

STATE OF HAWAII
DEPARTMENT OF HEALTH
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In reply, please refer to:
File:

**Testimony in SUPPORT of SB2322 SD1
RELATING TO WATER QUALITY**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 2/23/2024

Room Number: CR 211

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department supports this measure which requires the Department
5 to continue testing water quality as part of the Hawaii beach monitoring program¹, under the
6 Beaches Environmental Assessment and Coastal Health (BEACH) Act, and provides an
7 appropriation. Under the current Hawaii beach monitoring program, this measure would require
8 additional work and an appropriation amount which depends on the success of the Department's
9 request to renegotiate the current U.S. Environmental Protection Agency (EPA) federal grant
10 requirements to exclude the required 24-hour follow-up testing during Brown Water Advisories
11 (BWA).

12 If the renegotiation is successful, the Department estimates that \$90,720 per year would
13 be needed annually to implement this measure. The calculation is based on 108 BWA areas in
14 calendar year 2023 x 7 sampling locations per BWA area x \$120 per sample (test kits,
15 miscellaneous supplies) for one year = \$90,720 for one year.

16 If the Department is unable to renegotiate the current EPA grant condition, the
17 Department estimates that \$1.12 million per year would be required to implement this measure.
18 This cost is for 9 additional Full Time Equivalent (FTE) positions (5 samplers and 4 laboratory

¹ <https://health.hawaii.gov/cwb/beach-monitoring-program/>

1 personnel) at \$73,889 (SR-22 Step H salary) per year = \$665,001 per year and laboratory test kits
2 and supplies based on 108 BWA areas in calendar year 2023 x 7 sampling locations per BWA
3 area x \$120 per sample (test kits, miscellaneous supplies) x 5 average follow-up sampling events
4 = \$453,600 for one year. Total cost for one year = \$665,001 + \$453,600 = \$1,118,601 (\$1.12
5 million rounded) for one year.

6 Under this measure's proposed revised program, the Department will conduct sampling
7 during BWA according to the regular sampling schedule. If a sample collected from a beach
8 affected by a BWA exceeds the fecal indicator bacteria threshold, signs will be posted and a
9 Beach Advisory will be issued. The Beach Advisory will only be removed when the affected
10 waterbody is no longer brown and follow-up sampling is below the fecal indicator bacteria
11 threshold. This may take at least 2 months for beaches which are monitored less frequently.

12 **Proposed Amendments:** None.

13 Thank you for the opportunity to testify.



2/23/2024
WAM Committee
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Dela Cruz and members of the Senate Ways and Means Committee,

Position: Support SB2322 - Improving statewide coastal water quality monitoring program

AMEND the bill to remove appropriations, as this bill will not require increases to DOH cost or personnel. It does not require additional DOH sampling outside of the regularly scheduled sites or schedule.

The Surfrider Foundation STRONGLY SUPPORTS SB2322 that requires the Department of Health's Clean Water Branch (CWB) to continue its regular coastal water quality monitoring program during Brown Water Advisories. In addition, and attached to our testimony, is a sign-on letter from **23 local organizations** urging your support of this bill.

In Hawai'i, Surfrider Foundation has worked extensively with the Hawai'i Dept. of Health (DOH) and their Clean Water Branch (CWB) to support robust water testing and public notification programs so the beach-going public has the information they need to make decisions on where it is safe to surf, swim and play at the beach in Hawaii.

SB 2322 will NOT require any additional costs or personnel to implement. These sites and samples have already been budgeted for in DOH's annual funding from the federal BEACH Act funds. SB2322 simply requires the CWB to maintain its regularly scheduled sampling, and to pull samples at their regularly scheduled sites regardless if the water is clear or brown.

SB 2322 will not increase DOH costs or personnel

1. The bill does **not** increase the number of sites monitored by CWB nor the number of times that sites must be monitored.
2. The bill does **not** require CWB to specifically test beaches under BWA nor conduct additional testing outside of its regularly monitored beaches.
3. If high bacteria readings are recorded, **the EPA does not require daily** follow up testing (National Beach Guidance and Required Performance Criteria for Grants, 2014 (latest) Edition), nor should resampling prevent staff from testing other covered beaches. Many states do choose to conduct daily follow up sampling so that they can take down the advisories sooner, but many others also just retest on the next sampling day which often is less than 1 week away. The EPA only requires that an advisory needs to remain posted until a low result (under 130 mpn/100mL) is obtained.

Continued Monitoring During Brown Water Advisories

Currently the CWB suspends all testing activity when Brown Water Advisories are issued. No samples are collected from any of the affected beaches, not even Tier 1 beaches, until the BWAs are lifted as a result of visual inspections. The problems with this approach are multi-faceted:

- **There is virtually no data to really describe the pollution levels and health risks during Brown Water Advisory (i.e. "wet") conditions.** Because the overall dataset is biased, the public is less informed of risks during pollution associated with Brown Water Advisories.

- In some cases, the bacteria levels could be extremely high and dangerous, and the public should be aware of that risk. Alternatively, some beaches will not have high bacteria readings, but will remain under Brown Water Advisories for sometimes weeks on end. **This practice impacts the ability of our community members to make informed decisions about where it is safe to get in the water.**
- Data from Surfrider Foundation's Blue Water Task Force monitoring clearly demonstrates that many locations have elevated levels of fecal indicator bacteria after rain events and in brown water events. Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. As noted above, this gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.
- By never testing during BWAs, cumulative water quality statistics communicated by the CWB beach monitoring program do not give an accurate picture of water quality conditions at many of Hawaii's beaches, and certainly not during wet weather conditions when public health is most likely to be threatened. **EPA Region 9 has likewise recommended to the CWB, "Establishing a protocol to test in Brown Water Advisories would provide much better and accurate data in regards to the water quality."**
- **In some cases the HDOH has left Brown Water Advisories in place for a month or more - even if beaches meet state health standards.** During this time, HDOH will not sample the ocean water. In January 2024, for example, the HDOH issued a [Brown Water Advisory](#) for the entire island of Maui and did not sample for three weeks (from January 4-January 22). The Surfrider Maui Chapter's BWTF volunteers sampled 33 sites across Maui on January 10 and January 11 - in the middle of the HDOH's three week Brown Water Advisory (see map below). The results from our BWTF sampling indicated that while certain beaches did register high bacteria readings, there were a number of beaches (indicated by green points) that met state health standards. Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains and those that continue to meet state health standards. This gap in knowledge impacts the ability of community members and ocean goers to make informed decisions on where and when it is safe for them and their families to get into the water.

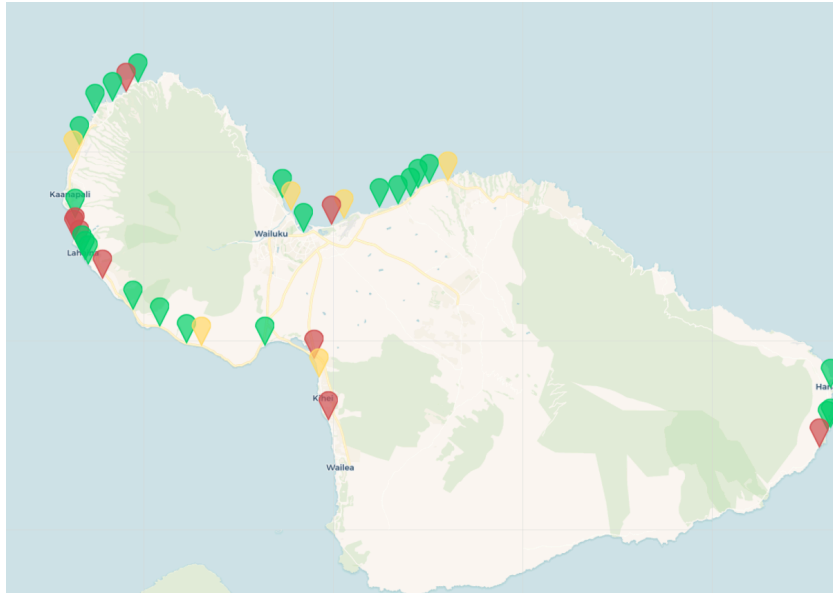
The mission of the Department of Health Clean Water Branch is to *"protect the public health of residents and tourists who enjoy playing in and around Hawaii's coastal and inland water resources."* By continuing to sample beaches during Brown Water Advisories, the DOH would ensure that it is meeting their mission statement and providing our community with the data and tools needed to know where it is safe to enjoy the ocean.

