

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 COMMENTING on HB1892 HD2
RELATING TO CESSPOOLS**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: 3/13/2024

Room Number: 224

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 acknowledges the intent of this measure and offers
5 comments. The Department recognizes that there is a need to provide public outreach, education
6 resources, a website to serve as a statewide clearinghouse for information and resources related
7 to cesspool upgrade, conversion, and sewer connection to assist homeowners and wastewater
8 industry professionals, and a cesspool compliance pilot grant program. The Department is
9 concerned about the fiscal implications generated by this proposal as it may adversely impact
10 priorities indicated in the Governor's Executive Budget.. However, without the necessary
11 full-time equivalent positions, the Department will be unable to implement these programs.

12 The specifics of the "cesspool compliance pilot grant project" are not stated in this
13 measure, but should be added for clarification.

14 The Department supports cesspool conversion efforts managed by the counties.

15 **Offered Amendments:** The Department respectfully suggests the following revision to the
16 proposed HRS amendment. Additions appear as underlined and deletions appear as strikeouts.

17 SECTION 5, Page 7, lines 5-16: "Notwithstanding section 342D-83, Hawaii Revised
18 Statutes, or any other law to the contrary, there is appropriated out of the ~~water pollution control~~
19 ~~revolving fund~~ general revenues of the State of Hawaii the sum of \$ or so much thereof as

1 may be necessary for fiscal year 2024-2025 for the department of health to retain qualified
2 consultants, as necessary, to identify necessary public outreach and education resources and
3 tools, and develop a comprehensive public outreach strategy and website to provide necessary
4 information to homeowners and wastewater industry professionals about information and
5 resources regarding the State’s cesspool upgrade, conversion, and connection requirements and
6 deadlines.”

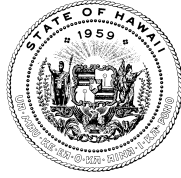
7 SECTION 7, Page 8, lines 5-17: “There is appropriated out of the general revenues of the
8 State of Hawaii the sum of \$249,000 or so much thereof as may be necessary for fiscal year
9 2024-2025 to establish:

- 10 (1) one full-time equivalent (1.0 FTE) permanent engineer V (SR-26) position;
11 (2) one full-time equivalent (1.0 FTE) permanent engineer IV (SR-24) position; and
12 (3) one full-time equivalent (1.0 FTE) permanent accountant IV (SR-24) position,
13 to implement the cesspool compliance pilot grant project established pursuant to Act 153,
14 Session Laws of Hawaii 2022, and perform other cesspool conversion-related work.”

15 Thank you for the opportunity to testify.

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii*



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT AND
THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES
HEARING ON MARCH 13, 2024 AT 1:02PM IN CR 224

HB 1892, HD 2, RELATING TO CESSPOOLS

March 13, 2024

Aloha Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports this bill which, Part II: Amends the deadlines for required upgrades conversions, or connections for certain priority level 1 and priority level 2 cesspools; Part III: Authorizes and appropriates funds to the Department of Health (DOH) to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines; and Part IV: Appropriates funds and establishes positions for the implementation of the cesspool compliance pilot grant project, effective 7/1/3000.

Approximately 2,500 cesspools exist on Hawaiian Home Lands and majority of which are ranked as priority level 1 or priority level 2 cesspools to be upgraded, converted, or connected to a sewerage system. DHHL understands the urgency to complete these conversions and connections before the year 2050.

DHHL also supports an appropriation of funds for DOH to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines.

This pilot project will provide the opportunity for alternative, financially feasible, and effective wastewater technologies to be evaluated and shared for DHHL, current lessees residing on Hawaiian Home Lands, and potential beneficiaries to understand

Department of Hawaiian Home Lands
March 13, 2024
Page 2

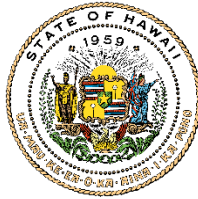
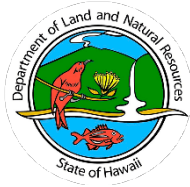
the challenges and financial costs of cesspool conversions and wastewater technologies.

DHHL understands that there is no simple, one method fits all ahupua'a (land division) solution toward addressing the cesspool conversion and wastewater needs of the State of Hawaii and we support this measure that may improve the implementation of the diverse and feasible ways to fulfill the noted requirements.

Thank you for your consideration of our testimony.

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 Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
HEALTH AND HUMAN SERVICES

Wednesday, March 13, 2024
1:02 PM

State Capitol, Conference Room 224 & Videoconference

In consideration of
HOUSE BILL 1892, HOUSE DRAFT 2
RELATING TO CESSPOOLS

House Bill 1892, House Draft 2 proposes to 1) amend the deadlines for required upgrades conversions, or connections for certain priority level 1 and priority level 2 cesspools; 2) authorize and appropriate funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines; and 3) appropriate funds and establish positions for the implementation of the cesspool compliance pilot grant project. **The Department of Land and Natural Resources (Department) supports this bill provided that it does not replace or adversely impact priorities indicated in the Executive FY 2025 Supplemental Budget Request.**

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

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

nitrogen, from these wastewater systems enter nearshore waters, they stimulate the growth of algae, which can smother coral.

