

Dear Sen. Hee:

I plan to read the following testimony before your committee at the Feb. 11 hearing on SB2884:

Senators, I come before you today to speak on behalf of my daughter Sharkey Schaefer, who drowned in 2004 while attempting to rescue a friend who had fallen into a poorly built and improperly maintained rainwater pond.

Sharkey would have turned nine last month if the developers and builders in our Pearl City neighborhood had not favored cost savings over the safety of a human life or consideration for the environment. Sadly, Sharkey's story is not an isolated one. Families all across the country mourn loved ones whose lives were tragically shortened in rainwater ponds---- structures that are propagating at such alarming speeds that they are now estimated to number in the tens of thousands.

David Kern, Gul Ahmed, Donald Roberson, Nate Addison, Aaron Steel, Adam Huffaken, Ryshad Drake, Michael Shedd, Biruthan Nadarajah, Labian White, Aubrey Nicole Murphy and Cory Erving, who was basketball hero Dr. J's youngest son.

These names represent a small percentage of those across the country, both children and adults, whose lives although with my daughter's have ended in these basins. Some of you may have read about these deaths and seen pictures of grieving loved ones in the media, but it's easy to do nothing when these deaths are not in your backyard.

I'm here to remind you that one of these tragedies happened in our community. It happened on federal land, but it's a tragedy with undeniable ties to Hawaii. Sharkey was a true keiki o ka' aina, who had spent half of her young life in Hawaii, and her father and I contribute to the state's income tax and property tax coffers. And, I shouldn't have to remind you that this is a small island community with a limited number of contractors who go back and forth between state and federal jobs.

My daughter's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rainwater basin presented. Developers knew that the drain pipe that they put into the basin was 89 percent clogged, but choose not to fix it because they said that "the cost to fix it outweighed the liabilities." Developers also chose to reduce costs by eliminating fencing from their design even though they knew that this pond would be located in a neighborhood where young children lived. I am not anti-development. I believe that many developers when given the choice will do the right thing, but some will not. The state cannot allow developers to balance their books by taking safety out of the equation, because when they do someone, like my daughter, is going to pay the ultimate price.

It's time to clean up our back yard. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Rainwater ponds are designed for water drainage management, not recreation. These ponds are often aesthetically pleasing to the eye, so steps must be taken to ensure that people, especially young children, and animals are not attracted to these bodies of water. In addition, rainwater ponds are often deceptive by design, which makes them inherently dangerous. Retention ponds, often called wet ponds because they are designed to permanently hold water, can be deceptively deep. Many, like the one my daughter died in, have a steep drop at the water's edge. Detention ponds, which are meant to hold storm water for short periods of time before piping the water into surrounding wetlands or natural water beds, may pose an even greater risk because people may not be aware that they even exist until it is too late. Requiring safety measures such as signage and fencing, establishing buffer zones to separate these ponds from places where children are likely to play and setting maintenance standards would go a long way toward making these ponds safer for our community.

While I believe that human costs provide the most compelling support for the need to legislate Hawaii's rainwater drainage systems, there are also solid environmental reasons. Drainage ponds are often filled with toxic chemical runoff from surrounding lawns and buildings. They must be monitored so that environmentally toxic sludge and sediment do not build up inside them. If they are not maintained, these ponds may also become breeding grounds for disease carrying mosquitoes and other pests. They may also have potentially adverse affects on water quality, groundwater, cold water, fisheries, or wetlands. While in some cases rainwater ponds are necessary for flood control, they are not considered the most proactive drainage solution for our environment. The most progressive green developers across the country now prefer to use porous asphalt or underground rainwater systems, which are better for the environment and pose less of a safety risk for citizens.

Now that I have shared my family's tragedy and outlined my concern for Hawaii's people and environment, you must decide what you will do with this information. Just like my daughter, who stood on the banks of a flooded pond and watched her friend struggling, you have a life or death decision to make. Let me remind you that even though the risks were great, my daughter Sharkey didn't hesitate to jump in and save a life.

My daughter was the most amazing person. She was funny, brave and very, very sweet. She had the biggest heart in the world and she always did what she felt was the right thing to do. She made the ultimate sacrifice for a friend. I'm deeply saddened that it took the death of my child, to shed light on this dangerous situation. Passing SB 2844 reduces the risk that any other child in the state of Hawaii would ever have to do that again.

