

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
**DAWN N. S. CHANG**  
Chairperson

Before the House Committees on  
**ENERGY & ENVIRONMENTAL PROTECTION**  
and  
**WATER & LAND**

Thursday, February 2, 2023  
8:30 AM

State Capitol, VIA VIDEOCONFERENCE, Conference Room 325

In consideration of  
**HOUSE BILL 180**  
**RELATING TO CESSPOOLS**

House Bill 180 proposes to: 1) create within the Department of Health's Wastewater Branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State; 2) establish 2.0 full-time equivalent positions within the cesspool conversion section in Fiscal Year 2023-2024, and 2.0 additional full-time equivalent positions within the section in Fiscal Year 2024-2025; and 3) appropriate moneys. **The Department of Land and Natural Resources (Department) supports this bill and offers the following comments.**

Cesspools can cause harm to water quality within adjacent groundwater, anchialine, and coral reef systems by introducing elevated amounts of organic nitrogen and phosphorus, pathogens, and other contaminants. Contaminants emitted from cesspools can harm aquatic ecosystems by encouraging algal blooms and can also pose a threat to human health. The Department supports the allocation of additional resources to the Department of Health to facilitate the conversion of cesspools, which will help reduce future contamination of Hawai'i's fragile aquatic areas.

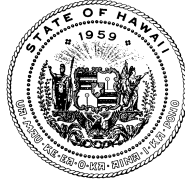
Mahalo for the opportunity to provide testimony in support of this measure.

**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**LAURA H.E. KAAKUA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



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

In reply, please refer to:  
File:

**Testimony in SUPPORT of HB0180  
RELATING TO CESSPOOLS**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
REPRESENTATIVE LINDA ICHIYAMA, CHAIR  
HOUSE COMMITTEE ON WATER & LAND

Hearing Date: 2/2/2023

Room Number: 325

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. The measure establishes and appropriates general funds for two new  
4 full-time permanent positions in fiscal year 2023-2024 and two additional full-time permanent  
5 positions in fiscal year 2024-2025.

6 **Department Testimony:** The Department strongly supports this measure. The Department also  
7 recognizes that additional staff will be needed to support the mandate to upgrade or convert all  
8 cesspools in the State by 2050. The Department recommends establishing a Program Specialist  
9 VI and Planner IV in fiscal year 2023-2024 and Program Specialist V and Contracts Specialist in  
10 fiscal year 2024-2025. The Department also recommends creating this program as a stand-alone  
11 Act that resides in Session Laws rather than creating a statute that is published in HRS.

12 Thank you for the opportunity to testify.

13 **Offered Amendments:** The Department recommends the following amendments to SECTION 3  
14 of the measure.

15 SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the  
16 sum of \$ or so much thereof as may be necessary for fiscal year 2023-2024 and the  
17 same sum or so much thereof as may be necessary for fiscal year 2024-2025 for the  
18 establishment of two full-time equivalent (2.0 FTE) permanent positions, a Program Specialist  
19 VI and Planner IV within the cesspool conversion section.

1           SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the  
2 sum of \$           or so much thereof as may be necessary for fiscal year 2024-2025 for the  
3 establishment of two full-time equivalent (2.0 FTE) permanent positions, a Program Specialist V  
4 and Contracts Specialist within the cesspool conversion section.

5           The sums appropriated . . . .



# 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 Committees on Energy & Environmental Protection and Water & Land  
Thursday, February 2, 2023 at 8:30 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 180 – RELATING TO CESSPOOLS

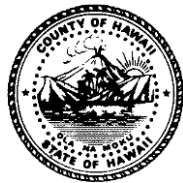
Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committees:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center strongly support HB 180. This bill would provide a critical expansion of capacity for the Department of Health by establishing and staffing a Cesspool Conversion section within the Wastewater Branch of the department. The Cesspool Conversion section would create a centralized resource to assist with the multifaceted nature of cesspool conversion and upgrades, including, financing, public outreach and education, providing consistent information to homeowners, managing grants, securing federal funding, and facilitating partnerships. Currently, these tasks are either not being completed or have been divided in a piecemeal way among entities without standardization or leadership. The Cesspool Conversion section at the Department of Health would be an invaluable resource to ensure the state meets its goals for cesspool conversion and upgrades.

Thank you for the opportunity to testify on this measure.

**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 1, 2023

Nicole E. Lowen, Chair, and  
Members of the Committee on Energy and Environmental Protection

Linda Ichiyama, Chair, and  
Members of the Committee on Water and Land

Chair Lowen, Chair Ichiyama, and Committee Members,

I am a member of the Cesspool Conversion Working Group. HB 180 codifies **Priority E2** of the working group's recommendations into statute. The Department of Environmental Management supports this bill.

**E2.** Establish a cesspool section within the Hawaii Department of Health's Wastewater Branch to include at least three to four staff to work on cesspool conversions planning, implementation, permitting, and regulatory framework.

This bill supports the health and well-being of the people of the State by allocating resources to the Department of Health to oversee the conversion of the more than 80,000 cesspools in Hawai'i by the 2050 deadline. The State needs a central entity focused solely on the various aspects of cesspool conversion, from financing to outreach and partnerships with the counties.

The Cesspool Conversion Working Group recommends an increase in capacity at both the state and county levels to access and spend federal dollars effectively.

Thank you for the opportunity to provide testimony.

Ramzi Mansour, Director



## Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Nicole E. Lowen, Chair  
The Honorable Elle Cochran, Vice Chair  
Committee on Energy & Environmental Protection

The Honorable Linda Ichiyama, Chair  
The Honorable Mahina Poepoe, Vice Chair  
Committee on Water & Land

Re: **HB 180 – RELATING TO CESSPOOLS**

Hearing: Thursday, February 2, 2023, 8:30 a.m., Conference Room 325 & Videoconference

Position: **Strong support**

Aloha, Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committee on Energy & Environmental Protection and Committee on Water & Land:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of HB 180. This measure creates within the Department of Health's wastewater branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State. It also establishes 2.0 full-time equivalent positions within the cesspool conversion section in fiscal year 2023-2024, and 2.0 additional full-time equivalent positions within the section in fiscal year 2024-2025.

The Democratic Party of Hawai'i Platform on the environment provides that its members are to “protect and preserve Hawai'i's environment and achieve energy sustainability, advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change, and work towards 100% renewable energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.

We believe in the resource management principles outlined in the Public Trust doctrine of [Article XI, Section 1 of] the Hawai'i State Constitution.” [OUR PLATFORM | DPH \(hawaiidemocrats.org\)](#)

Hawaii currently has an official goal to replace all its cesspools with better sewage treatment systems that cause less harm to the local environment and public health by 2050; however, as many as 83,000 cesspools release about 53 million gallons of untreated sewage into the islands' soil, streams and nearshore waters daily making the 2050 deadline too late to prevent substantial harm.

In the Report of the [Cesspool Conversion Working Group](#), nearly 14,000 of the worst Hawaii cesspools – the ones that would potentially cause the most damage based on their location – are to be removed by 2030; followed by more than 12,000 “priority two” cesspools to be removed by 2035; and the remaining “priority three” 55,000 cesspools are to be removed by the original 2050 deadline.



February 2, 2023  
Page 2

“There are no benefits to human health or the environment if homeowners wait or postpone conversion until closer to the 2050 ... deadline,” the 17-member task force of scientists, public health officials, private industry representatives, elected leaders and environmental advocates wrote in a new 1,182-page report to the Legislature. [Microsoft Word - Cesspool Conversion Plan Draft Final-copy-blue wave-FINAL use this one \(hawaii.gov\)](#)

Creating within the Department of Health's wastewater branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State; and establishing 2.0 full-time equivalent positions within the cesspool conversion section in fiscal year 2023-2024, and 2.0 additional full-time equivalent positions within the section in fiscal year 2024-2025 are consistent with the state and counties' duties under the Public Trust Doctrine and the DPH Platform environmental plank on restoring, preserving, and protecting our native ecosystem.

Please support and pass this bill.

Mahalo for the opportunity to testify on this measure.

/s/ Melodie Aduja and Alan Burdick  
Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i



To: The Honorable Chairs Nicole Lowen and Linda Ichiyama, the Honorable Vice Chairs Elle Cochran and Mahina Poepoe, and Members of the Committees on Energy and Environmental Protection and Water and Land.

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

Re: **Hearing HB180 RELATING TO CESSPOOLS.**

Hearing: Thursday February 2, 2023, 8:30 a.m., room 325

Aloha Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committees on Energy and Environmental Protection and Water and Land:

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 HB180!**

Cesspool upgrade, conversion, or sewer connection is needed now because the health of Hawaii's people and quality of Hawaii's waters and aquatic life are being harmed by pollution from cesspools. Upgrading cesspools will require a significant effort and a commitment of additional personnel resources.



This bill would supply the Department of Health with resources needed to facilitate the conversion of cesspools within the State. The bill will create a cesspool conversion section within the Department of Health's Wastewater Branch responsible for facilitating the conversion of cesspools within the State. It would establish and appropriate moneys for two new full-time equivalent positions within the new cesspool conversion section in fiscal year 2023-2024, and two additional full-time equivalent positions in fiscal year 2024-2025.

These resources are needed to process applications and help cesspool homeowners begin to convert their cesspools Please pass this bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

---

February 2, 2023

**The Honorable Nicole E. Lowen, Chair**

House Committee on Energy & Environmental Protection

**The Honorable Linda Ichiyama, Chair**

House Committee on Water & Land

State Capitol, Conference Room 325 & Videoconference

**RE: House Bill 180, Relating to Cesspools**

**HEARING: Thursday, February 2, 2023, at 8:30 a.m.**

Aloha Chair Lowen, Chair Ichiyama, and Members of the Joint Committees:

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 **supports** House Bill 180, which creates within the Department of Health's wastewater branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State. Establishes 2.0 full-time equivalent positions within the cesspool conversion section in fiscal year 2023-2024, and 2.0 additional full-time equivalent positions within the section in fiscal year 2024-2025. Appropriates moneys.