The Department believes that requiring priority level 1 and priority level 2 cesspools to be upgraded sooner than 2050 is a prudent policy decision. Because of the lack of incentives and lack of urgency for converting cesspools in Hawai'i until 2050, the Department fears that many homeowners will wait until the 2050 deadline to convert their systems and the State will be backlogged. In addition, many of the priority level 1 and 2 cesspools, which contribute the most harm to the marine ecosystem, will continue to pollute groundwater for the next 25 years. Our reefs are in peril and urgently need help. Moving the dates for upgrades to priority level 1 and 2 cesspools 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.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Agriculture and Environment
Senate Committee on Health and Human Services
Wednesday, March 13, 2024 at 1:02 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 1892 HD2 – RELATING TO CESSPOOLS

Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and Members of the Committees:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center **support** for HB 1892 HD2, a comprehensive bill with the following key provisions:

- It sets deadlines for upgrading, converting, or connecting priority level 1 cesspools by 1/1/2035 and priority level 2 cesspools by 1/1/2045, advancing the previous deadline of 1/1/2050.
- It allocates funds to implement the cesspool compliance pilot grant project established under Act 153, Session Laws of Hawai'i 2022.
- It authorizes and appropriates funding for the Department of Health to establish a comprehensive public outreach and education strategy and website.
- It establishes and funds positions for the implementation of the Cesspool Compliance Pilot Grant Project.

The Cesspool Conversion Working Group has highlighted that most cesspool owners face financial constraints hindering the upgrade to advanced wastewater treatment systems. Eliminating cesspools promptly is crucial for human and environmental health, necessitating various financial assistance mechanisms for homeowners.

We support a swift transition and recognize the need for financial support in doing so. Implementation of a compliance pilot grant, with the associated positions to administer the program, will aid residents in transitioning from cesspools to more advanced wastewater treatment technologies.

The upgrade of cesspools underscores Hawai'i's commitment to public health, recognizing that the well-being of its residents is closely linked to the state's ability to effectively manage and treat wastewater to meet the highest standards of safety. Homeowner and public education regarding the risks associated with cesspools, upgrade requirements and timelines is an integral element of achieving the state's cesspool conversion goals.

Because this bill adds responsibilities for the Department of Health related to the management and implementation of a grant program, our departments encourage the legislature's support of capacity increases at the Department of Health, specifically within the Wastewater Branch, so that they can effectuate their growing responsibilities related to cesspool conversion.

Thank you for considering our testimony on this important measure.



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

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

Co-Chairs:
Chair, DLNR
Director, OPSD

Commissioners:
Chair, Senate AEN
Chair, Senate WTL
Chair, House EEP
Chair, House WAL
Chairperson, HTA
Chairperson, DOA
CEO, OHA
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

**Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
AND
HEALTH AND HUMAN SERVICES**

**Wednesday, March 13, 2024
1:02 PM
State Capitol, Via Videoconference, Conference Room 224**

**In support of
House Bill 1892 House Draft 2
RELATING TO CESSPOOLS**

House Bill 1892 HD2 amends the deadlines for required upgrades conversions, or connections for certain priority level 1 and priority level 2 cesspools. The bill also authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines. Finally the bill appropriates funds and establishes positions for the implementation of the cesspool compliance pilot grant project. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the FY 2025 Executive Supplemental Budget Request.**

The 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. 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. The Commission's 2022 update to the *Sea Level Rise Vulnerability and Adaptation Report* Recommended Action 6.4 counsels that the State should expand policy directives beyond the existing income tax credits and requirement for removal by 2050. Accelerating the conversion of cesspools of any kind would ensure a more resilient future and safer reefs and waters for kama'āina and visitors alike. Mahalo for the opportunity to testify in support of this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT GOVERNOR



Hawaii Green Infrastructure Authority

An Agency of the State of Hawaii

JAMES KUNANE TOKIOKA
CHAIR

GWEN S YAMAMOTO LAU
EXECUTIVE DIRECTOR

Testimony of
Gwen Yamamoto Lau
Executive Director
Hawaii Green Infrastructure Authority
before the
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
and
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES
Wednesday, March 13, 2024, 1:02 PM
State Capitol, Conference Room 224
in consideration of
HOUSE BILL NO. 1892, HD2
RELATING CESSPOOLS

Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and Members of the Committees:

Thank you for the opportunity to testify and provide comments on House Bill No. 1892, HD2 relating to cesspools. The Hawai'i Green Infrastructure Authority (HGIA) **supports** this bill which provides for staggered deadlines to upgrade priority level 1 and level 2 cesspools ahead of the existing 2050 deadline.

Prioritizing and accelerating conversion dates for systems with the most severe impacts will not only provide more timely protection of our groundwater sources, but it will also provide a sense of urgency while allowing the industry to gear up for increased demand to convert some 13,800 cesspools between 2024 to 2035; 12,400 cesspool conversions between 2036 to 2040, and the remaining 56,800 cesspool conversions between 2041 to 2050.