Critics of this bill have objected to potential costs, without producing figures. My answer to that is shame on them. Developers are going to pass the cost onto citizens or their clients who should be willing to pay a little more for safety. We have to pay for auto safety inspections, seatbelts in cars, car seats for children, bicycle helmets and protective

pads. Citizens pay when the state puts in cross walks and safety lights and many of us voluntarily pay for car alarms and house alarms. So I'll pose this question to cost critics, "If it were your child's life at stake, how much would you be willing to pay to keep that child safe?"

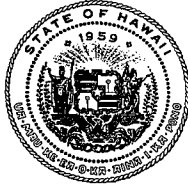
There's also been some talk about golf courses. I spent two years polling engineers, environmentalists, contractors, government agencies, lawmakers, state and city planners and safety organizations from all over the United States to come up with the best common sense approach to rainwater pond risk mitigation. None of us thought to consider golf courses when drafting this legislation. I think we were short-sighted because while drowning deaths have occurred on golf courses, ordinarily these commercial ponds are better maintained and do not pose the same risk factors as other rainwater systems. Let's save a golfer the embarrassment of having an alarm ring every time he or she hits the ball into the water and amend the bill to exempt golf courses from rainwater system legislation.

That being said, I urge you to take this opportunity to pass this groundbreaking legislation which shows the United States that Hawaii cares about our children and our environment. Hawaii has one of the highest drowning rates in the county and must take immediate action to improve safety for citizens as well as improve the state's image as a safe as well as pleasurable visitor destination and place to live. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to protect the environment. Since Pearl City was Sharkey's home, and Hawaii's economy depends upon a safe and pristine environment, I think that it is fitting that this state should set the standard for future federal legislation.

Right now, Senators, you are standing on the banks of the shore looking at a problem brewing in the water. What are you going to do?

Testimony submitted in support of SB 2884, Sharkey's Law by:

Allison Schaefer, Sharkey's Mom  
2238 Auhuhu Street  
Pearl City, Hawaii 96782  
(808) 456-0570 home/office  
(808) 781-4029 cell



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Water and Land**

**Committee on Judiciary and Labor**

**S.B. 2884, RELATING TO WATER SAFETY**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**February 11, 2008  
2:30 p.m.**

1 **Department's Position:** The Department of Health shares the public's desire to minimize the  
2 number of drownings but opposes this bill because we are not the appropriate agency.

3 **Fiscal Implications:** Approval of additional positions, training funds and equipment funds will  
4 be needed in order for the Department of Health to comply with this bill.

5 **Purpose and Justification:** This bill would require the Department of Health to inspect and  
6 ensure compliance with construction, maintenance, and safety regulations with regards to retention,  
7 detention, and catchment ponds.

8 The bill expands the jurisdiction of the Department of Health into an area where it now lacks the  
9 expertise and resources. The Department protects the health of the citizens and visitors to Hawaii by  
10 preventing or mitigating the spread of communicable diseases and preventing the contamination of the  
11 environment. The Department of Health has no expertise in the area of water "safety" as it pertains to  
12 physical hazards and potential drowning. The Department's Environmental Health Services Division  
13 and Environmental Management Division have no expertise in the design, construction, and monitoring  
14 of these ponds for the purpose of preventing entry into and providing life-saving equipment for potential

1 drowning. Drowning incidents involving children and adolescents in retention, detention, and  
2 catchment ponds may also involve more than simple physical barriers.

3 The bill proposes a substantial regulatory program, and the department is already challenge to  
4 meet the existing duties to protect public health. A new program requires staff and money, and we must  
5 urge that the legislature not make appropriations that adversely affect priorities in the executive  
6 departmental budget proposal.

7 Thank you for the opportunity to testify.

February 7, 2008

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefers law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

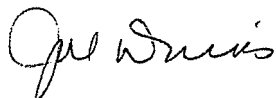
Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefers could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefers, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,



Joe Davis

February 7, 2008

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,



Nalani Paio

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Denise

**Denise Park**  
**Senior Account Executive**  
**Pang Communications**  
*a division of Global Sourcing LLC*  
778 Wiliwili Street, Ste. 502  
Honolulu, Hawaii 96826  
Phone: 808.636.9627  
Fax: 808.664.9743  
Email: [dpark@pangcomm.com](mailto:dpark@pangcomm.com)



Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte “Sharkey” Schaefer’s law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state’s image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii’s children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii’s citizens and to reduce the drowning rate.

