

SB2567 SD1

Measure Title: RELATING TO CESSPOOLS.

Report Title: Cesspool Upgrades; Sale of Property

Description: Requires cesspools located in priority upgrade areas and identified as priority level 1, 2, or 3 to be upgraded within 180 days of the sale of the property on which the cesspool is located. Allows the Director of Health to issue exemptions. Allows cesspools located in additional priority upgrade areas and identified as priority level 4 to be required to be upgraded within 180 days of the sale of the property on which the cesspool is located, upon determination of the Director of Health. Takes effect on 12/31/2018. (SD1)

Companion:

Package: None

Current Referral: AEN, CPH

Introducer(s): GABBARD, ESPERO, GALUTERIA, Ihara



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

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of SB2567 SD1
RELATING TO CESSPOOLS**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: February 26, 2018
Time: 10:00 AM

Room Number: 229

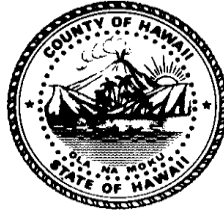
1 **Fiscal Implications:** The Department of Health (Department) would need resources to implement
2 the proposed cesspool outreach and assistance program covered under this measure.

3 **Department Testimony:** The Department appreciates and supports the intent of this measure, but
4 defers to the Governor's Executive Supplemental Budget Request for the Department's
5 appropriations and personnel priorities. Cesspools are a major source of pollution to Hawaii's
6 waters. There are approximate 88,000 cesspools in the State, discharging approximately 53 million
7 gallons of untreated sewage into the groundwater every day. Groundwater flows into drinking
8 water sources; since ninety-five percent of all drinking water in Hawaii comes from ground water
9 sources, this cesspool pollution can potentially harm human health. Groundwater also flows into
10 streams and the ocean, harming public health and the environment, including beaches, recreational
11 waters, and coral reefs. Cesspools should be phased out in order to eliminate threats to drinking
12 water and recreational waters. There is an urgent need to protect the public health and environment
13 with cesspool upgrades as soon as feasible. These upgrades can be to sewer, septic systems or any
14 other individual wastewater systems that comply with the Department's Chapter 11-62, Hawaii
15 Administrative Rules.

16 The Department supports that any owner of property containing a cesspool or cesspools located
17 within a priority upgrade area and identified as priority level 1, 2, or 3, as determined by the
18 Department, shall, within one hundred eighty days after the sale of the property, upgrade the
19 cesspool or cesspools by connecting to a sewer system or installing an individual wastewater system
20 or systems that comply with department rules. Other States which include Rhode Island and New
21 Jersey have passed similar legislation to phase out cesspools.

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

Eileen O'Hara
Council Member
Council District 4



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Chair: Environmental
Management Committee

Vice Chair: Planning Committee and
Agriculture, Water & Energy
Sustainability Committee

County of Hawaii
Hawaii County Council

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720

Senator Rosalyn H. Baker
Chair, Senate Committee on Commerce, Consumer Protection, and Health
Hawai'i State Senate

February 22, 2018

**Re: In Support of Senate Bill 2567, from Hawai'i County Council District 4
To be heard by CPH on 02-26-18 at 10:0AM in conference room 229**

Aloha Chair Baker and Committee Members:

I'm writing to express my support of Senate Bill 2567, which amends Chapter 342D of the Hawai'i Revised Statutes to require cesspools to be connected or upgraded within 180 days of the sale of the property on which the cesspool is located. It also allows the Director of Health to issue exemptions. To take effect on 12/31/2018.

Hawai'i's stream, ocean, and ground waters are being polluted by outdated cesspools. Since water is such an essential resource used for so many aspects of life, when it is no longer safe, the resulting problems span far and wide. Not having clean drinking water forces people to spend time and money hauling or buying safe water. Additionally, polluted ocean water will have a negative impact on our marine life and fishing. Finally, polluted swimming areas (sometimes very close to cesspools, like the Wai'opae Tidepools in my District of Puna) will eventually turn away tourists and the money they bring to the state. Quality of life suffers for all when water is not clean.

