



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

Testimony in SUPPORT of HB0551
RELATING TO CESSPOOLS

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR DONNA MERCADO KIM, CHAIR
SENATE COMMITTEE ON HIGHER EDUCATION

Hearing Date: March 20, 2019

Room Number: CR 224

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request.

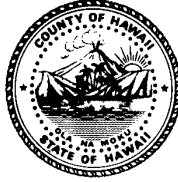
3 **Department Testimony:** The Department of Health (Department) supports this measure. Act
4 132, Session Laws of Hawaii (SLH) 2018, appropriated \$1,000,000 for fiscal year 2018-2019 for
5 the Department to conduct research or gather technical assistance on other issues as identified by
6 the Cesspool Conversion Working Group (CCWP) in completing its comprehensive cesspool
7 conversion plan. To date, the CCWP has held four meetings on September 13, 2018,
8 October 9, 2018, November 15, 2018 and January 18, 2019. The CCWP is currently working on
9 the research and technical support contracts and recognizes that it would be challenging to
10 encumber the entire \$1,000,000 by the end of fiscal year 2018-2019. This would significantly
11 impact the CCWP because they would not be able to develop the comprehensive cesspool
12 conversion plan required under Act 132, SLH 2018. Allowing the unencumbered funds to lapse
13 on June 30, 2020 instead of June 30, 2019 would give the CCWP the additional time needed to
14 encumber the \$1,000,000 appropriation to fund the research and technical support contracts.

15 Staff from the University of Hawaii (UH) Water Resources Research Center (WRRC)
16 also supports this measure. They stated to the Department that they would need the additional
17 time to encumber the \$500,000 to conduct a comprehensive state study of sewage contamination
18 in nearshore marine areas.

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

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

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

March 13, 2019

Senator Mike Gabbard, Chair
Committee on Agriculture and Environment
Senator Donna Mercado Kim, Chair
Committee on Higher Education
State of Hawai'i Senate
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: **SUPPORT of HB551**
(Relating to Cesspools)
Date: March 20, 2019 (Thursday)
Time: 2:15 p.m.

Dear Chairperson Gabbard and Members of the Committee on Agriculture & Environment and Chairperson Kim and Members of Committee on Higher Education:

The County of Hawai'i (COH) supports HB 551. Extending the funding allocated by Act 132 into fiscal years 2019-2020 is necessary and appropriate. The Cesspool Conversion Workgroup created by Act 132 can properly respond to the Hawai'i Legislature only if this funding remains available. COH continues to support HB551 and urges a positive vote in your Committee(s). Thank you for your consideration of this testimony.

Sincerely,

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

William A. Kucharski
Director

cc: Andrew Levin, Executive Assistant

Council Chair
Kelly T. King

Vice-Chair
Keani Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Mike Molina
Tamara Paltin
Shane Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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March 14, 2019

TO: The Honorable Mike Gabbard, Chair
Senate Committee on Agriculture and Environment
The Honorable Donna Mercado Kim, Chair
Senate Committee on Higher Education

FROM: Kelly T. King
Council Chair

Handwritten signature of Kelly T. King in black ink.

SUBJECT: **HEARING OF MARCH 20, 2019; TESTIMONY IN SUPPORT OF HB 551,
RELATING TO CESSPOOLS**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this bill is to: 1) extend the lapse date for funds appropriated to the University of Hawaii to conduct a comprehensive statewide study of sewage contamination in nearshore marine areas; and 2) extend the lapse date for funds appropriated to the State of Hawaii Department of Health to conduct research or gather technical assistance relating to the cesspool conversion working group's comprehensive cesspool conversion plan.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Hawaii has nearly 88,000 cesspools, a large number of which are found in Maui County, Kauai County, and Hawaii County. Cesspools are responsible for placing 53 million gallons of raw sewage into the State's groundwater and surface waters every day, potentially impacting 90 percent of the State's drinking water. Cesspools also pose a significant harm to streams and coastal resources, including coral reefs.
2. Cesspool conversion represents a nearly \$1.2 billion statewide impact in maintenance and replacement costs. A compliance date to convert all cesspools by the year 2050 was included in Act 125 passed by the State Legislature, 2017 Regular Session.
3. Extending the lapse dates for funds appropriated to the University of Hawaii

March 14, 2019

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and to the State of Hawaii Department of Health will ensure the necessary research and studies are conducted to eliminate Hawaii's cesspools in a timely and most economically feasible way.

