

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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HONOLULU, HI 96801-3378
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In reply, please refer to:
File:

**Testimony in SUPPORT of HB1759 HD1
RELATING TO CESSPOOLS**

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 2/27/2024

Room Number: 308

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 if the enforcement staffing is required from the Department.

4 **Department Testimony:** The Department of Health (Department) supports this measure that
5 requires every cesspool categorized as priority level 1 and priority level 2 according to the
6 University of Hawaii 2022 Hawaii cesspool prioritization tool that is attached to or used by any
7 housing or lodging that provides transient accommodations in the State, excluding cesspools
8 granted exemptions by the Director of Health pursuant to section 342D-72 of Hawaii Revised
9 Statutes, shall be upgraded, converted, or connected to a sewerage system.

10 The Department respectfully requests that the specific enforcement procedures and
11 staffing requirements be discussed and clarified with the appropriate agency or department for
12 this measure. The Department supports cesspool conversion efforts managed by the counties.

13 **Offered Amendments:** None.

14 Thank you for the opportunity to testify.



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 Finance
Tuesday, February 27, 2024 at 12:00 p.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, PhD

Director, UH Water Resources Research Center

And

Michael Bruno, PhD, Provost

University of Hawai'i at Mānoa

HB 1759 HD1 – RELATING TO CESSPOOLS

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center (WRRC) **support HB1759 HD1.**

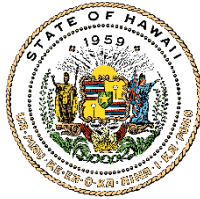
This bill would require cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before 1/1/2035 for those categorized as priority 1 by the University of Hawai'i cesspool prioritization tool, and 1/1/2040 for those categorized as priority 2 by the University of Hawai'i cesspool prioritization tool.

Upgrading cesspools is a vital step towards mitigating the potential risks associated with groundwater contamination, as the adoption of advanced wastewater treatment methods reinforces Hawaii's dedication to protecting its valuable water resources and minimizing ecological impact.

Thank you for the opportunity to submit testimony in support of HB 1759 HD1 provided that its passage does not impact priorities as indicated in our Board of Regents Approved Budget.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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 Committee on
FINANCE

Tuesday, February 27, 2024
12:00 PM

State Capitol, VIA VIDEOCONFERENCE, Conference Room 308

In consideration of
HOUSE BILL 1759, HOUSE DRAFT 1
RELATING TO CESSPOOLS

House Bill 1759, House Draft 1 proposes to require cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before 1/1/2035 for priority level 1 cesspools and before 1/1/2040 for priority level 2 cesspools. **The Department of Land and Natural Resources (Department) supports this bill.**

Clean nearshore waters are vital to both public health and the health of nearshore reefs and associated fisheries. Wastewater systems have the potential to pollute groundwater and nearshore waters by introducing elevated levels of contaminants such as nitrogen, phosphorus, and pathogens. A 2023 Hawai'i-based study¹ found that septic and cesspool pollution is a major driver of coral reef decline along the West Hawai'i coastline. When excess nutrients, such as nitrogen, from these wastewater systems enter nearshore waters, they stimulate the growth of algae, which can smother coral. Requiring cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before January 1, 2030 will reduce the amount of contaminants entering Hawai'i's nearshore waters and support more resilient coral reef ecosystems.

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

¹ Gove, J.M., Williams, G.J., Lecky, J. *et al.* Coral reefs benefit from reduced land-sea impacts under ocean warming. *Nature* **621**, 536–542 (2023). <https://doi.org/10.1038/s41586-023-06394-w>

DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
DEAN D. UYENO
ACTING 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



:

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 HB1759 HD1!

HIROC is deeply concerned about the harm that cesspool pollution inflicts on our precious coral reefs and public health! Hawai'i has over 80,000 cesspools that put about 53 million gallons of raw sewage into our groundwater, streams and ocean every single day! This discharge **exposes people to sewage pathogens that can make them sick**. The release of **nutrients** from cesspools through groundwater and streams into the ocean causes algae growth, which can **smother the coral reefs that are essential to protecting our shorelines, nurturing our fisheries, preserving water quality and enabling our lucrative recreational economy**. Sea level rise will further exacerbate the public health and environmental problems as it will cause more cesspools to overflow onto the surface.

Hawaii's reefs will die in warmer, more acidic, and rising oceans if we don't reduce cesspool pollution and other harmful factors now!

This bill would help reduce cesspool pollution somewhat by requiring cesspools that are used in or attached to transient accommodations to be connected to a sewer or upgraded by 2030, unless granted an exemption by the Director of Health.

Hawai'i needs to get started on upgrading cesspools in order to eliminate all cesspools by 2050 as required by law (Act 125, 2017). **Cesspools in transient accommodations should be eliminated by 2030; many have high occupancy and pollute more, and their owners may be better able to afford a cesspool upgrade because the property provides income not available to the typical homeowner.**

Please pass this bill!

Mahalo!

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)



HB1759 HD1

Aloha Honorable Members of the Committee,

On behalf of our thousands of supporters, we kindly ask you to **support HB 1759 HD1.**

As the coral reefs surrounding Hawai'i face numerous threats due to human impact, we must be vigilant and proactive to ensure these vital ecosystems continue to survive.

We believe HB 1759 will take much needed action to alleviate the significant pressure and degradation experienced by reefs and coastal areas due to septic and cesspool pollution. We strongly urge you to support this measure. The reefs and biodiversity that call these ecosystems home depend on it.

Natalie Parra
Co-Founder at Keiko Conservation
Campaign Director at Oceanic Preservation Society

HB-1759-HD-1

Submitted on: 2/26/2024 6:17:49 AM

Testimony for FIN on 2/27/2024 12:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Individual	Support	Written Testimony Only

Comments:

Please support this bill!

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawaii 96766

February 26, 2024

TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 1691, HD 1, RELATING TO THE ENVIRONMENT
AND
HB 1759, HD 1, RELATING TO CESSPOOLS
AND
HB 2264, HD 1, RELATING TO CESSPOOLS
AND
HB 1892, HD 1, RELATING TO CESSPOOLS
House Committee on Finance
Tuesday, February 27, 2024
12:00 p.m.
Conference Room 308
Via Videoconference

Dear Chair Yamashita and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 1691, HD 1, Relating to the Environment; HB 1759, HD 1, Relating to Cesspools; HB 2264, HD 1, Relating to Cesspools; and HB 1892, HD 1, Relating to Cesspools. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 1691, HD 1; HB 1759, HD 1; HB 2264, HD 1; and HB 1892, HD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 1691, HD 1; HB 1759, HD 1; HB 2264, HD 1; and HB 1892, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:mn