We support the measure so long as it does not adversely impact priorities identified in Exec. Suppl. Budget Request for FY2025. Thank you for this opportunity to testify and provide comments on House Bill No. 1892, HD2.



March 12, 2024

In Support of **HB1892 HD2** Relating to the Environment
Sen. Committees on Agriculture & the Environment (AEN) and Health & Human Serv. (HHS)
Hearing on March 13, 1:00pm, Rm. 224

Aloha, Chairs Gabbard & San Buenaventura, Vice-Chairs Richards & Aquino and Committee Members:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations and the Cesspool Legislative Task Force, I am writing in **strong support of HB1892 HD2**. This bill would do three very important things: 1. create earlier deadlines for cesspool conversions in Priority Areas 1 (2035) and 2 (2040) to help the state meet its mandate under Act 125; 2. extend the successful funding support program under Act 153 (to assist low-moderate income homeowners with the costs of cesspool conversion); and 3. Develop a comprehensive outreach and education program to help homeowners with the conversion process. This bill includes top recommendations of the State's Cesspool Conversion Working Group, which I served on for four years.

Under Act 125 (2017), all cesspools are mandated to be converted by 2050. The only way to accomplish this mandate is to stagger the phases of conversion and create earlier deadlines for the most polluting cesspools in Priority Areas 1 & 2. Cesspools in these areas pose serious threats to drinking water supplies, coral reefs and water quality in nearshore areas. To help homeowners with financing these conversions, the bill would extend funding from Act 153 for low-moderate income households to help defray the costs.

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! Along with threats to public health and drinking water resources, new research in *Nature* shows that this polluted wastewater poses significant harm to coral reefs and the near-shore environment. The people of Hawaii need this law to make sure their wastewater systems aren't polluting the groundwater or nearby surface waters. This pollution threatens our environment, public health and our economy, damaging Hawaii's reputation as a world class destination with pristine waters.

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 and help homeowners with the conversion process. Better sanitation systems reduce sewage and nutrient 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. This bill will provide the necessary deadlines and funding needed to convert cesspools across the state. Mahalo for your leadership on this issue and support of this bill.

Aloha,
Stuart Coleman
Stuart H. Coleman, Executive Director



To: The Honorable Senators Mike Gabbard and Joy San Buenaventura, Chairs, the Honorable Senators Tim Richards, III, and Henry Aquino, Vice Chairs, and Members of the Committees on Agriculture and Environment and Health and Human Services.

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

Re: **Hearing HB1892 HD2 RELATING TO THE CESSPOOLS**

Hearing: Wednesday March 13, 2024 1:02 p.m.

Aloha Chairs Gabbard and San Buenaventura, Vice Chairs Richards and Aquino, and Members of the Committees on Agriculture and Environment and Health and Human Services:

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. HIROC is deeply concerned about cesspool nitrogen pollution that fertilizes algae and smothers and kills coral reefs and pathogens that endanger public health!

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1892 HD2!

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!

Hawai'i needs to get started on upgrading cesspools in order to eliminate all cesspools by 2050 as required by law (Act 125, 2017). This key bill would accelerate the dates for upgrading some of the cesspools, those in areas designated as Priority 1 and 2, from 2050 in the current law (Act 125, 2017) to 2035 and 2040. Priority 1 and 2 cesspools, the ones that pose the most serious threats to public health, drinking water supplies, coral reefs and water quality in nearshore areas, were determined through the UH 2022 Hawai'i cesspool hazard assessment and prioritization tool. The tool was developed for the Cesspool Conversion Working Group (CCWG), which was created by Act 132 of 2018. The CCWG, on which I served for its entire four years, included a broad coalition of stakeholders, including Legislators and representatives from EPA, DOH, all counties, UH, realtors, bankers, and advocacy groups. The CCWG considered new scientific and policy data, studies by wastewater experts, activities in other jurisdictions, owners' ability to pay, and financing mechanisms. **Accelerating the upgrade requirements was the leading recommendation of the CCWG in its Final Report to the Legislature in December 2022, to 2030 for Priority 1 and 2035 for Priority 2.**

Acceleration of upgrade requirements is necessary, not only to reduce pollution to protect the public health and help save corals, but also to meet the 2050 legal mandate. If Hawai'i doesn't start upgrading a significant number of cesspools now, the State won't be able to upgrade all the 80,000 plus cesspools by 2050.

Priority 1 (13,821) and 2 (12,367) cesspools together constitute about 30% of the over 80,000 total in Hawai'i. Upgrading those is a reasonable and necessary start on solving Hawaii's cesspool pollution problem. Upgrades of Priority 3 cesspools (about 70% of the total) would not be accelerated and would remain at 2050. This bill provides an extra five years more than the CCWG recommended to upgrade Priority 1 cesspools (by 2035) and Priority 2 (by 2040). The bill authorizes the DOH to exempt cesspools that show a legitimate reason they cannot upgrade and to pass rules to grant extensions based on an inability to pay.

