supervising the entity, with members chosen by the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and other appropriate entities.

Mahalo,

Cory Harden

SB-3339

Submitted on: 2/2/2024 11:49:09 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Giovanni Sclarandis	Individual	Comments	Written Testimony Only

Comments:



SIERRA CLUB

CAPITOLWATCH

Aloha e Giovanni,

Last year, Honolulu and state officials established the Red Hill Water Alliance Initiative (WAI) and released a report promising a long-term commitment to O‘ahu’s water security for generations to come.

While the report held some promise, its recipe for remediation [missed some key ingredients](#).

Now, the legislature is proposing bills that would enact parts of the WAI report. While we support efforts for long-term monitoring and environmental remediation, there are critical amendments that must be made to the WAI report bills to ensure that they truly heal our contaminated ‘āina and wai.

Four (!) WAI report bills are being heard next [Monday, February 5](#) and [Tuesday, February 6](#) in the Senate Committees on Water and Land and Agriculture and Environment and the House Committees on Water and Land and Energy and Environmental Protection. Please take a moment to submit written testimony for the bills and attend the hearing in-person or virtually to provide verbal testimony. Details and sample testimony below.

What the bills do

[HB2960/SB3338](#) establishes a WAI policy coordinator and other positions within the Department of Land and Natural Resources and appropriates money for a Red Hill remediation special fund.

[HB2961/SB3339](#) establishes a Red Hill Remediation Authority and creates the Red Hill Remediation Special Fund.

What needs improving

Overall, there is no clear affiliation between the WAI policy coordinator, responsible for policy, health studies, and public information about the WAI initiatives, and the Red Hill Remediation Authority, responsible for the implementation of the WAI report initiatives. It is also unclear why these roles are separated, which experience has shown may only lead to jurisdictional confusion and finger-pointing rather than problem-solving. There should be a single entity tasked with implementing the WAI report's goals for remediation.

Moreover, both bills ignore the political realities that gave rise to the current crisis, allowing the current and future governors to largely control whether and how the Navy will be held accountable to cleaning up its mess. As many are acutely aware, the political influence of the Navy and their contractors resulted in multiple administrations ignoring the clear and present threat the Red Hill facility posed to our island and people:

Governor Neil Abercrombie's administration negotiated a toothless "Administrative Order on Consent" with the EPA and Navy after the major 2014 spill, which remains largely unfulfilled to this day.

The Sierra Club of Hawai'i had to sue Governor David Ige's Department of Health not once, but twice, simply to have it uphold the law and require the Navy to apply for an underground storage tank permit for its Red Hill facility. Even after thousands of people were poisoned in November 2021, Governor Ige also [refused to call for the Red Hill facility to be shut down](#), stating that the military is "a vibrant part in our economy" as his only excuse.

And Governor Josh Green has not hesitated to sing the Joint Task Force's praises, announcing that they had "safely removed all the fuel" from the facility's underground storage tanks, when that was [far from the truth](#) - and when we are years away from replacing the Hālawā shaft and decades away from healing our lands, water, and poisoned residents.

Both approaches effectively give a politically beholden administration the ability to oversee the healing of our contaminated lands and waters. This will all but ensure that the Navy will be able to use its political influence to defer and delay meaningful action to uphold its remediation responsibilities in the years and decades ahead. It was ultimately the community's tireless demands that has led to the progress we have made, and any agency tasked with holding the Navy accountable must be accountable to the community.

Sample testimony for SB3338 and SB3339

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy's Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report's goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report's vision; and
- 3) Ensuring that this entity is adequately insulated from the military's political influence over Hawai'i's executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our 'āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our 'āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 7:45:32 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Danelle Guion	Individual	Support	Written Testimony Only

Comments:

Ioha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 9:09:18 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodi Robinson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 10:39:37 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

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

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

Diane Ware 96785-0698

SB-3339

Submitted on: 2/3/2024 11:41:13 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Steven Costa	Individual	Support	Written Testimony Only

Comments:

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 12:50:30 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

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

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 1:43:35 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
jennifer valentine	Individual	Support	Written Testimony Only

Comments:

testimony for SB3339

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/3/2024 4:26:57 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I am in support of this measure.

