

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

Testimony COMMENTING on HB0969 HD1
RELATING TO WASTE OR DISPOSAL FACILITIES.

REPRESENTATIVE MARK J. HASHEM, CHAIR
HOUSE COMMITTEE ON WATER AND LAND

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

February 11, 2025; 10:00 AM; Conference Room: 411

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health (Department) offers the following comments.

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

5 This measure proposes to prohibit the construction, modification, or expansion of a
6 waste or disposal facility including a municipal solid waste or construction demolition waste
7 landfill unit or component from land that is above a significant aquifer.

8 The Department believes that depending on the criteria applied, any aquifer may be
9 considered as significant. The Department must be given a criteria to apply to this
10 determination.

11 Based on testimony presented for HB0969, the Department notes that there are many
12 interpretations of "significant" among the testifiers, some assuming that it applied to
13 freshwater aquifers with potential as a drinking water source. The Department notes that the
14 Honolulu Board of Water Supply has proposed to use the saline aquifer beneath James

1 Campbell Industrial Park to install an extraction well for desalination and treatment for use as
2 drinking water. Thus, we respectfully ask the Legislature to define the term “significant” in the
3 measure.

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

9 Properly designed landfills are still required as part of our overall waste management
10 system to manage our waste and protect public health. Landfills are necessary because they
11 provide a designated, controlled area for solid waste that cannot be recycled, helping to
12 prevent environmental contamination and protect public health. Without them, the counties
13 will be forced to find more costly alternatives for waste management, including off-island
14 shipment. The City and County of Honolulu has already tried this, and even after constructing a
15 facility to bale and wrap the waste, a federal agency withdrew its permit due to public
16 opposition from the receiving community, and Honolulu now manages its own waste on island.

17 The inability to accommodate responsible management of solid waste in Hawai’i could
18 lead to a rise in illegal dumping which will compromise the environment and public health that
19 this measure seeks to protect. Several studies have corroborated the relationship between a
20 decrease in waste management facilities and an increase in illegal dumping. Illegal dumping
21 may also have a disproportional impact to underserved communities.

22 **Offered Amendments:** None.

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

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

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February 11, 2025

The Honorable Mark J. Hashem, Chair
and Members
Committee on Water and Land
House of Representatives
Hawai'i State Capitol, Room 325
Honolulu, Hawai'i 96813

The Honorable Nicole Lowen, Chair
and Members
Committee on Energy and Environmental Protection
House of Representatives
Hawai'i State Capitol, Room 411
Honolulu, Hawai'i 96813

Dear Chair Hashem, Chair Lowen and Members:

Subject: House Bill 969, HD1: Relating to Waste or Disposal Facilities

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

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

In Article VII of the Revised Charter of the City and County of Honolulu ("City") 1973 (Revised 2017 Edition), as amended, Section 7-105(j)(2) states the BWS shall "prescribe and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of the charter, including the prevention of waste and

The Honorable Mark J. Hashem, Chair
The Honorable Nicole Lowen, Chair
and Members
February 11, 2025
Page 2

pollution of water.” Thus, in 1982, the BWS Board adopted Resolution No. 502, amending its Rules and Regulations by defining and establishing a “No Pass Zone” and outlined an appeals procedure from decisions of the BWS Manager. The No Pass Zone was established to protect O’ahu’s drinking water from underground sources of contamination and there is a compelling basis upon which to expect that a landfill situated over the aquifer may impact the quality and/or quantity of the water resources used or expected to be used as drinking water.

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

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

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

Very truly yours,



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

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

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ROGER BABCOCK, JR., Ph.D., P.E.
DIRECTOR
PO'O

MICHAEL O'KEEFE
DEPUTY DIRECTOR
HOPE PO'O

IN REPLY REFER TO:
WAS 25-23

February 10, 2025

The Honorable Mark J. Hashem, Chair
The Honorable Rachele F. Lamosao, Vice Chair
and Members of the Committee on Water & Land
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Hashem and Vice Chair Lamosao:

SUBJECT: House Bill 969, HD 1 - Relating to Waste or Disposal Facilities

The City and County of Honolulu's (City) Department of Environmental Services (ENV) submits the following comments on HB 969, HD 1, Relating to Waste or Disposal Facilities.

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

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

The Honorable Mark J. Hashem, Chair
The Honorable Rachele F. Lamosao, Vice Chair
and Members of the Committee on Water & Land
February 10, 2025
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It is important to note that if HB 969, HD 1 were to become law and locating a landfill above an aquifer were legally prohibited, given the restrictions imposed by Act 73, other state and federal laws, decisions and orders and permits, the City and ENV would be left with no legally permissible and feasible options to site a landfill on O'ahu without further action to change existing legal limitations on siting an alternative landfill to WGSL outside the aquifer.

If HB 969, HD 1 were to become law, the state could amend Act 73 to reduce or eliminate several of its restrictions in order to make potential landfill sites available. Alternatively, if HB 969, HD 1 were to become law and Act 73 was not amended, the City would have no choice but to pursue a legally prohibited expansion at WGSL.

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

Sincerely,

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



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 EMPOWERING THE PACIFIC

THIRTY-THIRD LEGISLATURE, 2025, House Committee on Water and Land

HEARING DATE: Tuesday, February 11, 2025

TIME: 10:00 a.m.

PLACE: Committee Room 411

RE: House Bill 969, HD1 Related to Waste or Disposal Facilities- IN STRONG SUPPORT

Aloha Honorable Chair Hashem, Vice-Chair Lamosao, and Committee Members;

The International Brotherhood of Electrical Workers Local 1260 (IBEW 1260) would like to offer the following testimony in STRONG SUPPORT of House Bill 969, HD1.

IBEW 1260, is comprised of approximately 3,000 members throughout Hawaii and Guam and consists of a diverse and highly-skilled workforce that supports the electric utility infrastructure across our state as well as government service contracts and broadcasting. It's our duty to serve and to protect the well-being of our members, but beyond that, it is incumbent upon all of us to serve and protect the well-being of our island home.

HB969, HD1 prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

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

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

Mahalo for this opportunity to testify on this measure.

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

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



Date: February 9th, 2025

To: Chair Tarnas, Vice Chair Kahaloa, and Members of the House Water and Land Committee
From: Hawai'i Environmental Change Agents (HECA) - Solid Waste Reduction Task Force
Re: HB 969 - Relating to Waste Management

Chair Tarnas, Vice Chair Kahaloa, and Members of the Committee,

Hawai'i Environmental Change Agents (HECA) - Solid Waste Reduction Task Force

respectfully submits comments on HB 969 and requests that the bill be amended to include the language from SB 538, which would prohibit the use of toxic incinerator ash in roadbuilding, construction, or as alternative daily cover at landfills.

Proposed Amendment

We respectfully request that the following language be added under **§342H-52**

Prohibitions; buffer zones:

(d) No person shall utilize in roadbuilding, other construction, or as alternative daily cover material on a landfill, fly ash, bottom ash, or combined fly and bottom ash from a municipal waste combustor, including any ash residue that remains after removal of metals for recycling into new metal products. Such material shall be disposed of only in a lined municipal solid waste or hazardous waste landfill.

Rationale for the Amendment

- **Aligning with SB 538:** To ensure consistency in Hawai'i's waste management policies, HB 969 should include the same critical protections outlined in SB 538.
- **EPA Warnings on Incinerator Ash:** In December 2024, the U.S. Environmental Protection Agency (EPA) acknowledged that incinerator ash, even when testing "non-hazardous," can pose health risks through inhalation, ingestion, or direct contact.
- **Failed Attempts Elsewhere:** Similar projects using incinerator ash in roads have failed in Pennsylvania, Tennessee, and Maine due to health and safety concerns.
- **Public and Worker Safety:** Ash used in roads or as landfill cover can become airborne, exposing road workers and the public to toxic contaminants over time.

We appreciate the committee's consideration and strongly encourage the inclusion of this amendment to better protect public health and the environment.

Thank you for the opportunity to testify.

A handwritten signature in black ink, appearing to read "J. Navarra". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

~HECA Solid Waste Reduction Task Force
Jennifer Navarra



SIERRA CLUB OF HAWAI'I

HOUSE COMMITTEE ON WATER & LAND

February 11, 2025

10:00 AM

Conference Room 325

In **SUPPORT** of **HB969 HD1**: RELATING TO WASTE OR DISPOSAL FACILITIES

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

On behalf of our over 20,000 members and supporters, the Sierra Club **STRONGLY SUPPORTS** HB969 HD1, which will help to keep us from failing our kuleana to safeguard our precious and limited drinking water sources from irreparable contamination.

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

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

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

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



SIERRA CLUB OF HAWAI‘I

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

As a final note, with respect to the situation on O‘ahu, the Sierra Club emphasizes that there are other potential siting options, with and without legislative action, for a new landfill that would not burden West O‘ahu with the intergenerational harms associated with Waimānalo Gulch and the PVT Integrated Solid Waste Management Facility. These options could include petitioning the Land Use Commission to redistrict potential sites, such as golf courses, that were not considered by the Landfill Advisory Committee due to their location in the conservation district. Alternatively, prevailing upon the U.S. Navy to reconsider its decision to deny the City the use of its lands – especially given the Navy’s culpability in creating the ongoing Red Hill water crisis – could also provide another option. These and other potential remedies merit further exploration, given the existential impacts that would arise from the City’s currently proposed landfill site.

With the ongoing Red Hill water crisis still unfolding, we must remember the importance of protecting our remaining clean water sources throughout the islands, if we wish to do right by our children, grandchildren, and all future generations. As our climate continues to destabilize and water and other natural resources become ever more scarce, we have a heightened kuleana to safeguard what resources we still have, so that we can give our islands’ future residents and communities the best chance at a hopeful existence. HB969 HD1 is one step to ensuring that we do not fail in this existential duty.

Accordingly, the Sierra Club urges the Committee to **PASS** HB969 HD1. Mahalo nui for the opportunity to testify.



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February 11, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND

TESTIMONY ON HB 969, HD1
RELATING TO WASTE OR DISPOSAL FACILITIES

Conference Room 411 & Videoconference
10:00 AM

Aloha Chair Hashem, Vice-Chair Lamosao, and Members of the Committee:

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

The Hawai'i Farm Bureau supports HB 969, HD1, which prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

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

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

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

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



Mike Biechler
Chair
North Shore Law Offices

Carol Philips
Vice-Chair
North Shore Surf Girls

Marcia Murphy
Treasurer
Pacific One Mortgage

Bill Ward
Recording Secretary
Corcoran Properties

Lamont Brown
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Maya's Tapas and Wine

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Island X Hawai'i

Thomas Naylor
Director
Ke Nui Kitchen

Mary Wood
Director
Resident

Michael Sweetman
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Teresa Berthiaume
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Marsha Taylor
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Testimony in Strong Support of HB969
Relating to the Protection of Hawai'i's Aquifers

Committee on Water & Land
Hawai'i State Legislature - State Capitol
10:00 AM, Tuesday February 11, 2025 RM 411

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the Committee:

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

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

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

2. Fulfilling Our Kuleana to Future Generations

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

3. Critical Threats to Aquifer Sustainability

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

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



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Community Outreach
Coordinator

4. Economic and Cultural Ramifications

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

5. Why HB969 Matters

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

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

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

Respectfully submitted,

Carol Philips
VP, North Shore Chamber of Commerce

Comments before
February 11, 2025
House Committee on Water and Land

**COMMENTS ON
House Bill 969**

Relating to Landfill Siting

Mike Ewall, Esq.
Founder & Director
Energy Justice Network
215-436-9511
mike@energyjustice.net
www.EnergyJustice.net

Aloha Honorable Committee members. Energy Justice Network is a national organization supporting grassroots groups working to transition their communities from polluting and harmful energy and waste management practices to clean energy and zero waste solutions. In Hawai'i, we've been working with residents who first sought our support in 2015. Since mid-2022, we have supported residents in forming the Hawai'i Clean Power Task Force and Kōkua nā 'Āina to address numerous energy and waste issues in the state.

We urge you to **amend HB 969** by inserting the following language on Page 2, Line 16, under §342H-52 Prohibitions; buffer zones.

(d) No person shall utilize in road building, other construction, or as alternative daily cover material on a landfill, fly ash, bottom ash, or combined fly and bottom ash from a municipal waste combustor, including any ash residue that remains after removal of metals for recycling into new metal products. Such material shall be disposed of only in a double lined and duly licensed municipal solid waste or hazardous waste landfill.

The need for this language is spelled out starting on page 4. First, on this bill generally:

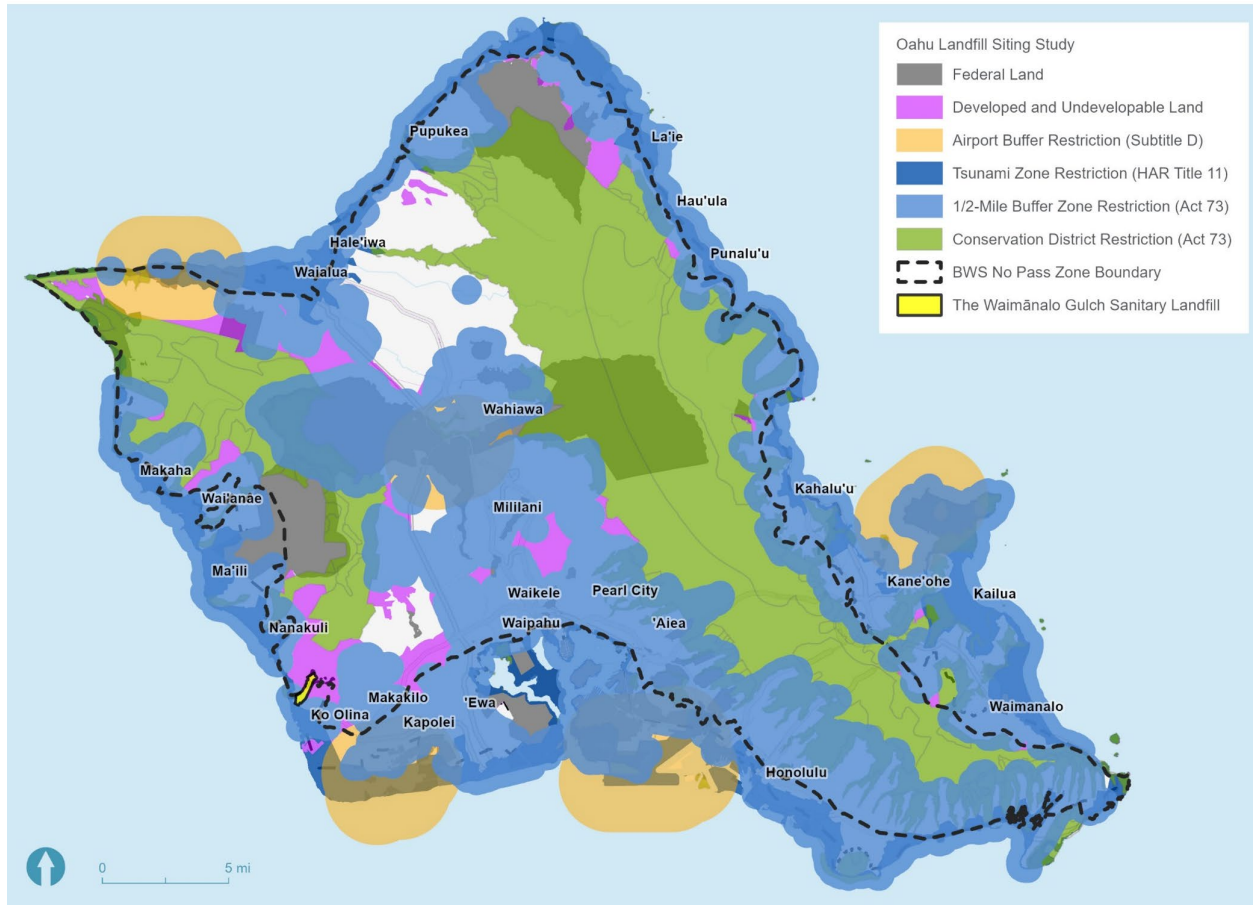
This, and other bills aiming to reopen Act 73 of 2020, aim to impact the effort to site a new landfill on O'ahu. Waimanalo Gulch Landfill is supposed to close by 3/2/2028, although EPA data shows that it has many more years of capacity remaining... enough for it to last until somewhere between 2032 and 2060 depending on waste generation and composition.

The siting effort for a new landfill was supposed to be completed by the end of 2022, but was delayed for two years after not being able to find suitable land other than over the aquifer. After a failed effort to secure federal land, the City and County of Honolulu returned to one of their original proposed locations – over the aquifer – and now claims that modern double-lined landfills never leak, which is not supported by the track record of landfills across the country.

The Honolulu Board of Water Supply has testified in opposition to siting a new landfill over the aquifer out of concern for the fact that all landfills eventually leak, as has been affirmed multiple times over the years by the U.S. Environmental Protection Agency. They recommend that any new landfill be on the outside of the “no pass zone” boundary, over the caprock, which protects the aquifer from contamination.

As is evident on the map on the next page, there is no area outside of this “no pass zone” where there is land to build a landfill because the half-mile buffer zone in Act 73 already eliminates that

entire area. To enable Waimanalo Gulch Landfill to be replaced with a landfill that is not sited over the aquifer, the half-mile buffer zone would have to be reduced.



Furthermore, there are some important considerations for a landfill no matter where is it sited, in order to have the safest possible landfill:

1. Reduce toxicity by ending incineration

There are two things that make landfills particularly harmful: toxicity (from leachate and landfill gas releases) and climate impacts from gas generation. The toxicity is made far worse when burning waste and landfilling ash. The proposed landfill on O’ahu is primarily for the toxic ash from the H-POWER trash incinerator.¹ The landfill will be far less dangerous if trash is placed there without burning it first, which makes it more possible for toxic chemicals in waste to get out and to

¹ As multiple life cycle assessments have demonstrated, burning trash and landfilling ash is 2-3 times more harmful than directly landfilling trash without burning first. See <https://www.energyjustice.net/files/incineration/LCA.pdf> for summary slides from two studies of this sort on incinerators run by the same company operating H-POWER. A study conducted for Hawai’i County in 2023 demonstrated the same when looking at the health and environmental costs of landfilling paper and plastics on Hawai’i Island vs. burning them at H-POWER on O’ahu vs. shipping them to Asia or North America for recycling. It turned out that incineration was the worst impact by far, while landfilling was less harmful, and recycling was a major benefit. See: <https://drive.google.com/file/d/1tdhufZvfYXM64OnU7Z9Bdfts-xoptaq/view>

blow off of trucks and off of the top of the landfill (especially when ash is used as daily cover material). The City and County of Honolulu is pursuing an even more dangerous plan – to take this toxic ash and build roads with it, which would essentially be linear unlined landfills all over the island, exposing people (and the aquifer) much more than placing the ash in one place in a double-lined landfill. The H-POWER trash incinerator will not last forever, and the older two burners (that are missing two of the four air pollution control systems that most incinerators have) are now 35 years old and should be retired in the next five years. No community has chosen to bear the incredible cost of building a new incinerator in over a decade, and many communities have abandoned such pursuits after finding it politically and financially impossible. The City and County of Honolulu must plan for a future without trash incineration, and invest in Zero Waste solutions that rely on landfilling residuals in the most responsible way possible, which means not burning waste first.

2. Reduce gasses, odors and leakage by source separating clean organic materials (food scraps and yard waste) to compost it and build soils

The other main impact of landfills is from organic materials breaking down and forming leachate and landfill gas (and odors that go with it). Much of this can be avoided with a robust composting system that accepts food scraps as well as yard waste for curbside collection with economic incentives and proper education and enforcement.

3. Stabilize the organic fraction of trash with digestion before landfilling, so you'll have a small, safer landfill

For the dirty organic materials like sewage sludge and the organic fraction of municipal solid waste (including the food scraps that should have been source separated for composting), these materials should be digested to stabilize them before landfilling so that the methane generating potential is removed, and the gases are produced in an enclosed system where they're easier to capture than in an open air landfill system. This is discussed in the report by EcoCycle on what to do with the "leftovers" on the path to Zero Waste: <https://ecocycle.org/resources/report-zero-waste-system-leftovers/>

4. Do not use landfill gas for energy (minimize gas formation, maximize collection)

Contrary to popular understanding, it's actually not beneficial to use landfills as energy facilities by burning captured gas for energy. This is because such projects generally involve deliberately generating more gas and manipulating the landfill in ways that are designed to increase the proportion of methane in the gas, though these manipulations tend to cause more gas to escape, which makes climate and community health impacts worse. There are strategies to best manage landfills by minimizing gas formation and maximizing collection which are discussed in the back end of the Zero Waste Hierarchy described on these pages: <https://www.energyjustice.net/zerowaste/hierarchy> and <https://www.zwia.org/zwh>.

Why incinerator ash that is unsafe in a double-lined landfill over an aquifer is even more dangerous used in construction or road-building over the aquifer with no liner system

The City and County of Honolulu (“city”) is pursuing permits to build a facility near the H-POWER trash incinerator in Campbell Industrial Park in Kapolei. This facility would be owned by the city and operated by Reworld (formerly Covanta) – the same owner/operator relationship that they have for the H-POWER incinerator.

This facility would pull metals out of the incinerator’s ash for recycling, then use the remaining ash to build roads or for other construction purposes. This is unproven and unsafe, and would be a greater threat to human health, the aquifer and the environment in general than simply placing this ash in a double-lined landfill.

The landfill currently proposed for Wahiawa is primarily for the toxic ash from H-POWER’s trash incinerator. The concern driving this and other bills is that a new double-lined landfill will eventually leak and poison the aquifer. The U.S. Environmental Protection Agency has stated multiple times over the years that all landfills eventually leak. Concern over the aquifer is well-warranted.

The plan to use ash to build roads all over the island is even more concerning. Doing so will turn roads into linear unlined landfills with no groundwater protection that can pollute the aquifer from many directions. It will also expose road workers, everyone who drives over the roads, and all who lives near roads where the road surface will erode over time, releasing tiny particles with toxic metals, dioxins, and other harmful chemicals.

Due to these concerns, the Democratic Party of Hawai’i adopted resolution 2024-11 (attached) opposing the use of ash in roads unless it can be “remediated” so that toxic chemicals are removed to the point where they are not detectable. Such remediation technology does not exist, and were it possible, it would not be affordable, and is not what is being proposed by the city.