This bill would also appropriate money from the Clean Water State Revolving Fund for DOH to retain qualified consultants who will develop a **comprehensive outreach and education program and website** to educate cesspool owners and wastewater industry professionals with information about upgrade requirements, deadlines, and resources available. **Other jurisdictions have found such outreach is essential for a successful upgrade program.**

The bill appropriates funds to implement the cesspool compliance grant pilot established in Act 153 of 2022.

This bill is critical to protect water quality and coral reefs by requiring upgrades before 2050 of the cesspools that provide the greatest threat to public health, drinking water supplies, coral reefs and water quality in nearshore areas!

Please pass this excellent bill! Mahalo!

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

Please pass this bill!

Mahalo!

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



3/12/2024

AEN/HHS Committees
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Gabbard, Chair San Buenaventura, and Members of the Senate Committees on Agriculture and Environment and Health and Human Services

Position: Support HB1892 - Earlier deadlines for cesspool conversions in priority areas

The Surfrider Foundation, Hawai'i region, is testifying in **strong support of HB1892**, relating to staggered and earlier deadlines for cesspool upgrades, which would require certain priority level 1 cesspools to be upgraded, converted, or connected before 1/1/2035, and priority level 2 cesspools to be upgraded, converted, or connected before 1/1/2040, rather than before 1/1/2050. It also includes a public outreach/education component.

With an estimated 83,000 cesspools, Hawai'i has one of the highest per capita number of cesspools in the nation. The Cesspool Conversion Working Group recommends the removal of the 14,000 worst ("priority one") cesspools by 2030; removal of the 12,000 "priority two" cesspools by 2035; and removal of the remaining "priority three" 55,000 cesspools by the current 2050 deadline. HB1892 supports this staggered conversion as suggested by the Cesspool Conversion Working Group

Prioritizing and accelerating conversion dates for systems with the most severe impacts will not only provide more timely protection of our groundwater sources, but it will also provide a sense of urgency while allowing the industry to gear up for increased demand to convert some 13,800 cesspools between 2024 to 2035; 12,400 cesspool conversions between 2036 to 2040, and the remaining 56,800 cesspool conversions between 2041 to 2050

Surfrider Foundation maintains a citizen-science water quality monitoring program called the Blue Water Task Force (BWTF) on Kaua'i, Maui, and O'ahu that tests for enterococcus, a fecal indicator bacteria. Since 2018, the O'ahu BWTF has been monitoring water quality in Kāne'ohe bay at Kahalu'u due to the high concentration of coastal cesspools in this area. Due to these cesspools, the water near and around Kahalu'u regularly exceeds state public health standards. Without mechanisms to accelerate the conversion of cesspools and other failing wastewater systems, we will continue to pollute our coastal and freshwaters, threatening both environmental and public health.

Thank you for your consideration of this testimony in support of HB1892, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Lauren Blickley
Hawai'i Regional Manager
Surfrider Foundation



**PUAKŌ FOR
REEFS**

A Community Dedicated to Saving Puakō Reef

Return the reef to its historic 70% coral coverage from its existing 7%.

www.puako4reefs.org

HEARING FOR STATE SENATE COMMITTEES ON AGRICULTURE AND THE ENVIRONMENT AND HEALTH AND HUMAN SERVICES

Wednesday, March 13, 2024, 1:02 p.m.
Conference Room 224, State Capitol

TO: Senate Committee on Agriculture and Environment, Chair, Mike Gabbard and Vice-Chair, Tim Richards III and Members, Lynn De Coite, Kari Rhoads, and Brenton Awa

Senate Committee on Health and Human Services, Chair Joy San Buenaventura and Vice-Chair, Henry J.C. Aquino and Members, Jarrett Keohokalole, Maile S.L. Shimabokuro, and Brenton Awa

RE: House Bill 1759, HD 1. Relating to Cesspools. Requires cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected before 1/1/2035 for priority level 1 cesspools and before 1/1/2040 for priority level 2 cesspools.

RE: House Bill 1892, HD 2. Relating to Cesspools. Part II: Requires certain priority level 1 cesspools to be upgraded, converted, or connected before 1/1/2035, and priority level 2 cesspools to be upgraded, converted, or connected before 1/1/2040, rather than before 1/1/2050.

Puakō for Reefs is a 501 c 3 organization in **strong support** of these two bills. The bills being heard at today's hearing recognize that cesspools are creating harm to our environment. However the bills change through the session we sincerely hope that the need for action is so obvious that all Senators continue to support these efforts. Puakō is a low-lying residential community with the majority of houses having the original cesspools which continue to damage the reef and near-shore waters.

As you probably know, wastewater is the primary contributor to degraded water quality. It is not the only factor, but it is the biggest one the community and government have control over. Since tourism, the State's #1 industry, is in large part drawn to the oceans surrounding Puakō, our request is that the State Senate joins us in supporting all the cesspool abandonment bills, as well as financial incentives, loan programs, and the balance of the package the cesspool working group identified.

