



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Honolulu, HI 96801-3378
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**Testimony in SUPPORT of SB0696-SD2
RELATING TO CESSPOOLS**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Hearing Date: March 12, 2019 Room Number: CR 325

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 (CCWG) in completing its comprehensive cesspool
7 conversion plan. To date, the CCWG has held four meetings on September 13, 2018,
8 October 9, 2018, November 15, 2018, and January 18, 2019. The CCWG is currently working
9 on 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 and to submit an interim
11 report due to the legislature no later than December 31, 2019. This measure provides the
12 additional time and funding that will be needed to develop a comprehensive cesspool conversion
13 plan and to complete all tasks and reports required under Act 132, SLH 2018.

14 The staff from the University of Hawaii (UH) Water Resources Research Center
15 (WRRC) also supports this measure. They stated to the Department that they would need the
16 additional time and funding to conduct a comprehensive state study of sewage contamination in
17 nearshore marine areas.

18 **Offered Amendments:** No amendments offered.

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



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Energy and Environmental Protection
Tuesday, March 12, 2019 at 8:30 a.m.

By
Darren Lerner, Director
Water Resources Research Center
And
Michael Bruno
Vice Chancellor for Research
University of Hawai'i at Mānoa

SB 696 SD2 – RELATING TO CESSPOOLS

Chair Lowen, Vice Chair Wildberger and members of the committee:

The University of Hawai'i Water Resources Research Center (WRRC) strongly supports this measure. In light of the fact that Hawai'i has the the largest concentration of coastal cesspools in the nation and understanding the importance of clean, healthy ocean waters to Hawai'i's people, communities and economy, Act 132, Session Laws of Hawai'i (SLH) 2018, appropriated \$500,000 for fiscal year 2018-2019 for the WRRC to conduct a comprehensive statewide study of sewage contamination in nearshore marine areas. The WRRC recognizes that this research and the information that WRRC would be able to provide the Cesspool Conversion Working Group (CCWG) established by Act 312, Session Laws of Hawai'i (SLH) 2018 and organized by the State of Hawai'i Department of Health (DOH) would be significantly more robust and informative by the proposed appropriation of an additional \$500,000 and the provision of additional time to conduct these studies for fiscal year 2020-2021. In consideration of the additional funding in support of continued research, the proposed extension of the date for reporting to the legislature is also recognized as appropriate and is well appreciated.

From our discussions with the University of Hawai'i Institute of Marine Biology and DOH, they also support this measure. DOH specifically stated that they would need the additional time and funding to conduct research or gather technical assistance on other issues as identified by the CCWG in completing its comprehensive cesspool conversion plan and they understand the need for additional funds as detailed in this bill to carry out our collective charge to fruition.

Thank you for the opportunity to testify on this measure.



SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Tuesday, March 12, 2019 8:30 AM Room 325

In **SUPPORT of SB 696 SD 2:** Relating to Cesspools

Aloha Chair Lowen, Vice Chair Wildberger, and members of the committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **supports SB 696 SD 2**, which extends the life of the cesspool conversion working group and provides additional funds for 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 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.

1

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

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 SB 696 SD 2**.

Mahalo,

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

Jodi Malinoski, Policy Advocate



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON
ENERGY & ENVIRONMENTAL PROTECTION
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
TUESDAY, MARCH 11, 2019 AT 8:30 A.M.**

To The Honorable Nicole E. Lowen, Chair;
The Honorable Tina Wildberger, Vice Chair; and
Members of the Committee on Energy & Environmental Protection;

TESTIMONY IN SUPPORT OF SB 696 SD2 RELATING TO CESSPOOLS

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce, with approximately 650 members. I am writing share our support of SB 696 SD2.

There are significant challenges in our community with cesspools and we appreciate the work of the Cesspool Conversion Working Group to complete studies and research. We support this bill to grant an extension as we want to ensure that the work by this group gets completed and completed well.

We appreciate the opportunity to testify on this matter and ask that this bill be passed.

Sincerely,

Pamela Tumpap

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

SB-696-SD-2

Submitted on: 3/10/2019 12:22:27 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Marion McHenry | Individual | Support | No |

Comments:

Many of our communities on Kauai are suffering from too many cesspools. The high bacteria count at our beaches is threatening public health. We need to expand the cesspool conversion program. More funds and time to educate the public and to assist in completing conversion projects.