The facility that the city is using as a model is located in Bucks County, Pennsylvania. That plant, owned and operated by Reworld (Covanta) removes metals from trash incinerator ash, and used provide the remaining ash to a nearby asphalt company to use in roads. They stopped doing this in September 2022 and were going to restart in 2023, but never did. That project apparently failed, and ash is now going back to landfills, anyway. Similar projects failed in Tennessee, Maine, and York County, Pennsylvania. Making roads out of incinerator ash is dangerous and unproven.

In December 2024, the U.S. Environmental Protection Agency admitted on their [website](#) that incinerator ash, even if it tests legally “non-hazardous” based on tests that only look at what leaches out of ash, can still be harmful if people are exposed in other ways, including inhalation, ingestion, or touching it. Ash can blow off of trucks, blow off of the top of landfills when used as alternative daily cover at a landfill, and would be handled by road workers. Roads will also erode over time with tiny toxic particles exposing people.

EPA's statement says:

6. What risks are associated with management, disposal or reuse of MSW incinerator ash?

If MSW combustor ash exceeds the toxicity characteristic regulatory limit at Title 40 of the Code of Federal Regulations Section 261.24 using the Toxicity Characteristic Leaching Procedure (TCLP), it is identified as a hazardous waste due to the risks it poses to groundwater contamination under a worst-case mismanagement scenario. Non-hazardous MSW combustor ash may still present potential risks via other pathways, such as through inhalation, ingestion, or dermal (skin) contact. These risks should also be considered during transport, disposal and/or beneficial reuse of the ash as a non-hazardous secondary material.

Communities are being told that municipal solid waste incinerator ash is “non-toxic” and “[inert](#)” as a means to dismiss concerns about toxicity of ash. This is a misinterpretation of the results of the Toxicity Characteristic Leaching Procedure (TCLP) test that is used to determine whether ash is legally hazardous. EPA's statement now makes that clear. Incinerator ash was never “non-toxic” or biologically inert.

In a 2/23/2022 meeting we had with key staff at the U.S. Environmental Protection Agency's Office of Land and Emergency Management (the office that handles solid waste), EPA staff confirmed that the TCLP test is based solely on what leaches out of ash, not on exposure pathways involving inhalation or ingestion. This is a concern because there are exposure pathways not being considered. Incinerator workers are the first to be exposed. I've toured incinerators where you can write your name in the layer of ash dust that has settled and built up on the floor, yet workers are not wearing respiratory protection. There are anecdotes from communities where ash has blown off of trucks. When ash is dumped from trucks on the surface of landfills, there can be clouds of ash dust blowing away during that activity, which has been video documented by workers in one case I've seen. Incinerator ash is typically used as alternative daily cover material at landfills, which risks ash blowing into communities.² There are several examples of this that we're aware of. One – at the City of Baltimore's Quarantine Road Landfill – was noticed by the Maryland Department of the Environment and the city was ordered in 2010 to stop the practice since ash was blowing off-site (we believe that they have continued the practice). See the bottom of page 2 in this [memo](#). Off-site wind-blown ash has also been documented at an ash monofill in New England. Some landfills, like Old Dominion Landfill in Monroe (Henrico County), VA, use ash to build internal roads in landfills where trucks drive over the ash and can kick it up and track it off-site. The potentials for inhalation and ingestion are significant.

² Historically, landfills are required to use soil as daily cover at the end of each day to prevent waste blowing into communities at night. However, the industry has learned that they can save money by not paying to fill their air space with clean soil, and *make* money taking waste in place of soil. The practice of using waste as “alternative daily cover material” (ADCM) has become commonplace, even though it can involve exposing the community to wind-blown incinerator ash or other wastes permitted to be used as ADCM. There are numerous cases of incinerator ash blowing off of landfills when ash is used as cover material for itself.

Incinerator ash used to be considered to be categorically non-hazardous by EPA until a May 1994 Supreme Court decision that required that, if ash tests hazardous, it must be regulated as hazardous waste. Testing with the EP Tox test used to find fly ash hazardous 91% percent of the time based on lead and 97% of the time based on cadmium; bottom ash 36% of the time based on lead and 2% of the time based on cadmium; and combined ash 40% of the time based on lead and 14% of the time based on cadmium. Find more on the legal history [here](#), as well as additional history of the Supreme Court ruling, testing changes, the above results, and how EPA's TCLP test was chemically designed to prevent a hazardous waste designation [here](#).

In the wake of the Supreme Court ruling, EPA changed the test method to TCLP, where the testing now takes place at a higher pH where ash doesn't test hazardous. The mixing of fly and bottom ash prior to testing also enables the industry to dilute the toxicity of the fly ash while the lime in fly ash where lime scrubbers are used helps protect the bottom ash by increasing the pH. Lead and cadmium have U-shaped solubility curves where they'll leach at a high or low pH, but not in the range where the test is done. In long-term landfill conditions, changing pH can cause ash to leach lead, cadmium, arsenic, and probably other toxic chemicals. A [2004 study](#) found that TCLP fails to simulate landfill conditions and underestimates arsenic leaching from ash, stating "[u]p to tenfold greater arsenic concentration is extracted by an actual landfill leachate than by the TCLP."

Municipal waste combustor ash passing a TCLP test does not mean that ash is non-toxic or biologically inert. The test is based solely on the content of liquids that leach out of ash at a certain pH during an 18-hour laboratory test. A TCLP determination of whether ash must be handled as hazardous waste does not account for exposures via inhalation, ingestion, or dermal (skin) contact. These exposures are possible if ash blows off of trucks during transportation, blows into the air when dumped at a landfill, blows off of the surface of a landfill (which is more possible where ash is used as daily cover material), is kicked up by trucks where ash is used to make internal roads in a landfill, or where workers handle ash to recycle it into roads or other reuse applications where it can erode or leach over time outside of a lined landfill.

Democratic Party of Hawai'i Resolution Adopted May 18, 2024

2024-11: Supporting Safe Management of Incinerator Ash

Whereas, Waste incineration facilities reduce every 100 tons of trash to about 30 tons of ash; and

Whereas, H-POWER—Hawai'i's only trash incinerator—operates in O'ahu's Campbell Industrial Park and burns up to 2,600 tons of waste per day, making it one of the nation's largest waste incinerators, with its ash currently dumped in the Waimanalo Gulch Landfill in Honokai Hale; and

Whereas, While fly ash from trash incinerators is regulated as hazardous waste in several other nations, the U.S. Environmental Protection Agency (EPA) used to categorically define incinerator ash as non-hazardous, even though tests showed that fly ash qualified as hazardous over 90% of the time and even though bottom ash would test hazardous 36% of the time due to leaching of toxic lead or cadmium; and

Whereas, Since a 1994 U.S. Supreme Court ruling that incinerator ash must be handled as hazardous waste if it tests hazardous, the EPA changed the test, allowed mixing of fly and bottom ashes, and changed the test methods to enable incinerator ash to pass the test; and

Whereas, EPA staff admit that the ash testing regulations (which require testing only for what leaches out of incinerator ash at a certain pH in short-term lab tests) are based solely on whether people will be exposed by consuming water that has passed through ash and leached into groundwater and, ultimately, to drinking water supplies—and that ash testing regulations are not based on exposures from touching incinerator ash, or inhaling or ingesting ash particles; and

Whereas, Testing “non-hazardous” does not mean that ash is safe, “non-toxic” or biologically “inert”; and

Whereas, Incinerator ash is typically handled by workers with no respiratory protection, trucked to a landfill in trucks where some ash can blow or spill during transit, dumped from trucks where ash dust usually rises in a cloud that wind can carry, and is finally used as daily cover material for itself, instead of a tarp or clean soil to prevent wind from blowing ash into the community; and

Whereas, The City & County of Honolulu (the city) is currently working with Covanta to develop an ash “recycling” facility at Campbell Industrial Park, where incinerator ash would be exempted from being handled as waste, and would be used to build roads or for other purposes that can put workers, the public, and the environment in more contact with incinerator ash than would occur if it were properly contained and responsibly landfilled; and

Whereas, Roads and other construction materials do not last forever, and will erode and eventually be broken up, releasing more ash particles with no cautionary warnings about toxicity or special handling appropriate for material containing fine particles of highly toxic dioxins and furans, and toxic metals like arsenic, cadmium, chromium, lead and mercury; therefore be it

Resolved, That the Democratic Party of Hawai'i urges the Hawai'i State Department of Health and the city to: 1) Appropriately handle the incinerator ash (a type of “solid waste” as per HRS Section 342H-30) only through proper containment in a landfill, unless the ash is remediated to such a level that it does not pose a risk to public health and safety by first treating the ash to remove dioxins/furans, PFAS, mercury and other toxic contaminants to the point where the remaining ash has no detectable levels of the toxic chemicals, for which there is no known safe dose; 2) Ensure that trucking and landfilling uses secure tarps to prevent ash from being blown by wind into the community; and 3) Cease all activities in pursuit of any effort to “recycle” or “reuse” H-POWER incinerator ash unless it is properly remediated as described above; and be it

Ordered, That copies of this resolution shall be transmitted to the offices of the Governor and Lieutenant Governor of the State of Hawai'i, the Director of the Hawai'i State Department of Health, all members of the Hawai'i State Legislature and Honolulu City Council who are Democrats, the Mayor of the City & County of Honolulu, and the Director of the Honolulu Department of Environmental Services.



Environmental Caucus of The Democratic Party of Hawai'i

January 28, 2025

Testimony in Support of HB969: Relating to Waste or Disposal Facilities

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee on Energy and Environmental Protection,

We, Melodie Aduja and Alan Burdick, are testifying on behalf of the Environmental Caucus of the Democratic Party of Hawaii in strong support of HB969, which aims to prohibit the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

Key Points of Support:

- 1. Protecting Water Resources:** HB969 is crucial for safeguarding Hawaii's precious water resources. Significant aquifers are vital for providing clean drinking water to our communities. By prohibiting waste or disposal facilities near these aquifers, we can prevent contamination and ensure the long-term sustainability of our water supply.
- 2. Environmental Protection:** The bill will help protect Hawaii's unique ecosystems and natural habitats from the harmful effects of waste disposal. Contaminants from waste facilities can leach into the soil and water, posing a threat to wildlife and plant species. HB969 will mitigate these risks and promote environmental conservation.
- 3. Public Health:** Ensuring that waste or disposal facilities are not located near significant aquifers is essential for protecting public health. Contaminated water sources can lead to serious health issues, including waterborne diseases and long-term health problems. This bill will help prevent such risks and promote the well-being of Hawaii's residents.
- 4. Sustainable Development:** HB969 aligns with Hawaii's commitment to sustainable development and responsible land use. By carefully regulating the location of waste facilities, we can balance the needs of development with the imperative to protect our natural resources and public health.
- 5. Community Support:** The bill reflects the concerns and priorities of Hawaii's communities, who have consistently advocated for stronger protections for their water resources. Passing HB969 will demonstrate the legislature's commitment to listening to and addressing the needs of its constituents.

In conclusion, the Environmental Caucus of the Democratic Party of Hawaii strongly supports HB969 and urges the committee to pass this important legislation. By prohibiting waste or

disposal facilities near significant aquifers, we can ensure a cleaner, healthier, and more sustainable future for Hawaii.

Mahalo for the opportunity to testify in support of this critical bill.