The death of Sharkey Schaefer’s could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer’s, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer’s family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident’s ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state’s drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Channin Ciancio

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

Michelle Meyer

Michelle Meyer  
CGS Development Group  
Chase Card Services  
Phone - 302.282.7139  
Email - michelle.x.meyer@chase.com

-----

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's' family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Christina Pacella

Christina Pacella  
Chase Card Services, Materials Management Paper & Plastics Fulfillment  
Manager  
Phone: 302 282-6016  
Fax: 302 282-6472  
300 King Street, Mail Stop DE1-0035  
4 Christina Center, 3rd Floor  
Wilmington, DE 19801  
christina.pacella@chase.com

Dear Senator Hee:

I have been to Hawaii over twenty times. Many of my closest relatives and potential Aloha State visitors are children. You can imagine my disappointment and dismay to learn that Hawaii has no legislation in place to protect reoccurrences of the tragic loss that the Shaefers family suffered. Charlotte "Sharkey" Shaefers paid the ultimate price in a heroic effort to save a three-year-old friend and compensate for the absence of legitimate safeguards to protect individuals from drowning in drainage ponds.

Nothing can recompense the loss of precious life. However, I sincerely hope that you emulate Sharkey's courage and work for the vital legislation that will assure that her passing was not in vain.

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte 'Sharkey' Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of five-year-old Charlotte Schaefer's who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay with her life.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's' family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation..

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Nick Dubovsky  
324 Flourtown Road  
Lafayette Hill, PA 19444  
610-825-7411  
610-724-6381  
808-780-8078  
Nick.Dubovsky@chase.com

February 7, 2008

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

*Randy A. Roberts*

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Ruth Limtiaco

Aloha Senator Hee,

>

> In lieu of testifying at the February 11, 2008 hearing on  
> SB 2884, the Charlotte "Sharkey" Schaefer's law, I submit the  
> following testimony.

>

> Sometimes there are things that simply make good common  
> sense. However, for some reason common sense does not prevail. In  
> those cases, it's the responsibility of government to step in and  
> regulate.

>

> For instance, I have a swimming pool. With children in the  
> neighborhood, I did not have to have government remind me to  
> install a high fence around the pool with a gate and safety  
> latch. It simply made good common sense for me to install the  
> safety measures to protect neighbors and their children. It would  
> brake my heart if someone were to be injured or drown in my  
> pool. While most pool owners feel the same way and would install  
> the safe guards around their pool, there are some who would not  
> consider their pools dangerous. This is where government must take  
> action and has done so with regulations requiring the owners of  
> pools to install fences and gates with safety latches.

>

> The same thing holds true for unregulated and poorly  
> maintained rainwater detention and retention ponds. It simply  
> makes good common sense to provide safe guards to prevent the  
> public and especially innocent children from injuring themselves  
> and/or drowning. In those instances where safety measures are not  
> taken, it's the responsibility of government to establish laws and  
> enforce those laws.

>

> I urge you to establish laws and to enforce those laws by  
> supporting SB 2884.

>

> Should you have any questions, please contact me.

>

>

Mahalo nui loa,  
John Riggins

>

>

>

>John Riggins

>91-210 Oaniani Place

>Kapolei, HI 96707

>

>Email: riggins@lava.net

>

>Cell: 808-371-3930

>Office: 808-523-7653

>Fax: 808-356-0220

John Riggins

REALTOR ABR CRB CRS ePRO SRES TRC



John Riggins Real Estate  
91-210 Oaniani Place  
Kapolei, HI 96707

Email: [riggins@lava.net](mailto:riggins@lava.net)

Web: [www.johnriggins.net](http://www.johnriggins.net)  
[www.honoluluahawaiiproperties.com](http://www.honoluluahawaiiproperties.com)  
[www.honoluluparadisehomes.com](http://www.honoluluparadisehomes.com)

Cell: 808-371-3930  
Office: 808-523-7653  
Fax: 808-356-0220

Serving Hawaii's residential home buyers and sellers since 1977

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte "Sharkey" Schaefer's law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state's image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

The death of Sharkey Schaefer's could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefer's, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident's ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state's drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Paula Bender  
Hawaii Kai

Dear Senator Hee:

In lieu of testifying at the Feb. 11 hearing on S.B. 2884, the Charlotte “Sharkey” Schaefers law, I submit the following testimony:

I urge you to support SB 2884, which relates to retention, detention and catchment pond safety. Written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the law seeks to improve the health, safety and welfare of the citizens of this state.

