



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

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of HB 1934, HD 1
RELATION TO ENVIRONMENTAL PROTECTION**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: February 28, 2018
Time: 12:00 pm

Room Number: 308

- 1 **Fiscal Implications:** None.
- 2 **Department Testimony:** The purpose of this bill is to prohibit the construction of sewage
- 3 wastewater injection wells, unless there is no feasible alternative. The Department of Health
- 4 (Department) issues underground injection control permits for the discharge of sewage
- 5 wastewater, treated or untreated stormwater, industrial wastewater, cooling water, aquaculture
- 6 water, and geothermal fluids.
- 7 The Department supports this bill which no longer impacts permitted discharges to
- 8 injection wells other than sewage wastewater. The bill's proposed definition of an injection well
- 9 is consistent with the Hawaii Administrative Rules, Section 11-23-03.
- 10 Thank you for the opportunity to testify on this measure.



HB1934 HD1
RELATING TO ENVIRONMENTAL PROTECTION
House Committee on Finance

February 28, 2018

12:00 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1934 HD1, which would prohibit the installation of wastewater injection wells that pose a substantial threat to our nearshore environment and natural and cultural resources.

For decades now, the use and proliferation of injection wells along our islands' coastlines have raised significant concerns regarding their potential environmental and public health impacts.¹ These concerns have heightened in recent years, as the State has gained a greater awareness of the broad and long-term threats that injection wells pose on our nearshore waters. Notably, OHA understands that injection wells are currently only permitted in coastal areas, due to their potential impact on inland groundwater sources; such placement, combined with the highly porous nature of our islands' lava and limestone bedrock, can result in significant and direct impacts to our nearshore ecosystems and members of the public – including Native Hawaiians – who subsist from and recreate in our ocean waters. Recent litigation has also demonstrated the threat of legal liability and substantial financial costs that may be incurred from the reliance on injection wells for wastewater disposal purposes.²

Accordingly, OHA believes that this measure is an important step towards ensuring that our communities and marine environment are not unduly impacted by inappropriate wastewater disposal approaches. OHA does understand that certain injection well applications, when combined with other wastewater treatment and reuse technologies and sustained maintenance activities, may not pose as high a threat of the significant impacts documented in areas such as West Maui. **However, given the substantial development planned to occur throughout the state, along with the foreseeable and unknown impacts of climate change and sea level rise on our islands' hydrogeology, a prohibition on injection wells pending the establishment of clear requirements, best management practices, and remediation techniques would appear to be the most prudent strategy to take.**

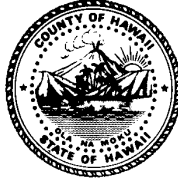
Therefore, OHA urges the Committee to **PASS** HB1934 HD1. Mahalo nui for the opportunity to testify on this measure.

¹ See, e.g., Frank L. Peterson and June A. Oberdorfer, *Uses and Abuses of Wastewater Injection Wells in Hawaii*, 39 PACIFIC SCI. 2, 230 (1985); Parsons, et. al., *A multivariate assessment of the coral ecosystem health of two embayments in the lee of the island of Hawai'i*, 56 MARINE POLLUTION BULLETIN 6 (2008); *Injection Wells: Unproven link in completing geothermal cycle*, ENVIRONMENT HAWAII'I, October 29, 2014, available at <http://www.environment-hawaii.org/?p=3853>; Chris Sugidono, *Study: Injection wells fouling Maui bays, reefs*, THE MAUI NEWS, November 20, 2016.

² Brian Perry, *County loses injection well appeal*, THE MAUI NEWS, February 2, 2018.

Harry Kim
Mayor

Wilfred M. Okabe
Managing Director



William A. Kucharski
Director

Diane A. Noda
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāʻo'a Street, Suite 41 · Hilo, Hawai'i 96720
(808) 961-8083 · Fax (808) 961-8086
cohdem@co.hawaii.hi.us

<http://www.hawaiicounty.gov/environmental-management/>

February 26, 2018

Rep. Sylvia Luke, Chair
Committee on Finance
State of Hawai'i House of Representatives
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: **Comment on HB1934 HD1 (Relating to Environment Protection)**

Date: February 28, 2018 (Friday)

Time: 12:00 p.m.

Dear Chairperson Luke and Members of the Committee on Finance:

The County of Hawaii (COH) initially opposed HB1934 because of the broad reach and negative impacts a total ban on injection wells would have on the State of Hawaii. The amendment added in HB 1934 HD1 deleted the global ban on injection wells and limits the legislation to sewage discharges via deep well injection.

The COH removes its stated opposition to HB 1934 because COH believes HB 1934 HD1 has appropriately modified the original Bill.

Thank you for your consideration of this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Kucharski".

William A. Kucharski, Director, Department Environmental Management, COH

HB-1934-HD-1

Submitted on: 2/27/2018 11:49:03 AM

Testimony for FIN on 2/28/2018 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

HB-1934-HD-1

Submitted on: 2/23/2018 7:56:48 PM

Testimony for FIN on 2/28/2018 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Culina	Individual	Support	No

Comments:



LATE

THE LIMTIACO CONSULTING GROUP
CIVIL ENGINEERING AND ENVIRONMENTAL CONSULTANTS

February 28, 2018

House Committee on Finance

Hearing: Wednesday, February 28, 2018, 12:00 pm, Conference Room 308

Subject: Testimony in Support
HB1934, HD1 Relating to Environmental Protection

Honorable Representatives Sylvia Luke, Chair; Ty J.K. Cullen, Vice Chair; and Committee Members:

The Limtiaco Consulting Group (TLCG) is a local civil and environmental engineering firm and is proud to be voted one of Hawaii's Best Places to Work. TLCG is an active member of the American Council of Engineering Companies of Hawaii (ACECH) as well as other professional engineering organizations. TLCG principals believe it is important to give back to the communities we serve through beneficial engineering projects and meaningful volunteerism.

Environmental protection is one of the most important pillars in our industry.

TLCG supports the revised language provided in HB1934, HD1. Thank you for making meaningful revisions to the bill.

Sincerely,
The Limtiaco Consulting Group, Inc.


John H. Katahira, P.E.
President

LATE



THE LIMTIACO CONSULTING GROUP
CIVIL ENGINEERING AND ENVIRONMENTAL CONSULTANTS

February 28, 2018

House Committee on Finance

Hearing: Wednesday, February 28, 2018, 12:00 pm, Conference Room 308

Subject: Testimony in Support
HB1934, HD1 Relating to Environmental Protection


Honorable Representatives Sylvia Luke, Chair; Ty J.K. Cullen, Vice Chair; and Committee Members:

The Limtiaco Consulting Group (TLCG) is a local civil and environmental engineering firm and is proud to be voted one of Hawaii's Best Places to Work. TLCG is an active member of the American Council of Engineering Companies of Hawaii (ACECH) as well as other professional engineering organizations. TLCG principals believe it is important to give back to the communities we serve through beneficial engineering projects and meaningful volunteerism.

Environmental protection is one of the most important pillars in our industry.

TLCG supports the revised language provided in HB1934, HD1. Thank you for making meaningful revisions to the bill.

Sincerely,
The Limtiaco Consulting Group, Inc.


John H. Katahira, P.E.
President