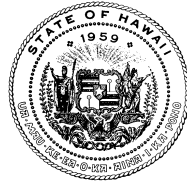


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA 'O HAWAII



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony in SUPPORT of HB1396 HD1
RELATING TO CESSPOOLS**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS

Hearing Date: 2/10/2023

Room Number: 329

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department strongly supports this measure that involves creating
5 a pilot program that provides upfront planning funds to counties to identify the most feasible
6 areas to connect to an existing or future wastewater treatment plant, engage communities in the
7 discussion, conduct preliminary engineering, estimate upfront and ongoing costs for
8 implementation, and allowance for contracting of the work to establish and implement the
9 proposed pilot program.

10 Thank you for the opportunity to testify.

11 **Offered Amendments:** None.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Health & Homelessness
Friday, February 10, 2023 at 10:00 a.m.

By

Darren T. Lerner, PhD

Director, University of Hawai'i (UH) Sea Grant College Program,
School of Ocean and Earth Science and Technology

And

Thomas Giambelluca

Director, UH Water Resources Research Center

And

Michael Bruno, Provost

University of Hawai'i at Mānoa

HB 1396 HD1 – RELATING TO CESSPOOLS

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center support HB 1396 HD1.

This bill would create an innovative pilot program within the Department of Health Environmental Management Division that provides funding for wastewater planning and management specific to cesspool conversion via connection to sewer or other centralized systems. This program would incentivize county-level action and promote partnerships and information sharing between the state and county wastewater management programs. Importantly, the bill not only provides planning support but also includes stakeholder outreach and implementation funding. Implementation of this measure could allow for the connection of existing cesspools to sewer or other centralized systems that would not have occurred otherwise, and would likely alleviate financial hardships on those selected to participate in the pilot programs within each county.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION
COMMISSION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Co-Chairs:
Chair, DLNR
Director, OPSD

Commissioners:
Chair, Senate AEN
Chair, Senate WTL
Chair, House EEP
Chair, House WAL
Chairperson, HTA
Chairperson, DOA
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Chairperson, DHHL
Director, DBEDT
Director, DOT
Director, DOH
Chairperson, DOE
Director, C+C DPP
Director, Maui DP
Director, Hawai'i DP
Director, Kaua'i DP
The Adjutant General
Manager, CZM

**Testimony of
Leah Laramee
Coordinator, Hawai'i Climate Change Mitigation and Adaptation Commission**

**Before the House Committee on
HEALTH & HOMELESSNESS**

**Friday, February 10, 2023
10:00 AM**

State Capitol, Via Videoconference, Conference Room 329

**In support of
House Bill 1396 House Draft 1
RELATING TO CESSPOOLS**

House Bill 1396 House Draft 1 establishes and appropriates funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

The Hawai'i Climate Change Mitigation and Adaptation Commission consists of a multi-jurisdictional effort between 20 different departments, committees, and counties. Removal of cesspools for all properties within the Sea Level Rise Exposure Area (SLR-XA), is imperative to the health of nearshore waters and for members of the public accessing coastal resources. Removal may not be achievable by 2050 as directed by state law without viable alternatives for replacement. The Commission's 2022 update to the *Sea Level Rise Vulnerability and Adaptation Report* Recommended Action 6.1.1 directs the state to sponsor research and development efforts to expand affordable and actionable conversion options for shoreline property owners. 6.1.1 also counsels that options should account for SLR-XA projections of coastal erosion, associated land loss, and potential failure of onsite sewage treatment systems resulting from sea level rise.

Cesspools on the shoreline and in the coastal zone will be an increasing source of nonpoint source pollution as groundwater rises and coastal erosion accelerates. Recommended Action 6.4 counsels that the state should expand policy directives beyond the existing income tax credits and requirement for removal by 2050. Specifically, policy must address existing cesspools in the coastal zone in relation to enforcement of existing laws and regulations.

Mahalo for the opportunity to testify in support of this measure.

OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

MICHAEL A. DAHLIG, MANAGING DIRECTOR



Testimony of

Michael A. Dahilig

Managing Director, County of Kaua'i

Before the

House Committee on Health and Homelessness

February 10, 2023 at 10:00 a.m.

Room 329 and Via Videoconference

In consideration of

HB 1396 HD1

Relating to Cesspools

Honorable Chair Belatti, Honorable Chair Takenouchi, and Members of the Committee:

The County of Kaua'i is in **support** of HB 1396 which establishes and appropriates funds for a pilot program within the environmental management division of the Department of Health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

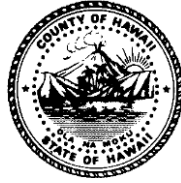
Our Department of Public Works Wastewater Division has been working to maintain and upgrade our aging sewage collection systems. We look forward to the possibility of working with the Department of Health with this proposal to assist meeting the State requirement of all cesspool conversion by 2050, and recognize the need for commitment by legislation from our county council requiring mandatory connection.