Please consider the positive impact this Bill will have on our environment, health, and economy, and contact me if you have any questions about my support or knowledge of the subject.

Sincerely,

Eileen O'Hara
Council Member
Council District 4

SB-2567-SD-1

Submitted on: 2/24/2018 12:26:16 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAI'I**

TO THE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

THE SENATE

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Monday, February 26, 2018

10:15 a.m.

Hawaii State Capitol, Conference Room 229

RE: Testimony in Support of SB 2567 SD1 RELATING TO CESSPOOLS

To the Honorable Rosalyn H. Baker, Chair; the Honorable Jill N. Tokuda, Vice-Chair, and Members of the Committee on Commerce, Consumer Protection and Health:

Good afternoon. 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 Senate Bill No. 2567 SD1, relating to Cesspool Upgrades and the Sale of Property.

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2567 SD1 and support its passage.

Senate Bill No. 2567 SD1, is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it (1) requires cesspools located in priority upgrade areas and identified as priority level 1, 2, or 3 to be upgraded within 180 days of the sale of the property on which the cesspool is located; (2) allows the Director of Health to issue exemptions; (3) allows cesspools located in additional priority upgrade areas and identified as priority level >4 to be required to be upgraded within 180 days of the sale of the property on which the cesspool is located, upon determination of the Director of Health; and (4) takes effect on 12/31/2018.

Specifically, the DPH Platform states that "[t]he Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment is essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling and waste reduction. (Platform of the DPH, P. 8, Lines 407-415 (2016)).

We 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 fresh water resources.

We support 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 management of 430 coastal resources.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources. (Platform of the DPH, P. 8, Lines 422-433 (2016)).

Given that Senate Bill No. 2567 SD1 (1) requires cesspools located in priority upgrade areas and identified as priority level 1, 2, or 3 to be upgraded within 180 days of the sale of the property on which the cesspool is located; (2) allows the Director of Health to issue exemptions; (3) allows cesspools located in additional priority upgrade areas and identified as priority level >4 to be required to be upgraded within 180 days of the sale of the property on which the cesspool is located, upon determination of the Director of Health; and (4) takes effect on 12/31/2018, 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, Text/Tel.: (808) 258-8889



O'ahu
Chapter

[Surfrider Foundation O'ahu Chapter](#)

Web: oahu.surfrider.org

[Contact: rbergstrom@surfrider.org](mailto:rbergstrom@surfrider.org)

[Mail: P.O. BOX 283092 Honolulu, HI, 96828](#)

SB 2567: In Support

DATE: Monday, February 26, 2018

TIME: 10 A.M.

PLACE: Conference Room 229

Aloha Chair Baker & Members of the Senate Committee on CPH,

As the O'ahu Chapter Coordinator of the Surfrider Foundation, I am writing in strong support of Sb2567, the bill requiring a Cesspool upgrades within 180 days of point of sale. Since the passage of Act 120 two years ago, there have only been a handful of cesspool upgrades, and we are working with the Hawaii Dept. of Health (DOH) to improve their public outreach and community involvement.

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

In monitoring the water quality of North Shore beaches on Kauai, the Surfrider Chapter there has seen improvement after the replacement of cesspools at Kauai County beach parks and along the Hanalei River, where enterococcus counts at the beach at the Pavilion and estuary decreased approximately 56% between 2004 and 2013. Where sewer connections are not available, septic systems and ATU's are a big step forward in protecting public health and the environment. We helped pass the bill to give homeowners tax credits for upgrading their cesspools within 400 feet of the shoreline, waterways or wells because they are the most dangerous. We hope they will make sure the replacements have some form of aerobic digestion.

We support the diversified solution perspective being presented at this year's State legislature. Tax credits and grant programs are an important mechanism, but having some more stringent demands that place responsibility on residents buying into an archaic infrastructure system is also an important step in making sure we move towards a more sustainable State. While we understand that the issue is complicating because of the heavy cost of upgrades, the situation is also of pressing need. Our marine resources and public health are at stake. Ultimately, the science already exists to prove the problem and the precedent has already been set - no other State allows these archaic infrastructure pieces to be used. The reasons are very simple, the uncontrolled release of untreated human waste into



**O'ahu
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our freshwater and nearshore ocean waters is a detriment to all levels of the health spectrum.