Sincerely,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Hawaii

HB-969-HD-1

Submitted on: 2/10/2025 11:57:05 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Hawai'i Reef and Ocean Coalition **Strongly Supports** to protect our drinking water! Please pass this bill!



Hawaii Legislative Council Members

Joell Edwards
Wainiha Country Market
Hanalei

Russell Ruderman
Island Naturals
Hilo/Kona

Dr. Andrew Johnson
Niko Niko
Family Dentistry
Honolulu

Robert H. Pahia
Hawaii Taro Farm
Wailuku

Maile Meyer
Na Mea Hawaii
Honolulu

Tina Wildberger
Kihei Ice
Kihei

L. Malu Shizue Miki
Abundant Life
Natural Foods
Hilo

Tanya Aynessazian
Principal Contractor

Chamber of
Sustainable Commerce
808.445.7606
P.O. Box 22394
Honolulu, HI 96823

Rep. Mark J. Hashem, Chair
Rep. Rachele F. Lamosao, Vice Chair
Committee on Water and Land

Rep. Nicole E. Lowen, Chair
Rep. Amy A. Perruso, Vice Chair
Committee on Energy and Environmental Protection

Tuesday, February 11, 2025
10:00 AM Conference Room 411

RE: **HB969 HD1** Restricting Waste/Disposal Facilities - **Strong support**

Dear Chair Hashem, Chair Lowen, and Members of the Committees,

The Chamber of Sustainable Commerce represents over 450 small businesses and entrepreneurs across the state that strive for a triple bottom line: people, planet and prosperity.

As small business owners who believe we can strengthen Hawaii's economy without hurting workers, consumers, communities or the environment, we urge this committee to support HB969, which prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health.

Water is essential to life. Water resources are at risk of pollution from waste disposal; for example, electronics are becoming more and more disposable. Electronic waste is harmful and difficult to process when it ends up in a landfill. Disposed electronics can leach harmful substances into the ground with can eventually end up in groundwater or other waterways through runoff. This is a public health issue.

We must protect Hawaii's precious water resources, especially significant aquifers, which are vital to providing clean drinking water for our communities. By prohibiting waste and disposal facilities near these water resources, we prevent contamination and ensure the long-term sustainability of our water supply.

A healthy population creates, and wants to perpetuate, a cleaner and more circular economy. Clean water is integral to a health citizenry. The Chamber of Sustainable Commerce urges you protect our water resources, and protect public health by voting yes on HB969..

HB-969-HD-1

Submitted on: 2/10/2025 8:49:27 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition supports HB969. The aquifers on our islands need to be protected from construction of land-fills or any other pollution producing substance. Please pass this HB and support the SB on this issue.

Mahalo for your time



February 11, 2025

TESTIMONY OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS
To the House Committees on Water & Land
AND
Energy & Environmental Protection
In Support of

HB 969 HD1 – RELATING TO WASTE OR DISPOSAL FACILITIES

Aloha Chair Hashem, Vice Chair Lamosao, Chair Lowen, Vice Chair Peruso, and members of the committees.

The Association of Hawaiian Civic Clubs **supports** HB 969 HD 1, Relating to Waste or Disposal Facilities, which would prohibit the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health. Our wai is critical to life and it is critical to protect our freshwater aquifers.

The mission of the Association of Hawaiian Civic Clubs is to effectively advocate for the educational, civic, health, cultural, economic, and social well-being of our lāhui.

The Association of Hawaiian Civic Clubs supported the prohibition of constructing landfills in conservation districts and establishment of the landfill buffer zones enacted in Act 73, Session Laws of Hawaii, 2020. HB 969 HD 1 ensures that our critical freshwater sources are protected from any pollution runoff or percolation from landfills. At the January 2025 board meeting, the Association reaffirmed its longstanding commitment to protecting wai by formally adopting the position that landfills should not be situated over aquifers and may only be placed within conservation districts in exceptional circumstances.

Founded by Prince Kūhiō in 1918, the Hawaiian Civic Club movement is the oldest Native Hawaiian community-based advocacy movement. The Association of Hawaiian Civic Clubs is a not-for-profit organization that is a confederation of 61 individual and autonomous Hawaiian Civic Clubs and 3,000 members located across Hawai‘i and across the continental United States.

We appreciate your favorable consideration of this bill.

HB-969-HD-1

Submitted on: 2/11/2025 7:45:33 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
HN Warrington	Kupuna for the Moopuna	Support	Written Testimony Only

Comments:

Kupuna for the Moopuna in **STRONG SUPPORT** of **HB969 HD1**. Mahalo.

HB-969-HD-1

Submitted on: 2/11/2025 8:43:51 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Susan RobertsEmery, I am Co-chair of the Green Party of Hawai'i. On behalf of the Green Party of Hawai'i, we **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers. We must remember Red Hill in discussing this matter and honor our limited land and water sources.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and 'āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

We urge you to **PASS HB969 HD1**.

Mahalo,

Susan RobertsEmery
Co-chair GPH
Green Party of Hawai'i
Paauilo

HB-969-HD-1

Submitted on: 2/7/2025 4:05:45 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 969 HD1 which prohibits the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer as determined by the Department of Health. Effective 7/1/3000. (HD1)

We have learned over the last years how important our island aquifers are to all of us. We have also learned that we have extremely competent people in our Board of Water, DOH and other departments who can and will determine what a "significant" aquifer would be. It is time that we listen to the experts and protect our aquifers on all islands and this bill will help us to do so.

C. Burghardt

Kou, Oahu

Testimony to the House Committee on Water and Land Supporting HB 969 HD 1

February 11, 2025

First, thank you to the Committee Chair and members for the opportunity to testify in favor of HB 969 HD 1.

Our opposition to placing the landfill on prime Dole Pineapple land over the aquifer in my home community of Wahiawa is not a NIMBY matter. Because of the geology, the landfill would actually affect Waialua and the North Shore. We are against poisoning the aquifer anywhere.

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

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

In addition, this is an area with heavy rainfall. This means that periodically the site would flood and dump huge amounts of toxic runoff, as already happened at Waimanalo Gulch.

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

We also have a responsibility to suggest an alternative.

Kalaeloa was rejected as a site because of the proximity of a lightly-used airport. However, the original legislation bans landfills near residences, schools and hospitals. It does not mention airports.

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

Mahalo for the opportunity to testify.

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

HB-969-HD-1

Submitted on: 2/9/2025 7:56:13 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
David Hunt	Individual	Oppose	Written Testimony Only

Comments:

HB 969 is unacceptable as written

Please amend the bill to include the following language under §342H-52 Prohibitions; buffer zones.

(d) No person shall utilize in roadbuilding, other construction, or as alternative daily cover material on a landfill, fly ash, bottom ash, or combined fly and bottom ash from a municipal waste combustor, including any ash residue that remains after removal of metals for recycling into new metal products. Such material shall be disposed of only in a lined municipal solid waste or hazardous waste landfill.

If incinerator ash is too dangerous to be above the aquifer in a double-lined landfill, it's too dangerous to spread all over the islands to build roads with it that have no liners to protect the land and aquifer.

Please amend this to include the language from SB 538 to protect against unsafe uses of ash.

The model plant that Honolulu is looking at is one in Bucks County, Pennsylvania where the plant was taking incinerator ash and (after pulling out metals to recycle) providing it to an asphalt company to use in roads. They stopped doing this in September 2022 and were going to restart in 2023, but never did. That project apparently FAILED, and ash is now going back to landfills, anyway. Similar projects failed in Tennessee, Maine, and York County, Pennsylvania. Making roads out of incinerator ash is dangerous and unproven.

Do not risk our health and our precious drinking water - especially based upon FAILED policy and past bad decisions that also failed.

HB-969-HD-1

Submitted on: 2/9/2025 12:55:16 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Mitsumori	Individual	Comments	Written Testimony Only

Comments:

Aloha,

Please amend this to include the language from SB 538 to protect against unsafe uses of toxic incinerator ash.

In December 2024, the U.S. Environmental Protection Agency admitted on their [website](#) that incinerator ash, even if it tests "non-hazardous" based on tests that only look at what leaches out of ash, can still be harmful if people are exposed in other ways, including inhalation, ingestion, or touching it. Ash can blow off of trucks, blow off of the top of landfills when used as daily cover at a landfill, and would be handled by road workers. Roads will also erode over time with tiny toxic particles exposing people.

Mahalo for this opportunity to submit COMMENT on HB969 HD1.

Michele Mitsumori, Hilo

HB-969-HD-1

Submitted on: 2/9/2025 4:35:15 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
fred hofer	Individual	Support	Written Testimony Only

Comments:

I, Fred Hofer, support this Bill, yet I do ask for an amendment. My concerns are that the City and County of Honolulu is pursuing building an ash "recycling" plant to take the toxic ash from the H-POWER trash incinerator and use that ash to build roads

There is a lot of controversy right now over the city's plan to eventually close the Waimanalo Gulch Landfill (they promised to close it by 3/2/2028) and to build a new landfill over the island's aquifer in Wahiawa. The landfill is for the toxic ash from H-POWER's trash incinerator in Kapolei. The concern is that a new double-lined landfill will eventually leak (they all eventually do) and poison the aquifer. WHY, then would the county use the same toxic ash and put it into roads all over the island -- and neighbor islands when they find they have too much? This would turn roads into linear unlined landfills with no groundwater protection that can pollute aquifers all over, not to mention exposing road workers and everyone who drives over or lives near roads where toxic metals and dioxins will erode over time

This bills says not to build a new landfill on agricultural land, over an aquifer, or in the aquifer "no pass zone" on O'ahu, respectively -- all generally good ideas, though by ruling out most of the island, it pushes the possible sites back to the coastal areas, likely on the Waianae Coast which has already suffered the most from landfills, the incinerator, and power plant pollution.

I do ask that the bill be amended to include the language from SB 538 which would prohibit toxic ash "recycling"

If incinerator ash is too dangerous to be above the aquifer in a double-lined landfill, it's too dangerous to spread all over the island to build roads with it that have no liners to protect the land and aquifer. Please amend this to include the language from SB 538 to protect against unsafe uses of ash.

POPOSED AMENDMENT

Please amend the bill to include the following language under §342H-52 Prohibitions; buffer zones.

(d) No person shall utilize in roadbuilding, other construction, or as alternative daily cover material on a landfill, fly ash, bottom ash, or combined fly and bottom ash from a municipal waste combustor, including any ash residue that remains after removal of metals for recycling

into new metal products. Such material shall be disposed of only in a lined municipal solid waste or hazardous waste landfills

In May 2024, the Democratic Party of Hawai'i adopted a 1-page resolution opposing the use of toxic incinerator ash in roads.

The model plant that Honolulu is looking at is one in Bucks County, Pennsylvania where the plant was taking incinerator ash and (after pulling out metals to recycle) providing it to an asphalt company to use in roads. They stopped doing this in September 2022 and were going to restart in 2023, but never did. That project apparently failed, and ash is now going back to landfills, anyway. Similar projects failed in Tennessee, Maine, and York County, Pennsylvania. Making roads out of incinerator ash is dangerous and unproven.

In December 2024, the U.S. Environmental Protection Agency admitted on their website that incinerator ash, even if it tests "non-hazardous" based on tests that only look at what leaches out of ash, can still be harmful if people are exposed in other ways, including inhalation, ingestion, or touching it. Ash can blow off of trucks, blow off of the top of landfills when used as daily cover at a landfill, and would be handled by road workers. Roads will also erode over time with tiny toxic particles exposing people.

