



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB2540 HD1  
RELATING TO CESSPOOLS**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR  
HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES

Hearing Date: February 14, 2018  
Time: 8:30 a.m.

Room Number: 329

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (Department) would like to provide  
3 comments regarding this measure. The Department is open to consideration of various financial  
4 means to assist homeowners upgrading cesspools. The Department has attempted to coordinate  
5 with the county wastewater departments to establish low interest loan programs to assist with the  
6 upgrade or conversion of cesspools. The Department's Clean Water State Revolving Fund  
7 (CWSRF) Program has the authority to provide counties with the funds to establish a loan  
8 program for private borrowers to upgrade cesspools. In the past, the Department has approached  
9 the counties, but they felt that it was not currently feasible since they did not have the resources  
10 to run a separate loan program for private borrowers. The Department's CWSRF Program also  
11 does not have sufficient funds or manpower to support such a program that will provide low-  
12 interest loans to private borrowers. DOH will continue to work with the counties in exploring  
13 this and other mechanisms for the upgrading of cesspools.

14 Thank you for the opportunity to testify on this measure.

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>

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MAYOR



LORI M.K. KAHIKINA, P.E.  
DIRECTOR

TIMOTHY A. HOUGHTON  
DEPUTY DIRECTOR

ROSS S. TANIMOTO, P.E.  
DEPUTY DIRECTOR

IN REPLY REFER TO:  
WAS 18-26

February 12, 2018

The Honorable John M. Mizuno, Chair  
and Members of the Committee on  
Health and Human Services  
House of Representatives  
State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Mizuno and Members:

Subject: House Bill 2540 HD1, Relating to Cesspools

The City and County of Honolulu's (City) Department of Environmental Services generally supports HB 2540 HD1, and the long term conversion of cesspools to other waste disposal options.

While the cesspool remediation and conversion loan program may have benefits to property owners desiring to convert from their cesspools, we are unclear of the need for involvement of County water and sewer agencies in the loan program. We appreciate the HD1 change removing limiting the program to only aerobic treatment unit systems. We do have concerns that proceeding in a piecemeal replacement fashion may not generate the best overall solution for the environment and community.

Thank you for your consideration.

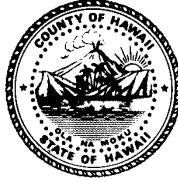
Sincerely,

A handwritten signature in black ink, appearing to read "Lori M.K. Kahikina", is written over the typed name and title.

Lori M.K. Kahikina, P.E.  
Director

Harry Kim  
Mayor

Wilfred M. Okabe  
Managing Director



William A. Kucharski  
Director

Diane A. Noda  
Deputy Director

## County of Hawai'i

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāʻo'a Street, Suite 41 · Hilo, Hawai'i 96720  
(808) 961-8083 · Fax (808) 961-8086  
cohdem@co.hawaii.hi.us

<http://www.hawaiicounty.gov/environmental-management/>

February 12, 2018

Committee on Health & Human Services  
Rep. John M. Mizuno, Chair  
State of Hawai'i House of Representatives  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: **Support for HB2540 HD1**  
**(Relating to Cesspools)**

Date: February 14, 2018 (Wednesday)  
Time: 8:30 a.m.

Dear Chairperson Mizuno and Members of the Committee on Health & Human Services:

The County of Hawaii (COH) supports HB2540 HD1.

1. This Bill, as modified, opens up the proposed loan program created by the Bill to persons who replace cesspools with any system approved by the Hawaii Department of Health (HDOH). This is an improvement over only providing loan funds for Aerobic Treatment Units (ATU). The cost to the citizens of the State, and especially the County of Hawaii, to close and replace existing cesspools is enormous. By providing state funded, low interest loans to the people of this State, the legislature is providing a source of affordable and needed monies to its citizens. This is supported by the County of Hawaii and this will have a positive effect on our environment.
2. This Bill is a positive step forward in attempting to handle very expensive yet necessary actions by the State of Hawaii.

Thank you for your consideration of this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Kucharski".