Mahalo for your time and effort working on this important issue.


With Aloha,

Rafael Bergstrom
O'ahu Chapter Coordinator, Surfrider Foundation.



 | 808-733-7060

 | 808-737-4977

 | 1259 A'ala Street, Suite 300
Honolulu, HI 96817

February 26, 2018

The Honorable Rosalyn H. Baker, Chair

Senate Committee on Commerce, Consumer Protection and Health
State Capitol, Room 229
Honolulu, Hawaii 96813

RE: S.B. 2567, SD1, Relating to Cesspools

HEARING: Monday, January 26, 2018, at 10:00 a.m.

Aloha Chair Baker, Vice Chair Tokuda, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its over 9,500 members. HAR **opposes** S.B. 2567, SD1 which requires cesspools located in priority upgrade areas and identified as priority level 1, 2, or 3 to be upgraded within 180 days of the sale of the property on which the cesspool is located and allows the Director of Health to issue exemptions. This measure also allows cesspools located in additional priority upgrade areas and identified as priority level 4 to be required to be upgraded within 180 days of the sale of the property on which the cesspool is located, upon determination of the Director of Health.

This measure will adversely affect both buyers and sellers engaged in transactions for transfer of ownership of property served by an existing cesspool, as practical issues involving the parties' ability to obtain loans without first complying with the proposed connection/replacement requirements may likely arise.


Furthermore, lenders may also be reluctant to deal with properties served by existing cesspools in the event of possible foreclosure, in which case the lender or potential bidder would be responsible to install the required connection or replacement system. These concerns could result in situations where lenders may steer clear from such properties to avoid these issues, which in turn, reduces financing options and affordable housing in Hawai'i.


HAR would note that it could take years or a property owner may never sell their property. As such, point of sale requirements are not a practical solution in addressing the issue of upgrading cesspools in high risk and priority areas.


HAR believes that managing wastewater and Hawai'i's water quality is important. However, it should be done in a rational and practical manner. The costs to upgrade a cesspool averages \$20,000, which can be too expensive for many homeowners. Proposals that can





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help a homeowner upgrade their cesspools to deal with this large expense, such as Act 120, Session Laws of Hawai'i 2015, which created a temporary tax credit to help homeowners upgrade or convert a qualified cesspool to a septic tank system or an aerobic treatment unity system, should be encouraged.

Mahalo for the opportunity to testify in opposition to this measure.





Feb. 25, 2018

Support for SB 2567 SD1: Relating to Cesspools

Committee: Commerce, Consumer Protection and Health (CPH)

Hearing: Feb. 26, 2018, 10:00am, Rm. 229

Dear Chair Baker, Vice Chair Tokuda and Members of the CPH Committee,

As the Hawaii Manager of the Surfrider Foundation, I am writing in strong support of SB2567. As part of the Hawaii Reef & Ocean Coalition HIROC), we believe this bill will reduce the number of cesspools and improve water quality by requiring homeowners to upgrade them within 180 days of the sale of their property. The Hawaii Chapters supported a couple of bills to upgrade cesspools to better septic systems and aerobic treatment units (ATU), but this bill would spur homeowners into action when they are selling their properties.

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and the suggested amendments in this bill offer a sensible, overdue solution. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

In monitoring the water quality of North Shore beaches on Kauai, the Chapter has seen improvement after the replacement of cesspools at Kauai County beach parks and along the Hanalei River, where enterococcus counts at the beach at the Pavilion and estuary decreased approximately 56% between 2004 and 2013. Where sewer connections are not available, septic systems and ATU's are a big step forward in protecting public health and the environment. We helped pass Act 120 to give homeowners tax credits for upgrading their cesspools within 400 feet of the shoreline, waterways or wells because they are the most dangerous. We hope they will make sure the replacements have some form of aerobic digestion.