We appreciate the Legislature's efforts in addressing this issue affecting all our islands and working to improve the quality of life for our residents and our impact on the environment.

Thank you for the opportunity to testify in **support** of HB1396 HD1.

Mitchell D. Roth
Mayor

Lee Lord
Managing Director



Ramzi I. Mansour
Director

Brenda Iokepa-Moses
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

February 8, 2023

Rep. Della Au Belatti, Chair, and
Members of the Committee on Health and Homelessness

Chair Belatti and Committee Members,

The Department of Environmental Management supports HB 1396 HD1, which creates a pilot program with the Department of Health to work with the counties with the goal of expanding the public sewer systems and closing out cesspools in priority areas.

COH-DEM recognizes the need to expand the sewer collection system. As our capacity to expand the sewer system is currently limited due to staffing shortages in the Wastewater Division we appreciate any and all help the Department of Health can provide to extend the existing public sewer system and accelerating the closure of polluting cesspools.

Thank you for the opportunity to provide testimony.

Ramzi Mansour, Director
Department of Environmental Management
County of Hawai'i

February 10, 2023

The Honorable Linda Ichiyama, Chair

House Committee on Health & Homelessness
State Capitol, Conference Room 329 & Videoconference

RE: House Bill 1396, HD1, Relating to Cesspools

HEARING: Friday, February 10, 2023, at 10:00 a.m.

Aloha Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i and its over 11,000 members. HAR **strongly supports** House Bill 1396, HD1, which establishes and appropriates funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area. Effective 6/30/3000.

Hawai'i Association of REALTORS® supports the goal of protecting our drinking water, streams, ground water, and ocean resources. We recognize that cesspool conversion is important to preserve our environment. There are approximately 83,000 cesspools divided into three priorities¹ across the state (48,596 on Hawai'i Island; 14,300 on Kauai; 11,038 on Maui; 1,400 on Molokai; and 7,491 on O'ahu) with only 27 years to meet the state's mandate to convert all cesspools to a Director of Health approved wastewater system. To convert 83,000 cesspools by 2050, at least 3,000 cesspools would need to be converted per year. It is crucial that we properly plan and find ways to assist communities and homeowners as resources and manpower are limited, especially on the neighbor islands.

Affordability and financial planning are key. The Cesspool Conversion Working Group conducted an affordability analysis² for homeowners. Based on the analysis, 97% of homeowners would be financially burdened by cesspool conversion costs. Equally concerning, even with a \$10,000 rebate 82% of homeowners would still be financially burdened. Costs will vary greatly depending on resources, labor, permitting delays, property terrain, and other variables. Most homeowners will not be able to afford to do this alone.


¹ University of Hawai'i Sea Grant College Program. *Hawai'i Cesspool Prioritization Tool*.
<https://seagrant.soest.hawaii.edu/cesspools-tool/>

² Cesspool Conversion Working Group. (2022). *Final Report to the 2023 Regular Session Legislature*. State of Hawai'i Department of Health. <https://health.hawaii.gov/opppd/files/2022/12/Act-170-SLH-2019-Nov-2022.pdf>



 808-733-7060

 808-737-4977

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

Undertaking such a massive infrastructure project will require proper planning across various stakeholders and government institutions, including state and local governments. As such, we applaud the state for taking leadership on this matter through the establishment of this pilot program. We believe it would be extremely beneficial to have the Department of Health work with the counties to tackle a pilot infrastructure project on an identified priority area, collaborate with stakeholders and homeowners, and provide much needed funding to convert cesspools. This pilot project can also serve as a template for future initiatives involving cesspool conversion efforts.

For the foregoing reasons, Hawai'i Association of REALTORS® strongly supports this measure. Mahalo for the opportunity to testify.





Feb. 9, 2023

In Support of **HB1396 HD1** Relating to Cesspools
House Committee on Health (HLT)
Hearing on Feb. 10, 10:00am, Rm. 329

Aloha, Chair Au Bellati, Vice-Chair Takenouchi and Members of the Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **support of HB1396 HD1**. This bill will establish a pilot program within the Dept. Of Health (DOH) to work with each county to identify a priority area to expand the county sewage system or create a decentralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area. The bill will also appropriate funds to DOH to provide planning grants to each county for a pilot cesspool conversion project. Instead of converting cesspools one by one, the state will need to do more decentralized, cluster systems that can convert hundreds in a community, and this bill will provide needed funds to do that.

Hawaii has more than 83,000 cesspools across the state, discharging 52 million gallons of raw sewage each day into Hawaii's waters. That's similar to a massive sewage spill every day! The people of Hawaii need this law to make sure their wastewater systems aren't polluting the groundwater or nearby surface waters. As a member of the State's Cesspool Conversion Working Group over the last four years, we believe that this kind of pilot project for decentralized systems will be more efficient and affordable in the long run.