House Bill 1759, HD 1. moving the deadline for abandonment of all Priority One cesspools from 2050 to 2035 is a huge step in stopping the damage to the reef and to begin reef regrowth. We are pleased to see that you recognize that transient accommodations tend to have higher usage than regular homes. There are many transient accommodations in the Puakō area and this bill motivates these small businesses to connect to a new sewer.

House Bill 1892, HD 2. It appears the dates have been deleted in HD 2. Perhaps this is a recognition that 2030 is a more appropriate date than 2035 for the Priority One cesspools. The passage of this bill is essential for our low-lying area. Puakō for Reefs is diligently working towards sewerage Puakō Beach Drive and this bill gives some economic motivation to all residents with cesspools to join with us. Upgrading a cesspool to current standards, an ATU in all instances on Puakō Beach Drive, is much more expensive than connecting to a



**PUAKŌ FOR
REEFS**

A Community Dedicated to Saving Puakō Reef

Return the reef to its historic 70% coral coverage from its existing 7%.

www.puako4reefs.org

sewer. And some of the costs should be able to be amortized over years, rather than the bulk of costs being up front.

Did you know?

- Dr. Greg Asner determined that in the 1970's coral cover of the Puakō reef was 70%. it is now 7%.
- Our recent survey shows that 96.5% of Puakō property owners support a major upgrade of our wastewater systems, as long as it is affordable.
- Puakō hosts the largest amount of marine tourism on the Big Island. There are daily dive and snorkel boats, kayak tours, SUP tours, whale watching, and manta ray trips.
- The problem and solution are led by science. The damage to the reef by and solutions to the wastewater problem at Puakō have been documented for over 20 years.
- All of the science demonstrates that sewer systems are the only guaranteed way to remove waste and all damaging nutrients from the Puakō reef as homes are at 4-5" above sea level, on average.
- Both carrot and stick approaches are needed to inspire people to act. Financial incentives to replace cesspools are an absolutely necessary. To have homeowners abandon cesspools in time to save the reef must also be driven by a deadline. Moving the deadline by 15 years, to 2035 gives the reef, and the entire big island economy, a chance.

Thank you for all your help and for this opportunity to comment.

Sincerely,

Barbara Bell

bbellster@gmail.com

808.937.2573

HB-1892-HD-2

Submitted on: 3/10/2024 9:05:29 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
MELYNDA DANT	Testifying for Fair Wind Cruises	Support	Written Testimony Only

Comments:

Please support this bill and support our fragile environment.

Mahalo

HB-1892-HD-2

Submitted on: 3/11/2024 3:26:56 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Shimei	Testifying for Indivisible Hawaii	Support	Written Testimony Only

Comments:

IN SUPPORT

We must accelerate the deadlines for conversion. The longer we wait, the more pollution accumulates, the more people get sick, and the more reefs die. Outreach and education are also important, but in tandem we must start conversions now.

March 13, 2024

The Honorable Mike Gabbard, Chair

Senate Committee on Agriculture and Environment

The Honorable Joy A. San Buenaventura, Chair

Senate Committee on Health and Human Services
State Capitol, Conference Room 224 & Videoconference

RE: House Bill 1892, HD2, Relating to Cesspools

HEARING: Wednesday, March 13, 2024, at 1:02 p.m.

Aloha Chair Gabbard, Chair San Buenaventura, 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 Hawaii and its over 11,000 members. HAR provides **comments** on House Bill 1892, HD2, which part II: Amends the deadlines for required upgrades conversions, or connections for certain priority level 1 and priority level 2 cesspools. Part III: Authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines. Part IV: Appropriates funds and establishes positions for the implementation of the cesspool compliance pilot grant project. Effective 7/1/3000.

HAR 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. We are however concerned with Hawaii's ability to achieve the current mandate of converting all cesspools to a Department of Health approved wastewater system by 2050, much less the challenges that homeowners will face if that mandate was moved forward to 2035 and 2040.

According to the Cesspool Working Group Final Report¹, there are 13,821 cesspools categorized as Priority Level 1 and 12,367 cesspools categorized as Priority Level 2. While the dates have been blanked out in the current version, if based on the HD1, to convert Priority Level 1 and 2 cesspools by 2035, **1,878 cesspools would need to be converted per year** (see table below.) Additionally, to convert the remaining Priority Level 2 cesspools would be an additional 727 conversions per year over the remaining 5 years. This of course is not including the 55,237 Priority Level 3 cesspools that will still need to be converted by 2050, if we wait to convert Priority

¹ Cesspool Conversion Working Group. (2022). *Final Report to the 2023 Regular Session Legislature*. State of Hawaii Department of Health. <https://health.hawaii.gov/opppd/files/2022/12/Act-170-SLH-2019-Nov-2022.pdf>

Level 3 cesspools until after 2040, there will be 10 years left to convert them all which averages to 5,523 conversions a year.

