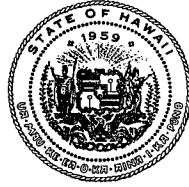


**HB 1807 HD1**



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

In reply, please refer to:  
File:

**SENATE COMMITTEES ON ENERGY AND ENVIRONMENT AND  
TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL  
AFFAIRS**

**HB1807, HD1, RELATING WATER QUALITY**

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

**March 19, 2009, 2:45 p.m.**

1 **Department's Position:** The Department of Health strongly supports this measure to make the  
2 State eligible for federal recovery act funds, with no state matching requirements, for grants and other  
3 financial subsidies for county drinking water and wastewater system improvements. We do ask for three  
4 amendments, two of which are based on our ongoing discussions with the U. S. Environmental  
5 Protection Agency, Region 9, and the third (**Amendment 3**), though not related to the American  
6 Recovery and Reinvestment Act, is required to meet section 303 of the Clean Water Act.

7 **Fiscal Implications:** Approximately \$50 million of federal funds with no state matching funds  
8 requirement, and possibly even more in the future.

9 **Purpose and Justification:** For consistency and to ensure that Hawaii can take advantage of similar  
10 federal laws in the future, we request that you add the words "and other applicable federal acts" to the  
11 ends of sections 2(c) and 3(c) of H.B. 1807, HD1.

12 The last proposed amendment (**Amendment 3**) would create a second part to this bill for the  
13 purpose of establishing and filling of two federally funded total maximum daily load coordinator

1 positions to meet Clean Water Act requirements, relating to water quality. To avoid confusion, this  
2 amendment will be discussed later in this testimony.

3 The State needs to change certain loan program statutes in order to make grants and loan  
4 subsidies of federal recovery funds. The American Recovery and Reinvestment Act of 2009 will  
5 provide significant funding for wastewater and drinking water system improvements. The U.S.  
6 Environmental Protection Agency (EPA) estimates that the Act will provide \$30.3 million to Hawaii's  
7 Water Pollution Control Revolving Fund (a.k.a., Clean Water State Revolving Loan Fund or CWSRF)  
8 and \$19.5 million to our Drinking Water Treatment Revolving Loan Fund (a.k.a., Drinking Water State  
9 Revolving Fund or DWSRF) for the construction of new, wastewater and drinking water infrastructure  
10 improvement projects. Both of these revolving fund programs currently loan funds to counties. Hawaii  
11 needs to change its Water Pollution Control Revolving Fund and Drinking Water Treatment Revolving  
12 Loan Fund statutes so they can be used to make grants and loan subsidies and other financial  
13 arrangements required by the Act and additional potential stimulus initiatives.

14 Both the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving  
15 Loan Fund were enacted to provide loans to the four major counties for the construction of publicly  
16 owned, wastewater and drinking water infrastructure projects. Since fiscal year 1991, the Water  
17 Pollution Control Revolving Fund has loaned out more than \$523 million. The Drinking Water  
18 Treatment Revolving Loan Fund, which started up in fiscal year 1998, has loaned out more than \$84  
19 million. As Congress had intended for these funds to revolve in perpetuity, both programs did not allow  
20 for loan subsidies or grants to be made. Thus, these amendments are now required for the specific  
21 purpose of allowing for loans with forgiveness of principal, zero or negative interest, and grants using  
22 the federal stimulus funds.

23 The anticipated federal funds for the construction of wastewater and drinking water projects will  
24 improve public health, protect the environment, create and retain jobs, and stimulate the economy.

1           The sooner this bill becomes law, the faster we can move on providing monies for projects'  
2 construction.

3           The third amendment (**Amendment 3**) is not related to the American Recovery and  
4 Reinvestment Act of 2009 but is necessary for meeting Clean Water Act, section 303 requirements,  
5 relating to water quality. **Amendment 3** asks that the language contained in Senate Bill No. 934, SD1  
6 be inserted as Part 2 of this bill. This will allow the Department of Health to establish and fill not more  
7 than two federally funded total maximum daily load coordinator positions without regard to chapter 76,  
8 Hawaii Revised Statutes to meet federal law.