In addition, the DOH CWB personnel also skip monitoring at certain beaches because there is "no parking." Surfrider Foundation would hope that the state would be able to figure out how to park at its designated Tier 1 beaches for the 3-5 minutes that it takes to pull a sample from the beach.

Sincerely,



Lauren Blickley
Hawai'i Regional Manager
Surfrider Foundation



Map 1. Enterococcus results from Surfrider Foundation Maui Chapter sampling on January 10 and 11, 2024. This sampling was conducted during a DOH Brown Water Advisory that lasted from January 9-January 22, 2024. During this time, the DOH did not sample Maui beaches for 3 weeks.

Sample No	Location	Location Name	Island	Date	Time	Ent Qualifier	Enterococci	CP Qualifier	Chloridium	Comments	Chemistry
EW11212303	000307	Kapiolani Park	Oahu	12/12/2023	9:56 AM	02.3	<	0001	sunny, light wind, few beach goers, surfers (25+), 1-2 ft waves	Select	
RC11212302	303603	Waianalae Beach Pt. 2	Oahu	12/12/2023	9:39 AM	02.3	<	0001	partly cloudy, windy, choppy waves, murky, low tide, organics	Select	
RC11212301	303604	Waianalae State Park Pt. 2	Oahu	12/12/2023	9:23 AM	02.3	<	0001	mostly sunny, windy, choppy waves, greenish color, low tide, few beachgoers	Select	
RC11292306	000169	Mokuleia Shoreline	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11292302	000218	Chum Reef	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11292303	000246	Lanikea	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11292305	000247	Haleiwa Alii Beach Park	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11292301	000313	Kapaula Beach	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11292304	308504	Puena Point	Oahu	11/29/2023					No sample taken - Island wide BWA	Select	
RC11212302	000194	Lanikai Beach Shoreline	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
RC11212305	000200	Sandy Beach Pt. 1	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
RC11212306	000201	Hanalei Beach Park	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
RC11212304	000216	Makapu	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
EW11212303	000222	Ala Moana Lagoon	Oahu	11/21/2023	9:53 AM	02.3	<	0001	partly cloudy, light wind, swimmers (15+), beach goers (20+), fish	Select	
EW11212307	000228	Sans Souci	Oahu	11/21/2023	11:35 AM	30	<	0001	partly cloudy, light wind, swimmers (25+), beach goers (100+)	Select	
EW11212305	000238	Moana Beach, Waikiki	Oahu	11/21/2023	10:59 AM	02.3	<	0001	mostly cloudy, light wind, swimmers (200+), beach goers (250+), surfers (100+), 2-3 ft waves	Select	
RC11212301	303421	Kalia Beach Park Pt. 2	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
RC11212303	303603	Waianalae Beach Pt. 2	Oahu	11/21/2023					No sample taken - BWA due to heavy rain	Select	
EW11212301	304903	Ala Moana Park, Center Pt. 2	Oahu	11/21/2023	9:15 AM	10	<	0001	cloudy, light wind, swimmers(5+), beach goers(5+), surfers(10+), 3-4 ft waves, algae, slightly murky	Select	
EW11212302	304904	Ala Moana Park, D.H. Pt. 2	Oahu	11/21/2023	9:27 AM	02.3	<	0001	cloudy, light wind, swimmers (25+), beach goers (15+), few surfers, 3-4 ft waves, fish	Select	
EW11212304	304905	Kahanamoku Beach, Waikiki Pt. 2	Oahu	11/21/2023	10:28 AM	02.3	<	0001	mostly cloudy, light wind, swimmers (100+), beach goers (150+)	Select	
EW11212306	304906	Kuhio Beach, Waikiki Pt. 2	Oahu	11/21/2023	11:15 AM	10	<	0001	partly cloudy, light wind, swimmers (75+), beach goers (100+)	Select	
RC11202301	000185	Makaha Beach	Oahu	11/20/2023	10:04 AM	10		01.0	overcast, light wind, high tide, large waves, ~15 surfers	Select	
RC11202304	000187	Nanahuli Beach Park	Oahu	11/20/2023	10:59 AM	10		07.0	cloudy, windy, large shorebreak, 3 swimmers	Select	
RC11202302	000224	Pokai Bay	Oahu	11/20/2023	10:25 AM	02.3		03.0	overcast, moderate wind, high tide, 4 boat in bay	Select	
RC11202306	000252	Kobola, Lagoon 1	Oahu	11/20/2023	9:07 AM	02.3		03.0	overcast, light wind, high tide, murky, 30+ swimmers, jellyfish	Select	
RC11202305	000309	Kahe	Oahu	11/20/2023	9:30 AM	02.3		18.0	overcast, high tide, large waves, no swimmers, 2 boats	Select	
RC11202303	307002	Mali Beach Park Pt. 2	Oahu	11/20/2023	10:40 AM	02.3		17.0	overcast, windy, high tide, no swimmers, large shorebreak	Select	
TM1152301	000152	Ala Moana Park, Ewa	Oahu	11/15/2023	9:19 AM	20		04.0	3 swimmers, overcast, light wind, recent rain	Select	
RC1152303	000172	Waimea Bay Shoreline	Oahu	11/15/2023	10:22 AM	02.3	<	01.0	partly cloudy, very windy, large shorebreak, river not flowing	Select	

Table 1. Enterococcus results from the Department of Health’s CWB water quality sampling 11/21/23 and 11/29/23 when no monitoring was conducted at Tier 1 beaches because of wet conditions. We do not know if these samples would have met or exceeded state standards.



Image 1. Example of Surfrider staff collecting enterococcus bacteria samples during a Brown Water Advisory on January 10, 2024 off of West Maui using protective waders and an extension pole.

February 23, 2024
SENATE WAYS AND MEANS COMMITTEE
In SUPPORT of SB2322: Relating to the Environment

Aloha kākou Chair Dela Cruz and Committee Members,

We, the **23 undersigned organizations**, write to express our support for SB23322 directed towards improving the Department of Health Clean Water Branch's statewide beach water quality monitoring and public notification program.

The ocean is a vital part of our communities in Hawai'i. From recreation and putting food on our tables to cultural and traditional practices, our way of life depends on clean coastal waters. Unfortunately, statewide water quality monitoring at beaches in Hawai'i currently lags other states and lacks data collection during wet weather.

SB2322 is a critical step towards improving water quality monitoring in coastal recreational waters in Hawai'i and will ensure that the public is adequately informed about where it is safe to get in the water.

We ask you to support this bill that will require DOH to continue its water quality testing program during Brown Water Advisories. Currently, the Clean Water Branch suspends all testing when Brown Water Advisories are issued, leaving us with an incomplete assessment of coastal water quality conditions across the state.

We believe that it is a public right to ensure that our beaches and coastal waters are clean and free from pollution. Our local keiki, kupuna, 'ohana, and visitors should furthermore be able to enjoy surfing, swimming and recreating in the ocean safely. We appreciate your support of SB2322 and the improvements to beach water quality monitoring that will protect the public health of all our communities.

Sincerely,

Organizations



SB-2322-SD-1

Submitted on: 2/17/2024 6:42:07 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Moran	Testifying for Kihei Community Assoc. (KCA)	Support	Written Testimony Only

Comments:

Aloha Chair & members

Marine water quality is of vital importance to our So Maui Community as we are subject to frequent point source and non point source pollution, We ask you to pass this measure, but with **an amendment to remove the appropriations. Please note** this bill will not require the DOH to spend any additional money or pull any additional samples. The costs of monitoring beaches that DOH currently skips during brown water should already be budgeted for, and our area is subject to these frequently. Mahalo Mike Moran for KCA

SB-2322-SD-1

Submitted on: 2/21/2024 9:56:30 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Eileen Hilton	Testifying for Windward Coalition	Support	Written Testimony Only

Comments:

BILL SB2322

The Windward Coalition strongly supports the passage of SB2322. The suspension of water quality monitoring during brown water events is a disservice to both Hawaii’s residents and guests. It seems difficult to interpret it other than an attempt to conceal a water quality problem rather than address solutions. Critical to a solution is accurate knowledge of the extent of the problem which requires testing during brown water events. Failing to test during these events results in:

- Inadequate and skewed data during wet weather
- Inadequate assessment of public risks associated with brown water events.
- Inability to determine high risk locations needed to prioritize mitigation.