Hawaii has the highest drowning rate in the nation and must take action immediately to improve safety for citizens as well as to improve the state’s image as a safe as well as pleasurable visitor destination and place to live. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii’s children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii’s citizens and to reduce the drowning rate.

The death of Sharkey Schaefers could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. When developers start balancing their books by taking safety out of the equation, someone, like Sharkey Schaefers, is going to pay the ultimate price.

If regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers’ family would not have lost their precious child. While the death occurred on federal land, the state could open itself up to future liability if it ignores this incident’s ties to Hawaii and the potential for similar tragedies to occur without legislation.

Hawaii lawmakers have an opportunity to support groundbreaking legislation that could help improve the state’s drowning rate and make it a model for citizen and environmental safety. Please be proactive and support SB 2884.

Sincerely,

Azure McCall  
683579 Awamoa place  
Waikoloa, Hawaii 96738



**The Chamber of  
Commerce of Hawaii**  
Since 1850

TESTIMONY TO THE SENATE COMMITTEES ON WATER AND LAND  
JUDICIARY AND LABOR  
MONDAY, FEBRUARY 11, 2008, AT 2:30 P.M.  
ROOM 414, STATE CAPITOL

RE: S.B. 2884 Relating to Water and Safety

Chairs Hee and Taniguchi, Vice Chair Kokubun, and Members of the Committees:

My name is Christine H. Camp, Chair of The Chamber of Commerce of Hawaii, Land Use and Transportation Committee. The Chamber of Commerce of Hawaii is in opposition to SB No. 2884 as presently drafted.

The Chamber is the largest business organization in Hawaii, representing over 1100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. The organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

S.B. No. 2884 proposes to ensure the health, safety, and welfare of the citizens of the State by creating a program for monitoring and enforcing the safety of Hawaii's rainwater retention and detention ponds to prevent drowning by enacting the Charlotte "Sharkey" Schaefer's law in memory of the five-year-old girl who drowned at a Pearl City naval housing complex while trying to save the life of her childhood friend.

The bill proposes to amend Chapter 321 HRS (Department of Health) to require DOH to perform an annual safety inspection of each retention pond, detention pond, and catchment area in the State to ensure that the operation of each retention pond, detection pond, and catchment area pond complies with the maintenance plan.

The Bill goes on to amend Chapter 46 HRS and requires the appropriate county permitting agency be provided with a certification (not sure who certifies) that the retention pond, detention pond, or catchment area pond is necessary for rainwater or storm water mitigation and that there is no other alternative.

The bill requires that each retention pond, detention pond, and catchment area pond shall:

1. Be supplied with:
  - a. An emergency flotation device; and
  - b. A reaching pole or similar device to pull ashore individuals who may be stranded in the pond;
2. Be enclosed with chain-link or see-through fencing at least four feet high, with access controlled by a single locked gate;

Page 2

The Chamber of Commerce of Hawaii Testimony on SB 2884  
February 11, 2008

3. Have adequate drainage; and
4. Have an adequate number of hazard signs posted warning of the danger of drowning and prohibiting entry.

The Chamber fully supports the intent of the bill to prevent the public health and safety from accidents that may occur near water bodies. However, we are concerned about how the intent is being implemented.

The bill does not:

- Discuss the existing safety measures that are currently required for retention, detention and catchment ponds, and which agency, if any, is responsible for oversight.
- Identify existing insurance and liability issues which one would expect to provide economic incentives to require developers to implement best management practices in regards to detention, retention and catchment basins which are usually required on a temporary basis to comply with water quality and drainage regulations.
- Identify who or what agency would provide certification that the retention pond, detention pond, or catchment area pond is necessary for rainwater or storm water mitigation and that there is no other alternative.

The legislature is aware of Chapter 179D HRS which was created in response to the closing of agricultural plantations throughout the state and concern over the safety of irrigation dams and reservoirs. Chapter 179D HRS was enacted to provide for the inspection and regulation of construction, enlargement, repair, alteration, maintenance, operation, and removal of all dams or reservoirs to protect the health, safety, and welfare of the citizens of the State by reducing the risk of failure of the dams or reservoirs. The legislature finds and declares that the inspection and regulation of all dams or reservoirs are properly a matter of regulation under the police powers of the State, unless specifically exempted. This program is administered by the Department of Land and Natural Resources.