For the foregoing reasons, I **support** this measure.

ocs:proj:legis:19legis:19testimony:hb551_paf19-142a_ske



ONE WORLD ONE WATER
677 Ala Moana Blvd, Suite 1100
Honolulu, Hi 96713

Testimony in Support of HB551
Relating to Cesspools

Senate Committee on Agriculture and Environment
Senate Committee on Higher Education
March 20th, 2019
2:15pm
Conference Room 224

Subject: House Bill (HB) 551 Relating to Cesspool Conversions

Aloha Chair Gabbard, Chair Mercado Kim, Vice Chair Ruderman, Vice Chair Kidani, and Members of the Senate Committee on Agriculture and Environment and the Senate Committee on Higher Education,

At One World One Water we are dedicated to reinvesting in water infrastructure and restoring natural environments, and we strongly support **HB551** that extends lapse dates for cesspool conversion research in the state. By extending the lapse date for funds appropriated for University of Hawaii's study of sewage contamination and extending the Department of Health's date for research relating to cesspool conversion more time will be allotted for an in-depth study of how to convert Hawaii's cesspools.

With thousands of cesspools in the state potentially contaminating water supplies, coral reefs, and public health thorough research is required to figure out the best way forward to convert these systems to more sustainable ones while considering the burden on Hawaii's economy and local households. **We ask your support of HB551** to allow more time for these cesspool studies so that the most well vetted solutions can be determined.

Please contact us at globalwater@gmail.com should you have any questions or require additional information regarding this matter.

Sincerely,
One World One Water



To: Senator Mike Gabbard, Chair

Committee on AEN

Re: HB 551 Relating to Cesspools
Wednesday March 20, 2019
Conference Room 224
State Capitol
415 South Beretania St.

CORAL REEF ALLIANCE

From: Erica Perez- Program Manager (Hawai'i Island)
eperez@coral.org
Coral Reef Alliance (CORAL)

Subject: I am testifying in Support with comment of HB 551 relating to cesspools: extends lapse date for funds appropriated to the University of Hawai'i to conduct a comprehensive statewide study of sewage contamination in nearshore marine areas.

I am testifying in Support of HB 551 relating to cesspools 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. CORAL is happy to be a member of the State Cesspool Working Group.

As a working group member, I can attest to the tight timeline and long list of objectives required of the committee. Any action that will provide flexibility in spending and allow the group additional time to making critical decisions would be of great help. The task of researching sewage contamination in nearshore marine areas is critical to the prioritization of communities in the statewide cesspool transition and identification of technology alternatives. To do this effectively and efficiently we must use all resources available by all our local institutions, including UH Hilo. Quality research takes time and will be critical in the decision making process of that transition. While there is urgency an extension would be helpful.

In closing, CORAL Supports HB 551. Thank you for the opportunity to provide this testimony.

Sincerely,

Erica Perez, Program Manager (Hawaii
eperez@coral.org
Coral Reef Alliance



Island)

CORAL REEF ALLIANCE



SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATE COMMITTEE ON HIGHER EDUCATION

March 20, 2019 2:15 PM Room 224

In **SUPPORT** of **HB 551**: Relating to Cesspools

Aloha Chair Gabbard, Chair Kim, and members of the committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **supports HB 551**, which extends the life of the cesspool conversion working group and the study of sewage contamination in nearshore marine areas and completion of the comprehensive cesspool conversion plan.

The Sierra Club of Hawai'i, dedicated to exploring, enjoying, and protecting these unique and beautiful islands we call home, has engaged in decades-long efforts to keep valuable public areas free of pollution and environmental contaminants. We support measures that seek to ensure public health and safety, concurrent with protecting our nearshore waters and finite freshwater resources.

The concentration of cesspools is an urgent issue for many areas in Hawai'i. The Department of Health's Environmental Management Division released a Report¹ to the legislature in December 2017 regarding cesspools and the prioritization for replacement across the islands (hereby referred to as "The Report"). The Report notes that Hawai'i has far more cesspools than any other state and is the last state in the nation to implement a ban. It emphasizes that cesspools pose significant threats to many areas throughout the islands, putting tens of millions of gallons of raw sewage into the environment each day, often contaminating groundwater and sometimes drinking water. Cesspools present health risks to residents and visitors who swim in contaminated waters and cause significant harm to streams and nearshore ecosystems, including damage to fragile coral reefs.

