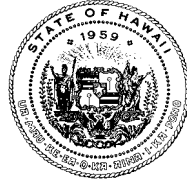


JOSH GREEN, M.D.  
GOVERNOR OF HAWAII  
KE KIA'AINA O KA MOKU'AINA 'O HAWAII




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DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
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In reply, please refer to:  
File:

April 24, 2023

To: Board of Land and Natural Resources (BLNR)

From: Sina Pruder, P.E., Chief   
Department of Health  
Environmental Management Division  
Wastewater Branch

Subject: Written Testimony in Support for Agenda Item J.2. for April 28, 2023 Meeting

The Department of Health, Wastewater Branch (DOH-WWB) is providing written testimony in strong support of BLNR to authorize the Chairperson to negotiate and sign a settlement agreement between the Department of Land and Natural Resources (DLNR) and DOH-WWB for NOVO No. 21-WW-EO-01 (NOVO), Relating to the Wastewater Treatment System at Heeia Kea Small Boat Harbor, Kaneohe, Oahu, Hawaii; Tax Map Key: (1) 4-6-006:069. DOH-WWB also strongly supports the authorization of the Chairperson to execute any other agreement or contract that may be necessary for DLNR to comply with the Settlement Agreement for the NOVO.

The DOH-WWB issued the NOVO on June 27, 2021 for multiple effluent violations for the Wastewater Treatment System at Heeia Kea Small Boat Harbor. The Order required DLNR to construct a new wastewater treatment plant within two years of the issued NOVO. The DOH-WWB acknowledges the challenges DLNR encountered with meeting this deadline date when a request for Capital Improvement Project funding was not approved by the Legislature in 2021.

In trying to resolve this enforcement case, a draft settlement agreement was prepared and reviewed by Deputy Attorney Generals representing DLNR and the Department of Health. Authorizing the Chairperson to negotiate and sign the settlement agreement and authorize the Chairperson to execute any other agreement or contract that may be necessary for DLNR to comply with the settlement agreement is necessary to resolve and close the NOVO which the DOH-WWB fully supports.

Should you have any questions, please feel free to contact me at email, [sina.pruder@doh.hawaii.gov](mailto:sina.pruder@doh.hawaii.gov) or (808) 586-4294.