Recent events have shown that the program had staff and funding issues that limited its effectiveness. In order to prevent a similar situation, the legislation should identify an appropriate source of funding for this new program.

Thank you for this opportunity to express our views.

# COALITION OF HAWAII ENGINEERING & ARCHITECTURAL PROFESSIONALS

Hearing Date: February 11, 2008, 2:30pm, CR 414

Honorable Clayton Hee, Chair  
Senate Committee on Water and Land  
Honorable Brian T. Taniguchi, Chair  
Senate Committee on Judiciary and Labor

LATE TESTIMONY

Re: **Senate Bill 2884**  
**Relating to Water Safety**

Coalition of Hawaii Engineering & Architectural Professionals represents several professional Engineering and Architectural organizations including American Council of Engineering Companies Hawaii; American Institute of Architects; Hawaii Chapter of the American Society of Civil Engineers; American Public Works Association Hawaii Chapter; Structural Engineering Association of Hawaii; and the Hawaii Society of Professional Engineers.

We have the following **QUESTIONS & COMMENTS** on SB 2884 Relating to Water Safety. This Bill proposes to establish requirements for rainwater and storm water retention, detention, catchment area ponds relating to inspection and safety. We first of all feel that this is an area that should be developed and regulated by the appropriate Federal, State or County agency.

- Artificial ponds - pond sizes vary greatly from many acres to a few hundred square feet or even less. Pond depths also have wide variations. Need to determine the sizes and depths for regulation.
- Detention pond definition may also include agricultural ponds & fields, which will open up other problems.
- Statutory requirement for (72 hour) dissipation of storm storage may not be possible especially when dissipation will be dependent on soil type, geology and saturation of the ground.
- There will be a problem with enforcement, reviews and approvals if multiple agencies are involved.
- Requirement for safety flotation devices is unreasonable, depending on the size of the detention basins and with potential problems that government agencies, developers and associations will face with these unmanned facilities and potential abuses by outsiders.
- Fencing is not visually pleasing and restricts the use of these areas including golf courses. Restricted access (one gate) will prevent adequate maintenance of large facilities.
- What does an adequate hazard signs mean? This will become a legal issue for government agencies, developers and associations.
- Tiered levels within a pond will be difficult to construct and add much cost to projects, especially since these detention ponds are mandated by the Counties with no additional storm runoff allowed to be added to drainage systems.
- Counties already require storm water management plans and sustainable design requirements.
- Alternatives to surface pond will add significant costs to projects and may create subsurface drainage and soft soil problems when built under parking lots and other facilities.
- Buffer space will add even more cost to the development of facilities.
- To require the compliance of all existing ponds is extreme burden to all existing facilities, for government agencies, associations and the private sector.

Lester Fukuda, Coalition of Hawaii Engineering & Architectural Professionals





**ENGINEERING SOLUTIONS, INC.**  
Civil / Sanitary / Structural Engineers

98-1268 Kaahumanu Street, Suite C-7 • Pearl City, Hawaii 96782 • Phone: (808) 488-0477 • Fax: (808) 488-3776

February 10, 2008

FAXED TESTIMONY TO:

**LATE TESTIMONY**

Senate Sgt.-at-Arms Fax No. 586-6659 (40 copies)

Hearing Date: Monday, February 11, 2007, 2:30 pm, Conference Room 414

Honorable Senators Clayton Hee, Chair; Russell S. Kokubun, Vice Chair; and  
Members of the Water and Land Committee

Honorable Senators Brian T. Taniguchi, Chair; Clayton Hee, Vice Chair; and  
Members of the Judiciary and Labor Committee

Subject: **SB 2884, Relating to Water Safety**

We are writing to express our opposition to SB 2884. Engineering Solutions, Inc. is a locally owned and managed small business civil engineering firm. Our firm is an active member of the American Council of Engineering Companies of Hawaii (ACECH) and various local professional organizations. As a small business engineering firm in Hawaii, we are opposed to SB 2884, Relating to Water Safety.

While we agree with the provisions regarding the provision of fencing and safety equipment for ponds, we are opposed to the provision that the developer "certify" that there is no other alternative. Some method of detention or retention of storm water runoff is mandated by county ordinance. There are always other means of achieving this objective, but they are also considerably more expensive. This bill as written would effectively eliminate ponds and inflate our already expensive housing and development costs.