Fred Hofer

Hilo

HB-969-HD-1

Submitted on: 2/9/2025 6:25:42 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Aloha,

Toxic ash shohldn't be recycled in our roadways, near our aquifers or anywhere else.

please include the language from [SB 538](#) which would prohibit toxic ash "recycling." this bill sets a bad precedent for the rest of our counties.

mahalo and sincerely,

janice palma-glennie

kailua-kona

HB-969-HD-1

Submitted on: 2/9/2025 6:38:22 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

I strongly support HB969 HD1 that would protect our precious and limited drinking water resources from the threat of landfills. Water is life, and the protection of our precious drinking water should always be the highest priority. Once contaminated, these water sources can be permanently damaged, posing a significant threat to public health and the environment.

With the limited options available on our island for appropriately siting a landfill, the military should be made to offer some of the lands that are currently under their control to be used for this purpose, especially considering our current drinking water crisis is the result of the Navy's negligence at Red Hill.

Last, I respectfully request an amendment be added to this measure that prohibits the reuse of municipal solid waste incinerator ash for uses such as roadbuilding, fill, or construction. While the City and County of Honolulu recently shared their interest in building an ash "recycling" plant to take the toxic ash from the H-POWER trash incinerator and use that ash to build roads, this would create a serious environmental threat. Incinerator ash is extremely hazardous, containing dioxin and heavy metals such as lead, mercury, and cadmium. The EPA has made clear that incinerator ash, even if it tests "non-hazardous" based on tests that only look at what leaches out of ash, can still be harmful if people are exposed in other ways, including inhalation, ingestion, or physical contact. In short, making roads out of incinerator ash is dangerous and should be prohibited.

I urge you to pass this important measure towards protecting our precious water and home for current and future generations.

Mahalo for the opportunity to testify.

Testimony in Support of HB969 HD1

Prohibiting Waste Facility Construction Near Significant Aquifers

Honorable Members of the Hawaii State Legislature,

I am writing to express my strong support for HB969 HD1, a bill that will prohibit the construction, modification, or expansion of any waste or disposal facility on land that is near or above a significant aquifer, as determined by the Department of Health.

Protecting Our Precious Water Resources

Water is the essence of life, and in Hawaii, our aquifers are an invaluable resource that sustains our communities, agriculture, and ecosystems. The protection of these aquifers from potential contamination is paramount to ensuring the health and well-being of current and future generations.

Aquifer Vulnerability

Significant aquifers are especially vulnerable to contamination from waste facilities due to their proximity to the surface and the porosity of the geological materials that contain them. Once contaminated, aquifers are exceedingly difficult and costly to remediate. Preventing contamination before it occurs is therefore the most effective and economical strategy to safeguard our water supply.

Public Health and Safety

Allowing waste facilities to be constructed near crucial water sources poses a direct threat to public health. Contaminants from waste disposal can leach into the groundwater, introducing hazardous substances into our drinking water. This can lead to a range of health issues, including gastrointestinal illnesses, reproductive problems, and neurological disorders. HB969 HD1 is a proactive measure to protect the health of Hawaii's residents by preventing potential hazards before they arise.

Environmental Stewardship

Hawaii is renowned for its unique and fragile ecosystems, which rely on clean and abundant water sources. Contamination of aquifers can have devastating impacts on our flora and fauna, disrupting delicate ecological balances and threatening endangered species. By enforcing the restrictions outlined in HB969 HD1, we demonstrate our

commitment to preserving Hawaii's natural heritage and ensuring the sustainability of our environment.

Economic Considerations

The economic implications of contaminated water sources are profound. Clean water is essential for agriculture, tourism, and various industries that form the backbone of Hawaii's economy. Protecting our aquifers from contamination not only safeguards public health but also supports economic stability and growth. The cost of cleaning up contaminated water supplies far exceeds the cost of implementing precautionary measures such as those prescribed in HB969 HD1.

State Health Department's Role

The Department of Health's involvement in determining the significance of aquifers adds a layer of scientific rigor and expertise to the implementation of this bill. Their assessments will ensure that the protections are applied accurately and effectively, targeting the areas that need it most.

Conclusion

In conclusion, HB969 HD1 represents a critical step in protecting our vital water resources from potential contamination. By prohibiting the construction, modification, or expansion of waste facilities near significant aquifers, we prioritize the health and safety of Hawaii's residents, preserve our natural environment, and support our economy. I urge the members of the Hawaii State Legislature to pass this bill and demonstrate their commitment to safeguarding the future of our islands.

Thank you for your consideration.

Sincerely,

Jackie Berry

Concern Resident

843-864-5213

HB-969-HD-1

Submitted on: 2/10/2025 7:09:47 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Okuma	Individual	Comments	Written Testimony Only

Comments:

If incinerator waste is so toxic to put in a landfill with liners why would anyone consider spreading the toxic waste on any of our islands by using it on roadways? It makes no sense! All of the rain would create runoff that would distribute the toxic waste into areas adjacent to roads--backyards, water ways (marine and fresh), aquifers for drinking water, and farmland. Please amend this bill to include the language from SB 538 to protect against unsafe uses of ash.

HB-969-HD-1

Submitted on: 2/10/2025 7:33:53 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nathan Brown	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee. I strongly urge your support for this bill to prohibit the construction, modification, or expansion of waste or disposal facilities near or above significant aquifers in Hawai‘i. Our islands have already witnessed the dangers and damage caused by contamination of our precious aquifers, which are vital to our communities, ecosystems, and way of life. This is not a question of *if* such facilities will harm our water resources, but *when*—history has shown that accidents and failures are inevitable. By passing this bill, we can take proactive steps to protect our water sources for future generations. Mahalo for your commitment to safeguarding Hawai‘i’s most essential resource.

HB-969-HD-1

Submitted on: 2/10/2025 8:24:40 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Talan Kochi	Individual	Support	Written Testimony Only

Comments:

Representative Hashem

Representative Lamosao

Committee on Water & Land

February 11, 2025

Support for H.B. No.969

Aloha, Representative Hashem and Members of the Committee on Water & Land, My name is Talan Kochi and I am currently a senior at Mililani High school. I am writing in strong support of H.B. No.969, which strengthens environmental protections by preventing the construction, expansion, and modification of waste or disposal facilities on land above significant aquifers.

Being born and raised in Hawai'i, I care deeply about the future of our environment and health of our communities. Water is one of the most precious resources in Hawaii, we must ensure that our aquifers remain free of contamination for generations to come. We can do this by prohibiting the expansion above these vital water sources, this bill helps protect the clean drinking water that we all rely on.

Growing up in Hawaii, I have worked and learned the importance of malama aina. Our islands are already facing challenges such as pollution, we must take proactive steps to minimize risks to our natural resources. H.B. No.969 is one of those proactive measures we can take to safeguard our water supply and keep our environment clean.

I urge you to pass this bill to ensure the long term sustainability and health of Hawaii's communities. Thank you for your time and consideration.

Mahalo,

Talan Kochi

HB-969-HD-1

Submitted on: 2/10/2025 8:32:32 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Lum	Individual	Support	Written Testimony Only

Comments:

Representative Hashem

Representative Lamosao

Committee on Water & Land

Monday, February 10, 2025

10:00AM, House conference room 325

Hawaii State Capitol

Support for HB969,

Aloha, Representative Hashem and members of the Committee on Water & Land,

My name is Dylan Lum and I am a student at Mililani High School. I am testifying in support of HB969.

I am testifying in support of House Bill 969 (HB969) which aims to improve the process of landfill siting and make sure that communities are better protected from the negative environmental and health impacts of disposal facilities. As a concerned citizen, I believe this bill is a necessary step to ensure that these facilities are not near or above a significant aquifer and are placed in responsible areas. Rep. Hashem, I know you are familiar with the environmental hazards of landfills in certain areas and the dependence of landfills in our communities. Having waste or disposal facilities near or above significant aquifers pose a serious risk of contaminating the groundwater. This bill makes sure that landfills are

places in areas that pose very little threat to the community and environment. The long term benefits far outweigh the short-term potential inconvenience some may feel implementing this change will have on the current system.

I hope you will consider passing HB969 because it is necessary to move our state towards a more balanced and sustainable way of landfill siting. Mahalo for the opportunity to testify.

Sincerely,

Dylan Lum

Mililani High School

Representative Mark J. Hashem, Chair
Representative Rachele F. Lamosao, Vice Chair
Committee on Water and Land

Tuesday, February 11th, 2025
10:00AM, House Conference Room 411 VIA Video Conference
Hawaii State Capitol

Support for HB969 - Landfill Sitting

Hello, Chair Hashem and members of the Committee on Water and Land,
My name is Lauren Takemoto and I am a student at Mililani High School writing **in support of** HB. NO. 969.

I am testifying in support of HB NO.969 which bans the construction and modification of landfills near or above any significant aquifers. Following the Red Hill water crisis in 2022, it is more clear than ever that Hawaii's water sources are not secure. Clean water is extremely important to our land, agriculture, food and the health of both our community members and ourselves. Landfills are not a permanent solution to our waste problem, and seeing as they only last between 30 to 50 years, they could start to leak harmful chemicals and byproducts into our aquifers. Passing this bill will help to avoid repeating the mistakes that we caused by building a fuel storage facility over another freshwater source that is becoming increasingly limited on our island. According to the EPA, about 93,000 people were impacted by the contaminated drinking water and some even needed to be relocated to avoid illness. (EPA 2024). Passing this bill would prevent another Red Hill from happening, and potentially preserve the status of our freshwater aquifers.

I hope that you take this testimony into consideration, as passing it will ensure the safety of our water for many years to come. It is important to keep in mind that our water not only supports humans, but also the health of the environment around us. Thank you for the opportunity to testify.

Thank you,

Lauren Takemoto
Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 9:18:55 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Haylee Jarvis	Individual	Support	Written Testimony Only

Comments:

Representative Hashem

Representative Lamosao

Committee of Water & Land

7 February, 2025

Hawaii State Capitol

Support for H.B. No.969

Aloha, Representative Hashem, Representative Lamosao, and Members of the Committee of Water & Land,

My name is Haylee Jarvis and I am a student at Mililani High School. I am testifying in support of H.B.No. 969.

I am testifying specifically in support of prohibiting construction and expansion of any waste or a disposal facility above or even near a significant aquifer in which is recognized by the Department of Health. I believe it is unnecessary, ignorant, and oblivious to construct a landfill that will spew hazardous subproducts and compounds into the soil of our land, allowing seepage to our fresh water aquifer in Wahiawa. I know everyone is familiar with the issue of finding more land and space to designate for our personal wastes, but it is also well known that we use our aquifers for freshwater to keep our homes, families, companies, bodies, and so on healthy and living. Allowing a compound for our environment-harming waste, our land's health and aquifer's water will deteriorate and be ruined faster than we know it. Regardless of the "securities" there are still major chances of contamination, resulting in poisoning the people of Hawaii and disrespecting our land as a whole. Considering the insolence and cecity, if we allow a landfill to be constructed over our lands natural water storage, what will stop big powers from taking over other natural resources in which we need for healthy, sustainable living? The long term downfalls are threatening the people of Hawaii's health, while ignoring our wellbeing and our voices as we cry out for help to protect our land.