SB-696-SD-2

Submitted on: 3/10/2019 3:04:20 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sandra Fujita | Individual | Support | No |

Comments:

I support SB696 SD2.

SB-696-SD-2

Submitted on: 3/10/2019 10:34:54 AM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|-------------------------------|-------------------------------|
| Lois Crozer | Individual | Support | No |

Comments:

SB-696-SD-2

Submitted on: 3/10/2019 11:59:36 AM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Barbara L. George | Individual | Support | No |

Comments:

SUPPORT.

SB-696-SD-2

Submitted on: 3/10/2019 4:26:19 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|-------------------------------|-------------------------------|
| Dyson Chee | Individual | Support | No |

Comments:

SB-696-SD-2

Submitted on: 3/11/2019 3:59:37 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

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

Comments:

SB-696-SD-2

Submitted on: 3/11/2019 4:01:32 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| J Riverstone | Individual | Support | No |

Comments:



LATE

Mar. 11, 2019

In Support of SB696 SD2, Relating to Cesspools
House Committee on Energy & Environmental Protection
Mar. 12, 2019, 8:30am, Room 325

Aloha, Chair Lowen, Vice Chair Wildberger, and Members of the Committee:

The Surfrider Foundation's Hawaii Chapters support SB696 SD2 to extend the reporting deadlines and sunset date for the Working Group and the funds appropriated to the University of Hawaii to conduct a statewide study of sewage contamination in our nearshore marine areas. Volunteer leaders from Surfrider five Hawaii Chapters have played an active role in passing bills to stop the construction of new cesspools, create tax incentives for homeowners to convert them and make plans to convert thousands of cesspools across Hawaii. And I currently serve on the Working Group.

Non-point source discharge from cesspools in Hawaii is a serious threat to our water quality, and this bill extends the reporting deadlines and the ongoing research being done by UH. 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. It's estimated that these substandard wastewater systems leach 53 million gallons per day of 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.

As the Hawaii Regional Manager of Surfrider, I was invited to join and currently serve on the Hawaii Dept. of Health's (DOH) Cesspool Conversion Working Group. We have already begun the process of funding wastewater research through the UH Sea Grant Program, but these projects take time to put together. This bill will allow that important research to continue after the original lapse date. I'm not sure we need two more years, but I know we need at least a one year extension.

Because cesspools pose serious public health and environmental problems, new research is needed to help assess how much untreated sewage is leaching out from old cesspools and septic systems, which release about 53 million into Hawaii's waters everyday. This bill will continue that research beyond the original lapse date. Mahalo for your consideration and leadership in dealing with these water quality and waste issues and help make Hawaii a leader in wastewater treatment.

Aloha,

Stuart Coleman

Stuart H. Coleman, Hawaii Manager

SB-696-SD-2

Submitted on: 3/11/2019 9:09:45 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|-------------------------------|---------------------------|---------------------------|
| robert brower | surfrider foundation kauai | Support | No |

Comments:

we and our 1500 members and followers support this Bill which is an important step in ensuring healthy water quality in our state

SB-696-SD-2

Submitted on: 3/11/2019 8:26:26 PM

Testimony for EEP on 3/12/2019 8:30:00 AM



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

Comments:

In Strong Support of SB 696. SD2

As a PhD marine scientist currently working with the cesspool conversion working group and the UH research group assisting with prioritization of cesspools for upgrades, it is clear more time is required to adequately assess the extent of the problem and find solutions. This is huge issue with no clear solution. Each region of Hawaii will need to be individually assessed as one solution will not fit all situations. Please support this bill to add additional funds and time for these parties to complete their work.

LATE

SB-696-SD-2

Submitted on: 3/11/2019 8:50:49 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Greg Puppione | Individual | Support | No |

Comments:

We need to convert cesspools as quickly and thoroughly as possible. Now is not the time to slow down that progress.

SB-696-SD-2

Submitted on: 3/11/2019 11:37:09 PM

Testimony for EEP on 3/12/2019 8:30:00 AM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------------|---------------------|---------------------------|---------------------------|
| Isaiah Feldman-Schwartz | Individual | Support | No |

Comments: