

STAND. COM. REP. NO. 1914

Honolulu, Hawaii

APR 19 2023

RE: H.C.R. No. 94  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs, to which was referred H.C.R. No. 94 entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PRIORITIZE TESTING AND RESEARCH OF BEACH SAND CONTAMINATION LEVELS AT POKAI BAY AND REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION TO PRIORITIZE RENOVATIONS OF THE RESTROOM FACILITIES AT POKAI BAY, "

beg leave to report as follows:

The purpose and intent of this measure is to urge the Department of Health to prioritize testing and research of beach sand contamination levels at Pokai Bay and requesting the City and County of Honolulu Department of Parks and Recreation to prioritize renovations of the restroom facilities at Pokai Bay.

Your Committees received comments on this measure from the Department of Health, Kingdom Pathways, and one individual.

Your Committees find that over the last decade, beach users and local community members have reported the presence of health and environmental hazards at Pokai Bay, as a result of pollution from multiple sources, including runoff from surrounding surfaces, illegal dumping, and user-induced contaminants. Your Committees also find that, according to a 2015 study conducted by the



University of Hawaii at Manoa's Department of Civil and Environmental Engineering, beach sand holds more fecal indicator bacteria than seawater. Accordingly, the beach sand at Pokai Bay may be found to retain pollutants from the restroom facilities in the area, specifically rinse-off from the showers and fecal bacteria from toilet plumbing. This measure would improve the health and safety of Pokai Bay visitors by urging relevant authorities to prioritize testing and research of beach sand contamination levels and renovations of the restroom facilities at Pokai Bay.

Your Committees recognize that management of natural resources requires collaboration among all levels of government and the community. For example, the Genki Ala Wai project, whose goal is to make the Ala Wai Canal fishable and swimmable, has been successfully partnering with the Department of Health, various community organizations, and volunteers, in producing and discharging into the canal "genki balls" which are mud balls containing microorganisms that digest the sludge that creates a toxic environment in the canal.

Your Committees also acknowledge the testimony of the Department of Health that the Department currently monitors the water quality of Pokai Bay and prioritizes it as a Tier 1 beach, which receives weekly water quality monitoring for enterococci, a fecal indicator bacteria. Your Committees also note the concerns raised by the Department of Health regarding the lack of an approved or proven reliable testing method or a threshold or action-limit associated with health risks due to contact with sand that may be contaminated, as well as its lack of authority, resources, or expertise to alter or increase circulation in waters, as requested in this measure. It is therefore necessary to amend this measure to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Urging the Department to continue to prioritize testing of fecal indicator bacteria levels and any other pollutants in the waters of, rather than the beach sand at, Pokai Bay;
- (2) Deleting language that would have urged the Department of Health to develop a plan to increase water



circulation at Pokai Bay, collaborate with other appropriate state and county agencies to increase water circulation, and report to the Legislature before the Regular Session of 2024;

- (3) Inserting language that urges the Department of Health to address land-based point and nonpoint sources of water pollution into Pokai Bay;
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 94, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 94, S.D. 1.

Respectfully submitted on behalf of the members of the Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs,



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GLENN WAKAI, Chair



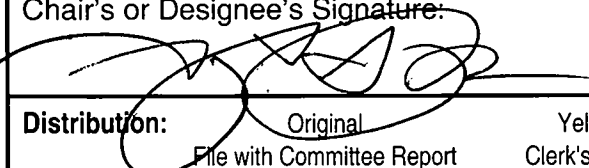
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JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i


**Record of Votes  
 Committee on Health and Human Services  
 HHS**

Bill / Resolution No.:* <b>HCR 9A</b>	Committee Referral: <b>HHS/PSM</b>	Date: <b>04/12/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
SAN BUENAVENTURA, Joy A. (C)	/			
AQUINO, Henry J.C. (VC)	/			
MORIWAKI, Sharon Y.				/
SHIMABUKURO, Maile S.L.	/			
AWA, Brenton				/
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original            Yellow            Pink            Goldenrod File with Committee Report            Clerk's Office            Drafting Agency            Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety and Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>HCR94</b>	Committee Referral: <b>HHS/PSM</b>	Date: <b>4/12/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
FUKUNAGA, Carol	✓			
MCKELVEY, Angus L.K.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>5</b>	<b>ϕ</b>	<b>ϕ</b>	<b>ϕ</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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