SB2322 is a logical and concise document demonstrating that more data is needed to understand and make good public policy that is needed for safe use of the beaches by all.

Eileen Hilton MD, President Windward Coalition

LATE

SB-2322-SD-1

Submitted on: 2/22/2024 10:37:31 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mara Dias	Testifying for The Surfrider Foundation	Support	Written Testimony Only

Comments:

The Surfrider Foundation strongly supports SB2322 that requires the Department of Health's Clean Water Branch (CWB) to continue its regular coastal water quality monitoring program during Brown Water Advisories and we ask the Committees on Health and Human Services and Agriculture and Environment to please also offer your support for this bill.

Through my role overseeing Blue Water Task Force volunteer water testing programs run by Surfrider Chapters across the country, I've had the opportunity to understand how beach water quality monitoring programs run by state and county health departments operate in many different coastal states. I am not aware of any other state suspending all testing during Brown Water or Rain Advisories unless the water or weather conditions are extremely hazardous as you would expect during a hurricane or other large coastal storm. Typically pre-emptive rain advisories are also only active without actual bacteria test results for 24-72 hours, and then health departments will either rescind or keep the advisories active depending on the results of their sampling. By issuing Brown Water Advisories and keeping them active for weeks at a time and not doing any actual testing during that period, the HDOH is really failing to meet their obligation to protect public health as beach goers and other ocean recreationists don't really heed the advisories, especially when they know it has been days or weeks since the rain.

Public understanding of the health risk of swimming in brown water would definitely be enhanced if there was actual data to back the advisories up. By not testing, HDOH is also limiting recreational opportunities needlessly in many instances and this is bad not only for our communities and people who love to swim, surf or relax in the water, but also the tourism-based businesses that depend on access to clean coastal waters.

HDOH has attested in the past that continuing their regular testing schedule during BWAs would be cost prohibitive but this is exaggerated. The bill only requires them to stick to their regular sampling schedule. EPA does not require a state to perform daily sampling following a bacteria test result that exceeds the state water quality standard, but leaves the frequency of the follow-up testing to the discretion of the state, as long as the beach is properly posted until a subsequent test result does fall below the criteria again. HDOH has chosen to include daily follow-up sampling in their protocol after a high bacteria result is obtained, but they could certainly revised this during their bi-annual program update with EPA.

There are other ways HDOH could save monitoring costs as well so as to not divert resources from their regular sampling schedule. For instance they could re-evaluate their commitment to

processing samples for both the EPA approved fecal indicator bacteria enterococcus and clostridium, which is not recognized by EPA.

Every year, Surfrider volunteers advocate at the Federal level for additional funding for the BEACH Act, which directly funds Hawaii's (and other state's) BEACH water quality monitoring programs. We want to see HDOH appropriately allocate these federal funds to most effectively ensure that the public is protected and can make informed decisions about where it is safe to get in the water.

All states struggle with resources. It is important that HDOH utilizes its resources in ways that maximize human health and safety with robust and transparent data. Please support SB 2322 that is a win-win for our community and does not add any additional burdens or costs to the HDOH.

SB-2322-SD-1

Submitted on: 2/16/2024 6:01:25 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kate Thompson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz and Senators on Ways and Means.

I am requesting that you please pass SB2322 allow the measure to cross over the House. This important bill will improve the state's water quality monitoring program. This bill is a win-win for our community and will support the community knowing where it is safe get in the ocean to swim and enjoy other ocean recreational activities safely. SB2322 does NOT require any additional funding for the Department of Health to carryout. The sites sampled are the same ones that are already budgeted for each year. This bill just requires them to stop their practice of skipping these already budgeted samples when the water is brown.

Thank you for your for your support of this bill.

I submitted a more detailed testimony previously.

Kate Thompson R.N.

SB-2322-SD-1

Submitted on: 2/18/2024 6:28:42 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

I strongly support SB2322 SD1. This bill really is a no-brainer. Without testing during brown water events, it is unknown which locations monitored by DOH experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.

Please pass this very important measure! Mahalo for the opportunity to testify.

SB-2322-SD-1

Submitted on: 2/19/2024 8:09:42 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

- **The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.**
- **No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.**
- **The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.**
- **Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.**
- **SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.**
- **SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.**

February 19, 2024

WAM Committee
Hawaii State Capitol
Honolulu, HI 96813

Dear Chair delaCruz and members of the Senate Ways and Means Committee,

We, a small group of concerned elementary and middle school students from upcountry Maui, are humbly asking for your support with the following position:

Support SB2322 - Improving Statewide Coastal Water Quality Monitoring Program

Amend the bill to remove the appropriations, as this bill will NOT require increases to DOH cost or personnel. It does not require additional DOH sampling outside of the regularly scheduled sites or schedule.

Our concerns:

- No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.
- The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.
- Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.
- SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Please amend this bill so that everyone who enjoys going to our beaches will be able to make informed decisions and keep our 'ohana healthy.

Sincerely,

Jane Mori
5th grade teacher
Carden Academy of Maui's Surfrider Foundation Club
(Maui's FIRST Student Surfrider Club - founded in 2019)

SB-2322-SD-1

Submitted on: 2/19/2024 8:25:12 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sofia de la Sota	Individual	Support	Written Testimony Only

Comments:

Beaches SHOULD be tested at all times, including (and most importantly) during brown water events. This provides crucial information about the contaminants entering the ocean, as well as bacterial load.

Please, protect our health and our oceans.

SB-2322-SD-1

Submitted on: 2/19/2024 8:43:27 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Devon S Anderson	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of SB2322: Improving Water Quality Monitoring Program in Hawaii

As a concerned resident of Hawaii and an advocate for the health and safety of our coastal communities, I am writing to express my strong support for Senate Bill 2322, which aims to enhance the Department of Health's Clean Water Branch's (CWB) water quality monitoring and public notification program.

SB2322 is a crucial step towards ensuring that our residents and visitors have access to accurate and transparent information about the water quality at Hawaii's beaches. By requiring the Department of Health to continue regular water quality monitoring during Brown Water Advisories (BWAs), this bill addresses significant gaps in our current monitoring system.

One key point emphasized by SB2322 is the necessity of testing during brown water events. Currently, when BWAs are issued, no water quality testing occurs, leading to a lack of robust data during wet weather conditions. This omission creates an inaccurate picture of water quality conditions in Hawaii and compromises the ability of the public to make informed decisions about recreational activities in our coastal waters.

Moreover, the current practice of avoiding sampling during brown water events skews the water quality data towards dry conditions, resulting in a biased dataset that fails to adequately inform the public of risks associated with pollution during such events. By mandating testing during BWAs, SB2322 seeks to rectify this bias and provide a more accurate representation of water quality conditions across Hawaii's beaches.

It is also essential to note that SB2322 does not necessitate additional personnel or sites for monitoring. The costs associated with monitoring beaches during BWAs should already be budgeted for and are not expected to result in significant additional expenses. This bill simply ensures that existing resources are utilized effectively to enhance the validity and transparency of our water quality monitoring efforts.

Furthermore, testing during BWAs is critical for promptly identifying pollution spikes during heavy rains and implementing necessary mitigation efforts to protect ocean users and public health. By reducing systematic biases in the current sampling methodology, SB2322 will ultimately promote the health and well-being of our local communities.

In conclusion, I urge you to support SB2322 and prioritize the improvement of Hawaii's water quality monitoring program. By enhancing transparency, accuracy, and public access to information, this bill will empower individuals to make informed decisions about their recreational activities and safeguard the health of our coastal environments. Thank you for considering my testimony in support of this vital legislation.

Sincerely,

Devon Anderson

SB-2322-SD-1

Submitted on: 2/19/2024 8:45:14 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephenie Blakemore	Individual	Support	Written Testimony Only

Comments:

Aloha

Hawaii needs to pass this bill. Brown Water Advisory sites must be monitored to protect residents and visitors. The proposal will not increase costs and will improve safety.

SB-2322-SD-1

Submitted on: 2/19/2024 8:53:55 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacquelyn Weil	Individual	Support	Written Testimony Only

Comments:

For all these reasons I strongly support this bill!

Key Points

- **The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.**
- **No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.**
- **The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.**
- **Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.**
- **SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.**
- **SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.**

Strong Support for SB2322 - Protecting Our Oceans for Our Future

I'm writing to express my heartfelt support for Senate Bill 2322 (SB2322), which addresses the crucial matter of testing the quality of our oceans' water in the beautiful state of Hawaii. As a concerned citizen deeply committed to environmental preservation, I believe safeguarding the health and vitality of our oceans is not only an ethical responsibility but is imperative for the survival of our planet and future generations.

The oceans play a pivotal role in sustaining life on Earth, providing a habitat for countless species and contributing significantly to the global ecosystem. Hawaii, with its unique and diverse marine life, is primarily reliant on the health of its surrounding waters. SB2322 presents a golden opportunity for the State of Hawaii to take a proactive stance in ensuring the long-term well-being of our oceans.

One of the critical aspects of SB2322 that resonates with me is the emphasis on continued water quality testing. Regular and thorough examination of our ocean waters is essential to identify potential pollutants, emerging threats, and changes in the marine environment. By investing in such testing measures, Hawaii can stay ahead of environmental challenges and implement timely interventions to protect our oceans from irreversible damage.

Furthermore, the pristine beaches, vibrant coral reefs, and abundant marine life are not only treasures of natural beauty but also integral to Hawaii's tourism industry. A commitment to water quality testing, as proposed in SB2322, reinforces the state's dedication to preserving these invaluable assets, contributing to the sustainable growth of tourism and ensuring a flourishing economy.

In supporting SB2322, we're safeguarding the oceans not only for ourselves but for future generations. Our children and grandchildren deserve to inherit a world where the oceans remain a source of wonder, sustenance, and inspiration.

By passing this bill, Hawaii can set an exemplary standard for environmental stewardship, inspiring other regions to follow suit in the collective effort to address the global challenges facing our oceans.

I urge you to champion SB2322 and advocate for its passage through the legislative process. Your leadership in this matter will not only protect the natural beauty of Hawaii but also send a powerful message about our commitment to environmental conservation.

Thank you for your attention to this crucial matter, and I trust that you will consider the lasting impact that SB2322 can have on the preservation of our oceans.

Yours truly

Janet Ashforth

SB-2322-SD-1

Submitted on: 2/19/2024 9:45:37 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Welti	Individual	Support	Written Testimony Only

Comments:

I am in full support of this bill. The reasons are so obvious I could explain for pages. Simply said, don't we all want our ocean waters to be clean and safe, and to know when they aren't?

I am glad to talk to whomever to say more if you want more reasons.

Please pass this important bill.

Cynthia Welti

Kapaa, HI

808-278-0748

SB-2322-SD-1

Submitted on: 2/19/2024 9:52:10 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Billups	Individual	Support	Written Testimony Only

Comments:

I think it is absolutely essential to understand the quality of our water here in Maui. Toxic runoff (especially after the fires) concerns me. The fact that the state does not test the water during BWAs concerns and confuses me. This makes the dataset biased and the public is less informed of risks of pollution.

In order for us to thrive together as a community, we must continue to stay informed. Thank you!

SB-2322-SD-1

Submitted on: 2/19/2024 9:53:03 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charlie Quesnel	Individual	Support	Written Testimony Only

Comments:

- The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.
- No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.
- The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.
- Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.
- SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.
- SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

SB-2322-SD-1

Submitted on: 2/19/2024 10:36:28 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

SB2322 Talking Points

Improvements to Department of Health

Water Quality Monitoring Program

[SB2322](#) directs the Department of Health to improve the Clean Water Branch’s (CWB) water quality monitoring and public notification program by requiring the Department of Health to continue its regularly scheduled water quality monitoring during Brown Water Advisories.

Ultimately, SB2322 is designed to help community members and residents make informed decisions on where and when it is safe for them and their families to get into the water, while also ensuring that statewide quality monitoring is more routine and transparent across Hawaii beaches.

Key Points

- The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.
- No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.
- The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.
- Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.

- SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.
- SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Improving Water Quality Testing At Hawai‘i Beaches FAQ

- Will this bill require additional Clean Water Branch (CWB) staff and sites? No. The bill does not increase the number of sites monitored by CWB nor the number of times that sites must be monitored. Thus, it is not expected that the bill will result in significantly more costs or nor required additional personnel.
- Will requiring the CWB to test during BWA increase the amount of testing conducted (and thus increase costs)? This bill requires CWB to test regularly scheduled beaches even if a BWA is in place. It does not require CWB to specifically test beaches under BWA nor conduct additional testing outside of its regularly monitored beaches. The costs of monitoring beaches that CWB currently skips during BWAs should already been budgeted for and is not expected to result in significantly more costs.
- Why is it necessary to test water quality during Brown Water Advisories (BWA) if bacteria readings always exceed limits after heavy rainfall? By suspending testing during BWA, the CWB is effectively eliminating data that would indicate Hawai‘i coastal waters have high bacterial counts. This falsely inflates data that Hawai‘i coastal waters are clean. This practice is neither transparent nor in the best interest of public health. Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches.

Furthermore, SurfriderFoundation data (most recently from Maui on 1/11/2024) shows that during heavy rain events, not ALL tested beaches exceed state health standards for bacteria. Testing during BWA’s would allow the DOH/CWB to open more beaches more quickly.

- Is the CWB required to test the waters before issuing BWA? No. CWB is not required to test waters during BWA in order to post warning signs.
- Are CWB samplers required to return daily to beaches after posting a Brown Water Advisory, testing, and finding the water does not meet HAR 11-54-8 standards? No. The EPA allows weekly (not daily) sampling of beaches that exceed HAR 11-54-8 standards. Since Tier 1 beaches are already monitored on a weekly schedule, testing during BWA should not require a significant increase in staff time or resources and is much better than the total lack of testing being done now.

SB-2322-SD-1

Submitted on: 2/19/2024 10:41:44 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

This bill will not increase costs or require additional personnel for DOH. It merely asks them to stop skipping over beaches with brown water or if a beach is under a brown water advisory.

By suspending testing during BWA, the DOH is effectively eliminating data that would indicate Hawai'i coastal waters have high bacterial counts. This falsely inflates data that Hawai'i coastal waters are clean. This practice is neither transparent nor in the best interest of public health. Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches. Mahalo

SB-2322-SD-1

Submitted on: 2/19/2024 10:53:16 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly King	Individual	Support	Written Testimony Only

Comments:

Aloha Honorable Chair DeLa Cruz and members of the WAM Committee,

Mahalo for getting us closer to clean water assurance! it is imperative that we continue to monitor ocean water quality, for our residents and our visitors. I'm sure you all appreciate being able to enjoy clean swimming and other shoreline activities, and none of us wants to see a decline in tourism due to unsafe coastal waters. We cannot fix what we cannot measure. Please pass out SB2322 to prioritize ocean safety. Mahalo nui loa!

Kelly T. King

SB-2322-SD-1

Submitted on: 2/19/2024 10:56:59 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Pease	Individual	Support	Written Testimony Only

Comments:

- This bill is vitally important in promoting the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water. Testing more often and a wider range of beaches is a must!

SB-2322-SD-1

Submitted on: 2/19/2024 10:57:57 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
GWEN YOUNG	Individual	Support	Written Testimony Only

Comments:

I, Gwen Young, as a redient strongly support SB2322 because:

- **The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.**
- **Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.**
- **SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.**
- **SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.**
- Additionally, we as a state must ALSO look for the root causes of the fecal bacteria and when possible other forever chemicals and remedy the source issue. This data is critical and supports the future prevention as well.

thank you,

Gwen Young

SB-2322-SD-1

Submitted on: 2/19/2024 11:02:39 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Motelewski	Individual	Support	Written Testimony Only

Comments:

Aloha,

thank you for your time... Having lived on Maui for many decades now I have always been concerned when we have heavy rains due to the brown water runoff. I truly believe the state or DLNR NEEDS TO DO BETTER WATER QUALITY TESTING. As a Lahaina resident I am particularly concerned about the waters off our beautiful town as well as areas both south and north of the burn zone. Please do the right thing so all residents as well as tourists can know how the water is here. Money matters and so do healthy residents and visitors.

Aloha and Mahalo,

john Motelewski

SB-2322-SD-1

Submitted on: 2/19/2024 11:10:31 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elisabeth Dubuit	Individual	Support	Written Testimony Only

Comments:

I support SB2322.