9           Current civil service position series are not sufficient for recruiting and retaining staff with the  
10 technical expertise and multidisciplinary skills necessary to build and maintain the Department's  
11 capacity for meeting federal water pollution control requirements that are increasingly complex and  
12 continually growing. Clean Water Act section 303 requires that total maximum daily loads be prepared  
13 for waters that fail to meet water quality standards over time. Total maximum daily load coordinators  
14 function at a high level in the water pollution control program designing technically based studies to  
15 address watershed health problems unique to Hawaii's environment. This requires collaborating with  
16 University colleagues to conduct applied research and training, designing and evaluating watershed  
17 inventory and water quality assessment campaigns, and synthesizing the results of environmental  
18 sampling, regional investigations, and new scientific and policy developments for use by water pollution  
19 control engineers, environmental health decision-makers, and land use planners. The department has  
20 had difficulty for over two years filling a water quality position with lower technical demands than the  
21 total maximum daily load coordinator position.

22           The department has only one total maximum daily load coordinator now but would like the  
23 opportunity to hire another if we can secure more federal funding.

1           Hawaii needs highly qualified and experienced total maximum daily load coordinators to protect  
2 the State from water pollution and to carefully repair the damages incurred to minimize impacts on our  
3 people and economic environment.

4           We will be pleased to meet with any legislator who has objections to or reservations about our  
5 proposal on the total maximum daily load coordinators.

6           Thank you for the opportunity to comment on this important bill.

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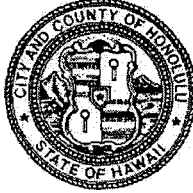
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DEPARTMENT OF ENVIRONMENTAL SERVICES  
**CITY AND COUNTY OF HONOLULU**

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707  
TELEPHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEBSITE: <http://envhonolulu.org>

MUFI HANNEMANN  
MAYOR



TIMOTHY E. STEINBERGER, P.E.  
DIRECTOR

MANUEL S. LANUEVO, P.E., LEED AP  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
WAS 09-81

March 16, 2009

The Honorable Mike Gabbard, Chair  
and Members of the Committee on Energy and Environment  
The Honorable J. Kalini English, Chair  
and Members of the Committee on Transportation, International and Intergovernmental Affairs  
State Senate  
State Capital  
Honolulu, Hawaii 96813

Dear Chairs Gabbard and English and Members:

Subject: House Bill No. 1807, HD 1

The City and County of Honolulu's Department of Environmental Services fully supports House Bill No. 1807, HD 1, which would authorize the director of health to use Federal moneys from the American Recovery and Reinvestment Act of 2009 to fund drinking water and wastewater infrastructure programs.

It is very important that this action be taken to insure that the State and counties have the ability to receive and distribute the Federal stimulus funds directed to drinking water and clean water (wastewater) utilities that were recently passed by Congress. We encourage the State to make the maximum amount of money possible available in the form of grants.

We thank you for supporting this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Steinberger".

Timothy E. Steinberger, P.E.  
Director



## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**  
*Executive Director*  
Tel: 808.543.0011  
Fax: 808.528.0922

**NORA A. NOMURA**  
*Deputy Executive Director*  
Tel: 808.543.0003  
Fax: 808.528.0922

**DEREK M. MIZUNO**  
*Deputy Executive Director*  
Tel: 808.543.0055  
Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii  
Hawaii State House of Representatives  
Committee on Finance

Testimony by  
Hawaii Government Employees Association  
February 26, 2009

H.B. 1807, H.D. 1 – RELATING  
TO WATER QUALITY

The Hawaii Government Employees Association supports the purpose and intent of H.B. 1807, H.D. 1. As drafted, H.B. 1807 allows the Director of Health to use funds from the federal economic stimulus package and other applicable federal legislation to provide financial assistance for the construction of drinking water infrastructure projects for public drinking water systems and publicly-owned wastewater treatment systems.

The effectiveness of the recent federal economic stimulus legislation will depend in large part upon how quickly state and local governments can use these funds for important infrastructure projects that will generate jobs and improve water and sewer systems. Thank you for the opportunity to testify in support of H.B. 1807, H.D. 1.

