
SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A STATEWIDE
RAINWATER DETENTION AND RETENTION POND SAFETY PROGRAM.

1 WHEREAS, Hawaii has the highest rate of drowning in the
2 country at an annual average of 2.4 victims for every one
3 hundred thousand residents who drown in the State's ocean
4 waters, lakes, dams and reservoirs, rainwater retention and
5 detention ponds, flood waters, swimming pools, spas, and private
6 homes; and
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8 WHEREAS the rate more than doubles when including visitor
9 statistics, making it the nation's riskiest destination in terms
10 of water safety; and
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12 WHEREAS, Hawaii's keiki are the most vulnerable to
13 drowning, which in this State and nine others, is the leading
14 cause of death among children aged fourteen and younger; and
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16 WHEREAS, among children under age five, drowning accidents
17 in swimming pools are the leading cause of injury and death,
18 while Hawaii's older keiki are more vulnerable to drowning in
19 the ocean, lakes, ponds, dams and reservoirs, rainwater
20 catchments, as well as detention and retention ponds; and
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22 WHEREAS, detention and retention ponds are meant to hold
23 storm water and rainwater catchments are similarly used to
24 harvest runoff rainwater; and
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26 WHEREAS, unregulated and poorly maintained rainwater
27 detention and retention ponds pose a serious health and safety
28 risk, particularly to Hawaii's children because these ponds are
29 often mistaken for recreational bodies of water; and
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31 WHEREAS, rainwater detention and retention ponds should be
32 clearly marked with hazard and warning signs that prohibit
33 swimming and water sports; and



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WHEREAS, the Department of Health has recommended action to reduce Hawaii's drowning rate and set a goal more than a year ago to reduce that rate by more than half, to less than one resident per one hundred thousand by 2010; and

WHEREAS, a high drowning rate detracts from the State's image as a safe as well as pleasurable visitor destination; and

WHEREAS, the American Academy of Pediatrics and the Consumer Product Safety Commission have recommended fencing to protect children from circumventing adult supervision, and the State's injury prevention panel has recommended four-sided isolation fencing for residential pools to isolate them from the house or yard; and

WHEREAS, just like pools, rainwater detention and retention ponds should be similarly enclosed with chain-link or see-through fencing that is at least four feet high and accessed by a single locked gate; and

WHEREAS, a statewide rainwater detention and retention pond safety program needs to be implemented by the State to protect the safety of our children; and

WHEREAS, the program should develop and implement rules and regulations that balance the importance of regulating rainwater detention and retention ponds to ensure public safety with the assurance of compliance by all state agencies and private sector builders and developers; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2008, the House of Representatives concurring, that the Department of Health is requested to implement a statewide rainwater detention and retention pond safety program; and

BE IT FURTHER RESOLVED that the Department of Health is requested to carry out the following as part of the safety program:

- (1) Encourage and assist developers or persons responsible for constructing or maintaining a retention pond, detention pond, or catchment area pond to adopt a



1 maintenance and inspection plan to ensure adequate
2 safety; and
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4 (2) Encourage installation of chain link or see-through
5 fencing and signage to deter children from playing and
6 congregating around or near these ponds or drainage
7 areas; and
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9 BE IT FURTHER RESOLVED that the Department of Health is
10 also requested to develop retention pond, detention pond, and
11 catchment area pond safety into the Department's water safety
12 curriculum; and
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14 BE IT FURTHER RESOLVED that the Department of Health is
15 urged to request the Governor to provide funding to implement
16 the statewide rainwater detention and retention pond safety
17 program to the fullest extent required; and
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19 BE IT FURTHER RESOLVED that the statewide rainwater
20 detention and retention pond safety program should not be
21 applied to or affect golf course properties; and
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23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Governor and the
25 Director of Health.