Decades of poor infrastructure planning and implementation have led to a dangerous concentration of cesspools many areas across Hawai'i, especially in areas designated as

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<https://health.hawaii.gov/opppd/files/2017/12/Act-125-HB1244-HD1-SD3-CD1-29th-Legislature-Cesspool-Report.pdf>

priority 1, 2, and 3. The Report identifies 14 critical areas that should receive priority for replacement, which is about half of the 88,000 cesspools that exist in the state.

The Sierra Club understands the complexity of this issue and encourage collaborative efforts from communities, counties, the legislature, and private entities to address cesspools in Hawai'i. Solutions must be location and situation specific. Importantly, funding and financing mechanisms must be identified to achieve the replacements in an economically feasible way.

We must continue to take steps to protect our drinking water, public health, and the environment. This bill is necessary, as it will give additional time and resources to the Department of Health to complete the comprehensive cesspool conversion plan and the University of Hawai'i to conduct a comprehensive statewide study of sewage contamination in nearshore marine areas.

Thank you very much for this opportunity to provide testimony in **support of HB 551**.

Mahalo,

A handwritten signature in cursive script that reads "Jodi Malinoski".

Jodi Malinoski, Policy Advocate



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on Agriculture & Environment, and
Higher Education

Wednesday, March 20, 2019 at 2:15 p.m.

By

Darren Lerner, Director
Water Resources Research Center
and

Michael Bruno
Vice Chancellor for Research
University of Hawai'i at Mānoa

HB 551 – RELATING TO CESSPOOLS

Chairs Gabbard and Kim, Vice Chairs Ruderman and Kidani, and members of the committees:

The University of Hawai'i Water Resources Research Center (WRRC) strongly supports this measure. Act 132, Session Laws of Hawai'i (SLH) 2018, appropriated \$500,000 for fiscal year 2018-2019 for the WRRC to conduct a comprehensive state study of sewage contamination in nearshore marine areas. The WRRC recognizes that it would be challenging to encumber the entire \$500,000 by the end of fiscal year 2018-2019. This would significantly impact the results of this work and the WRRC's ability to appropriately inform the Cesspool Conversion Working Group as it informs the comprehensive cesspool conversion plan required under Act 132, SLH 2018. Allowing the unencumbered funds to lapse on June 30, 2020 instead of June 30, 2019 would give the WRRC the additional time needed to encumber the funds for the research required.

In discussion with staff from the Department of Health (DOH), they also support this measure. They would need the additional time to encumber the \$1,000,000 to conduct research or gather technical assistance on other issues as identified by the Cesspool Conversion Working Group in completing its comprehensive cesspool conversion plan.

Thank you for the opportunity to testify on this measure.

HB-551

Submitted on: 3/18/2019 7:56:19 PM

Testimony for AEN on 3/20/2019 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Maile Vasconcellos	Individual	Support	No

Comments:

HB-551

Submitted on: 3/18/2019 8:26:37 PM

Testimony for AEN on 3/20/2019 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
christopher shuler	Individual	Support	No

Comments:

This is a very important issue to the health of our nearshore beaches and reefs. The University does high-quality, duely dilligant work and can use any extra funding or time that he state can provide so that they can be sure to not cut corners and to provide as accurate information as possible. When so much is at stake for homeowners and for the users of our coastal zones, it is important that they take the time they need to get it right.

Thank you

HB-551

Submitted on: 3/19/2019 10:13:39 AM

Testimony for AEN on 3/20/2019 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support SB696. To protect our marine ecosystem by finding ways to limit run-off toxic to the reefs i is not only good for residents but in terms of tourism dollars.

Thank you for the opportunity to present my testimony.

Andrea Quinn
Kihei

HB-551

Submitted on: 3/19/2019 3:25:41 PM

Testimony for AEN on 3/20/2019 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Meghan Dailer	Individual	Support	No

Comments:

LATE

HB-551

Submitted on: 3/19/2019 9:03:54 PM

Testimony for AEN on 3/20/2019 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Aivazian III	Individual	Support	No

Comments:

LATE

HB-551

Submitted on: 3/20/2019 8:26:47 AM

Testimony for AEN on 3/20/2019 2:15:00 PM

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

Comments: