
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that according to the
2 federal Environmental Protection Agency, individual onsite
3 systems are regulated by states, tribes, and local governments.
4 Currently under existing state law, individual wastewater
5 systems classified as cesspools will have to be converted to
6 septic systems by 2050. In Hawaii county, there are tens of
7 thousands of existing cesspools, most of which have been
8 functioning without problems for decades. Many agricultural
9 lots in the county that are greater than 40,000 square feet are
10 also currently served by cesspools. There is concern that
11 because of rocky soil, which is widespread in Hawaii county, the
12 installation of septic systems, as necessary to meet the 2050
13 deadline, will cost tens of thousands of dollars. While septic
14 systems may be appropriate for some lots, it may be appropriate
15 for Hawaii county to take over certain individual wastewater
16 systems currently managed by the State and located within the
17 county and develop alternate solutions for those individual



1 wastewater systems. Alternate systems not currently in the
2 conversion statute that would be appropriate for agriculture
3 would include composting systems.

4 The purpose of this Act is to provide a county with an area
5 greater than 4,000 square miles the authority to manage
6 individual wastewater systems on agricultural lots greater than
7 40,000 square feet and located more than one mile from the
8 coastline.

9 SECTION 2. Section 342D-5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[+]§342D-5[+] **Rules; specific.** The director may
12 establish by rule, water quality standards, effluent standards,
13 treatment and pretreatment standards, and standards of
14 performance for specific areas and types of discharges in the
15 control of water pollution, thereby allowing for varying local
16 conditions[-]; provided that in a county with an area greater
17 than 4,000 square miles, individual wastewater systems on
18 agricultural lots greater than 40,000 square feet and located
19 more than one mile from the coastline shall be managed by the
20 respective county government."



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1 SECTION 3. Section 342D-72, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Prior to January 1, 2050, every cesspool in the
4 State, excluding cesspools granted exemptions by the director of
5 health pursuant to subsection (b) [~~7~~] and cesspools managed by a
6 county pursuant to section 342D-5, shall be:

- 7 (1) Upgraded or converted to a septic system or aerobic
8 treatment unit system; or
9 (2) Connected to a sewerage system."

10 SECTION 4. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$ _____ or so
12 much thereof as may be necessary for fiscal year 2020-2021 for
13 the management of individual wastewater systems by the county
14 governments as required by this Act.

15 The sum appropriated shall be expended by the department of
16 health for the purposes of this Act.

17 SECTION 5. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.



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1 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

Richard Luyke
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Pida [Signature]

JAN 23 2020



H.B. NO. 2621

Report Title:

Individual Wastewater Systems; Agricultural Lots; County Government; Appropriation

Description:

Authorizes a county with an area greater than 4,000 square miles to manage individual wastewater systems on agricultural lots greater than 40,000 square feet and located more than one mile from the coastline. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