I hope and pray you will consider passing H.B. No. 969 due to the necessary actions needed for our state to move towards a protected and healthy future. Mahalo for the opportunity to testify.

Sincerely,

Haylee Jarvis

HB-969-HD-1

Submitted on: 2/10/2025 9:24:58 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Annabel Fong	Individual	Support	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachele Lamosao, Vice Chair

Committee of Water and Land

Tuesday, February 11, 2025

10:00AM, Conference room 411

Hawai'i State Capitol

Support for H.B. No.969

Aloha Representative Hashem, Representative Lamosao, and members of the Committee of Water and Land,

My name is Annabel Fong and I am a high school student at Mililani High School. I am testifying in support of H.B. No.969.

It is frightening to think that our community's drinking water could be affected by a decision that is ultimately of our control. We must protect the health of our community and take the necessary steps to do so. With this bill, the risk of contaminating our drinking water is significantly reduced. Waste management existing around aquifers is how leachate can enter the groundwater, ultimately contaminating the drinking water supply. For this reason, I also agree with the idea of buffer zones, further restricting the areas in which landfills can be built. Considering the adverse effects associated with landfills and other

means of waste disposal, it's discouraging to come to the realization that it is necessary to implement more of these facilities within our community. However, until we find a better alternative, we must proceed while inflicting the least amount of damage possible.

Safe drinking water is a biological need, and it must be ensured. I hope you consider passing H.B. No.969 for the safety of our community. I am confident you'll make the right decision, whatever that may be. Thank you so much for your time and consideration.

Sincerely,

Annabel Fong

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 9:39:35 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rylan Shibuya	Individual	Support	Written Testimony Only

Comments:

House Committee on Agriculture

Wednesday, February 10, 2025

Hawai'i State Capitol

Support for H.B. No.HB969

I am Rylan Shibuya and, while I appreciate and support HB969, attempting to preserve our aquifers by keeping them un-contaminated, it is necessary that we keep our dumps and are able to expand on them. Our population only grows bigger, and as it does trash will expand too. Hence why, we need the ability to expand our dumps.

With that being said, I propose a solution, to simply move the dumps to bigger areas that aren't near any bodies of water. The ideal would be to remove the dumps entirely, but the issue is that materials. It's the production of the materials, and how we use them. It's a worldwide problem, and how are we supposed to address that. So logically, to start small, moving certain dumps away from our aquifers would be a good push.

People go to the dump to throw away items that they can't dispose of through their trash bins, things like old dressers, kitchen appliances, and on so. Currently, there is no easy way to simply throw it out somewhere else - dumps are the easiest and most accessible way, that's exactly why people use them. Although HB969 wants to keep our water pure for our future generations, I cannot ignore the need for dumps as a community as well. Arguably, they are just as important as pure water - where is the trash going to go? Things like fridges aren't at a point where they can be made into recyclables - our technology just isn't there yet. Trash needs a place, just like pure water to ourselves.

I believe that HB969 is important. It is a need and I think that it will forever be until we can safely say that our aquifers will be here for generations to come. And I think that's why it's so important - to care for the future of our bloodlines, and promise them a life just as good as ours, or even better. But from the other side, my personal connection is the dumps and the wastes. My mother goes to the dump frequently, cleaning out the house. Without it, the house would be a disaster. Even though I want to promise the pure water for the future, I feel like I'm chained between two things pulling apart. Without the dump, there's going to be endless waste scattered around the aina, but without the water, I can't promise my future descendants a life better than mine.

Thank you - Rylan

Representative Mark J. Hashem, Chair
Rachele F. Lamosao, Vice Chair
House Committee on Water & Land

Tuesday, February 11th, 2025
10:00AM, House conference room 411
Hawaii State Capitol

Support for H.B No.969

Hello, Chari Hashem and the Members of the House Committee on Water & Land,
My name is Eli Bosio and I am a student at Mililani High School. I am testifying today in support of H.B No.969.

The reason behind my testimony is that I believe that these disposal facilities and landfills shouldn't be built near Hawaii's significant water tables or aquifers in the first place. Representative Hashem, I am completely sure that you are aware of the dangers to human health if these waste facilities contaminate our groundwater reserves through surface runoff. The leachate containing harmful chemicals and metals such as mercury or lead, could contaminate our drinking water sources and put our communities in immediate danger and create a water crisis similar to the events that happened in Flint Michigan in the year 2014. Aside from human risk, the expansion of waste facilities would disrupt the natural life that surrounds the area via possible soil contamination and leaks into above ground bodies of water. Even beyond that, the methane emissions worldwide from waste facilities is already expected to increase by 13 megatons over the next decade alone and we would be contributing further if we continue constructing more waste facilities. The long term effects of preventing the further expansion and construction of new facilities here on Hawaii could be a first step towards a safer future for Hawaii and maybe could be an example for the mainland or the rest of the world to follow.

I hope you consider passing H.B No.969 because it could be a step forward for our state towards a greener future as well as keeping our communities safe and healthy. Mahalo for the opportunity to voice my opinion.

Representative Hashem, Mark J. Chair
Representative Lamosao, Rachele F. Vice Chair
Committee on Water and Land

Tuesday, February 11, 2025
10:00 AM, Conference room 411

Support for H.B. NO. 969

Aloha, Chair Hashem and Members of the House Committee on Water and Land,

My name is Ruo Wei Weng. I speak as a concerned citizen and a student from Mililani High School.

I am writing **in support of** H.B. NO. 969, which bans building or expanding waste facilities over important water sources.

The support of H.B. NO. 969 has a significant meaning to our water source conservation and community health. Stopping landfills from being built over important water sources can help keep harmful chemicals out of the water. Our drinking water is one of our most valuable resources, and we need to protect it. The advocate to set up buffer zones helps reduce pollution near living areas. Adding buffers ensures that our communities are protected from harmful effects of waste management facilities. H.B. NO. 969 makes sure landfills meet environmental rules. This promotes a cleaner and healthier environment for all citizens in Hawaii. By considering H.B. NO. 969, it will be a big process in reducing pollution in Hawaii's natural environment and protecting Hawaii resident's health.

As a student and resident of Hawaii, I value our environment and care about our community. H.B. NO. 969 is a step in the right direction to protect Hawaii, the home of us, from waste and pollution.

Please support H.B. NO. 969. Thank you for your consideration.

Sincerely,
Ruo Wei Weng
Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 9:50:53 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alina-Joy	Individual	Support	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachele Lamosao, Vice Chair

Committee on Water and Land

Tuesday, February 11, 2025

10:00 AM Conference Room 411

Hawaii State Capital

In Support of H.B. No. 969

Aloha Representatives Hashem and Lamosao and the Committee on Water and Land members,

my name is Alina-Joy Kiyota. I am a senior student at Mililani High School, and I am enrolled in the AP Environmental Science course. I am testifying in support of bill H.B. No. 969.

I am testifying in support of the bill H.B. No. 969 because it is ridiculous to think there are people even considering to risk sources of water, for a place to literally facilitate waste. It is disrespectful that a bill would even have to be put in place to avoid such situation. If this bill were to not pass, and waste facilities were to be developed over or near aquifers, leachates will definitely contaminate the the groundwater as time passes and toxic contaminants from increasing waste builds up. I agree with the input of “buffer zones”, of course as the states tries to better waste management and reduction, it could be inevitable a new waste facility would need to be made. A half-mile zone enclosing the facility will help restrict where they can be built, this

way, having a pre-established border will not only protect aquifers, but also directly protect people, wildlife, and the 'Aīna. It is also important to note that although this bill needs to be passed, it should not be limited to aquifers that are deemed "significant", all aquifers are significant. A clean source of water should always be protected.

I hope you will deeply consider passing H.B. No. 969 because everyone knows clean water is a vital source for all. We must deeply value water and put it first to continue a safe and healthy future for the generations to come. Thank you for the opportunity to testify.

Sincerely,

Alina-Joy Kiyota

Mililani High School Student

HB-969-HD-1

Submitted on: 2/10/2025 9:55:26 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maya	Individual	Support	Written Testimony Only

Comments:

Representative Hashem

Representative Lamosao

Committee on Water & Land

Support for H.B No. HB969

Aloha, Chair Gates and Members of the House Committee on Landfill,

My name is Maya George and I am currently a senior at Mililani High School. I am testifying in support of H.B.No. 969.

I am testifying specifically in support of the landfill part of the bill. I believe it is very important to implement this part of the bill for the health of the environment and the youth who plan to grow and sustain our land. Rep. Gates, I know you are familiar with the landfill issues that exist within our districts and the dependence we have in you. I am writing in support of protecting land above significant acquires from construction,expansion and modification of waste or disposal facilities. Throughout my life I have been able to make unforgettable memories on some of the most beautiful land in the world. I am fighting to protect that land. We must ensure that our land will remain safe for generations to come and sustain our resources that we are fortunate enough to have. I hope that my efforts to testify can help protect our water, which must remain clean and uncontaminated for our community and society to thrive. Without clean water and facilities we fail to take care of ourselves and others, so we mist do everything in our power to protect and save it.

I hope you consider passing H.B. No. 969 because it is necessary to move our state a safe and uncontaminated place. Mahalo for the opportunity to testify.

Sincerely,

Maya George

HB-969-HD-1

Submitted on: 2/10/2025 9:56:39 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaleialoha Glory	Individual	Support	Written Testimony Only

Comments:

Rep. Hashem, Chair

Rep. Lamosao, Vice Chair

Committee on Water & Land

Monday, February 10, 2025

9:37, House conference room

Hawaii State Capitol

In support of H.B. No. 969- Landfill sitting

Hello Chair Hashem and the House Committee on Water & Land. My name is Kaleialoha Glory and I am currently a senior at Mililani High School taking a course in AP environmental science. I am writing this in support of bill H.B. No. 969 titled Landfill Sitting. I believe the work that is being done to prevent more landfills from being built up is something I believe that is very important for our island. I feel like the government should be doing more to regulate the waste disposal on our island. Setting limitations for how much corporations can contribute to landfills will definitely make a difference to the health of our environment and people. Because of the methane released from the landfills on the island, its greatly impacting and contributing to climate change which will reset the state's efforts to remedy the effects of climate change. Landfills will also affect the health of our people, especially the people who are unfortunate enough to live around the landfills, spreading harmful chemicals and pollutants. There is much to be done in order to protect the health of our people as well as our island, but passing this bill will push positive efforts towards a brighter and healthier future.

Thank you for your time,

Kaleialoha Glory

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 9:58:03 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaila Nihei	Individual	Oppose	Written Testimony Only

Comments:

Chair Representative Mark J. Hashem, Vice Chair

Representative Rachele F. Lamosao, Vice Chair

House Committee on Water and Land

Wednesday, February 7, 2024

9:30AM, House conference room 325

Hawai'i State Capitol

Support for H.B. No.969

Aloha, Chair Hashem and Members of the House Committee on Water and Land,

My name is Kaila Nihei and I am a student at Mililani High School. I am testifying in support of H.B.No.969.

I am testifying specifically in support of the part of the bill that involves creating a landfill over our aquifer. I believe it is necessary to implement this part of the bill for the health of the environment and the youth who depend on clean water. Rep. Hashem, I know you are familiar with the universal need for clean water that exists. The lack of clean water are directly impacting the health of our community. Clean water is used for many things and is essential for a healthy future. The long term

benefits far outweigh the short-term potential inconvenience some may feel implementing this

change will have on the current system. There are other locations that could have a landfill implanted at.