Unfortunately, we recognize that the \$10,000 tax credit does not cover the full cost of new septic systems, which can be as much as \$20,000. So we support the amendments to require the conversion within 180 days of the sale of a property when they have more money to do so. This in turn will increase the value & safety of the property.

Because cesspools pose serious public health and environmental problems, the proposed amendments are needed to make sure that Act 120 and the cesspool upgrade tax credits are successful. Mahalo for your consideration and leadership in dealing with these water quality issues.

Aloha,

Stuart Coleman

Stuart H. Coleman, Hawaii Manager

SB-2567-SD-1

Submitted on: 2/26/2018 7:02:04 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Jasper Jr	Testifying for Energy and Climate Change Environmental Caucus Democratic Party of Hawai'i	Support	No

Comments:

To: COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
Senator Rosalyn H. Baker, Chair, Senator Jill N. Tokuda, Vice Chair

RE: SB 2567, SD1 RELATING TO CESSPOOLS.Monday, February 26, 2018, 10:00 AM Conference Room 229

Position: SUPPORT

The Environmental Caucus of the Democratic Party of Hawai'i strongly supports SB No. 2567 to require cesspools to be upgraded, converted, or connected by connecting to a sewer system or installing an individual wastewater system that complies with Department of Health rules, within one hundred eighty days after the sale of the property.

Hawai'i is a State that can ill afford to allow cesspools to linger as an issue. The islands are only so big and can only sustain so much without our help. It is important for us as citizens to protect our natural resources as best we can to preserve our ability to grow crops and provide ourselves with proper drinking water for generations to come. The following have been identified as priority risk factors if we do nothing now:

- (1) Priority 1: Significant Risk of Human Health Impacts, Drinking Water Impacts, or Draining to Sensitive Waters;
- (2) Priority 2: Potential to Impact Drinking Water;
- (3) Priority 3: Potential Impacts on Sensitive Waters

This is a great opportunity for Hawai' to be an example to the world, taking the lead to reduce human ecological impact. Therefore we support this bill and its immediate effective date. Thank you for your consideration.

Terry Jasper Jr, Co-Chair
Energy and Climate Change
Environmental Caucus
Democratic Party of Hawai'i
Tj2ndcgh@gmail.com/ 808.489.3007

SB-2567-SD-1

Submitted on: 2/22/2018 5:26:21 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/22/2018 5:26:21 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/22/2018 9:07:31 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel Rounds	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/23/2018 8:35:43 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
june chee	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/23/2018 1:13:01 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Parsons	Individual	Support	No

Comments:

Senators,

I stand in support of the measure and urge you to support this measure.

Cesspools are cited as the reason for the pollution of waterways and bays across the state. In addition to being a public health hazard and a danger to coral reefs. The leeching of bacteria from human waste into ocean water will begin to impact the State economy in through bed press regarding contaminated beach water and resulting infections.

Mahalo for the opportunity to provide testimony in support of the measure and urge you to support this measure and vote to move it to the full legislature.

SB-2567-SD-1

Submitted on: 2/22/2018 9:07:31 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel Rounds	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/23/2018 11:27:53 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nainoa	Individual	Support	No

Comments:

Aloha

Hawaii's cesspools are in immediate need of major upgrades. Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to handle cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and bacteria into nearby waters. Cesspools are a leading source of water pollution and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

Mahalo

SB-2567-SD-1

Submitted on: 2/23/2018 11:37:03 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jade Delevaux	Individual	Support	No

Comments:

Aloha,

I am researcher at the University of Hawaii. I specialize in the impact of land-based activities on the ocean, ranging from modeling wastewater (cesspools, injection wells) and storm water impact on our nearshore resources (coral coral reef benthic and fish community) as well as water quality. I am strong advocate of tackling pollution at the source, given how challenging it is to clean it once it enters the environment, without even referring to the impact it can have along the way on drinking water and biological reosurces like corals and fishes.