- U'ilani Naipo

SB-3339

Submitted on: 2/3/2024 11:04:38 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

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

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

I stand in support **WITH AMENDMENTS** for SB3338 and SB3339.

It is critical we ensure that steps are taken for the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. SB3338 and SB3339 is a good start in this effort. **However, I strongly urge you to amend these measures with the following recommendations:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

I strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo for the opportunity to testify.

Chair Lorraine Inouye
Vice Chair Brandon Elefante

Senate Committee on Water & Land

Chair Mike Gabbard
Vice Chair Herbert “Tim” Richards, III

Senate Committee on Agriculture & Environment

Monday, February 5, 2024
1:15PM

**TESTIMONY IN SUPPORT WITH AMENDMENTS OF SB3339 RELATING TO
THE RED HILL REMEDIATION AUTHORITY**

Aloha Chair(s) Inouye & Gabbard, Vice Chair(s) Elefante & Richards, Members of the Senate Committee(s) on Water & Land and Agriculture & Environment,

My name is Jun Shin, and I am a concerned water drinker. I am testifying as an individual in **SUPPORT WITH AMENDMENTS** of **SB3339**, Relating to the Red Hill Remediation Authority.

I sincerely appreciate that the legislature is working to put dedicated funding and personnel to pursue the remediation of the contaminated land and our waters, poisoned by the United States Navy. However I strongly support these following amendments to these measures:

- 1) The state needs a single entity that needs to come together to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and actual engagement. Creating two separate entities (**WAI Policy Coordinator and the Red Hill Remediation Authority**) with overlapping roles only risks jurisdictional confusion and could lead to inaction, as we have seen in other instances including throughout the Red Hill crisis;
- 2) The state needs to make sure that this entity has staff with the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision.
- 3) The state must maintain the independence of this entity from the military’s political influence over Hawai’i’s executive and legislative branch. This influence unfortunately led to the government’s inaction that contributed to the poisoning of people as well as the land and the

water. It will take a long time to fully remediate the contamination from the Red Hill Bulk Fuel Storage Facility, and we are going to need an entity willing to fight hard, long, and smart to hold the Navy accountable. Any remediation entity formed this legislative session should be governed by a board where at least a majority of its members are from independent organizations that have a track record and vested interest in protecting and fighting for our land, our water, and our people.

Please **PASS** Senate Bill 3339 out of your committees with the critical **AMENDMENTS** listed above. We need a just recovery from the Red Hill crisis.

Mahalo for the opportunity to testify,

Jun Shin,
State House District 23 | State Senate District 12
Cell: 808-255-6663
Email: junshinbusiness729@gmail.com

SB-3339

Submitted on: 2/4/2024 2:23:29 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Kyle K Kajihiro	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, the Sierra Club of Hawai‘i, and/or other appropriate entities with expertise in military environmental restoration, such as the Protect Kaho‘olawe ‘Ohana, Hawai‘i Peace and Justice, EarthJustice, Life of the Land, and Mālama Mākua, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

SB-3339

Submitted on: 2/4/2024 7:20:57 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Madolin Wells	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

These measures show continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility - great! **However, I strongly urge you to amend these measures by:**

1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only **risks jurisdictional confusion** and could **lead to finger-pointing rather than problem-solving**, as we have seen in other instances including throughout the Red Hill crisis;

2) Appropriately staffing this entity with individuals who have the **requisite relevant expertise** (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully **hold the Navy accountable** and realize the WAI Report’s vision; and

3) **Ensuring that this entity is adequately insulated from the military’s political influence over Hawai’i’s executive and legislative branches**, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai’i Water Resources Research Center, and the Sierra Club of Hawai’i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui loa.

SB-3339

Submitted on: 2/4/2024 12:50:07 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Sanae Hartmann	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Ichiyama, Chair Lowen, Vice Chair Poepoe, and Vice Chair Cochran,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** HB2960 and HB2961.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify.

LATE

SB-3339

Submitted on: 2/4/2024 2:59:24 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Gorman-Chang	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for giving me the opportunity for me to provide testimony in **SUPPORT WITH AMENDMENTS** of SB3338 and SB3339.