As a small business, Engineering Solutions appreciates the continuing efforts of your committee and the members of the Senate to improve the business climate in Hawaii. We strongly oppose SB2884 as currently written. Thank you for an opportunity to express our views and concerns regarding this bill.

Sincerely,  
ENGINEERING SOLUTIONS, INC.

Richard E. Frey  
Vice President



**AIA Hawaii State Council**  
A Council of The American Institute of Architects

WTL / JDL  
2/11/08  
2:30 pm

February 11, 2008

**LATE TESTIMONY**

Honorable Clayton Hee, Chair  
Senate Committee on Water and Land  
Honorable Brian T. Taniguchi, Chair  
Senate Committee on Judiciary and Labor

Re: **Senate Bill 2884**  
**Relating to Water Safety**

Dear Chair Hee, Chair Taniguchi, and Members of the Committees,

My name is Daniel Chun, Government Affairs Chair of The American Institute of Architects (AIA). AIA is providing **COMMENTS** on SB 2884 that establishes requirements for rainwater and storm water retention, detention, and catchment area pond inspection and safety.

**Page 3 line 21**

The regulation of "artificial pond" leaves out "natural pond" that can be just as hazardous to unsupervised children. Furthermore, pond sizes can vary greatly from many acres to a few hundred square feet or even less. Pond depths also have wide variations. If the legislature plans to regulate ponds then it should decide upon some sizes and depths for regulation.

**Page 4 lines 1 through 7**

The definition of "detention pond" would also seem to encompass taro and lotus root pondfields, and other agricultural pondfields. We question whether it is your intention to further restrictively regulate these agricultural features under this bill, while trying to foster agriculture as state policy.

**Page 4 line 12**

Does the text "The area is designed so storm water inflow is dissipated within severity-two hours ..." create a 72-hour statutory requirement that must be met even if ground levels are saturated after periods of prolonged rainfall? Due to Hawaii's geological conditions, some soil types will take very long periods for



percolation to occur unless significant construction effort is undertaken to reconstruct the soil substrate.

**Page 4 lines 18 through 22**

The bill creates a split responsibility between the state Department of Health and the county building departments that further complicates the design and construction process. In our past architect experience, the counties will decline to review our pond designs if the state department has its own pond rules.

**Page 5 lines 3 through 6**

The required flotation device could become an attractive nuisance when not in use for emergency purposes. The department rules must specify where the reaching pole must be located, how long the reaching pole must be, and how many poles will be required if the pond is large enough to warrant more poles. With the added design liability to provide this equipment, we must have a department rule to further clarify requirements.

**Page 5 lines 7 through 9**

The fencing requirement restricts public enjoyment of the environment. Hawaii's natural beauty is already under severe assault from chain link fencing, concrete Jersey barriers, and too many signs posted on state highways. As most drowning occurs in the ocean, the logical extension is to require that beaches also be fenced in to protect the public.

The requirement for "a single locked gate" does not adequately provide for large ponds and for maintenance access design that frequently requires a double gate. If currently popular recreational ponds are to be fenced in, then the text should say "lockable gate" instead of "locked gate."

By fencing recreational areas the state and other owners may be creating another hazard like the lawsuit where the Aloha Stadium paid a \$ settlement to an elderly man who climbed over a fence and broke his arm; instead of walking through the gate that was nearby in the fence. That is the kind of liability climate we experience in Hawaii.

**Page 5 lines 11-12**

The requirement for an "adequate number of hazard signs" must also be covered in the department's rules for number, location, size, and text. We suggest that a minimum user age be established in the rules due to the hazard cited in this bill. Prohibiting entry will foreclose enjoyment of the environment. Many newer golf courses are designed to be storm water retention areas for

resorts and housing developments. The law will require fencing off these recreational areas.

**Page 5 line 14**

The responsible person needs to be the "owner" or an AOA because "developer" is frequently a limited liability corporation that no longer exists after a project is completed.

**Page 5 lines 21-22**

The text should not include "person responsible for constructing" because the construction contractor only builds what the architect and engineer design, and what public agencies permit as a pond.

**Page 6 lines 7-8**

The requirement for "tiered levels for ease of exit" should also be clarified in the department rules. These tiers will be difficult to maintain in ponds where an earth bottom is used and where siltation is a routine occurrence. It is difficult to play golf and most other games on tiered levels.

**Page 7 lines 5 through 8**

Hawaii's counties already require storm water management. Sustainable design standards passed last year by the legislature require storm water management. So the requirement for design professionals to certify that the "pond is necessary" is a redundant requirement.