Year:	Priority Level 1	Priority Level 2	Convert Per Year
2024	1,151	727	1,878
2025	1,151	727	1,878
2026	1,151	727	1,878
2027	1,151	727	1,878
2028	1,151	727	1,878
2029	1,151	727	1,878
2030	1,151	727	1,878
2031	1,151	727	1,878
2032	1,151	727	1,878
2033	1,151	727	1,878
2034	1,151	727	1,878
2035	1,151	727	1,878
2036		727	727
2037		727	727
2038		727	727
2039		727	727
2040		727	727

While it may vary greatly depending on existing infrastructure and property location, it can take 8 to 9 months or longer for a homeowner to convert their cesspool to a Department of Health (“DOH”) approved wastewater system. Steps include but are not limited to, architects drawing up site plans, civil engineers drawing up and submitting the proposed system, obtaining DOH preliminary approval, engaging a contractor, obtaining a review and approval from the State Historic Preservation Division (SHPD), obtaining permits, construction, and engineers getting final approval from DOH. We believe the missing piece of this conversation is to hear directly from these contractors and other professionals who would be engaged in the work of cesspool conversion to hear about the feasibility of these goals and how we can all move forward to protect our environment. 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 and in rural areas.**


Moreover, moving up the mandate does not solve the financial dilemma for homeowners. 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

² Cesspool Conversion Working Group. (2022). *Final Report to the 2023 Regular Session Legislature*. State of Hawaii 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

with a \$10,000 rebate 82% of homeowners would still be financially burdened. Most homeowners will not be able to afford to do this alone.

As such, the focus should be on efforts to aid communities and homeowners with cesspool conversion, which includes education and financial assistance in addition to wastewater infrastructure planning and development. We believe the income tax credit and cesspool compliance pilot grant project can help homeowners who may be financially burdened to convert their cesspools to a DOH wastewater system or connect to a sewerage system.

Thank you for your consideration of our comments. Mahalo for the opportunity to testify.





FROM: Lynn Miyahira representing Public Access to SunScreens (PASS) Coalition

DATE: Wednesday, March 13, 2024

Re: HB 1892

Position: SUPPORT

The [Public Access to SunScreens](#) (PASS) Coalition is a multi-stakeholder coalition composed of public health groups, dermatologists, sunscreen manufacturers, and leading advocates for skin cancer patients. We also support efforts that protect our coral reefs.

We support this measure.

Cesspools are a pressing issue in Hawaii that impacts our health, water quality, and coral reefs. With over 83,000 cesspools in the state, discharging about 50 million gallons of raw sewage every day, immediate action is needed to mitigate their negative impact. Untreated wastewater leaking from cesspools into nearshore waters can cause high levels of nitrogen in the water, which leads to algae blooms that suffocate and cover our coral reefs.

HB 1892 is needed now because the health of Hawaii's people and quality of Hawaii's waters and aquatic life including coral reefs are being harmed by pollution from cesspools.

Mahalo you for the opportunity to testify.

Sincerely,

Lynn Miyahira
Public Access to SunScreens (PASS) Coalition

HB-1892-HD-2

Submitted on: 3/9/2024 10:38:52 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Hilary Smith	Individual	Support	Written Testimony Only

Comments:

Let's accelerate the deadline on cesspool conversions! The sooner we stop dumping millions of gallons of untreated wastewater into our oceans, the sooner the coral reefs and fish populations can recover. Even the accelerated deadline is very generous, giving property owners plenty of time to get this important work done.

HB-1892-HD-2

Submitted on: 3/9/2024 12:58:51 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to Part III: Authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines.

Part IV: Appropriates funds and establishes positions for the implementation of the cesspool compliance pilot grant project.

HB-1892-HD-2

Submitted on: 3/10/2024 5:28:30 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

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

Comments:

Aloha: As a professional marine biologist, I urge you to pass HB 1892 and all bills designed to avert our cesspool disaster. The scientific reality is clear: If Hawai'i is to have healthy coral reefs that protect our coasts from sea-level rise and erosion, feed us, and provide us income, recreation, tourism, and spiritual connection, then we must curtail the leaching of cesspool waters into our coastal ocean. There is no free lunch regarding this issue. If we don't invest in cleaning our coastal waters to save our reefs, our children and grandchildren will never forgive us. Mahalo--Mark Hixon (Honolulu)

HB-1892-HD-2

Submitted on: 3/11/2024 12:34:07 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Betsy Scolnik	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT. WE CANNOT WAIT.

WE ARE EXPECTING OUR LEGISLATORS TO MAKE THIS HAPPEN AND WE ARE ALL WATCHING

COUNTY COUNCIL

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



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

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

March 11, 2024

TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 1691, HD 1, RELATING TO THE ENVIRONMENT
AND
HB 1759, HD1, RELATING TO CESSPOOLS
AND
HB 1892, HD2, RELATING TO CESSPOOLS
Senate Committee on Agriculture and Environment
Senate Committee on Health and Human Services
Wednesday, March 13, 2024
1:02 p.m.
Conference Room 224
Via Videoconference

Dear Chair Gabbard, Chair San Buenaventura, and Members of the Committees:

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; and HB 1892, HD 2, 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; and HB 1892, HD 2, 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; and HB 1892, HD 2. 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:slr

HB-1892-HD-2

Submitted on: 3/11/2024 5:57:58 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I am strong **SUPPORT** of this measure.

