

SR 18

From: Allison Schaefer [allischaefer@yahoo.com]
Sent: Wednesday, April 15, 2009 10:15 PM
To: ENETestimony
Subject: Fw: Support for SCR18, hearing April 16 Room 225

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 10 in January 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.

Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children. Hawaii has one of the highest drowning rates 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. In addition, when rainwater drainage systems are not properly maintained, they also pose environmental risks.

It is critical that the Department of Health help protect the health and safety of Hawaii's citizens, especially the keiki, by implementing a statewide rainwater detention and retention pond safety program. Such a program would encourage and assist developers or other persons responsible for the construction and maintenance of a rainwater drainage system to adopt a maintenance and inspection plan and to consider adequate safety provisions such as the installation of a fencing and signage to deter children from playing or congregating around or near those ponds. A program like this would have gone a long way toward protecting my daughter and her friends from harm.

The importance of education is another factor, which must be considered. Many people, including myself prior to my daughter's death, are unaware of the potential hazards that rainwater systems can pose. The pond where my daughter died turned overnight from rolling hills near a playground to a death pit filled with pitch-black, water that was over six feet in places. Because there was not any signage or fencing, the residents of my neighborhood were unaware of this danger in our midst.

My daughter's death could have been prevented and as a result my family was awarded a \$2 million settlement, a record in the state of Hawaii for the wrongful death of a child. Those responsible for the construction of the pond were well aware of the hazardous conditions that this particular rain catchment 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.

While I am not anti-development and I believe that many developers when given the choice will do the right thing, it goes without saying that 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.

And, even though it is one of the tightest budget years yet, the state cannot allow its departments to shirk their primary duty to protect and serve the citizens of Hawaii. Although it's true that only a few children in Hawaii to date have fallen victim to rainwater systems, the use of these systems continues to grow and along with their proliferation comes increasing risk. As the parent of one of these young victims, I find it abhorrent that some would regard her death as an anomaly rather than a wake-up call.

Rainwater ponds are designed for water drainage management, not recreation yet this state continues to allow developers to design parks with the dual use of holding runoff water. These ponds can also be found dangerously close to schools, recreation centers and neighborhoods where children live. While in many cases, these ponds can be aesthetically pleasing to the eye, steps must be taken to ensure that people, especially young children, and animals are not attracted to these bodies of water. While in some cases they are necessary for flood control, they often pose environmental and safety hazards.

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 also may 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.

In addition, retention and detention ponds are often deceptive by design, which makes them inherently dangerous for both humans and animals. 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.

While I believe that human costs provide the most compelling reasons to establish a statewide rainwater detention and retention pond safety program, there are also solid

environmental reasons why this action should be taken. Above ground rainwater drainage systems are not considered the most proactive drainage solution for our environment. Poorly maintained systems are virtual cess pools where disease and pests can spread. 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 do the right thing. I know it's a tight budget year; however, we need a retention and detention pond safety program just like we need insurance to protect our health and our homes and our cars. Surely, Hawaii's children are just as worthy of our support and our protection.

I'm deeply saddened that it took the death of my child, to shed light on this dangerous situation. Please take this opportunity to establish a task force that shows that Hawaii cares about our children and our environment.

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. Passing SCR18 begins the process of reducing the risk that any other child in the state of Hawaii would ever have to do that again.

Allison Schaefer, Sharkey's Mom
Pearl City, Hawaii
(808)456-0570
(808)781-4029

From: IAN RAMSAY [iramsay@charter.net]
Sent: Thursday, April 16, 2009 3:05 AM
To: ENETestimony
Subject: SCR 18 grandparent's testimony

Members of ENE/CPN Senate Committees, April 16, 2:45, Rm. 225

Stop the needless drowning of children.

I offer the following testimony in support of SCR 18:

I urge you to support HB 384, 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 resolution 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 legislation that establishes a task force to collect data and examine advisability and effectiveness of a detention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 HB 384 and I look forward to hearing a response from your office.