William A. Kucharski, Director, Department Environmental Management, COH

## BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



February 14, 2018

KIRK CALDWELL, MAYOR

BRYAN P. ANDAYA, Chair  
KAPUA SPROAT, Vice Chair  
DAVID C. HULIHEE  
KAY C. MATSUI  
RAY C. SOON

ROSS S. SASAMURA, Ex-Officio  
JADE T. BUTAY, Ex-Officio

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.  
Deputy Manager and Chief Engineer

The Honorable John M. Mizuno, Chair  
and Members  
Committee on Health and Human Services  
Hawaii State Capitol, Room 329  
Honolulu, Hawaii 96813

Dear Chair Mizuno and Members:

Subject: House Bill 2540, HD1: Relating to Cesspools

The Honolulu Board of Water Supply (BWS) has concerns regarding House Bill (HB) 2540 House Draft (HD) 1. This bill proposes to establish a statewide cesspool remediation and conversion low interest loan program to cesspool owners who upgrade or convert their cesspools to a system approved by the Department of Health (DOH). The DOH will administer the loan program in coordination with each county water and sewage department. However, the BWS has concerns on the feasibility of this loan program involving on-bill payment of these loans.

The City Department of Environmental Services is responsible for the Wastewater treatment, not the Honolulu Board of Water Supply. Because a potential loan recipient may not currently have an account with the BWS, there may not be an existing relationship between the BWS and the loan recipient. The collection of loan payments is largely a loan servicing function. Such a function is beyond the scope of the BWS and the BWS does not have the expertise to service and administer such a program. Since HB 2540, HD1 attempts to create a function outside the mission and expertise of the BWS, we respectfully request that any and all references to "on-bill financing" be deleted from the proposed language.

Thank you for the opportunity to testify.

Very truly yours,



ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer



# WATER FOR LIFE

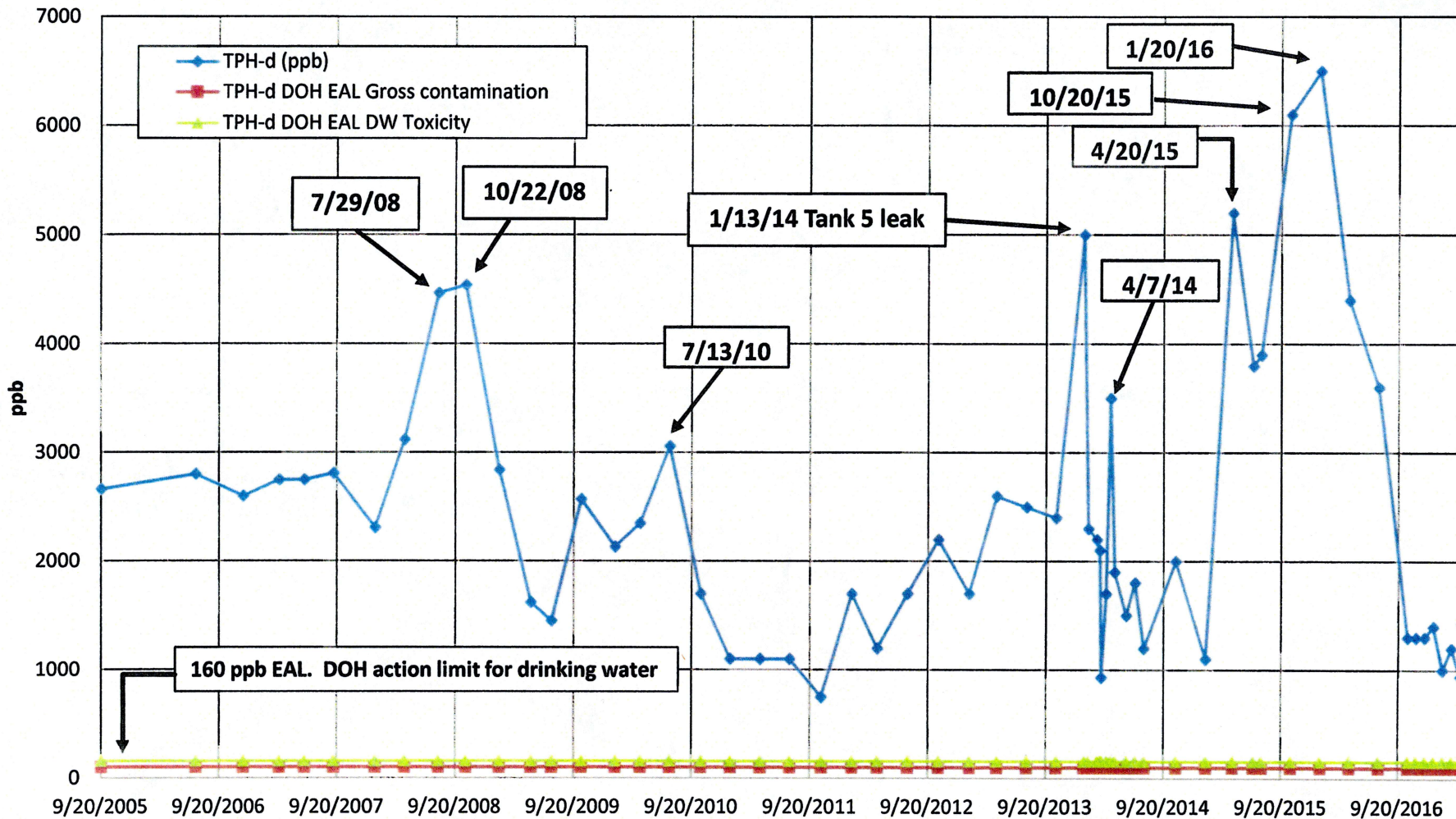
Safe, dependable, and affordable water now and into the future