The impact of sewage discharge on coral reefs has been recognized as a major environmental problem in Hawai'i. While, revised wastewater regulations declared a statewide ban of new cesspools in Hawai'i in 2016 (HAR Title 11, Chapter 62), they currently represent the most prevalent wastewater disposal system across the main Hawaiian Islands (e.g., 76% and 84% of the OSDS currently used on Kaua'i and Hawai'i Island, respectively), and have been recognized as a primary driver of groundwater, nearshore water quality, and coral reef degradation.

Like many other Pacific Islanders, Native Hawaiian understood the importance of managing from ridge-to-reef given everything is connected. What we do upstream is bound to impact downstream and other places offshore. Cesspools needs to be removed particularly in geographically sensitive areas.

Mahalo for reading

Jade

SB-2567-SD-1

Submitted on: 2/23/2018 1:39:26 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dwamato	Individual	Support	No

Comments:

Aloha, I am writing in support of SB2567. As a PHD scientist and professional environmental consultant, I have an intimate understanding of the issues related to cesspools in Hawaii. My own research indicates that cesspool derived wastewater is detectable on nearly every beach on Oahu. It is clear that Hawaii needs a method to upgrade cesspools to a better form of treatment. SB2567 provides a step toward this goal. Mahalo.

SB-2567-SD-1

Submitted on: 2/23/2018 2:18:46 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mio Chee	Individual	Support	No

Comments:

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

SB-2567-SD-1

Submitted on: 2/23/2018 2:20:08 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Chee	Individual	Support	No

Comments:

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

SB-2567-SD-1

Submitted on: 2/23/2018 2:19:30 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Micah Chee	Individual	Support	No

Comments:

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

SB-2567-SD-1

Submitted on: 2/23/2018 8:56:32 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Culina	Individual	Support	No

Comments:

SB-2567-SD-1

Submitted on: 2/24/2018 11:03:21 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Furst	Individual	Support	No

Comments:

I am writing to express my strong support for SB2567 related to upgrading private cesspools. As a surfer and parent, nearshore water quality is an issue that I am extremely concerned about. Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would help address that by requiring upgrades within 180 days of sale of a property. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

I urge you to pass this important legislation to help protect Hawaii's marine and fresh water resources. Mahalo!

SB-2567-SD-1

Submitted on: 2/24/2018 4:17:13 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Beutler	Individual	Support	No

Comments:

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawaii has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

SB-2567-SD-1

Submitted on: 2/24/2018 10:01:43 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mala Arkin	Individual	Support	No

Comments:

Dear Chairs Senator Baker and Senator Tokuda,

Thank you for the opportunity to submit testimony today. Please pass SB2567. Non-point source discharge from cesspools in Hawai'i is a serious threat to our water quality, and this bill would create a working group to come up with the best ways to do cesspool upgrades, conversions or connections to sewer lines. With about 88,000 across the state, Hawai'i has the highest number of cesspools in the country, and many pose a threat to water resources. These substandard wastewater systems leach untreated human waste, harmful pathogens and nutrient loads into nearby waters. Cesspools are a leading source of water pollution, and their effluent can contaminate drinking water sources, streams and oceans with disease-causing pathogens, algae-causing nutrients and other harmful substances.

Thank you,

Mā• la Arkin

PO Box 11988

Honolulu, HI 96828

SB-2567-SD-1

Submitted on: 2/25/2018 2:47:46 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Bohlen	Individual	Support	No

Comments:

Cesspools are a major source of pollution to our groundwater, surface waters and even some drinking waters. Cesspools must be upgraded as soon as practicable in order to protect the public health and environment. Upgrades are expensive, averaging \$20,000. This bill provides a way to upgrade many cesspools at a time when homeowners can afford it: after sale of home provides proceeds, an approach that has been used in other jurisdictions. Please pass this bill. Mahalo!

SB-2567-SD-1

Submitted on: 2/25/2018 11:46:01 AM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Comfort	Individual	Support	No

Comments:

Aloha,

I am Christina Comfort from Haleiwa, HI. I am coastal oceanographer at the University of Hawaii, and I am the volunteer co-chair of Surfrider Foundation's Blue Water Task Force Initiative, which tests nearshore waters for the presence of sewage contamination.