Sincerely,

Please don't let another child die needlessly! We miss our heroic granddaughter daily.

Grandparents, Pam and Ian Ramsay

104 Chinaberry Lane, LaGrange, GA 30240

706-882-6521

COWBOY KIDS PEDIATRICS

T 307-734-0242

DR. RUTH ANNE TOMLINSON

F 307-734-847

PO BOX 4755, JACKSON WY 83001

COWBOYKIDS@ME.COM

April 16, 2009
Senate Sergeant-At-Arms Office
1-800-586-6659

Dear Senate Sergeant-At-Arms

I offer the following testimony in support of SCR 18:

I urge you to support SCR 18, which relates to retention, detention and catchment pond safety. Written in memory of my five-year-old niece who drowned in a Pearl City naval housing complex detention pond while trying to save the life of her childhood friend, the resolution 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.

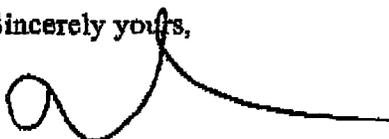
Passing legislation that establishes requests that the Department of Health implement a statewide rainwater detention and retention pond safety program is necessary for the health and safety of Hawaii's children and all those who visit.

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. 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.

Hawaii has many proactive laws that protect the environment, now it seems we need to advocate for laws that afford our children the same

rights and privileges. I would appreciate your support for SCR 18 and I look forward to hearing a response from your office.

Sincerely yours,

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long, sweeping horizontal line that tapers to the right.

Ruth Anne Tomlinson MD

RE: SCR 18 hearing of ENE/CPN Senate Committees on April 16, 2009
at 2:45 p.m.

I offer the following testimony in support of SCR 18:

I urge you to support HB 384, 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 resolution 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 legislation that establishes a task force to collect data and examine advisability and effectiveness of a detention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 HB 384 and I look forward to hearing a response from your office.

Sincerely,

Name: Kristen Consillio

Contact information: 808-271-3573

From: Joleen Oshiro [joshiro@starbulletin.com]
Sent: Thursday, April 16, 2009 8:37 AM
To: ENETestimony
Subject: SCR 18

Members of the ENE/CPN Senate committees:

I offer the following testimony in support of SCR 18:

I urge you to support SCR 18, 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 resolution 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 legislation that establishes requests that the Department of Health implement a statewide rainwater detention and retention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 SCR 18 and I look forward to hearing a response from your office.

Sincerely,

Joleen Oshiro

382-4651

From: Il.X.Chun@chase.com
Sent: Thursday, April 16, 2009 1:53 AM
To: ENETestimony
Subject: Support of SCR 18

Importance: High

To Whom It May Concern:

I offer the following testimony in support of SCR 18:

I urge you to support SCR 18, 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 resolution 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 legislation that establishes requests that the Department of Health implement a statewide rainwater detention and retention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 SCR 18 and I look forward to hearing a response from your office.

Sincerely,

Il

Il Chun, 2311 South Gilinger Road, Lafayette Hill, PA 19444

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I offer the following testimony in support of SCR 18:

I urge you to support HB 384, 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 resolution 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 legislation that establishes a task force to collect data and examine advisability and effectiveness of a detention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 HB 384 and I look forward to hearing a response from your office.

Sincerely,



Pamela Cay Trickey

Contact information:

Pamela Cay Trickey
7640 St. Jordan Circle
Newburgh, IN 47630
812-858-0292
Pamela.trickey@thecallcenterschool.com

From: Randy.Roberts@chase.com
Sent: Wednesday, April 15, 2009 11:45 PM
To: ENETestimony
Subject: Testimony, Re SCR18, 2:45 PM April 16, 2009

I offer the following testimony in support of SCR 18:

I urge you to support SCR 18, 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 resolution 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 legislation that establishes requests that the Department of Health implement a statewide rainwater detention and retention pond safety program is necessary for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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.

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 SCR 18 and I look forward to hearing a response from your office.