Board of Water Supply  
City and County of Honolulu

### Groundwater Contamination underneath Red Hill Tanks (RHMW02) as of April 2017

4/4/17







**HB-2540-HD-1**

Submitted on: 2/12/2018 12:49:41 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ERICA PEREZ	Coral Reef Alliance	Support	Yes

Comments:

To: House Representative Chair Mr. John M. Mizuno Health & Human Services Committee

Re: HB 2540 HD 1 Relating to Cesspools

Wednesday, February 14, 2018 08:30 am

Conference Room 329

State Capitol

415 South Beretania St.

From: Erica Perez- Program Manager (Hawai'i Island)

[eperez@coral.org](mailto:eperez@coral.org)

Coral Reef Alliance (CORAL)

Subject: I am testifying in Support of HB 2540 HD 1 relating to cesspools

Links: [\*Puakā, Hawaii: Community Feasibility Study and Preliminary Engineering Report & The Synthesis of Waterquality and Coral Reefs in Relation to Sewage Contamination: Importance to the Puakā Region of South Kohala & Spatial distribution and effects of sewage on Puakā's \(Hawai'i\) coral reefs\*](#)

I am testifying in Support of HB 2732 HD 1 on behalf of the Coral Reef Alliance (CORAL). CORAL is an international coral reef conservation organization that works with communities, businesses, and governments to save coral reefs. With field offices on Maui and Hawai'i Island, and projects throughout the Main Hawaiian Islands, CORAL uses a science-based approach to improve coastal water quality. Throughout the state,



CORAL's programs mitigate land-based sources of pollution, such as, wastewater discharge and stormwater runoff. Untreated sewage leaching from residential cesspools is one such source of land-based pollution negatively impacting Hawai'i's nearshore environment.

CORAL is currently working with the Puakōhale community in South Kohala, Hawai'i, a priority location identified in the DOH 2018 Report Relating to Cesspools and Prioritization for Replacement. Puakōhale's proximity to shore, volcanic rock and high groundwater render this location unsuitable for Individual Wastewater Systems (IWS) such as septic tanks and aerobic treatment units. Based on Environmental Protection Agency (EPA) guidelines for proper installation of IWS's require a functional soil-based leach field for final treatment of effluent. Hawai'i's porous volcanic geology and high groundwater table allows this sewage pollution to quickly flow into the groundwater, then to the sea or other waterways. This sewage pollution contains disease-causing pathogens and nutrients, such as nitrates and phosphorus. It is a direct threat to coral and marine ecosystem health in Hawai'i and to the health of the public and tourists who swim in these waters. This pollution is also contaminating our drinking water.

The Puakōhale, Hawai'i: Community Feasibility Study and Preliminary Engineering Report (PER) evaluated several treatment options and recommended the community install an onsite treatment facility to safeguard the health of community members and protect their valuable near shore marine environment ([link to PER](#)). The onsite treatment facility is the least expensive over the long term and the only option to address environmental and human-health concerns by eliminating nearly all residential sewage pollution and disposing of it away from the shoreline.