WAI is an environmental non-profit dedicated to protecting our drinking water, groundwater and near-shore ecosystems by reducing sewage pollution from cesspools and failing septic systems. Our goal is to help find more innovative, affordable, and eco-friendly solutions to wastewater management. Better sanitation systems reduce sewage pollution and make properties more valuable, while also protecting public health and valuable natural resources like groundwater, streams, coral reefs and coastal areas.

Hawaii is struggling with serious sewage pollution problems, and the state has a mandate to make sure all cesspools are converted in the next three decades. WAI is working with innovative sanitation companies from across the country and around the world to introduce more efficient and affordable alternatives for wastewater management. This bill will provide the necessary planning and funding to create the kind of community-scale pilot projects to convert hundreds of cesspools across the state. Mahalo for your leadership on this issue and support of this bill.

Aloha,

Stuart Coleman

Stuart H. Coleman, Executive Director

HB-1396-HD-1

Submitted on: 2/8/2023 1:31:06 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Wolfendale	Rotary Club Hanelie Bay	Support	Written Testimony Only

Comments:

Aloha,

The Rotary Club of Hanalei Bay continues to support the Hanalei Initiative in it's seach for technology that will replace the 232 cesspools currently in operation in Hanalei. These cesspools are a major cause of the health risks that face both visitior and residents who use the Hanelei River for paddle boarding and kyaking. Last year our Rotary president spent several days in the hospital to treat a sever infection received from kayaking in this river.

Technolgy which will consolidate waste water from multiple homes in a cost effective manner is required to address this problem within Hanalei town. Request that you vote yes on HB1396HD1



To: The Honorable Chair Della Au Belatti, the Honorable Vice Chair Jenna Takenouchi, and Members of the Committee on Health and Homelessness

From: Hawaii Reef and Ocean Coalition (by Ted Bohlen)

Re: **Hearing HB1396 RELATING TO CESSPOOLS.**

Hearing: Friday February 10, 2023, 10:00 a.m., room 329

Aloha Chair Au Belatti, Vice Chair Takenouchi, and Members of the Committee on Health and Homelessness:

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean.

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1396!

Hawaii has a public health problem with water pollution from cesspools. We have over 80,000 cesspools that discharge about 50 million gallons of raw sewage into our groundwater every day! Sea level rise will exacerbate the public health problems as it will cause some more cesspools to overflow onto the surface. The recent report of the cesspool conversion working group recommended that we upgrade the cesspools that cause the most pollution by 2030.

A good way to eliminate some cesspools that are near to existing or planned central sewer systems is by extending those sewer systems, connecting those homes, and filling in the cesspools.

This bill would provide \$10 million funding for pilot programs within DOH, working with each county to eliminate cesspools by identifying a priority area to connect cesspool properties to expanded county or other centralized sewer systems.

This bill would help improve public health water quality by improving State-county coordination and planning and preparation to expand sewers to eliminate some cesspools.

Please pass this bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)



Email: communications@ulupono.com

HOUSE COMMITTEE ON HEALTH & HOMELESSNESS
Friday, February 10, 2023 — 10:00 a.m.

Ulupono Initiative supports HB 1396 HD1, Relating to Cesspools.

Dear Chair Belatti and Members of the Committee:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food, renewable energy and clean transportation choices, and better management of freshwater resources.

Ulupono supports HB 1396 HD1, which establishes and appropriates funds for a pilot program within the Environmental Management Division of the Department of Health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

Ulupono supports statewide cesspool conversion working toward a more sustainable and environmentally sound approach to waste management and water security. Hawai'i has more than 88,000 cesspools statewide that discharge more than 53 million gallons of untreated sewage into the state's waters each day. This poses major health and environmental risks to our drinking water, groundwater, streams, and shore waters.

The State, working closely with each county, can pilot the effectiveness of a decentralized system to support the conversion of cesspools across our communities. Strategic planning and dedicated resources will need to go hand in hand in order to meet our 2050 goal of converting all cesspools. As this bill states, pilot projects will be helpful when determining a statewide conversion rollout.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i

HB-1396-HD-1

Submitted on: 2/8/2023 5:24:39 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Hixon	Individual	Support	Written Testimony Only

Comments:

Aloha. It is well-documented that the many cesspools in Hawaii leak waste into coastal waters, and nutrients from that waste fertilize seaweeds, allowing them to overgrow and smother corals. No coral = no reef = no fisheries, no tourism, and no coastal protection. We must solve the cesspool issue before we lose our reefs. Please pass this bill. Mahalo.

HB-1396-HD-1

Submitted on: 2/8/2023 5:59:08 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniela Escontrela	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG** support of this bill. We deserve clean groundwater, drinking water and near shore coastal waters. Clean waters are also important for Hawaii's nearshore ecosystems such as coral reefs which are imperative for Hawaii's tourism economy. Please pass this bill

HB-1396-HD-1

Submitted on: 2/8/2023 7:51:22 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Punihaole Kennedy	Individual	Support	Written Testimony Only

Comments:

Aloha

I approve.

Establishes and appropriates funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

Cynthia Punihaole Kennedy.