I strongly support SB 2567. The cesspools in Hawaii create non-point-source pollution that is detrimental to our water quality all over the island, both in recreational water and in drinking water. Based on my own sampling, testing, and laboratory analysis of recreational nearshore waters through Blue Water Task Force, I know firsthand that heavily used areas such as Kaneohe Bay and Haleiwa Beach Park (among others) often have EXTREMELY high levels of enterococcus (fecal indicator bacteria), especially after rain events. DOH monitors many areas around the island, but does not have the capacity to do them all, and our work to fill in the spatial gaps in sampling has just shown that this type of pollution is widespread and often FAR above beach closure limits. This is unsafe for the public, and the nutrification of nearshore waters is also damaging to our coral reefs.

The creation of a working group to address cesspool related water quality issues is a crucial step towards better and safer waste management in Hawaii. Again, I **strongly support** this bill.

Mahalo,

Christina Comfort

SB-2567-SD-1

Submitted on: 2/25/2018 2:31:22 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean M O'Keefe	Individual	Oppose	No

Comments:

Please do not pass SB 2567.

The bill will impose unreasonable costs upon home owners to upgrade their cesspools in areas where no environmental harm from these cesspools has been documented. In particular, the Department of Health (DOH) has designated ALL cesspools in Upcountry Maui as Priority 1 for replacement. Many of these cesspools, especially in Kula, have no demonstrated impacts on groundwater resources and are unlikely to impact any sources of drinking water. (The vast majority of Upcountry Maui receives its drinking water from surface water sources in East Maui, far away from any cesspools. However, new drinking water wells are being drilled or proposed to serve limited areas where agricultural land is being converted to residential use for so-called "agricultural subdivisions".)

The DOH has designated ALL Upcountry Maui cesspools as Priority 1 based largely upon limited data indicating that elevated nitrate levels are present in two wells. One of these wells in Pukalani is used solely for irrigation and is located at a golf course that is irrigated with reclaimed wastewater from the Pukalani Wastewater Treatment Plant. The second well was installed to provide drinking water to a new agricultural subdivision in Haliimaile and was sited less than 1,500 feet from unlined wastewater ponds that are part of a low-tech rural wastewater treatment facility serving approximately 950 people in Haliimaile. DOH has admitted that they have not ruled out, or even investigated, the possibility that these two wells are being impacted by wastewater from these two wastewater treatment facilities rather than by cesspools. Additionally, DOH data indicate that nitrate levels in all other Upcountry wells investigated by DOH average less than half of the levels allowed under the Safe Drinking Water Act. In the absence of better data suggesting which (if any) Upcountry cesspools pose a realistic threat to drinking water resources, DOH should not have designated ALL Upcountry cesspools as Priority 1, and replacement of these cesspools on the basis of that flawed designation should not be required.

This bill should not be considered for passage until the designation of priority areas for cesspool replacement by DOH is better supported by a better assessment of the potential impacts to the environment posed by these cesspools.

Thank you for considering my testimony on this issue.

Sean M. O'Keefe, Upcountry Maui Resident

SB-2567-SD-1

Submitted on: 2/25/2018 6:21:43 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kosta Stamoulis	Individual	Support	No

Comments:

Cesspool are raw swage seeping into our drinking water and onto our reefs. For the sake of our own well being, and those of our children and grandchildren, we must take action to remove cesspools from the ground and treat our waste appropriately.

SB-2567-SD-1

Submitted on: 2/25/2018 7:05:35 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Charlie Quesnel	Individual	Support	No

Comments:

Please pass this bill! It is important to our Reefs, beaches, Ocean quality and the preservation of our water quality and marine mammal life.

SB-2567-SD-1

Submitted on: 2/25/2018 10:46:36 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Brusco	Individual	Support	No

Comments:

I strongly support this bill!

SB-2567-SD-1

Submitted on: 2/25/2018 11:23:24 PM

Testimony for CPH on 2/26/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin Quintana	Individual	Support	Yes

Comments:

The seepage from cesspools is leaking into the near shore water where surfers, swimmers, fishermen, beach goers, and endangered species are exposed to raw sewage. Please require that all properties with cesspools upgraded in association with property sale.