

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 HB2264 HD1
RELATING TO CESSPOOLS**

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 2/27/2024

Room Number: 308

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (Department) offers comments on this
3 measure.

4 The University of Hawaii Sea Grant College and Water Resources Research Center may
5 consider a standardized and controlled location and setting, such as a research facility or testing
6 center, before pilot testing new technology in the field and attempting to convert cesspools. A
7 successful example is The Massachusetts Alternative Septic System Testing Center
8 (<https://www.masstc.org/>).

9 SECTION 2, Pages 1, lines 14-17, Page 2, lines 6-8, the definition of “new” and rationale
10 for the minimum quantity of wastewater system demonstration projects may need to be clarified
11 and discussed prior to the implementation of this pilot program.

12 SECTION 2, Page 2, lines 16-18, the criteria and standard methods to be implemented in
13 the various tests and research may need to be clarified and discussed prior to the implementation
14 of this pilot program.

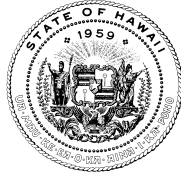
15 SECTION 2, Page 2, lines 19-20, compliance with or required steps to become compliant
16 with Hawaii Administrative Rules, Title 11, Chapter 62 should be considered with the
17 information provided in the report.

18 **Offered Amendments:** None.

19 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 HOUSE COMMITTEE ON FINANCE
HEARING ON FEBRUARY 27, 2024 AT 12:00PM IN CR 308

HB 2264, HD 1, RELATING TO CESSPOOLS

February 27, 2024

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

The Department of Hawaiian Home Lands (DHHL) supports this bill which 1) establishes a three-year new wastewater system demonstration and implementation pilot program within the University of Hawaii Sea Grant College Program and 2) appropriates funds - 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. This pilot project will provide the opportunity for alternative, financially feasible, and effective wastewater technologies to be evaluated and published in reports for DHHL, current lessees residing on Hawaiian Home Lands, and potential beneficiaries to understand 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.



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, Provost, PhD

University of Hawai'i at Mānoa

HB 2264 HD1 – RELATING TO CESSPOOLS

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

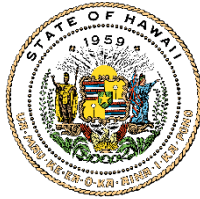
The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center (WRRC) support HB 2264 HD1. This bill would establish a three-year new wastewater demonstration and implementation pilot program within Hawai'i Sea Grant and in coordination with WRRC.

Our programs strongly agree that the upgrade and conversion of cesspools to advanced forms of wastewater treatment is of great importance. HB 2264 HD1's proposed pilot program would serve to assist the state with this important transition by providing the funding and support needed to complete no less than four wastewater system demonstration projects. These demonstrations would provide valuable insights into technology and program support needed to affect widespread conversion for the health of our nearshore ecosystem. In addition to the direct expenses of conversion demonstrations, we request that this bill be funded to support the hiring of several new full-time staff for effectuation.

Thank you for the opportunity to submit testimony in support of HB 2264 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 2264, HOUSE DRAFT 1
RELATING TO CESSPOOLS

House Bill 2264, House Draft 1 establishes a three-year new wastewater system demonstration and implementation pilot program within the University of Hawai'i Sea Grant College Program and appropriates funds. **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. Establishing a wastewater demonstration and implementation pilot program within the University of Hawai'i Sea Grant College will hopefully lead to new insights and methods for more efficient disposal of contaminating pollutants that damage Hawai'i's valuable reef ecosystems. By implementing this project, the Department hopes that the Sea Grant College will discover innovative methods to 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

February 27, 2024

The Honorable Kyle T. Yamashita, Chair

House Committee on Finance

State Capitol, Conference Room 308 & Videoconference

RE: House Bill 2264 HD1, Relating to Cesspools

HEARING: Tuesday, February 27, 2024, at 12:00 p.m.

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

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i and its over 11,000 members. HAR **supports** House Bill 2264 HD1, which establishes a three-year new wastewater system demonstration and implementation pilot program within the University of Hawaii Sea Grant College Program. Appropriates funds. Effective 7/1/3000.

We believe new wastewater and cesspool technology systems would be an important solution to help the state reach the goal of converting 83,000 cesspools by 2050, especially for communities with limited infrastructure.

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. There are approximately 83,000 cesspools divided into three priorities¹ across the State (48,596 on Hawaii Island; 14,300 on Kauai; 11,038 on Maui; 1,400 on Molokai; and 7,491 on Oahu) with only 26 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 3,192 cesspools would need to be converted per year. It is crucial that we properly plan and find ways to assist communities and homeowners as resources and manpower are limited, especially on the neighbor islands.

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

Mahalo for the opportunity to testify on this measure.

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

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



To: The Honorable Chair Kyle Yamashita, the Honorable Vice Chair Lisa Kitagawa, and Members of the Finance Committee.

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

Re: **Hearing HB2264 HD1 RELATING TO CESSPOOLS**

Hearing: Tuesday, February 27, 2024, 12:00 p.m., room 308

Aloha Chair Yamashita, Vice Chair Lisa Kitagawa, and Members of the Finance Committee.

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.

Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB2264 HD1!

Cesspool pollution is harming 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! **Hawai'i needs to reduce cesspool pollution now in order to give coral reefs a chance to survive in the face of ocean warming and other harmful factors!**

This bill is needed to determine the best and most affordable wastewater technologies to minimize the cost of cesspool upgrades while maximizing environmental protection. This pilot is essential for Hawaii, as the cost of upgrading all the cesspools with current technologies, which don't remove enough of the nutrients, is estimated to be well over \$2 billion (83,000 cesspools, with upgrade average costs of at least \$30,000)!

This bill would establish and fund a three-year new waste management solution and cesspool system demonstration pilot in the University of Hawai'i Sea Grant College and Water Resources Research Center. The pilot shall: examine and demonstrate new wastewater technology systems, ranging from individual toilets to significantly larger multi-unit systems and options, including decentralized wastewater treatment systems for community scale solutions as appropriate, as well as review and evaluate the affordability, feasibility, and efficiency of the treatment technologies, with emphasis, as appropriate, on reducing nitrogen waste that harms coral reefs. The pilot also shall administer no less than four demonstration projects implementing new sewage treatment and toilet technologies in all counties in areas identified as priority level 1 in the Hawaii Cesspool Hazard Assessment and Prioritization Tool.

Please pass this bill!

Mahalo!

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

HB-2264-HD-1

Submitted on: 2/25/2024 10:48:42 PM

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

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

Comments:

IN SUPPORT



Feb. 26, 2024

In Support of **HB2264 HD1** Relating to Cesspools
House Committee on Finance (FIN)
Hearing on Feb. 27, 12:00pm, Rm. 308

Aloha, Chair Yamashita, Vice-Chair Ichiyama, 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 HB2264 HD1**. This bill would establish and fund a three-year new waste management solution and cesspool system demonstration pilot at the University of Hawai'i Sea Grant College and Water Resources Research Center. The pilot will examine and demonstrate new wastewater technology systems, including decentralized wastewater treatment systems for community scale solutions. It will also evaluate the affordability, feasibility and efficiency of the treatment technologies, with an emphasis on reducing nitrogen waste that harms coral reefs. In places like Ma'alaea and Puako, coral reef cover has already declined so dramatically that they may not be able to be restored.

Under Act 125 (2017), all cesspools are mandated to be converted by 2050. The best way to accomplish this mandate is to create more decentralized package treatment systems that can replace many cesspools at a time with more efficient and affordable options that offer financing programs. Instead of homeowners having to replace each of the 700 cesspools in Maui Meadows, for instance, at a cost of \$30k-\$50k apiece, we can create a Community Facility District with a decentralized package system that replaces all of them and creates a much more affordable monthly sewer fee. Efforts are already underway on Maui and Hawai'i.

Hawai'i 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 systems. Our goal is to help find more innovative, affordable, and eco-friendly solutions to wastewater management and assist 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.

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 pilot programs needed to convert cesspools across the state. Mahalo for your leadership on this issue.

Aloha,
Stuart Coleman
Stuart H. Coleman, Executive Director

HB-2264-HD-1

Submitted on: 2/24/2024 7:09:41 PM

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

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

Elimination of cesspools is one of Hawaii's greatest environmental challenges. Progress is hampered by a lack of options for property owners and neighborhoods. While many new wastewater treatment technologies are being developed, few are approved, or even known, in Hawaii. I fully support HB2264 HD1, as this program provides a promising methodology for introducing different wastewater treatment methods, and determining their applicability to our island environment.

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, 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

HB-2264-HD-1

Submitted on: 2/26/2024 9:15:09 AM

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

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

Comments:

Please pass this bill in support of new and emerging wastewater treatment technologies! Hawaii is in dire need to new and innovative solutions to treating wastewater, at both a large and very small scale. With our large number of rural and off-grid residents, we need wastewater solutions that are affordable for homeowners who do not have the option of joining a government sewer line. By investing in science, we can massively reduce the amount of nitrogen running into our reefs.

HB-2264-HD-1

Submitted on: 2/26/2024 10:45:21 AM

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

Submitted By	Organization	Testifier Position	Testify
Sage Keller	Individual	Support	Written Testimony Only

Comments:

Sage Keller

sagekeller07@gmail.com

(808) 652-1725

Tuesday, February 27th, 2024

Honorable Scott K. Saiki

Speaker, House of Representatives

Thirty-Second State Legislature

Regular Session of 2024

State of Hawaii

Support for H.B. No. 2264, H.D. 1

I am writing to express my support for H.B. No. 2264, H.D. 1, "A BILL RELATING TO CESSPOOLS." This bill is crucial for addressing the pressing issue of cesspools in Hawaii.

With over eighty-three thousand cesspools in use, immediate action is necessary to protect public health, water quality, and coral reefs. H.B. No. 2264 establishes a New Wastewater System Demonstration and Implementation Pilot Program, which will promote innovative wastewater management technologies.

The inclusion of funding for the Pilot Program and recognition of the importance of water cleanliness are commendable. I urge you to support and pass H.B. No. 2264, H.D. 1, to make meaningful progress in managing cesspools in our state.

Thank you for your attention to this matter.

Sincerely,

Sage Keller