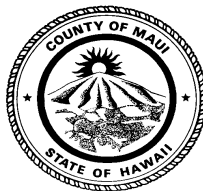


ALAN M. ARAKAWA
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OFFICE OF THE MAYOR
Ke`ena O Ka Meia
COUNTY OF MAUI – Kalana O Maui

February 24, 2017

TESTIMONY OF ALAN M ARAKAWA
MAYOR
COUNTY OF MAUI

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS

Monday, February 27, 2017
1:15 p.m. – Conference Room 224

SB555 RELATING TO GRAY WATER.

Senator Mike Gabbard, Chair
Senator Gil Riviere, Vice Chair
Honorable Members of the Senate Committee on Agriculture and Environment

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair
Honorable Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Thank you for this opportunity to testify in **OPPOSITION** to SB555.

This bill proposes to prohibit the issuance of new building permits unless it is established that the building will be furnished with equipment that allows for the collection and use of gray water for irrigation.

While the County of Maui supports the intent of this bill, we feel that there are too many (no pun intended) gray areas. Not enough details are provided. Without details, the door is opened for inconsistencies in the way it's implemented at the County level. Another instance of little detail – what does “not practical” mean in this context? In the County's experience, that phrase leads to a variety of interpretations.

Therefore, I strongly urge the **deferral** of this bill until details can be hammered out with the Public Works departments of each county.

Sincerely,

Alan M. Arakawa
Mayor, County of Maui



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February 27, 2017

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS
AND
AGRICULTURE AND ENVIRONMENT

TESTIMONY ON
SB 555: RELATING TO GRAY WATER

Room 224
1:15 pm

Aloha Chairs Nishihara and Gabbard, Vice Chairs Wakai and Riviere, and Members of the Committees:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau has concerns about SB 555, which would mandate that all new building construction include equipment and a system to collect and use gray water for irrigation.

Although we support the concept of using gray water for irrigation, re-use should be done in a way that is safe, cost-effective, and meaningful. Over several decades, HFB has participated in efforts by the State Department of Health (DOH) to establish fair and reasonable policies and rules that affect agriculture, while ensuring public and environmental health and safety.

SB 555 apparently mandates the use of gray water systems for all new permitted buildings, including those on agricultural land, statewide. Because this measure raises issues that have been contemplated by DOH and its working groups, HFB defers to the expertise of the department to address those concerns. We note that because of DOH's previously identified concerns and the limitations of safely reusing household gray water, the bill may need further review.

It is not clear from the bill language where this new mandate will be inserted within Chapter 107, Hawaii Revised Statutes, part II. **Will the mandate apply only to new public buildings? If it is intended to apply to ALL new buildings, HFB believes that there are important issues that need to be considered.**

Because of the increased costs associated with a mandatory dual plumbing system, this measure will negatively impact Hawaii's commercial farmers, without any accompanying benefit to them or to the environment. The following are our concerns about mandating gray water systems for all new building construction:

- This mandate will significantly increase costs for new construction without significant gains in addressing wastewater disposal or irrigation needs.
- The mandate will significantly delay construction, as the Department of Health will be inundated with having to review and approve every gray water system for each new proposed building.
- Many single-family homes, condominiums, apartments, and other buildings may not have enough or appropriate surrounding land to use the gray water for irrigation.
- The Department of Health document, "DOH Guidelines for the Reuse of Gray Water", identifies appropriate uses of gray water and cautions for its reuse. It was published to provide for the **residential** use of gray water resources while protecting a family's health, that of the neighborhood, and the environment. The Guidelines restrict gray water use to residential only because of health risks and safety issues associated with its use. They include precautions that must be taken to "significantly reduce the potential of coming in contact with gray water, for both residents and non-residents." The Guidelines emphasize that homeowners who irrigate even just their lawns with gray water need to understand the risks and safety issues associated with such use. They are warned to know the constituents of their gray water, which can change over time, as well as their potential effects on human, soil, plant and environmental health.
 - These include the caveat that the landscape must be irrigated by **subsurface** methods alone because many of the contaminants in gray water are harmful to health, especially if the water is ingested or there is physical contact with it, especially through skin abrasions. The use of spray irrigation to apply gray water is prohibited.
 - Gray water may be used to irrigate established lawns and plants but other areas, such as barren areas, or where seedlings are planted, where a potential for runoff and/or ponding exists **should not be irrigated with gray water**. The DOH Guidelines also caution that bacteria can accumulate and grow in a gray water holding system.
 - Gray water is prohibited from being used to irrigate root crops, vegetables that will be eaten raw, or other crops where the consumed portion of the plant rests on the ground.

Finally, HFB notes that DOH has banned new cesspool construction, requiring either the use of a septic system or hook up to a municipal or other approved wastewater treatment system. SB 555, with its across the board mandate requiring gray water reuse will *take the state backwards* to allow a lower level of wastewater treatment; in fact, no treatment at all.

Hawaii Farm Bureau appreciates the opportunity to provide these comments and looks forward to working with you to help farmers provide food and other agricultural products to Hawaii's people.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 7:23 PM
To: PSMTestimony
Cc: citizens4ahealthiermaui@gmail.com
Subject: Submitted testimony for SB555 on Feb 27, 2017 13:15PM

SB555

Submitted on: 2/21/2017

Testimony for PSM/AEN on Feb 27, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Paselk	Individual	Comments Only	No

Comments: This bill is confusing in that it is my understanding that grey water systems in Hawaii are technically illegal though many of us have or want to install them. I support allowing and encouraging and even assisting in plans for home greywater systems but it seems to be jumping the gun to make them mandatory before a period of promotion and education takes place. There is a certain degree of awareness and responsibility and monitoring required as to what chemicals and cleaning agents you allow to be diverted by a grey water system. It would create resentment to require this in new construction until a period of education creates buy in on the benefits. It is defeating the benefit if one is installed and the residents don't monitor which cleaning products they allow to be diverted into the landscape.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 3:01 PM
To: PSMTestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB555 on Feb 27, 2017 13:15PM*

SB555

Submitted on: 2/21/2017

Testimony for PSM/AEN on Feb 27, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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