Respectfully submitted,

Nora A. Nomura  
Deputy Executive Director

**DEPARTMENT OF WATER**

County of Kauai

*"Water has no Substitute – Conserve It!"*

March 18, 2009

Honorable Senator Mike Gabbard, Chair  
and members of the Committee on Energy and Environment  
STATE SENATE  
State Capitol, Conference Room 225  
415 South Beretania Street  
Honolulu, HI 96813

Dear Senator Gabbard and Members of the Committee on Energy and Environment:

Subject: HB 1807, HD 1, Relating to the Environment – **Hearing: Thursday, March 19, 2009, 2:45 p.m., Conference Room 225, State Capitol**

The Kaua'i Department of Water strongly supports HB 1807, HD1, which authorizes the Director of the State Department of Health to use Federal moneys from the American Recovery and Reinvestment Act of 2009 ("Act") to fund drinking water and wastewater infrastructure programs.

The passage of this bill will enable all the County Water Departments to take advantage of the Act to fund critical drinking water projects statewide. The County Water Departments have requested funding for water infrastructure projects valued at more than \$100 million. This Federal funding will help the Counties implement essential drinking water infrastructure projects, including new infrastructure, pipeline replacements, reservoir repairs, well renovations, and pump improvements that will benefit all rate payers and enable the County Water Departments to provide safe and dependable drinking water supplies to our customers.

Therefore, I strongly support the passage of HB 1807, HD1, Relating to the Environment and thank you for this opportunity to provide comments.

If you need to contact me, please call (808) 245-5408, fax at (808) 246-8628 or email at [wushigome@kauaiwater.org](mailto:wushigome@kauaiwater.org).

Sincerely,



Wynne M. Ushigome  
Acting Manager & Chief Engineer

rm

Leg. Test. 2009/HB1801, HD1, Environment (3-18-09):rm



CHARMAINE TAVARES  
Mayor



JEFFREY K. ENG  
Director

ERIC H. YAMASHIGE, P.E., L.S.  
Deputy Director

**DEPARTMENT OF WATER SUPPLY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
www.mauewater.org

March 18, 2009

Honorable Mike Gabbard, Chair  
and Members of the Senate  
COMMITTEE ON ENERGY AND ENVIRONMENT

Honorable J. Kalani English, Chair  
and Members of the Senate  
COMMITTEE ON TRANSPORTATION, INTERNATIONAL  
AND INTERGOVERNMENTAL AFFAIRS  
The Twenty-Fifth Legislature, 2009  
State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Gabbard, Chair English and Members of the Committees:

**SUBJECT: H. B. 1807, H. D. 1, RELATING TO WATER QUALITY**  
**Hearing on Thursday, March 19, 2009**  
**2:45 p. m., Conference Room 225**

The County of Maui Department of Water Supply (DWS) strongly supports H. B. 1807, H. D. 1, which authorizes the Director of the State Department of Health to use moneys from the American Recovery and Reinvestment Act of 2009 to fund necessary drinking water and wastewater infrastructure projects.

This federal funding will enable all of the counties to construct essential drinking water infrastructure projects that will allow the counties to continue to address the safe drinking water needs of their communities.

Therefore, the DWS strongly supports passage of H. B. 1807, H. D. 1.

Thank you for the opportunity to provide testimony on this matter.

Sincerely,

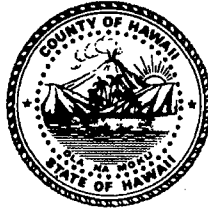
A handwritten signature in black ink that reads "Jeffrey K. Eng".

JEFFREY K. ENG  
Director

*"By Water All Things Find Life"*



William P. Kenoi  
Mayor



Lono A. Tyson  
Director

Ivan M. Torigoe  
Deputy Director

**County of Hawai'i**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
25 Aupuni Street • Hilo, Hawai'i 96720  
(808) 961-8083 • Fax (808) 961-8086  
[http://co.Hawai'i.hi.us/directory/dir\\_envmng.htm](http://co.Hawai'i.hi.us/directory/dir_envmng.htm)

March 16, 2009

The Honorable Mike Gabbard, Chair  
Committee on Energy and Environment

The Honorable J. Kalani English, Chair  
Committee on Transportation, International  
and Intergovernmental Affairs

Hawai'i State Capitol  
Honolulu, HI 96813

Committee: **ENE/TIA**  
Room: **225**  
Hearing Date: **3/19/2009 2:45:00 PM**

Re: In Favor of HB1807 H.D. 1

Dear Senators Gabbard and English, and Members of the Senate Committees on Energy and Environment, and Transportation, International and Intergovernmental Affairs,

Thank you for the opportunity to present testimony on House Bill (HB) 1807, HD1. The County of Hawai'i Department of Environmental Management ("DEM") strongly supports HB 1807, HD 1, which would authorize the State Director of Health to make grants, zero and negative interest loans and other subsidies of up to \$50 million using funds such as those from the American Recovery and Reinvestment Act of 2009 and other federal acts.