I hope you will consider passing H.B. No. 969 because it is necessary to move our state towards a more sustainable, clean water secure, and healthy future. Mahalo for the opportunity to testify.

Sincerely,

Kaila Nihei

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 10:00:54 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ezekiel Virtudes	Individual	Support	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachel Lamosao, Vice Chair

Water and Land Committee

Monday, February 9, 2025

9:30AM, House conference room 325

Hawaii State Capitol

Against for H.B. No.969

Aloha, Chair Gates and Members of the House Committee on Agriculture,

My name is Ezekiel Virtudes and I am a student at Mililani High School. I am testifying in support of H.B.No. 969.

I am testifying specifically against the landfill above an aquaphor in Wahiawa part of the bill. I believe it is unnecessary as this part of the bill would cause nothing but environmental and personal health issues. Rep. Gates, I know you are familiar with the the importance of clean water. Due to many toxic chemicals which derive from a landfill, by having it seem into our environment, there would be a health risk amongst the youth and people who rely on that source of water. Relocating to a more convenient area would benefit everyone as a whole. People's health wouldn't be put at a risk. The long term

benefits of relocating far outweigh the short-term potential convenience some may feel implementing a landfill above an aquaphor.

I hope you will stick with H.B. No. 969 because it is necessary prioritize the safety of our people. Mahalo for the opportunity to

testify.

Sincerely,

Ezekiel Virtudes

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 10:01:20 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tatiana	Individual	Support	Written Testimony Only

Comments:

Representative Hashem, Chair

Representative Lamosao, Vice Chair

Committee on Water & Land

Monday, February 11, 2025

10:00 AM House Conference Room 411

Support for H.B. NO.969

Greetings, Representative Chair Hashem and Vice Chair Lamosao and to the Committee on Water & Land. My name is Tatiana Punio and I am a student of Mililani High school. I have lived here my whole life.

With this bill it addresses the issues of potential building of Landfills. It shows that we as people understand the actions of where we place our trash and the impacts it could cause to us in result. This bill also prioritizes the healthcare of people, so we don't infect the Aquifers that give us the water we need. So by giving focus on this bill we are hardening the success of our future. I like how the bill addresses other people not being able to build their own space to dump their trash. As well as the state to build on a space as they please. This bill also covers many bases or areas that could have left room for persons to go around but luckily it covers that risk.

Sincerely,

Tatiana Punio

HB-969-HD-1

Submitted on: 2/10/2025 10:03:04 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaili	Individual	Support	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachele Lamosao, Vice Chair

House Committee on Water & Land

Tuesday, February 11, 2025

10:00AM, House conference room 330

Hawaii State Capitol

Support for H.B. No.HB969

Aloha, Chair Mark and Members of the House Committee on Water & Land, My name is Kaili Kido-Anzai I am a Mililani High School student. I am testifying in support of HB969.

I am testifying specifically in support of Prohibits the construction of any waste or disposal facility on land that is near a significant aquifer. I believe that it's necessary to implement this part of the bill for the health of the environment and the future of our water. Rep. Mark, I know you are familiar with the incident with the military gas going into our drinking water and so many people didn't have drinking water. I don't want future incidents with our aquifer near the disposal facility. I also think even if we do expand the land by only a little bit it's too high of a risk. If the water does get affected by it, what will it do to our water and our environment? Also how long will it take for them to fix it. I hope you will consider passing H.B. No. HB969 because it is necessary to move our state towards protecting our aquifers near disposal/waste facilities. Mahalo for the opportunity to testify.

Sincerely, Kaili Kido-Anzai

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 10:11:31 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Easton	Individual	Support	Written Testimony Only

Comments:

Representative Mark J Hashem

Representative Rachele F. Lamosao

Committee Representative WAL (Water and Land)

Monday, February 10, 2025

10 A.M

Hawai'i State Capitol

Support for HB969

Dear, Chair Mark Hashem, Rachele Lamosao, and other committee representatives. My name is Easton Chung, student and Mililani High School, and I'm testifying my support for HB969.

I am testifying my support for the fight against the impacts of microplastics in our oceans. The bill that supports this fight is essential to fighting against major water pollution issues such as microplastics that impact our aquatic life and materials. This issue especially impacts our state because of how reliant our state is on ocean activity and ocean resources. Representatives and big committees such as yourselves can make a big impact for fighting for a cleaner ocean and a cleaner state.

I hope you consider passing HB969 because of how essential it is for a cleaner and more sustainable environment.

Sincerely,

Easton Chung

Mililani High School

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.



Deborah King <dking0923@gmail.com>

Call to Action! Testimony Needed!

1 message

North Shore Chamber of Commerce <info@gonorthshore.org>

Tue, Jan 28, 2025 at 5:36 PM

Reply-To: info@gonorthshore.org

To: dking0923@gmail.com



Call to Action - Protect our Aquifers



Councilmember Matt Weyer, Erni Lau, Manager and Chief Engineer Board of Water Supply, Representative Amy Perusso, and Representative Sean Quinlan stand united with community members at the State Capitol, calling for decisive action to safeguard Hawai'i's precious aquifers.

Protect Our Water – Support House Bill 969 being heard Thursday, January 30, 2025, at 9:00 AM

Aloha North Shore Chamber of Commerce Members and Supporters,
 We need your help to protect our island's precious underground drinking water sources. Introduced by Representative Sean Quinlan, **HB969** Prohibits the construction, modification, or expansion of any waste or disposal facility on land near or above a significant aquifer, as determined by the Department of Health.

This measure will be heard at 9:00 AM on Thursday, January 30, 2024, 2025, and we want to make sure our collective voice is heard loud and clear in support of protecting our water.

How You Can Help:
 Submit Written Testimony:

- Visit the link **here** and log in or register an account if this is your first time.
- Enter bill HB969 and follow the instructions. - Note that it's very easy.

Testify via Zoom or Attend In Person:

- If you can make it to the hearing in person, that's the most powerful way to show your support.
- If you can't, participating via Zoom is still a great option to voice your concerns.

Why It Matters:

- Our underground drinking water sources are vital to our community's health, environment, and local economy.
- Siting a landfill near these water resources threatens both current and future generations.
- By supporting HB969 we reinforce the commitment to sustainable solutions that protect our island home.

Mahalo for your continued support and dedication to the well-being of our community. Let's stand together and make sure our voices are heard. Submit testimony, testify via Zoom, or show up in person on Tuesday to show just how important this issue is to all of us.

Together, we can protect our water, environment, and future.

Me ke aloha, North Shore Chamber of Commerce

Submit Testimony

House Bill 969

Agenda for January 30 2025 Committee on Energy and Environmental Protection

North Shore Chamber of Commerce | [66-434B Kamehameha Hwy.](#) | Haleiwa, HI 96712 US

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HB-969-HD-1

Submitted on: 2/10/2025 11:16:07 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Faith Pascual	Individual	Oppose	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachele Lamosao, Vice Chair

House Water and Land

Wednesday, February 7, 2025

10:00AM, House conference room 411

Hawai'i State Capitol

Support for H.B. No.969

Aloha, Mark Hashmen and Members of the House Water and land committee,

My name is Faith Pascial and I am a student at Mililani High School. I am testifying

in support of H.B.No. 969.

I am testifying specifically in support of the Landfill part of the bill. I believe it is

necessary to implement this part of the bill for the health of the environment and the youth. It should be considered the placement of the landfills, as the ideal location could cause a big damage to the environment around it and as well as other working buildings that help with our system of living on this island. The location on a Landfill should be thought about before it is okayed for its placement.

I hope you will consider passing H.B. No. 969 because it is necessary to move on to the health of the future and for our environment. Mahalo for the opportunity to testify.

Sincerely,

Faith Pascual

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 11:51:02 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Aloha. I urge you to support this bill moving it out of committee. We all know there is no life without water. And we know we cannot risk the unknowns. Red hill has shown us that no man made anything can hold up to natures power We cannot gamble with our future or that of our children or grandchildren. Mahalo for your support. Irene kloepfer

HB-969-HD-1

Submitted on: 2/10/2025 11:54:51 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Individual	Support	Written Testimony Only

Comments:

Chair Hashem, Vice-Chair Lamosao, and WTL Committee Members
Chair Lowen, Vice-Chair Perruso, and EEP Committee Members

I strongly support this measure. The integrity of Oahu's 24 aquifers is of paramount concern to the life of this land and those who inhabit it.

That said, the Legislature should revisit prior restrictions placed into statute that would expand the options available to the City and County of Honolulu.

One also hopes that the U.S. military would reconsider its posture regarding land in central Oahu that may be fit for purpose under current laws and regulations.

Mahalo for the opportunity to provide testimony.

Nikos Leverenz
Aliamanu

HB-969-HD-1

Submitted on: 2/10/2025 11:59:33 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Lum	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

Hawaii is a small place and fresh clean water is a finite resource. We need to protect our natural resources and environment for now and future generations.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,

Jennifer Lum, 'Ewa Beach

HB-969-HD-1

Submitted on: 2/10/2025 12:47:06 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin Hagan	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,

Erin Hagan

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

I am writing in strong support of HB969, which seeks to protect our communities and natural resources by ensuring responsible management of waste and disposal facilities. Water is the foundation of life, and in Hawai'i, its protection is not just a matter of environmental policy—it is a matter of cultural and spiritual significance.

Throughout Hawaiian history and mythology, water has been revered as a sacred force. The story of Kāne and Kanaloa reminds us of the life-giving power of water. Kāne, the god of creation and freshwater, is said to have struck the earth with his staff, bringing forth springs and streams that nourished the land and sustained the people. This mo'olelo teaches us that water is not merely a resource—it is a gift to be honored and protected.

Today, the threats to our water sources come in many forms, including contamination from waste and disposal facilities that are improperly managed. Leaking chemicals, hazardous runoff, and pollutants threaten our aquifers, streams, and oceans—endangering the health of our residents, ecosystems, and future generations. HB969 is a crucial step in ensuring that waste management in Hawai'i prioritizes environmental safety, community well-being, and cultural respect.

By passing this bill, we uphold our responsibility to mālama i ka wai—care for the water—as our ancestors did before us. Clean water is not a privilege; it is a necessity that sustains all life in our islands. I urge you to support HB969 to strengthen regulations and safeguards that protect our most precious resource.

Mahalo for your time and commitment to preserving the natural beauty and health of Hawai'i.

Mahalo for your time and consideration,
Tracy Monroe, Honolulu

HB-969-HD-1

Submitted on: 2/10/2025 1:07:06 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela C Gomes	Individual	Support	Written Testimony Only

Comments:

I urge our legislators to pass HB969 for future generations. Clean water is life. We all know that we are limited in our resources in Hawaii. We cannot justify knowingly, putting a landfill over an aquifer and the harm it would cause to our main resource of water. Yes, we have rubbish but maybe we need to think of a better way to dispose of it or people need to lessen their opala.

Mahalo for your time,

Pam Gomes

HB-969-HD-1

Submitted on: 2/10/2025 1:29:54 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Ishii	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

This island State has a finite source of fresh, clean water. Take the precious lesson from our native hawaiian ancestors to never defecate, urinate, or leave 'ōpala upstream or at the source of wai (fresh water). Why? Because wai is life. No wai, many people, plants, animals can not live healthily. Please do not fall victim of short-term solutions. It will have long-term ill.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,
Lynn Ishii, Wahiawa

HB-969-HD-1

Submitted on: 2/10/2025 1:40:05 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations. We know that once our water is contaminated, it will be too late. We don't want to risk that possibility.