SB-2322-SD-1

Submitted on: 2/19/2024 11:38:30 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dan Gardner	Individual	Support	Written Testimony Only

Comments:

Chair Dela Cruz, Vice-Chair Keith-Agaran, and Members of the Ways and Means Committee:

I am in strong support of SB 2322 as it directs the Department of Health to improve the Clean Water Branch's (CWB) water quality monitoring and public notification program by requiring the Department of Health to continue its regularly scheduled water quality monitoring during Brown Water Advisories.

Currently ocean users are put at greater risk and the identification and enactment of needed pollution mitigation efforts are delayed.

SB 2322 promotes the health of the local community by ensuring the public can make more informed decisions about where and when it is safe for their families to get in the water.

Thank you for your continued support of this important legislation to ensure safer use of our superb ocean resources.

Dan Gardner

Honolulu, HI - daniel.dano.gardner@gmail.com

SB-2322-SD-1

Submitted on: 2/19/2024 12:19:13 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nadine Ferraro	Individual	Support	Written Testimony Only

Comments:

I am very much in support of this water quality bill number SB2322.
Mahalo for your consideration!

Nadine Ferraro, Oahu resident since 1973

SB-2322-SD-1

Submitted on: 2/19/2024 1:34:35 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John L Reppun	Individual	Support	Written Testimony Only

Comments:

Aloha Chair DelaCruz, Ways & Means Committee. Members:

Mahalo for the opportunity to provide testimony in strong support of this measure. Others have submitted support citing the need for continued testing as prescribed by this measure and the importance of data collection that is more, not less, robust as we move into an era of sea level rise, climate changes that will see increased frequency and intensity of events that will impact our vulnerable ecosystems, both terrestrial and nearshore.

Current Dept of Health information (from their own website) tends to minimize concerns, focusing too much on beaches (versus all shoreline areas. bays and estuaries):

"Brown Water Advisory. A brown water advisory (BWA) is issued to advise beach users to use caution when waters are brown, turbid, or cloudy as these waters may contain land-based polluted runoff. BWAs are unique to Hawaii and are not part of the EPA Beach Program. It was named after the brown color of the water frequently observed after heavy rainfall which is mainly due to soil and silt runoff into the ocean via streams and drainage ditches. The CWB recognizes that land-based pollutants may pose a health risk to beach users when they are washed into the ocean; however, the current indicator does not detect many land-based pollutants such as toxic chemicals.

Note that the water need not be brown for the CWB to issue a BWA. The color of the water will often depend on the color of the surrounding soil, or may take on the color of land-based pollutants or may be gray or even colorless, but the water will often be cloudy or turbid. A BWA is generally issued by the CWB when the National Weather Service issues a Flash Flood Warning. A BWA may also be issued when CWB field personnel receives information or observes conditions consistent with a brown water event.

Heavy rain may cause excessive runoff of water carrying land-based pollution that eventually flows into the ocean via beaches. However, rain need not occur on the beaches; rain in the mountains may cause runoff to impact a beach through streams, storm drains or drainage canals even on a sunny day at the beach."

The DOH's cautionary statement, while appreciated, feels like an advisory to tourists or islanders as visitors when far more attention should focus on the source(s) of pollution and chronic, cumulative impacts on the quality of our island resources. More robust collection of data will

better inform us at the community, County and State levels, laying a foundation for better planning, mitigation measures that must ensue as water tables rise, wetland filters disappear and more.

In the Kaneohe Bay area where I come from, the Ahuimanu-Waiahole area is one of, if not the densest concentrations of cesspools in the State. Similarly, development in our area, as is the case around the island, is concentrated in the "coastal zone" where runoff of all kinds of pollutants is almost immediate during storm events, carrying same into the Class AA waters of the bay. Robust, frequent testing and monitoring by the DOH is essential for public safety, planning purposes to fulfill the Department's mandates and inform entities with whom it collaborates as well as its role on the State Commission for Water Resource Management.

I urge you to pass this measure. As always, "an ounce of caution is worth a pound of cure".

Mahalo, John L. Reppun - Lifetime Windward Oahu resident and advocate

SB-2322-SD-1

Submitted on: 2/19/2024 1:56:51 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Furst	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to ask for your support of SB2322, relating to ocean water quality.

[SB2322](#) directs the Department of Health to improve the Clean Water Branch's (CWB) water quality monitoring and public notification program by requiring the Department of Health to continue its regularly scheduled water quality monitoring during Brown Water Advisories.

Ultimately, SB2322 is designed to help community members and residents make informed decisions on where and when it is safe for them and their families to get into the water, while also ensuring that statewide quality monitoring is more routine and transparent across Hawaii beaches.

As a parent of a toddler, it is vitally important for my wife and I to be able to make informed decisions about the ocean conditions where we take our son. If a particular beach is subject to increased contamination during or after rain events, we need to have access to accurate data to know where to avoid swimming. This bill will help to close an existing gap in that data source, helping families across Hawai'i to make informed decisions.

Mahalo in advance for your consideration of this important legislation.

-Richard Furst
Honolulu, HI

SB-2322-SD-1

Submitted on: 2/19/2024 2:09:29 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Carl J. Berg	Individual	Support	Written Testimony Only

Comments:

Fiscal Implications: NONE. As this measure will simply require that the CWB continue its regular monitoring schedule during periods where the water is discolored. No amendment should be added for increased funding for doing what they are already supposed to be doing. The CWB would be more within budget if it discontinued expensive laboratory testing for the bacterium *Clostridium perfringens* which is not recognized by the EPA as a valid test for water pollution leading to public health risk.

The CWB cannot continue to falsify the reports on water quality in nearshore waters by selectively testing only while the water looks clean, or by only sampling at beaches that are always clean, or by selectively testing the cleanest parts of the beach. CWB also falsifies our understanding of the water pollution problem by not testing state waters which are most frequented by locals, where streams flow upon our beaches, a case on environmental injustice.

How is it that the public has to petition the Hawaii State Legislature to force the Hawaii Department of Health to do its job in protecting the environment and the health of locals?

Respectfully submitted,
Carl J. Berg, Ph.D.
Water Quality Scientist
Lihue, HI 96766

2/19/24

Testimony regarding SB2322

My name is Peter Eacott and I live in Moloaa, Kauai, between the ocean and the Moloaa stream. Moloaa stream is often tested (monthly) for the quality of water that sits stagnant in the stream - it often tests as the most polluted stream in Hawaii and has been found to contain human sewage as well as numerous forms of harmful bacteria. The stream does not flow unless rain has fallen - sometimes it floods the whole valley but more often it just sits.

The Department of Health sends out personnel to test the water. They are instructed to only test the ocean water - not the stream. They are also instructed to not test at all when the stream is flowing as well as after the stream has been flowing. This gives a very inaccurate result and indicates the water is fine. It is not - when the stream flows the whole bay turns brown and stinks of sewage - it often lasts up to 7 days - no one can swim, fish or enjoy the ocean.

I believe it is my right to enjoy the clean ocean and using deceptive tactics to make it appear the water is clean is not what the DOH should be doing.

It is shameful to have to pass a law to get this done but apparently it is the only way to assure the cleanliness of our water.

Sincerely,
Peter Eacott

SB-2322-SD-1

Submitted on: 2/19/2024 3:33:49 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Robert Zelkovsky	Individual	Support	Written Testimony Only

Comments:

aloha - I strongly support SB2322. Ocean safety is important and it encompasses many facets. Bacterial pollution is a health hazard and it is the State's duty to check and alert visitors and residents of any high levels that may adversely affect someone's health.

Please PASS SB2322. I strongly support passage.

Dr. Robert Zelkovsky

49 year Kaua`i resident

SB-2322-SD-1

Submitted on: 2/19/2024 3:36:22 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Harriet A. Myers	Individual	Support	Written Testimony Only

Comments:

Please pass this bill. We rely on you to keep our water clean. And we need to know where the pollutants come from.

SB-2322-SD-1

Submitted on: 2/19/2024 7:03:17 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Kizer	Individual	Support	Written Testimony Only

Comments:

Please support this bill requiring the DOH to continue sampling regularly monitored beaches during brown water advisories and/or when the water is brown. I always check these reports before going or sending visitors to enjoy the ocean avoiding any problem areas/beaches on the island.

SB-2322-SD-1

Submitted on: 2/19/2024 7:14:48 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Dinner	Individual	Support	Written Testimony Only

Comments:

WE need an accurate picture of our polluted ocean waters, not one spruced up for tourists by taking only the clean days. I swim at Anini Beach and the variation at different times is immense. Please pass this bill.