Hawai'i 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 priorities<sup>1</sup> 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. As such, a Department of Health Wastewater Branch Cesspool Conversion section with additional employees may help with homeowner outreach and education and facilitating different funding and financing options for the conversion of cesspools in the State.

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

---

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



Feb. 1, 2023

In Support of **HB180** Relating to Cesspools  
House Committees on Energy & Environmental Protection (EEP) and Water & Land (WAL)  
Hearing on Feb. 2, 8:30am, Rm. 325

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & Poepoe and Members of the Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **strong support of HB180**. This bill will create a new Cesspool Section in the Dept. of Health's Wastewater Branch to help expedite the conversions of cesspools across the state. Currently, the rate of conversions is about 150-200 per year, but that will need to ramp up to more than 3000 per year to meet the state's deadline under Act 125.

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 creating a new Cesspool Section and hiring positions to staff (two to start in 2024-2025 and two more to follow in 2024-2025) will be crucial in helping the state to fulfill its mandate under Act 125 to convert all cesspools by 2050.

WAI is 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 our groundwater, streams and the health of our 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. Creating a new Cesspool Section will be the first major step forward in working with wastewater engineers and contractors in processing permits for cesspool conversions. As part of the new section, new staff members will need to streamline the permitting process so that it's faster and more efficient.

This bill creates a practical and expedient way to set up a new office in DOH's Wastewater Branch that is solely focused on helping wastewater engineers, contractors and homeowners with the permitting process to convert cesspools to wastewater systems approved by the DOH. It will also help the state meet the mandate to convert all cesspools by 2050. Mahalo for your leadership on this issue and support of this bill.

Aloha,

*Stuart Coleman*

Stuart H. Coleman, Executive Director

**HB-180**

Submitted on: 1/31/2023 12:10:24 PM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gladys C Baisa	Individual	Support	Written Testimony Only

Comments:

Support.

**HB-180**

Submitted on: 1/31/2023 9:53:14 PM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Theresa M Thompson	Individual	Support	Written Testimony Only

Comments:

I support HB180.

Theresa Thompson

**HB-180**

Submitted on: 2/1/2023 9:32:13 AM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicolas Storie	Individual	Support	Written Testimony Only

Comments:

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & Poepoe and Members of the Committee:

I am a resident of Kaimuki and am writing in support of HB108. This bill will create a new Cesspool Section in the Dept. of Health's Wastewater Branch to help expedite the conversions of cesspools across the state. Currently, the rate of conversions is about 150-200 per year, but that will need to ramp up to more than 3000 per year to meet the state's deadline under Act 125.

As a Ph.D. student at UH-Mānoa, my central research focus is understanding the sources of coastal sewage pollution across the state. With over 83,000 cesspools across the state leaking 52 million gallons of untreated sewage each day, we face a direct risk to the health of our communities, economy, and coral reefs. I have worked directly with communities across the state that struggle with cesspool pollution and they are collectively eager to do their part to preserve our coastal waters but at our current rate the state is underfunded to expedite this process.

This bill creates a practical and expedient way to set up a new office in DOH's Wastewater Branch that is solely focused on helping wastewater engineers, contractors and homeowners with the permitting process to convert cesspools to wastewater systems approved by the DOH. It will also help the state meet the mandate to convert all cesspools by 2050. Mahalo for your leadership on this issue and support of this bill.

Best,

Nic Storie

**HB-180**

Submitted on: 2/1/2023 11:12:25 AM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Graeme Lander	Individual	Support	Written Testimony Only

Comments:

Feb. 1, 2023

In Support of HB180 Relating to Cesspools

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & other esteemed members of the Committee:

As an avid ocean user, surfer and freediver, I have personally witnessed the negative effects of untreated wastewater on the health of marine life and the environment. The current capacity of the wastewater branch simply isn't enough to meet the growing needs of our community, and the continued discharge of raw sewage into the ocean is unacceptable.

I wholeheartedly support the proposal to increase the capacity of the wastewater branch by creating a cesspool section within it. This will not only protect our precious ocean resources, but it will also promote public health by reducing the risk of waterborne illnesses and disease transmission. With proper maintenance and management, a cesspool section within the wastewater branch will greatly improve the overall health and safety of our community.

This bill creates a practical and expedient way to set up a new office in DOH's Wastewater Branch that is solely focused on helping wastewater engineers, contractors and homeowners with the permitting process to convert cesspools to wastewater systems approved by the DOH. It will also help the state meet the mandate to convert all cesspools by 2050. Mahalo for your leadership on this issue and support of this bill.

This bill proposes the establishment of a dedicated office within the Department of Health's Wastewater Branch, aimed at providing support and guidance to wastewater engineers, contractors, and homeowners in obtaining permits for converting cesspools to DOH-approved wastewater systems. Its implementation will aid in meeting the state's goal of fully converting all cesspools by 2050.

Mahalo nui loa,  
Graeme Lander