I am grateful to see your continued commitment to pursue the full remediation of our ‘aina and wai, which was so negligently contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** So any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo for your ongoing commitment to this issue, and for the opportunity to submit this written testimony.

Susan Gorman-Chang

LATE

SB-3339

Submitted on: 2/4/2024 3:27:30 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Aree Worawongwasu	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify,

Aree Worawongwasu, Ph.D. student, Universtiy of Hawai'i at Mānoa.

LATE

SB-3339

Submitted on: 2/4/2024 5:49:14 PM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jamie Simic	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to SUPPORT WITH AMENDMENTS SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy's Red Hill Bulk Fuel Storage Facility. However, I strongly urge you to amend these measures by:

1) Creating a single entity to work on the implementation of the Red Hill WAI Report's goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;

2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report's vision; and

3) Ensuring that this entity is adequately insulated from the military's political influence over Hawai'i's executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our 'āina and wai. As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.

Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our 'āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to PASS these measures with the critical AMENDMENTS listed above.

Mahalo nui for the opportunity to testify.

I have just missed the cut of for testimony and would still love to testify via zoom

LATE

SB-3339

Submitted on: 2/5/2024 6:14:36 AM
Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. Creating two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Thank you for your consideration,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

SB-3339

Submitted on: 2/5/2024 9:17:44 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Dyson Chee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui for the opportunity to testify,

Dyson Chee

LATE

SB-3339

Submitted on: 2/5/2024 9:27:23 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

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

Comments:

Hello Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

I'm writing in SUPPORT WITH AMENDMENTS SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy’s Red Hill Bulk Fuel Storage Facility. However, I strongly urge you to amend these measures by:

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report’s goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report’s vision; and
- 3) Ensuring that this entity is adequately insulated from the military’s political influence over Hawai‘i’s executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our ‘āina and wai. As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek. Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our ‘āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai‘i Water Resources Research Center, and the Sierra Club of Hawai‘i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to PASS these measures with the critical AMENDMENTS listed above.

me ke aloha ‘āina,

Nanea Lo, Mō'ili'ili, O'ahu

LATE

SB-3339

Submitted on: 2/5/2024 9:56:19 AM

Testimony for WTL on 2/5/2024 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Sierra Dew	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Chair Gabbard, Vice Chair Elefante, and Vice Chair Richards,

Mahalo for the opportunity to **SUPPORT WITH AMENDMENTS** SB3338 and SB3339.

I appreciate that these measures reflect a continued commitment to pursue the full remediation of our lands and waters contaminated by the Navy's Red Hill Bulk Fuel Storage Facility. **However, I strongly urge you to amend these measures by:**

- 1) Creating a single entity to work on the implementation of the Red Hill WAI Report's goals, including through continuous public education and engagement. The proposed creation of two separate entities with overlapping roles only risks jurisdictional confusion and could lead to finger-pointing rather than problem-solving, as we have seen in other instances including throughout the Red Hill crisis;
- 2) Appropriately staffing this entity with individuals who have the requisite relevant expertise (in public relations, grant writing, remediation technology, community organizing, etc.) to meaningfully hold the Navy accountable and realize the WAI Report's vision; and
- 3) Ensuring that this entity is adequately insulated from the military's political influence over Hawai'i's executive and legislative branches, which led to the governmental inaction that contributed to the poisoning of our 'āina and wai. **As it will take decades to fully remediate the contamination from the Red Hill facility, failing to do so will inevitably allow the Navy to exert its influence to excuse its inactions and ultimately evade the accountability these measures seek.** Accordingly, any remediation entity should be governed by a board where the majority of its members are appointed by appropriately independent organizations with a vested interest in the integrity of our 'āina and wai. For example, the Honolulu Board of Water Supply, the Association of Hawaiian Civic Clubs, the Office of Hawaiian Affairs, the University of Hawai'i Water Resources Research Center, and the Sierra Club of Hawai'i, and/or other appropriate entities, could and should be allowed to designate members of this board.

Accordingly, I respectfully but strongly urge you to **PASS** these measures with the critical **AMENDMENTS** listed above.

Mahalo nui,

Sierra Dew