Aloha kakou! My name is Keolahou Ake and I am a resident who was born and raised here in Hawaii and I am submitting my written testimony in support of bill 2322. This bill will NOT increase costs or require additional personnel for DOH. It merely asks them to stop skipping over beaches with brown water or if a beach is under a brown water advisory.

By suspending testing during BWA, the DOH is effectively eliminating data that would indicate Hawai'i coastal waters have high bacterial counts. This falsely inflates data that Hawai'i coastal waters are clean. This practice is neither transparent nor in the best interest of public health. Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches.

Accurate data on water quality is imperative for safeguarding public health and preserving the environment. In the context of coastal waters, inadequate testing during brown water advisories poses significant risks. When testing is suspended during these advisories, it can lead to an inaccurate portrayal of coastal water cleanliness, potentially jeopardizing public safety. High bacterial counts in water can indicate the presence of harmful pathogens, and if not properly monitored, it may result in increased incidents of water-borne illnesses.

Furthermore, the long-term consequences of not accurately monitoring coastal water quality are concerning. Continued inadequate testing can lead to a false perception of cleanliness, potentially luring unsuspecting individuals to swim or engage in recreational activities in contaminated waters. This could perpetuate environmental degradation and raise health risks for communities relying on coastal resources.

In conclusion I just wanted to emphasize that the bill does not increase costs or necessitate additional personnel but the need for accurate and consistent monitoring of coastal water quality is essential for the well-being of both the public and the environment.

Mahalo for your time

Keolahou Ake

SB-2322-SD-1

Submitted on: 2/20/2024 7:37:39 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelly Joudon	Individual	Support	Written Testimony Only

Comments:

I am a resident of Kaua'i, I scuba dive, surf, paddle and sail all around the Hawaiian coastal areas.

Our streams dump toxic runoff into the ocean. We have done private testing on brown water days and it is terrible, unsafe and an environmental disaster for the marine life as well as humans.

I fully support weekly testing, no matter what the weather.

Hawaii should be a leader in clean water and organic farming.

SB-2322-SD-1

Submitted on: 2/20/2024 8:03:25 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dean & Darlene Oakes	Individual	Support	Written Testimony Only

Comments:

Insuring water quality is basic to everyone's health and quality of life.

Testing must be continued.

Thank you.

SB-2322-SD-1

Submitted on: 2/20/2024 8:15:27 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Wood	Individual	Support	Written Testimony Only

Comments:

As a resident of Kailua, I frequent Castles beach regularly and am often astonished at the water quality there. I love to surf at Castles but oftentimes the brown water makes me too uncomfortable to enter. However, when I search online to figure out what the latest water quality report said about the site, I find nothing. I am asking for a more robust water quality testing program supported by this bill so that we can enter the water safely with the information we need. Our families deserve to know that the water we love and rely on for food and recreation is safe.

- **The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.**
- **No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.**
- **The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.**
- **Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.**
- **SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.**
- **SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.**

SB-2322-SD-1

Submitted on: 2/20/2024 9:02:26 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mariano Crivello	Individual	Support	Written Testimony Only

Comments:

As a passionate water enthusiast and father of two children who frequently engage with the ocean and river environments, I wholeheartedly endorse this initiative.

In recent years, my children have suffered illnesses, some leading to hospitalization, which we believe stem from compromised water quality.

A comprehensive monitoring of water quality across the island, leaving no areas unchecked, is crucial for protecting those who cherish the ocean and the lifestyle it affords. Moreover, I trust that this will aid in pinpointing the major polluters on the island, who have historically faced minimal consequences for their detrimental actions.

Mariano Crivello

SB-2322-SD-1

Submitted on: 2/20/2024 9:38:32 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Garnier	Individual	Support	Written Testimony Only

Comments:

I support Bill 2322.

Clean wster testing is vital to human health and vitality.

It is also vital to our natural surroundings.

Mālama 'Aina.

SB-2322-SD-1

Submitted on: 2/20/2024 9:43:09 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

Subject: Support for SB2322: Improving Water Quality Monitoring and Public Notification Program in Hawaii

My name is Laura Brown, and I am writing to express my strong support for SB2322, a critical piece of legislation aimed at enhancing community safety and transparency regarding water quality across Hawaii beaches. SB2322 directs the Department of Health to improve the Clean Water Branch’s (CWB) water quality monitoring and public notification program, particularly during Brown Water Advisories (BWAs).

SB2322 is essential because it empowers community members and residents to make informed decisions about the safety of entering the water, ensuring the well-being of their families. Furthermore, it promotes statewide quality monitoring that is more routine and transparent, fostering trust in beach water conditions.

The costs associated with monitoring beaches during BWAs should already be budgeted for and are not expected to result in significantly higher expenses. Currently, no water quality testing occurs during BWAs, leading to a lack of robust data during wet weather and an inaccurate representation of water quality conditions.

The current data collection methodology skews towards dry conditions, neglecting sampling during brown water events, which leads to biased datasets and less informed public about pollution risks. Without testing during brown water events, there is a gap in knowledge regarding pollution spikes during heavy rains, putting ocean users at risk and delaying necessary pollution mitigation efforts.

SB2322 would enhance the validity of ocean water quality data by reducing systematic biases in the current sampling methodology. Ultimately, SB2322 promotes community health by ensuring that the public can make well-informed decisions about entering the water safely.

In conclusion, I urge you to support SB2322 for the betterment of our community and the preservation of Hawaii’s pristine beaches. By enhancing water quality monitoring and public notification, we can protect the health and safety of residents and visitors alike.

Thank you for your attention to this matter.

Sincerely, Laura Brown

SB-2322-SD-1

Submitted on: 2/20/2024 9:55:59 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charlotte Frank	Individual	Support	Written Testimony Only

Comments:

As a resident of Honolulu and an avid water woman, I support SB2322, which requires the DOH to continue water testing during brown water advisories under certain circumstances. The cost of monitoring beaches that the Clean Water Branch currently skips during brown water advisories should already be budgeted for, and is not likely to result in more costs. Additionally, this bill would increase the validity of ocean water quality data collected by the DOH by reducing systematic biases in the current sampling methodology. SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe to be in and around the water.

By suspending testing during BWA, the DOH is effectively eliminating data that would indicate Hawai'i coastal waters have high bacterial counts. This falsely inflates data that Hawai'i coastal waters are clean. This practice is neither transparent nor in the best interest of public health. Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches.

Please pass bill SB2322.

Thank you,

Charlotte Frank

SB-2322-SD-1

Submitted on: 2/20/2024 9:59:45 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gordy Pease	Individual	Support	Written Testimony Only

Comments:

Testing is necessary to keep our island safe for all ages. Infection from bacteria can be very painful and even deadly. I have my grandchildren to think about, as well as all residents and visitors in Hawaii who deserve to use the ocean wisely and safely.

Thank you,

Gordy Pease

SB-2322-SD-1

Submitted on: 2/20/2024 10:06:47 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L. Osterer	Individual	Support	Written Testimony Only

Comments:

Dear Ways and Means Committee Chair and Members,

I support SB2322 SD1. This bill will support our most important asset for tourists and residents alike, safe ocean recreation.

It would improve the state's water quality monitoring program and does NOT require any additional funding for the Department of Health to carryout.

The sites sampled in this bill are the same ones that are already budgeted for each year. This bill just clarifies that already budgeted samples must not be skipped when the water is brown. A safe method to sample brown water is possible. Moreover, when sites are obviously brown water, warning signs should be posted, and sampling repeated later.

Thank you for your attention,

L. Osterer, long time resident and registered voter, Koloa, Hi.

Bill: SB2322 SD1

Report Title: DOH; Environmental Management Division; Clean Water Branch; Water Quality; Water Testing; Hazardous Conditions; Expenditure Ceiling; Appropriation

Measure Title: Relating to Water Quality

February 20, 2024

Honolulu, HI

Subject: Testimony in Support of Senate Bill SB2322 SD1- Relating to Water Quality

Aloha legislature,

I am writing to express my strong support for Bill SD1, which mandates continued water testing during brown water advisories under specific circumstances. As a concerned citizen and someone deeply invested in the well-being of our community, I believe this bill is a crucial step toward ensuring the safety and health of our residents, particularly during times of compromised water quality.

Brown water advisories pose significant risks to public health, as they often indicate the presence of contaminants and pollutants in our water supply. Without proper testing and monitoring, individuals may unknowingly consume or come into contact with harmful substances, leading to a range of adverse health effects.

By requiring the Department of Health to conduct continued water testing during brown water advisories, Bill SD1 demonstrates a commitment to proactive risk management and safeguarding the welfare of our citizens. This measure will provide essential data to accurately assess the extent of water contamination and enable timely interventions to protect public health.

In conclusion, I urge you to support Bill SD1 and prioritize the health and safety of our constituents by ensuring continued water testing during brown water advisories. This legislation represents a crucial step towards building a more resilient and secure future for all residents of our state.

Mahalo Nui Loa for your attention to this matter,

Chelsea Huntington

Independent Citizen

317-408-3857 | Chelseataylr@gmail.com or Chunt44@hawaii.edu

SB-2322-SD-1

Submitted on: 2/20/2024 2:32:17 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

Clean water is essential to every Hawaiian citizen and every tourist. Without the accurate and consistent testing of the beach waters every beach opportunity becomes suspect. With the health and safety of information on the bacterial content, our populations are at risk. Reports of illness could eventually sour the tourist industry and deprive our residents of a healthy recreational option.

please maintain CONSISTENT water testing of ALL beach waters and publishing the results!

Patricia Fallbeck

SB-2322-SD-1

Submitted on: 2/20/2024 3:56:53 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Hixon	Individual	Support	Written Testimony Only

Comments:

Aloha: I urge you to support SB2322, which would require the Department of Health (DOH) to continue to sample its regularly scheduled beaches during Brown Water Advisories (BWA) and/or if the water is brown. This bill will not increase costs or require additional personnel for DOH. It merely has them to stop skipping over beaches with brown water or if a beach is under a brown water advisory. By suspending testing during BWA, the DOH is effectively eliminating data that would indicate Hawai'i coastal waters have high bacterial counts. This falsely inflates data that Hawai'i coastal waters are clean. This practice is neither transparent nor in the best interest of public health. Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches. Please support SB2322. Mahalo!

SB-2322-SD-1

Submitted on: 2/20/2024 4:27:15 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice-Chair Moriwaki and Honorable Committee Members:

I respectfully present this testimony to SUPPORT SB2322, SD 1, which would require the Hawai`i Department of Health to implement continued water testing during brown water advisories and under other, certain circumstances. This pattern of regular testing especially during brown water advisories is critical to ensuring that beaches statewide like those on our Leeward Coast – especially family gathering spots like Pokai Bay and Kalanianaole Beach Park remain free and clear of any water-borne pathogens that could injure/infect children and their families as they enjoy beach recreation activities.

We realize the Department of Health's concerns that their Clean Water Branch (CWB) does not receive sufficient funding for beach monitoring and funding is limited to seven water sampler positions across the entire State. So, we are hopeful that your committee will pass this bill with: 1) sufficient funding to implement consistent brown water monitoring and testing across ALL islands; and 2) the intention to make this funding and testing program effective by FY 2024-2025.

Without consistent, regular water testing during brown water events, there is no way to gauge which beach and inland waterway locations the Department of Health monitors also experience pollution spikes during heavy rains. By continuing to sample beach and inland waterway areas during Brown Water Advisories, the CWB and DOH would meet its mission statement mandate and provide all Hawai`i residents plus tourists with the data and tools needed to know where it is safe to enjoy our shoreline and other areas.

For all of the above reasons, and in the interest of safeguarding the health of all of Hawai`i's beachgoers and watermen/women, I respectfully urge your Committee to please pass SB 2322, SD1 with appropriate funding out of your Committee and allow it to move forward during this Legislative Session. Mahalo for this opportunity to present this testimony supporting HB2322, SD1.

Nancy A. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: nancyhydroalt@gmail.com

SB-2322-SD-1

Submitted on: 2/20/2024 4:28:45 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Zeb Jones	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice-Chair Moriwaki and Honorable Committee Members:

I submit this testimony to respectfully SUPPORT SB2322, SD 1, which requires the Hawai`i Department of Health to conduct ongoing water testing during brown water advisories and under other, certain conditions. This practice of regular testing especially during brown water advisories is essential to ensure that beaches across our State like those on our Leeward Coast – especially family meeting places like Pokai Bay and Kalaniana`ole Beach Park -- stay safe and clean of any water-borne germs that could harm/infect children and their families as they enjoy beach recreational activities.

We understand the Department of Health's concerns that their Clean Water Branch (CWB) does not have enough funding for beach monitoring and funding is limited to seven water sampler positions statewide. So, we hope that your committee will pass this bill with: 1) enough funding to carry out steady brown water monitoring and testing on ALL islands; and 2) the intention to make this funding and testing program effective by FY 2024-2025.

Without steady, regular water testing during brown water events, there is no way to measure which beach and inland waterway locations the Department of Health monitors also have pollution surges during heavy rains. By continuing to sample beach and inland waterway areas during Brown Water Advisories, the CWB and DOH would fulfill its mission statement mandate and provide all Hawai`i residents and tourists with the data and tools needed to know where it is safe to enjoy our shorelines and other areas.

For the above key reasons and in the interest of protecting the health of all of Hawai`i's beachgoers and watermen/women, I respectfully ask your Committee to please pass SB 2322, SD1 out of your Committee with sufficient funding and allow it to advance during this Legislative Session. Thank you for this opportunity to present this testimony supporting HB2322, SD1.

Zebuel "Zeb" C. Jones

PO Box 1462, Wai`anae, HI 96792 / Email: zebbe3442@gmail.com

SENATOR DONOVAN M. DELA CRUZ, CHAIR

COMMITTEE OF WAYS AND MEANS

S.B. 2322 SD 1

Friday, February 23, 2024

10:30 AM Conference Room 211 & Video Conference

State Capitol

415 South Beretania Street

WAM

IN SUPPORT

Aloha piha kākou,

My name is Christina Medina and I am testifying in favor of S.B. 2322 requiring that the State of Hawai‘i Department of Health be required to continue water testing during brown water advisories. The water gets so polluted during these flooding events that trigger the brown water advisories in the first place, that more testing during a brown water advisory *should* be a requirement. As with more flooding naturally comes higher bacteria counts, especially that more cattle are being allowed closer to our watersheds. The communities of this State, that have paid taxes for generations in these islands to have things like this in place to keep the community safe, should have the safety of knowing if they should wait after a brown water advisory before bringing their keiki swimming. Sometimes the water appears clean but there are still very high counts, and I have seen many keiki get sick, or get rashes from swimming in water that I have told people they shouldn't let their kids swim in. "They would let the public know.." is what I always hear back. The General Fund is exceeding its limits, and I pray that you please make an appropriation for this. When we mālama our ‘āina, waterways, and ocean we mālama our

communities. Mahalo nunui for reading my testimony, I stand proud in support of this bill for the safety of our keiki.

Christina Medina

CImedina@hawaii.edu

(808)647-4272

SB-2322-SD-1

Submitted on: 2/21/2024 8:59:56 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Larry McElheny	Individual	Support	Written Testimony Only

Comments:

Aloha

Please support SB 2322.

Do not allow testing to be suspended during Brown Water Advisories.

Testing during BWA ensures that we have an accurate understanding of the water quality at our local beaches.

Mahalo

Larry McElheny

SB-2322-SD-1

Submitted on: 2/21/2024 9:27:04 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leonard Rossoff	Individual	Support	Written Testimony Only

Comments:

RE: BILL SB2322

I would imagine that the utility of water quality testing is to establish locations of areas of concern and their severity to best guide the need for remediation. Suspension of water quality monitoring during BWA smacks of an attempt to minimize and or conceal a water pollution problem that could compromise the health of residents and visitors to Oahu. More detailed data collection would seem critical to formulating a scientific response for remediation. Attempts to conceal a problem generally fail with potential greater long term damage to tourism, the public trust, not to mention the wealthfare of Hawaii's residents. My reading of SB2322 demonstrates a no nonsense and logical approach to the collection of more data to enable good public policy.