Sincerely,

Randy A. Roberts

P: 302-282-6023

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Testimony in support of SCR 18:

I strongly urge you to support SCR 18. Retention, detention and catchment pond safety is a vital part of keeping Hawaii's children safe. Every parent's primary responsibility is for the safety of their children and this resolution will help every parent keep their children safe. In addition, SCR 18 will improve the health and welfare of the citizens of this state by providing the type of regulations and guidelines needed by contractors and architects when designing retention, detention and catchment ponds.

A retention, detention and catchment pond could be compared to having a pool on your property. This open water source is inviting to curious young minds. According to studies concerning childhood drownings, most young children who drowned in pools were last seen in the home, had been out of sight less than five minutes, and were in the care of one or both parents at the time. The recommendation that barriers, such as fencing, can help prevent children from gaining access to the "unsafe areas" without caregivers' awareness. <http://www.cdc.gov/HomeandRecreationalSafety/Water-Safety/waterinjuries-factsheet.htm>. All you need to do is search the internet for drowning and you will find many references to using fencing around open water. In fact, insurance companies refuse to insure homes without a fence.

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. SCR 18 was originally 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. This unnecessary sacrifice was due to a lack of regulation and poor maintenance of a rainwater detention and retention pond. Without specific rules and requirements, architects and contractors will certainly use shortcuts to reduce their costs, posing a serious health and safety risk, particularly to Hawaii's children.

Passing legislation that establishes specific rules and requirements will help every parent in our state. SCR 18 requests that the Department of Health implement a statewide rainwater detention and retention pond safety program, which is necessary and practical for the health and safety of Hawaii's citizens.

The death of Sharkey Schaefer 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 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. Help others parents from having to contend with the unthinkable loss of their 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 SCR 18 and I look forward to hearing a response from your office.

Sincerely,

Vincent Giasolli

361 Opihikao Pl,
Honolulu, HI 96825
808-396-1774
vgiasolli@gmail.com

From: Denise Park [dpark@pangcomm.com]
Sent: Thursday, April 16, 2009 9:42 AM
To: ENETestimony
Subject: 4/16/09 2:45 p.m. SCR18

I offer the following testimony in support of SCR 18:

I urge you to support HB 384, 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 resolution 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 legislation that establishes a task force to collect data and examine advisability and effectiveness of a detention pond safety program is necessary for the health and safety of Hawaii's citizens. The death of Sharkey Schaefer 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 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.

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 HB 384 and I look forward to hearing a response from your office.

Sincerely,

Denise Park

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

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From: John Berger [regreb@lava.net]
Sent: Thursday, April 16, 2009 10:38 AM
To: ENETestimony
Subject: Re: SCR18 - Hearing scheduled for 16 April 09, 2:45 p.m.

Aloha!

Please support SCR18.

Allison Schaefer is a friend and colleague, and the death of Allison's five-year-old daughter, Charlotte "Sharkey" Schaefer, who drowned in a Pearl City naval housing complex detention pond while trying to save the life of another child friend, was a needless and easily preventable accident that destroyed her family.

SCR 18 relates to retention, detention and catchment pond safety. Written in memory of Allison's daughter, the resolution seeks to improve the health, safety and welfare of the citizens of this state by ensuring that these ponds are built and maintained in a safe and responsible manner. You have probably seen many other copies of this appeal for support, but I am enclosing the key points for you:

Unregulated and poorly maintained rainwater detention and retention ponds pose a serious health and safety risk, particularly to Hawaii's children.

Passing legislation that establishes requests that the Department of Health implement a statewide rainwater detention and retention pond safety program will reduce these health and safety risks and thereby improve the quality of life for our people..

The death of Charlotte "Sharkey" Schaefer 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 regulations had existed to ensure that the responsible parties built and maintained a safe detention pond system, the Schaefer's family would not have lost their precious child.

Hawaii has many proactive laws that protect the environment. We need to be equally proactive in providing our citizens – particularly our children -- the same level of protection.

Please support SCR 18.

Sincerely,

John Berger