There is an alternative to surface ponds in the form of underground percolation systems. However, my architect's experience is that this adds approximately \$10,000 per parking space to construction costs. For a typical public school classroom building it would add about \$200,000 to the construction cost. Rather than untruthfully certify that there is no other alternative, we will be using more underground systems. When it comes to statutory building code-like requirements, cost is not an acceptable reason for non-compliance.

Because this bill will regulate water safety using design safety features, we will want immunity from design liability for all artificial ponds as a condition of supporting a regulation bill of this type.

**Page 7 lines 9 through 11**

The statutory buffer is not now spelled out in the text. Hawaii has tight land areas and ponds are also frequent design features in resorts and other projects intended to attract visitors and residents. There is also a question as to how many feet away from a park that a pond must be in the case of something like Ala Moana Park and the Moanalua Gardens.

**Page 7 lines 16 through 21 and Page 8 lines 1 through 4**

The requirement for ponds constructed prior to January 1, 2009 seems problematic for the following reasons:

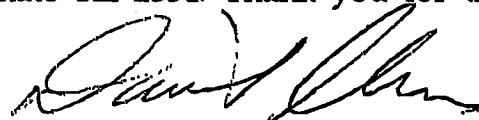
- Hawaii has over a thousand years of this type of artificial pond construction. The ancient Hawaiians were among the most skilled of civil engineers in their construction of water diversion and retention.
- Over a century of plantation agriculture has left us a legacy of useful and attractive artificial pond features.
- Existing ponds of these types are periodically adjusted to suit agricultural practices. This bill will now regulate every adjustment that is made. A federal official has told me that the federal government does not intend to regulate these types of agricultural features because the farmer has a hard enough time with economic survival, and the locations of many ponds is remote – and thus hard to regulate.
- State-of-the-art resort and golf course design has relied heavily on artificial pond features that will be regulated under this bill.

**Summary**

Drowning is a tragedy. But we question whether regulation of ponds using SB 2884 is a balanced public policy decision. There is a larger question of how much regulation for public protection must be passed by the Hawaii legislature? Our country, and this state in particular, has gone away from being "the land of the free and the home of the brave" – with a significant decrease in personal accountability on the part of Americans.

The statutory requirements to be imposed by SB 2884 will result in a significant decrease in enjoyment and beauty of Hawaii's environment. These islands have an economy based largely on luring the visitor to a kind of unspoiled and unrestricted Eden. Fencing in ponds and posting danger signs on the single locked gate is not at all conducive to this ideal.

Our comments are lengthy because the subject is a very complex one if it is to be regulated by state law. If our comments are addressed we will then consider whether to support or oppose Senate Bill 2884. Thank you for this opportunity to present COMMENTS.



Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



Annette L. Martin

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.


An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

  
Marmin Martin, Jr.

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



Deborah K. Shima

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,  
*Andrea McClendon*  
Andrea McClendon  
92-890 Kohupono St.  
Kapolei, HI 96707

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

The Honorable Clayton Hee

LATE TESTIMONY

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

*Arlene Pivetta*

Your name

*Arlene Pivetta 2/4/08*



Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

*Mamie M. Meeker*

Your name

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



Margaret Halloran

LATE TESTIMONY

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

*Esther S. Amaro*

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

  
Your name

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813

January 30, 2008

LATE TESTIMONY

The Honorable Clayton Hee

RECEIVED FEB 04 2008

Dear Senator Hee:


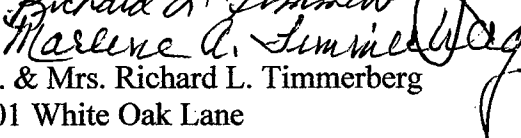
I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety. The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child. I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

  
  
Mr. & Mrs. Richard L. Timmerberg  
4001 White Oak Lane  
LaGrange, Ga. 30240

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

RECEIVED FEB 04 2

RECEIVED FEB 04 2008

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer family would not have lost their precious child.