L.J. Rossoff MD

Kaneohe

SB-2322-SD-1

Submitted on: 2/21/2024 2:47:39 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Angela Amantite	Individual	Support	Written Testimony Only

Comments:

I as a student and surfer of Oahu and support [SB2322](#)

SB-2322-SD-1

Submitted on: 2/21/2024 3:30:11 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Levani Lipton	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz and Vice-Chair Moriwaki and Senators Aquino, DeCoite, Hashimoto, Inouye, Kanuha, Kidani, Kim, Lee, Shimabukuro, Wakai and Fevella,

I serve as chair of the Kailua Neighborhood Board's Kailua Water Quality Public Safety, Public Health and Civil Defence Subcommittee but I am submitting this testimony on behalf of myself. I stand in strong support of SB2322 to have regular water quality testing by the Department of Health at our beaches and in our streams. As a paddler I have heard so many of my paddling sisters, friends and teammates complain of infections from the water. There is no doubt that our waters are polluted and this is a major public health issue and safety concern.

In 2023 we have had several incidences of bacterial exceedence from the wastewater treatment plant and probably from nearshore cesspools in our community after major rain events.

Being that Kailua Beach is the most popular beach on the island and sees many tourists --we need to know what is in the water when the water is brown. Signage is often lacking and the general public is not informed unless they sign up for alerts from DOH. This poses a significant risk to the public's health and the the health of our visitors. The same holds true for every beach and stream in our State. Our natural resources are what makes these islands so special we need to take care of them before it is too late.

One of major issues we face is that we don't have brown water advisories get reported on a timely basis. A few years ago there was a keiki surfing competition held at Kalama Beach. It was happening on a weekend. We had a big storm and the water was brown, but there was no advisory posted until early the following week. There were several hundred children and their families in the water that day. Had we had regular water quality testing and the issuance of a brown water advisory in real time - many of the families and children would have known about the risk to their personal health. It is absolutely essential that we and our government does not sacrifice water quality testing.

I urge you to pass SB2322 and demand that DOH does regular water quality testing during brown water events. Doing so will help provide the data to drive the policy that will make make a more permanent widespread alert system that can ultimately protect the public's health and safety. It will also help us to determine how to mitigate the runoff that is causing the brown

water in the first place and build the case to better maintain a stormwater infrastructure system that is largely inadequate and under maintained.

Thank you for the opportunity to testify.

Sincerely,

/Levani R. Lipton/

SB-2322-SD-1

Submitted on: 2/21/2024 6:33:15 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Camile Cleveland	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I've been a volunteer with the Surfrider Foundation for the past 3+ years and have seen the broad coalition of support this bill has garnered over the past few years largely due to our efforts. It is time to pass this measure for the health and safety of the people of Hawai'i.

The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs. No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii. The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events. Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts. SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.

SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Mahalo for the opportunity to testify.

SB-2322-SD-1

Submitted on: 2/21/2024 7:09:28 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Simon	Individual	Comments	Written Testimony Only

Comments:

Please test our waters and keep them safe.

SB-2322-SD-1

Submitted on: 2/21/2024 7:28:52 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Christiane Keyhani	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Christiane Keyhani. I was born and raised on Maui. I care about the quality of our ocean waters because they have become negatively affect and influence by urbanization, plantations, and climate change. I am devoted surfer and water women. Please malama kai and support this bill.

- The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.
- No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.
- The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.
- Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.
- SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.
- SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Mahalo,

Christiane

SB-2322-SD-1

Submitted on: 2/21/2024 9:48:53 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

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

Comments:

Dear Elected Officials,

Clean water and water quality monitoring is important to me as a ocean swimmer and surfer.

Why I support SB2322:

- The costs of monitoring beaches that CWB currently skips during BWAs should already be budgeted for and is not expected to result in significantly more costs.
- No water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii.
- The current water quality data collected by the Department of Health are skewed towards dry conditions by avoiding sampling during brown water events. This means that the overall dataset is biased and that the public is less informed of risks during pollution associated with brown water events.
- Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.
- SB2322 would increase the validity of ocean water quality data collected by the Department of Health by reducing systematic biases in the current sampling methodology.
- SB2322 promotes the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Mahalo Nui,

Barbara Wiedner

1774 Puu Kaa St, Kapaa, HI 96746

808-635-2593

SB-2322-SD-1

Submitted on: 2/21/2024 10:30:06 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Amato	Individual	Support	Written Testimony Only

Comments:

As a water quality scientist, a resident, and a father, I support SB2322. DOH should be required to test during brown water events. Not doing so puts the health of our people at risk because there is no information on how polluted the water is and when it is safe to go back in the water. The current method of not sampling during brown water events also skews the state's water data, which gives a false sense that Hawai'i's water is great when there are times it is not. Sampling during these scheduled sample dates will not add any additional burden to the DOH. Please support SB2322. Mahalo -Daniel Amato, PhD

SB-2322-SD-1

Submitted on: 2/22/2024 12:45:26 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Hallahan	Individual	Support	Written Testimony Only

Comments:

Improvements to the Department of Health are needed, Mire oversight is needed.

Water Quality Monitoring Program is vital

improve the Clean Water Branch's (CWB) water quality monitoring and public notification program by requiring the Department of Health to continue its regularly scheduled water quality monitoring during Brown Water Advisories.

Help community members and residents make informed decisions on where and when it is safe for them and their families to get into the water, while also ensuring that statewide quality monitoring is more routine and transparent across Hawaii beaches.

SB-2322-SD-1

Submitted on: 2/22/2024 7:33:42 AM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Helen Cox	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to support SB2322 which directs the Department of Health to improve the Clean Water Branch’s (CWB) water quality monitoring and public notification program by requiring the Department of Health to continue its regularly scheduled water quality monitoring during Brown Water Advisories.

Currently no water quality testing occurs when Brown Water Advisories (BWAs) are issued, resulting in a lack of robust data during wet weather and creating an inaccurate picture of water quality conditions in Hawaii. Without testing during brown water events, it is unknown which locations monitored by the Department of Health experience pollution spikes during heavy rains. This gap in knowledge puts ocean users at risk and delays the identification and enactment of needed pollution mitigation efforts.

SB2322 will increase the validity of ocean water quality data collected by the Department of Health thereby promoting the health of the local community by ensuring the public can make informed decisions about where it is safe for their families to get in the water.

Please pass SB2322, Mahalo,

Helen Cox

LATE

SB-2322-SD-1

Submitted on: 2/22/2024 12:00:10 PM

Testimony for WAM on 2/23/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Katie Kealoha	Individual	Support	Written Testimony Only

Comments:

2/23/2024

WAM Committee

Hawai'i State Capitol

Honolulu, Hawai'i 96813

Position: Support SB2322 - Improving statewide coastal water quality monitoring program

AMEND the bill to remove appropriations, as this bill will not require increases to DOH cost or

personnel. It does not require additional DOH sampling outside of the regularly scheduled sites or

Schedule.

Dear Chair Dela Cruz and members of the Senate Ways and Means Committee,

My name is Katie Kealoha and I am the coordinator of the Marine Science Learning Center at Wai'anae High School. Our program STRONGLY SUPPORTS SB2322 that requires the Department of Health's Clean Water Branch (CWB) to continue its regular coastal water quality monitoring program during Brown Water Advisories.

It is important to AMEND SB 2322 so that it will NOT require any additional costs or personnel to implement. These sites and samples have already been budgeted for in DOH's annual funding from the federal BEACH Act funds. SB2322 simply requires the CWB to maintain its regularly scheduled sampling, and to pull samples at their regularly scheduled

sites regardless if the water is clear or brown.SB 2322 will not increase DOH costs or personnel as it does not increase the number of sites being tested, nor require additional testing.

Currently the CWB suspends all testing activity when Brown Water Advisories are issued. No samples are collected from any of the affected beaches, not even Tier 1 beaches, until the BWAs are lifted as a result of visual inspections. There are multiple problems with this, including lack of data to describe pollution levels during Brown Water Advisories, which can impact the community's ability to make informed decisions about which areas are safe to use and when. With increasing climate change, it is important to adequately monitor and document the water quality in every DOH site in order to see trends and identify problem areas so we as a community can take action with a complete and informed data set.

In our program we teach our students the importance of collecting consistent data in order to understand what is happening within dynamic aquaculture systems. The existing monitoring schedule at these sites exists for a reason, it is important that the data is collected with fidelity regardless of the appearance of the water. This bill would help to insure that happens without requiring any additional allocation of funds. R

Mahalo for your consideration,

Katie Kealoha

Coordinator

Marine Science Learning Center

Wai'anae High School