This measure is necessary to ensure that the counties are able to make efficient expedited advantage of the available federal stimulus funds, for public water and wastewater systems, under the Clean Water State Revolving Loan Fund and Drinking Water State Revolving Fund. This measure would allow for federal stimulus money to be put to public use as soon as possible.

On behalf of the County of Hawai'i, please accept my strong support of this measure.

Best Regards and Aloha,

Handwritten signature of Lono A. Tyson in black ink.

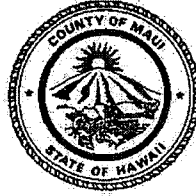
Lono Tyson  
DIRECTOR

cc: Mayor William Kenoi

CHARMAINE TAVARES  
Mayor

CHERYL K. OKUMA, Esq.  
Director

GREGG KRESGE  
Deputy Director



TRACY TAKAMINE, P.E.  
Solid Waste Division

DAVID TAYLOR, P.E.  
Wastewater Reclamation Division

**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**

2200 MAIN STREET, SUITE 100  
WAILUKU, MAUI, HAWAII 96793

March 19, 2009

The Honorable Mike Gabbard, Chair  
and Members of the House Committee on Energy and Environment  
The Honorable J. Kalani English  
And Members of the House Committee on Transportation, International and  
Intergovernmental Affairs

**HEARING DATE: Thursday, March 19, 2009, 2:45 p.m.  
Conference Room 225  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813**

**RE: House Bill 1807, House Draft 1, Relating to Water Quality**

Dear Chair Gabbard, Chair English, and Members:

I am Cheryl K. Okuma, Director of the Department of Environmental Management for the County of Maui and am providing testimony in support of House Bill 1807, House Draft 1, which would authorize the Director of the State Department of Health to use federal moneys from the American Recovery and Reinvestment Act of 2009 to fund wastewater infrastructure programs.

If passed, the bill will provide much needed financial assistance for the construction of needed wastewater infrastructure projects. Our wastewater facilities and infrastructure are aging. Therefore, it is important that we are able to undertake various capital improvement projects to ensure the reliability of our wastewater system as well as comply with State and Federal requirements. The federal economic stimulus money will provide us with the ability to finance these costly projects at low to no interest.

We appreciate the opportunity to provide our comments in support of House Bill 1807, House Draft 1, and request your favorable consideration of this proposed bill.

Sincerely,  
Cheryl K.  
Okuma

Cheryl K. Okuma  
Director of Environmental Management

Digitally signed by Cheryl K. Okuma  
DN: cn=Cheryl K. Okuma,  
o=Department of Environmental  
Management, email=cheryl.  
okuma@co.maui.hi.us, c=US  
Date: 2009.03.19 08:35:04 -1000

# BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843



March 18, 2009

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WAYNE M. HASHIRO, P.E.  
Manager and Chief Engineer

DEAN A. NAKANO  
Deputy Manager and Chief Engineer

The Honorable Mike Gabbard, Chair  
and Members  
The Senate  
Committee on Energy and Environment

and

The Honorable J. Kalani English, Chair  
and Members  
Committee on Transportation, International  
and Intergovernmental Affairs  
State Capitol, Conference Room 225  
Honolulu, Hawaii 96813

Dear Chairs Gabbard and English and Members:

Subject: House Bill 1807, HD1, Relating to Water Quality

The Honolulu Board of Water Supply ("HBWS") strongly supports HB 1807, HD1, which authorizes the Director of the State Department of Health to use federal moneys from the American Recovery and Reinvestment Act of 2009 ("Act") to fund drinking water and wastewater infrastructure programs.

The passage of this bill will enable HBWS to take advantage of the Act to fund critical drinking water projects across Oahu. The HBWS has requested funding through the Drinking Water State Revolving Fund for 39 projects valued at more than \$60 million. This federal funding will help the HBWS implement essential drinking water infrastructure projects, including pipeline replacements, reservoir repairs, well renovations, and pump improvements, that will benefit all ratepayers and enable the HBWS to provide safe and dependable drinking water supplies to our customers.

The Honolulu Board of Water Supply, therefore, strongly supports the passage of HB 1807, HD1. Thank you for the opportunity to provide these comments.