Hawaii has many proactive laws that protect the environment, now it seems we need to advocate for laws that afford our citizens the same rights and privileges. I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



Amanda Wiggins  
105 South Lake Drive  
Brunswick, GA 31525

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

RECEIVED FEB 04 2008

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

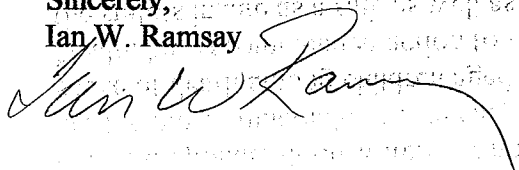
Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

Ian W. Ramsay



Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

Your name 

Nicole Timon Shipman



RECEIVED FEB 04 2008

January 30, 2008

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813

LATE TESTIMONY

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

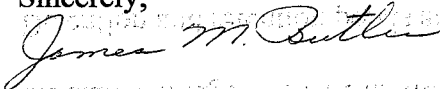
An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

Hawaii has many proactive laws that protect the environment, now it seems we need to advocate for laws that afford our citizens the same rights and privileges. I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



James M. Butler - mxbutl@yahoo.com  
833 Cochise Drive  
Cuba, MO 65453

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY  
RECEIVED FEB 04 2008

The Honorable Clayton Hee

Dear Senator Hee:

In 2004 I lost my firstborn granddaughter when she drowned in a detention pond on naval housing. My tears have been shed over her senseless death. There is not a day that goes by that I do not miss her. Everyone said that she had my mannerisms and smile. However, I do not know if I would have been as brave as she was and risked my life to save another younger child when I was only five. The world lost a lot of potential the day she died. In LaGrange, Ga, where I live I recently wrote a letter to the Mayor asking that a fence be placed around a newly built retention pond in a neighborhood park. The Mayor complied. If not for Sharkey's premature death, I probably would not have insisted on the fence, and unfortunately other children might have been in placed in unnecessary danger. Perhaps, Charlotte "Sharkey" Schaefer's death will not be in vain if fences become a requirement around all such ponds.

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

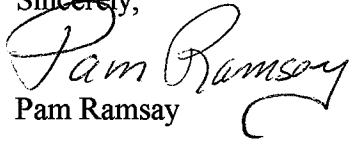
An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

  
Pam Ramsay

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813

LATE TESTIMONY  
RECEIVED FEB 04 2008

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

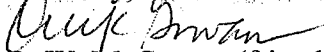
An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



O. W. McGowan (friend of grandparents)

LaGrange, Ga.

January 30, 2008

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY  
RECEIVED FEB 04 2008

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,

*James S. Maher*

Your name

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

28 Jan 2008

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefers law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

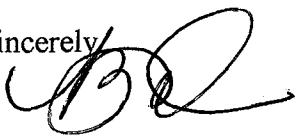
An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefers' family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



B. Thomas

Sen. Clayton Hee, 23rd Senatorial District  
Hawaii State Capitol, Room 228  
415 South Beretania Street  
Honolulu, HI 96813  
Phone 808-586-7330; Fax 808-586-7334  
e-mail [senhee@Capitol.hawaii.gov](mailto:senhee@Capitol.hawaii.gov)

LATE TESTIMONY

The Honorable Clayton Hee

Dear Senator Hee:

I urge you to support proposed S.B. 2884, the Charlotte "Sharkey" Schaefer's law, relating to retention, detention and catchment pond safety.

The law, which was written in memory of a five-year-old girl who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, seeks to improve the health, safety and welfare of the citizens of this state.

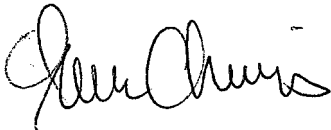
An average of 30 Hawaii residents or 2.4 victims for every one hundred thousand people drown each year in the State's oceans, lakes, dams, reservoirs, rainwater retention and detention ponds, flood waters, swimming pools, spas and private homes. Hawaii's keiki are the most vulnerable to drowning, which in this state and nine others is the leading cause of death among children aged fourteen and younger. The Hawaii Department of Health has recommended action to reduce Hawaii's drowning rate, which detracts from the state's image as a safe as well as pleasurable visitor destination and place to live.

Detention and retention ponds are meant to hold storm water. Similarly, rainwater catchments are used to harvest runoff rainwater. While many catchment systems collect run off in enclosed tanks, some utilize artificial ponds to catch the water. Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Passing a law that regulates these systems and monitors them for safety is necessary to ensure the safety of Hawaii's citizens and to reduce the drowning rate.

Sharkey's death could have been prevented. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment basin presented. If state regulations had existed to ensure responsible parties had built and maintained a safe system, the Schaefer's family would not have lost their precious child.

I would appreciate your support for SB 2884, and I look forward to hearing a response from your office.

Sincerely,



Laura Chivers