



LATE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony COMMENTING on HCR094
URGING THE DEPARTMENT OF HEALTH TO PRIORITIZE TESTING AND
RESEARCH OF BEACH SAND CONTAMINATION LEVELS AT POKAI BAY AND
REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF
PARKS AND RECREATION TO PRIORITIZE RENOVATIONS OF THE RESTROOM
FACILITIES AT POKAI BAY.**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR,
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR GLENN WAKAI, CHAIR, SENATE COMMITTEE ON PUBLIC SAFETY AND
INTERGOVERNMENTAL AND MILITARY AFFAIRS

Hearing Date: 4/12/23

Room Number: 225

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department understands the intent of this measure and respectfully
5 offers the following comments regarding HCR094.

6 The Department currently monitors the water quality of Pokai Bay and prioritizes it as a
7 Tier 1 beach which receives weekly water quality monitoring for the fecal indicator bacteria,
8 enterococci. Between January 2019 and March 2023, the Department collected 192 water quality
9 samples in Pokai Bay, of which 4 samples exceeded the Beach Action Value (BAV) of
10 130/100 mL. In each of these instances, follow-up samples collected on the next working day
11 did not exceed the BAV, indicating that there were no ongoing water quality issues in the bay.

12 The Department does not test sand for the presence of fecal indicator bacteria. There is
13 no approved or proven reliable testing method, nor is there a threshold or action limit associated
14 with health risks due to contact with sand. These parameters would need to be developed;
15 however, the Department does not have the resources to conduct this type of research. Lacking

1 this information, current procedures and actions cannot be reliably and defensibly applied to sand
2 testing. Until a reliable test method is developed and a defensible standard or action threshold is
3 established for fecal indicator bacteria levels in sand, the Department is not able to carry out the
4 same procedures and actions under the routine monitoring program.

5 The proposed resolution urges the Department to develop a plan to increase water
6 circulation at Pokai Bay to improve water quality and mitigate environmental and health risks
7 caused by pollution and contaminants in the water. The Department does not have the authority,
8 resources, or expertise to alter or increase circulation in waterbodies. The Department is
9 authorized to control land-based point and nonpoint sources of water pollution.

10 Thank you for the opportunity to comment.

11 **Offered Amendments:** The Department offers the amendments. Additions appear as
12 underlined and deletions appear as bracketed strikeouts. Beginning on Page 2, Line 21:

13 WHEREAS, the Department of Health has the supplies to test seawater and occasionally
14 tests the seawater in Pokai Bay specifically for fecal indicator bacteria, which decays at slower
15 rates in the beach sand than in seawater; ~~[now, therefore,]~~and

16 WHEREAS, the Department of Health tests the waters of Pokai Bay for the fecal
17 indicator bacteria, enterococci on a weekly basis and has found that of the 192 water samples
18 collected between January 2019 and March 2023, four samples exceeded the action limit of
19 130/100 mL; now, therefore,

20 BE IT RESOLVED by the House of Representatives of the Thirty-second Legislature of
21 the State of Hawaii, Regular Session of 2023, the Senate concurring, that the Department of
22 Health is urged to continue to prioritize testing ~~[and research]~~ of fecal indicator bacteria levels
23 and any other pollutants of the ~~[beach sand at]~~ waters of Pokai Bay; and

24 BE IT FURTHER RESOLVED that the Department of Health is urged to make testing
25 ~~[and research]~~ of fecal indicator bacteria levels and any other pollutants in ~~[beach sand at]~~ Pokai
26 Bay a priority of the Department's non-point source pollution program; and

27 BE IT FURTHER RESOLVED that the Department of Health is urged to ~~[develop a plan~~
28 ~~to increase water circulation at Pokai Bay to improve water quality and mitigate environmental~~
29 ~~and health risks caused by pollution and contaminants in the water; and~~

30 ~~BE IT FURTHER RESOLVED that the Department of Health is requested to collaborate~~

1 with other appropriate state and county agencies to develop the plan to increase water
2 circulation; and address land based point and nonpoint sources of water pollution into Pokai
3 Bay; and

4 ~~[BE IT FURTHER RESOLVED that the Department of Health is requested to submit a~~
5 ~~report of its collaborative activities, including significant findings, cost estimates, and any~~
6 ~~proposed legislation to increase water circulation at Pokai Bay, to the Legislature no later than~~
7 ~~twenty days prior to the convening of the Regular Session of 2024; and]~~

8 BE IT FURTHER RESOLVED that ~~[based upon the Department of Health's testing and~~
9 ~~research of fecal indicator bacteria in the beach sand at Pokai Bay,]~~ the City and County of
10 Honolulu Department of Parks and Recreation is requested to prioritize renovations of the
11 restroom facilities at Pokai Bay; and...

KINGDOM PATHWAYS

LATE



Re: Testimony COMMENTING of HCR94

To the Committee Members on Health and Human Services,

Kingdom Pathways has been working on addressing multiple non-point sources of contaminates here at Pōkaī Bay. We have partnered with the Surfrider Foundation and the Blue Water Task Force. We test three areas, the inner and outer portions of the Jetty Wall at Pōkaī Bay and near Kaupuni Stream. We specifically tested with the Kaupuni Stream area because we were concerned about the hundreds of cesspools surrounding the stream; it may have been one of the non-source points. So far, it has been extremely high for a year or so. While the connection to the sewer system would be the solution, it is costly. Financial relief should be adjusted to meet their needs for properties that must connect to sewer systems, especially for lower-income community members.

Our discoveries have concluded that the CWB does not currently monitor the FIB levels in the sand because there is no current EPA-approved method. Suppose the showers contribute to sand contamination, rising sea levels, and climate change impacts. Then we suggest that the DOH work with the City and County of Honolulu Parks Recreation Department should devise a relocation plan away from the immediate shoreline area. This plan should include adding appropriate signage and functional landscape features to uptake the shower water or covering and connecting the showers to sanitary sewer systems.

Through our recent data collection findings, given the grade of the parking lot and surrounding areas and the presence of a stormwater system outfall near the beach showers, it is clear that the nearshore waters receive significant amounts of stormwater runoff. We would also like to suggest that DOH and the City and County of Honolulu Parks and Recreation Department should plan to assess or mitigate impacts from stormwater discharges at the Pōkaī Bay Beach Park and the surrounding area, perhaps bioswales with natives to address the runoff.

Respectfully,

Carmen Guzman-Simpliciano
Director of Kingdom Pathways

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