Please support this measure to protect our water and our people.

Thank you,

Lynn Otaguro

Niu Valley, Hawaii

HB-969-HD-1

Submitted on: 2/10/2025 2:03:42 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Fukuoka	Individual	Support	Written Testimony Only

Comments:

I am support of BILL HB 969

WE do not need a landfill poisoning our aquifer or damaging more of our land. We should be doing something that will be better for our land not worse and with the current landfill in Nanakuli shouldn't there be better options to improve the impact and make another one. The future of our keikis hselth is at risk.

HB-969-HD-1

Submitted on: 2/10/2025 2:10:28 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Justice DePonte	Individual	Support	Written Testimony Only

Comments:

Hashem, Mark J., Chair

Lamosao, Rachele F. Vice Chair

House Committee of Water and Land

Monday, February 10, 2025

10:00AM, House conference room 411

Hawai'i State Capitol

My name is Justice DePonte and I am at Mililani High School. I am testifying in support of H.B. No. 969.

I am testifying in support of prohibiting the construction or expansion of any waste or disposal facility on land that is near or above a significant aquifer. I believe that it is necessary to implement this bill in order to conserve and help protect our water sources. By expanding it near bodies of water, it can lead to the spreading of pollutants such as toxic chemicals, heavy metals, and other damaging factors into nearby sources. It is important to regulate waste where standing facilities are located, keeping in mind the surrounding environment, such as lakes, rivers, and other bodies of water. Doing so will help the preservation of our clean waters that are used for drinking, agriculture, and recreation.

I hope you consider passing H.B. No. 969 since it is necessary to move toward preserving water for the state and future generations. Thank you for this opportunity to testify.

Mahalo,

Justice DePonte

Mililani High School

HB-969-HD-1

Submitted on: 2/10/2025 6:52:59 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kori Oros	Individual	Support	Written Testimony Only

Comments:

Ioha Chair Hashem, Vice Chair Lamosao, and Members of the Committee,

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

City Engineers may be smart but Please let us not FAFO. The Red Hill Disaster is and example of the previous statement....and that is still ongoing. My friends daughter that drank the "cleared and tested" water on base now has neurological problems and is a part of the lawsuit against the Navy. Let's avoid all of that... and look at other options.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,
Kori, Pupukea/Waimea

HB-969-HD-1

Submitted on: 2/10/2025 7:48:43 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Sharde Freitas and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS** HB969 HD1.

Sincerely,
Sharde Freitas

HB-969-HD-1

Submitted on: 2/10/2025 7:53:56 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keith Neal	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

Support HB969_HD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

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

Water is life.

I urge you to pass HB969 HD1.

Sincerely,

Keith Neal

Waimea

HB-969-HD-1

Submitted on: 2/10/2025 8:29:10 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ella Aki	Individual	Support	Written Testimony Only

Comments:

I support this bill!

HB-969-HD-1

Submitted on: 2/10/2025 8:36:02 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ashley Katamoto	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

If we have learned anything from the Red Hill water crisis, it's that clean water is the most important natural resource we have in Hawai'i. As an isolated island chain it's imperative that we maintain our natural resources and protect residents access to clean drinking water and clean water for agriculture.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,

Ashley Katamoto, Kāneohe

HB-969-HD-1

Submitted on: 2/10/2025 8:40:07 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

Prohibit the construction, modification, or expansion of waste disposal facilities over aquifers.

HB-969-HD-1

Submitted on: 2/10/2025 8:50:09 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Schwab	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Amy Schwab and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS HB969 HD1**.

Sincerely,
Amy Schwab

HB-969-HD-1

Submitted on: 2/10/2025 9:13:27 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Dadds, PA-C	Individual	Oppose	Written Testimony Only

Comments:

The concern is that a new double-lined landfill will eventually leak (they all eventually do) and poison the aquifer. WHY, then would the county use the same toxic ash and put it into roads all over the island -- and neighbor islands when they find they have too much? This would turn roads into linear unlined landfills with no groundwater protection that can pollute aquifers all over, not to mention exposing road workers and everyone who drives over or lives near roads where toxic metals and dioxins will erode over time.

HB-969-HD-1

Submitted on: 2/10/2025 9:19:37 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Mary True and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS HB969 HD1**.

Aloha and mahalo, Mary True

HB-969-HD-1

Submitted on: 2/10/2025 9:38:09 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiana Otsuka	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Kiana Otsuka, and I am an O‘ahu resident writing in **strong support of HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

Mahalo,

Kiana Otsuka

HB-969-HD-1

Submitted on: 2/10/2025 9:54:22 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Andrew Isoda and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS HB969 HD1**.

Sincerely,
Andrew Isoda
Lahaina, Mau‘i

HB-969-HD-1

Submitted on: 2/10/2025 10:34:44 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cullen Hayashida	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Cullen T. Hayashida, Ph.D of the Moanalua Gardens Community and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS** HB969 HD1.

Sincerely,

Cullen T. Hayashida, Phd

Moanalua Gardens Community Resident

HB-969-HD-1

Submitted on: 2/10/2025 10:55:30 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Noel Shaw	Individual	Support	Written Testimony Only

Comments:

Ola I ka wai!!! Protect our water.

HB-969-HD-1

Submitted on: 2/10/2025 10:58:59 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Wow, you got a lot of testimony in support of this bill in first hearing. That is amazing to see the diverse public opinion in strong support of protecting our fresh water. The will of the people has made itself heart. I also support HB969 because of its commitment not just to the needs of today but to the health and safety of our future. There are a few who testified in opposition or voiced concerns. The work of our lawmakers seems to be to find creative solutions to address those concerns, while upholding the will of the people. I live on O‘ahu where I also grew up. We have way more environmental problems on this island than other islands do. As the canary in the coal mine, or the cautionary tale for our neighbor islands, it is our responsibility to lead by example and take a strong stand to prioritize the health of our environment.

HB-969-HD-1

Submitted on: 2/10/2025 11:27:25 PM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Caleb	Individual	Support	Written Testimony Only

Comments:

Representative Mark Hashem, Chair

Representative Rachele Lamosao, Vice Chair

House Water and Land

Monday, February 10, 2025

10:00 AM, Conference room 411

Hawaii State Capitol

Aloha, Chair Hashem, Vice Chair Lamosao, and others of the Committee on Water and Land,

My name is Caleb Richard and I am a senior at Mililani High School. I am testifying in support of H.B.No. 969_HD1

I am someone in support of this bill; which prohibits construction of waste and or disposal facilities anywhere near our island's aquifers. This is because as an island in the pacific, what we have to rely on is the very land we've cultivated as a community over the generations, and while there can be benefits to this decision, they'll come at a bigger cost of increasing any further risk of polluting a vital system of our people rely on, clean water. Not only affecting the future youth, but also putting into question what we stand for as a

collective.

To put it simply, I hope you will gauge the importance of H.B. No. 969_HD1. since it can dictate whether we'll walk towards a more practical and long-term future. Mahalo for giving the opportunity to testify.

Sincerely,

Caleb Richard

Mililani High School

Hawai'i State Capitol
415 South Beretania Street, Room 411
Honolulu, HI 96813

Hearing: Tuesday, February 11th, 2025, at 10:00 AM

RE: Strong support for HB 969

Aloha Chair Mark Hashem, Vice Chair Rachele Lamosao, and committee members,

I am writing in support of HB 969. I am a member of the Ala Moana - Kaka'ako Neighborhood Board and a member of the Stonewall Caucus of the Democratic Party of Hawai'i. This testimony comes solely from myself.

HB 969 will prohibit the construction, modification, or expansion of a waste or disposal facility above a significant aquifer.

This bill will help safeguard under-appreciated aquifer such as the one in the Wahiawa area. We learned all too well from Red Hill that our water sources need to be protected. Safeguards need to be in place because it is much easier to protect our water beforehand, and far too difficult to find a solution after contamination.

This testimony is short because it is straightforward. Pass HB 969 to help protect our state's aquifers.

Dale VanderBrink
Ala Moana Kaka'ako Neighborhood Board Member
Member of the Stonewall Caucus of the Democratic Party of Hawai'i

HB-969-HD-1

Submitted on: 2/11/2025 3:28:05 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joell Edwards	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,
Joell Edwards, Wainiha

HB-969-HD-1

Submitted on: 2/11/2025 4:49:43 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Smith	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

We must learn from our mistakes and ensure we have clean water access for generations to come.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,
Jordan, 96813

HB-969-HD-1

Submitted on: 2/11/2025 4:59:59 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

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

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

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

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

Please PASS this bill. Mahalo.

HB-969-HD-1

Submitted on: 2/11/2025 5:11:54 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Please PASS this bill.

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

HB-969-HD-1

Submitted on: 2/11/2025 5:21:49 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Jodi Rodar and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS HB969 HD1**.

Sincerely,

Dr. Jodi Rodar

HB-969-HD-1

Submitted on: 2/11/2025 6:30:27 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

Wahiawa is the highest point on the island. Gravity proves that all things flow downhill. Landfills not only contain rubbish, but dead animals, paint, batteries, and yes, old prescriptions. Wahiawa rains almost every night. When water saturates the garbage, it will seep into the ground and contaminate the soil. Having a landfill in/near a pineapple field, near an aquafier, uphill from agriculture land is not a common sense idea.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration

Anna Freitas

Wahiawa

HB-969-HD-1

Submitted on: 2/11/2025 7:04:42 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Bello	Individual	Support	Written Testimony Only

Comments:

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

I am testifying in support of HB969 Relating to Waste or Disposal Facilities. HB969 will protect Hawai'i's aquifers, uphold our commitment to responsibly steward our natural resources, protect viable agricultural land that can feed our communities, and maintain the integrity of our natural resources for future generations.

My primary concern is the long term protection of fresh water on Oahu. No matter how technically sound a liner system is it will ultimately fail. Since landfills are forever structures, it will be only a matter of time until water ququality is impacted.

I urge you to pass HB969 out of your committee.

Mahalo for your time and consideration,

HB-969-HD-1

Submitted on: 2/11/2025 7:08:05 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land,

My name is Diane Ware and I **strongly support HB969 HD1**, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers.

This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk.

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

I urge you to **PASS** HB969 HD1.

Sincerely,

Diane Ware, Volcano 96785

HB-969-HD-1

Submitted on: 2/11/2025 7:54:13 AM

Testimony for WAL on 2/11/2025 10:00:00 AM

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

Comments: Aloha Chair Hashem, Vice Chair Lamosao, and members of the Committee on Water and Land, My name is Laura Leonberger and I strongly support HB969 HD1, which would prohibit the construction, modification, or expansion of waste and disposal facilities on land above significant aquifers. This bill is crucial for protecting our vital groundwater resources. Our aquifers are irreplaceable sources of freshwater that sustain our communities and ‘āina. Once contaminated, these water sources can be permanently damaged, putting public health and our environment at risk. Climate change is already wrecking havoc on our environment and it is crucial that we protect our wai and ‘āina from the negative impacts associated with changes I have seen over just the last 8 years. Protecting our water is about protecting our health, our environment, and the future of everyone who calls Hawai‘i home. I urge you to PASS HB969 HD1. Sincerely, Laura Leonberger