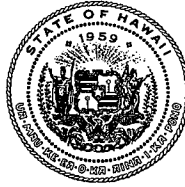


SB 934

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

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In reply, please refer to:
File:

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

SB934, Relating to Water Pollution

Testimony of Chiyome Leinaala Fukino, M.D.

Director of Health

February 17, 2009

2:45 PM

1 **Department's Position:** The Department of Health strongly supports this Administration Bill.

2 **Fiscal Implications:** None. This bill only applies when federal funding is available.

3 **Purpose and Justification:** This is an Administration Bill. This measure will allow the Department of
4 Health to establish and fill not more than two federally funded total maximum daily load coordinator
5 positions without regard to chapter 76, Hawaii Revised Statutes to meet federal law.

6 Current civil service position series are not sufficient for recruiting and retaining staff with the
7 technical expertise and multidisciplinary skills necessary to build and maintain the Department's
8 capacity for meeting federal water pollution control requirements that are increasingly complex and
9 continually growing. Clean Water Act section 303 requires that total maximum daily loads be prepared
10 for waters that fail to meet water quality standards over time. Total maximum daily load coordinators
11 function at a high level in the water pollution control program designing technically based studies to
12 address watershed health problems unique to Hawaii's environment. This requires collaborating with
13 University colleagues to conduct applied research and training, designing and evaluating watershed
14 inventory and water quality assessment campaigns, and synthesizing the results of environmental

1 sampling, regional investigations, and new scientific and policy developments for use by water pollution
2 control engineers, environmental health decision-makers, and land use planners. The department has
3 had difficulty for over two years filling a water quality position with lower technical demands than the
4 total maximum daily load coordinator position.

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

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

10 Thank you for the opportunity to testify on this important measure.



OFFICE OF HAWAIIAN AFFAIRS

Legislative Testimony

SB 934, RELATING TO WATER POLLUTION

Senate Committee on Energy and Environment

February 17, 2009

2:45 p.m.

Room: 312

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB 934, which seeks to establish two exempt positions, both of which are entitled Total Maximum Daily Load Coordinator.

OHA understands that the United States Environmental Protection Agency (EPA), via the State of Hawai'i Department of Health Clean Water Branch and the Environmental Planning Office, conducts monitoring, assessment, and watershed planning activities to track water quality, identify polluted waters and develop pollution control plans with the total maximum daily loads (TMDLs) program.

We see that the solo, current contracted position has been struggling to identify these water quality trends, prioritize polluted waters, and target waters for TMDL development. Two people are necessary to fulfill the federal requirements and to meet the needs of Hawai'i's waters.

OHA notes that the streams in this state are suffering as a result of our lack of compliance with federal requirements in this area. The EPA has the ability to retract funding directed to Hawai'i's Department of Health through this TMDL program, because of our current lack of compliance. Therefore, this bill would be a step toward meeting our Clean Water Act obligations, as well as fulfilling our Constitutional obligations of protecting and better managing our precious water resources.

OHA appreciates that the funding for these two positions would come from federal monies derived from the Clean Water Act. Thus, these two valuable positions would provide Hawai'i and the public an invaluable service with no cost to the state.

Therefore, OHA urges the Committee to PASS SB 934. Thank you for the opportunity to testify.