We understand there are significant costs associated with replacing residential cesspools with the recommended onsite treatment facility. We trust, through this bill, the state and counties will work together and identify a fair and equitable means to transition homes away from cesspools to appropriate wastewater treatment technology, while doing everything possible to lessen the financial burden on the individual homeowner.

HB 2540 with HD 1 allows the Puakōhale community and other communities across the state to implement the best wastewater treatment for their geographical area. CORAL is enthusiastic to share lessons learned through our efforts in Puakōhale and to be a part of identifying a sustainable and cost effective solution for wastewater treatment and discharge across the state, which prioritizes both coral and human health.

In closing, CORAL Supports HB 2540 HD 1. Thank you for the opportunity to provide this testimony.

Sincerely,





Erica Perez, Program Manager (Hawai'i Island)

eperez@coral.org

Coral Reef Alliance

**HB-2540-HD-1**

Submitted on: 2/12/2018 9:39:46 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

**PRESENTATION OF THE  
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES  
DEMOCRATIC PARTY OF HAWAII  
TO THE COMMITTEE ON HEALTH & HUMAN SERVICES  
THE HOUSE OF REPRESENTATIVES  
TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2018  
Monday, February 14, 2018**

8:30 a.m.

Hawaii State Capitol, Conference Room 329

**RE: Testimony in Support of HB 2540 HD1 RELATING TO CESSPOOLS**

To the Honorable John M. Mizuno, Chair; the Honorable Bertrand Kobayashi, Vice-Chair and the Members of the Committee on Health and Human Services:

Good morning. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 2540 HD1 relating to a Low-Interest Loan Program for the upgrade and conversion of cesspools.

The OCC Legislative Priorities Committee is in favor of House Bill No.2540 HD1 and supports its passage as it offers financial assistance to cesspool owners who upgrade or convert their cesspools to septic systems, aerobic treatment unit systems,

connect their system to existing sewer systems, or any other system approved by the department of health for wastewater treatment by establishing a cesspool remediation and conversion loan program in light of the State's cesspools's release of approximately 53,000,000 gallons of untreated sewage into the ground each day. The gravity of this situation affects the people of Hawaii that rely on groundwater for over ninety percent of their drinking water.

House Bill No.2540 HD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires the department of health to coordinate with each county water department to establish a low-interest loan program for the upgrade or conversion of cesspools in each county to septic systems, aerobic treatment unit systems, for connection to an existing sewer system, or other wastewater treatment system approved by the department.

The DPH Platform states that "[w]e support the protection of our 'aina against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage. To handle current and future demands for water, we must assess the current condition of our aquifers and take appropriate actions to secure our freshwater resources.

We support the democratic participation of citizens and residents to protect (I) valuable coastal ecosystems and reefs from misuse and (ii) beaches for public use and recreation. The Hawai'i Coastal Zone Management (CZM) law, HRS Chapter 205A, currently provides for public participation in the management of coastal resources.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardship and citizen involvement in protecting our resources. We know that climate change is a real threat to our islands and the world.(Platform of the DPH, P. 8, Lines 422-433 (2016)).

Given that House Bill No. 2540 HD1 provides for a low-Interest Loan Program for the upgrade and conversion of cesspools, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: [legislativepriorities@gmail.com](mailto:legislativepriorities@gmail.com), Tel.: (808) 258-8889



**HB-2540-HD-1**

Submitted on: 2/12/2018 10:24:35 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leisa Gebhard	Individual	Support	No

Comments:

Aloha,

It has been found that Hawaii has approximately 88,000 cesspools that deposit 53,000,000 gallons of sewage into our groundwater every day. Since upgrading cesspools is an expensive endeavor for homeowners to take on, I ask for your support of this bill to establish a low interest loan program for the upgrade or conversion of cesspools to improve our water quality.

Mahalo for your consideration of my testimony.

Leisa Gebhard

**HB-2540-HD-1**

Submitted on: 2/12/2018 10:27:56 AM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nann Hylton	Individual	Support	No

Comments:

This is Nann Hylton, 69-1644 Puako Beach Drive, Kamuela HI 96743

Cleaning up our ocean and Island water is critical. All new construction must safeguard our waste water with highly efficient Aerobic Septic Systems. Old existing construction has no such requirements as they are "grandfathered" with old often broken-down cesspools with no filtering systems. In order for these antiquated systems to be brought up to proper standards.