Sincerely,

WAYNE M. HASHIRO  
Manager and Chief Engineer



## Hawaii Chapter AMERICAN PUBLIC WORKS ASSOCIATION

### Chapter Office

501 Sumner Street, Suite 620  
Honolulu, HI 96817

Telephone  
(808) 531-1308  
Facsimile  
(808) 521-7348

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HDR/Hawaii Pacific Engineers

Past President  
Chandra Tanaka  
Acting End Lease

March 16, 2009

EMAILED TESTIMONY TO: [ENETestimony@Capitol.hawaii.gov](mailto:ENETestimony@Capitol.hawaii.gov)

Hearing: Thursday, March 19, 2009; 2:45 pm, CR 225

Senate Committee on Energy and Environment  
Senate Committee on Transportation, International and Intergovernmental Affairs

Honorable Senator Mike Gabbard, and Senator Kalani English, Chairs

Subject: **HB 1807, HD-1 - Relating to Water Quality**

The American Public Works Association Hawaii Chapter represents over one hundred engineering design professionals in public and private sector. **We urge you to Support HB 1807, HD-1 - Relating to Water Quality.** This bill proposes to allow the State to provide financial assistance to necessary public water system infrastructure improvement projects using the State Drinking Water Revolving Fund and to utilize money that will become available from the American Recovery and Reinvestment Act of 2009. This stimulus money will help Hawaii to get necessary water infrastructure projects completed.

Thank you for an opportunity to express our views regarding this bill (**IN SUPPORT**).

Sincerely,  
American Public Works Association, Hawaii Chapter

Lester H. Fukuda, P.E., FACEC

March 17, 2009

Senate Committee on Energy and Environment  
The Honorable Senator Mike Gabbard, Chair,  
The Honorable Senator J. Kalani English, Vice Chair

Senate Committee on Transportation, International and Intergovernmental Affairs  
The Honorable Senator J. Kalani English, Chair,  
The Honorable Senator Mike Gabbard, Vice Chair

SUBJECT: Recommendation of Hawaii Water Environment Association on H.B. 1807, H.D.  
1 Relating to Water Quality

The Hawaii Water Environment Association (HWEA) supports H.B. 1807, H.D. 1. The proposed bill would authorize the Director of the Department of Health (DOH) to use federal moneys from the American Recovery and Reinvestment Act of 2009 to fund drinking water and wastewater infrastructure programs. Hawaii's water infrastructure is dire need of repair. The U.S. Environmental Protection Agency's final decision of January 6, 2009 to deny the current 301(h) waiver permits for the Sand Island and Honouliuli wastewater treatment plants will require a projected capital improvement budget of \$1.2 billion.

The HWEA is a non-profit organization comprised of approximately 450 environmental and sanitary engineers, government officials, scientists, treatment plant operators and other water quality specialists. HWEA is a member organization of the international 40,000-member Water Environment Federation (WEF) that was founded in 1928 as a technical and educational organization. The mission of WEF is to preserve and enhance the global water environment. We would be pleased to serve as a technical resource for you and your committee members.

Sincerely yours,



Mark Goodrowe

President  
Hawaii Water Environment Association

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 18, 2009 2:35 PM  
**To:** ENETestimony  
**Cc:** makaala@hawaiian.net  
**Subject:** Testimony for HB1807 on 3/19/2009 2:45:00 PM

Testimony for ENE/TIA 3/19/2009 2:45:00 PM HB1807

Conference room: 225  
Testifier position: support  
Testifier will be present: No  
Submitted by: Makaala Kaaumoana  
Organization: Hanalei Watershed Hui  
Address: POBox 1285 Hanalei, HI  
Phone: 808-826-1985  
E-mail: [makaala@hawaiian.net](mailto:makaala@hawaiian.net)  
Submitted on: 3/18/2009

**Comments:**

The Hanalei Watershed Hui strongly supports the addition of language to this bill, adding a new Part II to this bill which would re-introduce the language from the previous TMDL Coordinator bills (HB1116 and SB934). This addition will provide support for the positions of two new TMDL Coordinators. These positions are vital to the implementation of the TMDL projects we are undertaking in Hanalei. This work will improve the water quality and support sustainable economies in Hanalei. Please support the addition of this language in this bill. Mahalo, Makaala Kaaumoana, Executive Director