- U'ilani Naipo

HB-1892-HD-2

Submitted on: 3/11/2024 1:13:13 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

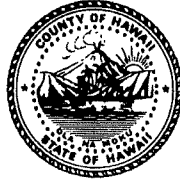
Submitted By	Organization	Testifier Position	Testify
Cathleen M Haggerty	Individual	Support	Written Testimony Only

Comments:

Our beaches are our economy, must be protected and cherished. This starts out by not letting human waste pollute the resource.

Mitchell D. Roth
Mayor

Deanna S. Sako
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

March 12, 2024

Sen.. Mike Gabbard, Chair, and
Members of the Committee on Agriculture and Environment

Sen. Joy A. San Buenaventura, Chair, and
Members of the Committee on Health and Human Services

Dear Chair Gabbard, Chair San Buenaventura, and Committee members,

The County of Hawai'i Department of Environmental Management **supports** the intent of HB 1892 HD2, which would accelerate the deadline for certain Priority Level 1 and Priority Level 2 cesspools; allows the Department of Health to grant time extensions for financial inability to pay; and provides support for the Department of Health to implement the cesspool compliance pilot grant project and other work related to cesspool conversions.

Accelerating the 2050 deadline in HRS 342D-72 for certain high-priority areas is one way to improve the groundwater and nearshore environments for those areas that are most endangered by the presence of cesspools, and is a recommendation of both the Cesspool Conversion Working Group, of which I was a member, and the County of Hawai'i Environmental Management Commission, which advises my department.

At the same time, I am mindful of the financial constraints that such cesspool conversion mandates place on our constituents, many of whom are of limited means. CCWG recommendation E4 states: "Prioritize environmental justice principles for disadvantaged community needs (i.e. Department of Hawaiian Home Lands), including identifying funding and position(s) to promote equitable outcomes related to the entire cesspool conversion process." Allowing time extensions for financial inability may be one way to assist members of disadvantaged communities that would be impacted by this bill.


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

Hawai'i County is an Equal Opportunity Provider and Employer

HB-1892-HD-2

Submitted on: 3/12/2024 11:55:34 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Lavorn Sparks	Individual	Support	Written Testimony Only

Comments:

Please help clean up our streams from human sewage. Sewage must be controlled by govt who issues permits to occupy. Moloaa Stream is a travesty that govt can help correct. Please act immediately. Our children are getting sick by human feces in streams

HB-1892-HD-2

Submitted on: 3/11/2024 8:26:20 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
David Nagamine	Individual	Support	Written Testimony Only

Comments:

Honorable Chair and Committe Members,

My name is David I. Nagamine and I am a registered Civil Engineer, retired from the City and County of Honolulu Dept. of Environmental Services. I retired from the CCH after 43 years of service and have extensive experience in wastewater systems, water quality monitoring, cesspools, renewable energy, sewer service charges, etc.

I am in full support of HB 1892, HD2 and request you pass this measure without amendments. Cespools need to be eliminated as soon as possible, not by 2050. The Department of Health and the Counties need to come up with plans to eliminate cesspools, financing programs, compliance schedules and fines.

Mahalo in advance for your support.

David I. Nagamine
2432 Myrtle Street
Honolulu, HI 96816

the State Department of Health and Counties need to eliminate the use of cesspools to stop the ongoing pollution of our precious groundwater and recreational ocean waters.

HB-1892-HD-2

Submitted on: 3/12/2024 10:58:08 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Becker	Individual	Support	Written Testimony Only

Comments:

To whom it may concern:

I first came to Moloa'a in 1990 on holiday. There were many fewer homes. I live on Moloa'a stream, often cited by Surfrider as the first or second most polluted in the county and among the most polluted in the state. Fecal coliform levels are literally off the charts. Contact with the water is dangerous and crossing the stream to the beach represents risk. Yet, small children and their parents play in what appears an idyllic lagoon as the fetid water flows into and pollutes the bay.

Over the more than 30 years, there have been enormous changes in the bay.

Moloa'a has no services or restrooms, little parking and limited beach access. It is not unusual to find barely concealed human excrement by the stream or near the beach.

Living on the stream, I can attest to the fact that it often stinks of sewage. Illegal dwellings, line the stream up to the highway and either dump their untreated sewage into agent cesspools, or directly into the stream. Fecal coliform can only result from untreated Human Feces.

Clearly, septic is better than cesspools - but septic requires sufficient land for a leach field. Most of the illegal dwellings are built directly at the stream, there is not room whatsoever for a leach field even should money be available to put in a state of the art septic system. In any case, these unpermitted dwellings should not exist in the first place.

I fully support the bill, but the time frame is far too long for mitigation of the exponentially worsening, hazardous circumstances. Dismantling illegal, unpermitted dwellings which dump their sewage into Moloa'a stream would be the logical first place to start, with state of the art septic conversion mandated for all ancient cesspools by 2030.

Warmest Regards,

Michael Becker

3584 B Moloa'a Road

Anahola, HI 96703

HB-1892-HD-2

Submitted on: 3/12/2024 3:47:08 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheri Gienger	Individual	Support	Written Testimony Only

Comments:

The waters on Moloaa Bay are the worst in the entire state. Each and every time the waters are tested throughout Kauai, ours is the absolute worst. Something must be done to change this situation. It isn't safe to go in the water and it certainly isn't safe to cross the stream at the end of Moloaa Road. Several people have gotten bacteria infections when crossing the stream with an open wound. What's this doing to the coral reefs and the fish? Please pass this bill and change this really awful situation.

HB-1892-HD-2

Submitted on: 3/12/2024 10:59:05 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay Henderson	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-1892-HD-2

Submitted on: 3/12/2024 11:04:35 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-1892-HD-2

Submitted on: 3/12/2024 11:15:44 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

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

Comments:

STRONG SUPPORT -

I am in favor of this legislation to clean up our water and convert cesspools. I am frustrated by the lack of progress up to now.

HB-1892-HD-2

Submitted on: 3/12/2024 11:29:24 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Sophia Morgan	Individual	Support	Written Testimony Only

Comments:

Aloha AEN Chair Gabbard and Vice Chair Richards and HHS Chair San Buenaventura and Vice Chair Aquino,

I write in **strong support of HB 1892 HD2**. This bill would do three very important things: 1. create earlier deadlines for cesspool conversions in Priority Areas 1 (2035) and 2 (2040) to help the state meet its mandate under Act 125; 2. extend the successful funding support program under Act 153 (to assist low-moderate income homeowners with the costs of cesspool conversion); and 3. develop a comprehensive outreach and education program to help homeowners with the conversion process. This bill includes top recommendations of the State’s Cesspool Conversion Working Group.

This bill is vital to help ensure the State of Hawaii achieves its mandate to convert all cesspools by 2050. 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. Around half of these cesspools pose a risk to water resources.

Cesspool discharge directly impacts human health by contaminating drinking water or waters used for swimming, exposing the citizens of Hawai‘i to sewage pathogens. Untreated wastewater from cesspools contains pathogens such as bacteria, protozoa and viruses that can cause gastroenteritis, Hepatitis A, conjunctivitis, leptospirosis, salmonellosis and cholera.

The threat of discharge also extends directly to the environment. A 2023 Hawai‘i-based study published by Nature found that septic and cesspool pollution is a major driver of coral reef decline. 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.

Cesspools are also a social justice issue here in Hawaii. The Association of Hawaiian Civic Clubs, a Native Hawaiian advocacy group and large organization, passed a resolution in 2023 recommending that the legislature fund a grant program to convert cesspools. The resolution notes that cesspools are prevalent in low-income, rural communities in which Native Hawaiians live. The large costs of cesspool conversion thus can exacerbate the issue of Native Hawaiians moving to the mainland because of economic constraints.

Mahalo nui loa for your time and consideration of my testimony!

Best regards, Sophia Morgan

HB-1892-HD-2

Submitted on: 3/12/2024 11:19:03 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Arianna Feinberg	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I am writing in strong support of HB1892 as we need to do everything in our power to eliminate cesspools as soon as possible especially in priority areas 1 and 2. Pollution from cesspools is detrimental to the health of Hawaii's people and coral reefs.

Thanks,

Arianna Feinberg

Makawao, Maui

HB-1892-HD-2

Submitted on: 3/12/2024 4:21:59 PM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
GWEN YOUNG	Individual	Support	Written Testimony Only

Comments:

Aloha all,

As a resident and a water quality tester for Surfrider Foundation, I understand the results of cesspools that are not contained or adequately functioning etc.

We critically need Cesspool Conversions to accelerate upgrade mandates for Priority 1 & 2 cesspools prior to the 2050 deadline.

Thank you,

Gwen Young

HB-1892-HD-2

Submitted on: 3/13/2024 9:20:27 AM

Testimony for AEN on 3/13/2024 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim	Individual	Support	Written Testimony Only

Comments:

To the House Committee

Re: HB1892, rev 2

Clean coastal waters are critical for our reef ecosystems health. Cesspools can cause harm to water quality within adjacent groundwater, anchialine, coral reef systems and fisheries by introducing elevated amounts of organic nitrogen and phosphorus, pathogens, and other contaminants. Contaminants emitted from cesspools can harm aquatic ecosystems by encouraging excess algal and bacterial growth, and can also pose a threat to human health.

It remains unclear as to which systems will operate best to remove our contaminants in our unique geologies, soils and socioeconomic conditions. Having a pilot program to test new technology in Hawai'i is an important step moving forward.

I strongly support efforts to upgrade our antiquated systems to newer wastewater technology, and prevent harmful runoff into our sensitive ocean systems.