Please pass this bill so our neighbors can afford to upgrade their waste water systems.

It affects all of us.

Thank you very much for your help. Our future generations are counting on us to malama the ina.

Nann Hylton

**HB-2540-HD-1**

Submitted on: 2/12/2018 10:22:53 AM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peter Hackstedde	Individual	Support	No

Comments:

The Puako Community is in full support of this. We need help to clean up our shore line and reef from cesspool pollution. I won't swim or snorkel in the ocean if I have a cut or bug bite, because it may get infected. You should not have to take antibiotics because you swim or snorkel in Puako !



**HB-2540-HD-1**

Submitted on: 2/12/2018 11:33:28 AM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
karen anderson	Individual	Support	No

Comments:

Hello, I have owned a home in Puako for five years. When we moved to Hawaii we chose Puako because we wanted our children growing up next to the ocean so that they would develop a close relationship between earth's natural resources and humankind. It is a wonderful community that works together to keep it safe and healthy for community members and the numerous visitors who stay in Puako, and on whom so many of us depend economically.

Our community has spent 10 years and approximately \$2.5M researching the sewage problem and developing a variety of solutions with accompanying cost benefit analyses. We are committed to solving this problem not only for ourselves but also for our children, grandchildren and great grandchildren. Right now I will not let my children swim in the waters of Puako or Wailea Bay if we have had a hard rain or if it has been stagnate for several days in a row due to the high levels of pollutants in the water.

As the former state director of The Nature Conservancy in WA state, I know how difficult it is for states to solve their clean water issues. But I also know how important it is for the health and economy of a state. I urge the legislators of the beautiful state of Hawaii, to pass this bill, and to follow the lead of state's like Washington that is tackling the Puget Sound and Maryland that is tackling Chesapeake Bay, to commit the resources to implement long term waste treatment facilities around the island chain's shore lines. Puako is a community that has proved it is ready to partner with you. We have committed to the science. We have invested our own time. We have invested our own money. Please join us in this cause and allow me to stop saying to my children, "No, you can't go to the beach today, too much pollution."

Thank you, Karen Anderson

**HB-2540-HD-1**

Submitted on: 2/12/2018 5:05:33 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
candace christensen	Individual	Support	No

Comments:

I have been swimming in Puako for a long time and have noticed a precipitous decline in the coral reef. Cleaning up the wastewater will help preserve the reef for future generations.

**HB-2540-HD-1**

Submitted on: 2/12/2018 11:22:04 AM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
George Fry	Individual	Support	No

Comments:

My Name is George Fry and I live at 137 Puako Beach Drive. I've lived in the community for over 15 years and have served on the Puako Community Association Board. Clean water and a healthy reef is a main priority for our community. It should be a priority for the state. HB2540 would give communities, like ours, the ability to help finance the solutions to the wastewater issues we face. I think htis is a very important piece of legislation.

Thank you.



**HB-2540-HD-1**

Submitted on: 2/12/2018 5:21:28 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
leonard wolf	Individual	Support	No

Comments:

My wife and I reside in Puako. Our community has expended 2.5million to find a solution to our sewage problem over the last 10 years. We swim in our water as do our children and grand children. Our safety and the survival of our reef requires that a solution be found to prevent contamination of our shoreline water. Please help us.

**HB-2540-HD-1**

Submitted on: 2/12/2018 7:18:16 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Henderson	Individual	Support	No

Comments:

As a Puako resident on Hawai'i Island and Hawai'i state voter, I strongly support this bill. We have a duty to our children, and their children, to do all we can to stop degrading our environment. Cesspools close to sensitive areas have a negative impact. This bill will help us to actually implement positive solutions. Please vote yes.

Mahalo

David Henderson

**HB-2540-HD-1**

Submitted on: 2/12/2018 9:24:45 PM

Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carla Christensen	Individual	Support	No

Comments:

I wish that I could be at this hearing to testify.

It is so important to help people who currently have cesspools as their sewage disposal method convert to a more sustainable system. The very people who use these systems are the same people who could use help in paying for updated systems. Whatever appropriations can be made to facilitate more conversions the better!

Thank you

**LATE**

**HB-2540-HD-1**

Submitted on: 2/13/2018 7:15:44 PM  
Testimony for HHS on 2/14/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments: