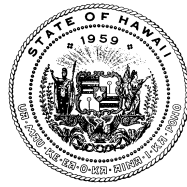


JOSH GREEN, M.D.  
GOVERNOR OF HAWAII  
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII



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

WRITTEN  
TESTIMONY

In reply, please refer to:  
File:

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)

**Testimony in SUPPORT of SB0428  
RELATING TO CESSPOOLS**

SENATOR DONOVAN M. DELA CRUZ, CHAIR  
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 2/22/2023

Room Number: 211

- 1 **Fiscal Implications:** None.
- 2 **Department Testimony:** The Department of Health (Department) strongly supports this
- 3 measure but defers to the counties to address the resource and fiscal implications that would be
- 4 involved with the implementation of this measure.
- 5 Thank you for the opportunity to testify.
- 6 **Offered Amendments:** None.



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

**Co-Chairs:**  
Chair, DLNR  
Director, OPSD

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

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

**Before the Senate Committee on  
WAYS AND MEANS**

**Friday, February 22, 2023**

**10:00 AM**

**State Capitol, Via Videoconference, Conference Room 211**  
**AGRICULTURE AND ENVIRONMENT**

**~~Wednesday, February 1, 2023~~**

**~~1:00 PM~~**

**~~State Capitol, Via Videoconference, Conference Room 224~~**

**In support of  
Senate Bill 428  
RELATING TO CESSPOOLS**

Senate Bill 428 requires each county to develop a comprehensive integrated wastewater management plan and financial strategy, and to submit its respective plan and financial strategy to the Legislature. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) offers the following comments in support of this measure.**

Removal of cesspools for all properties within the Sea Level Rise Exposure Area (SLR-XA), is imperative to the health of nearshore waters and for members of the public accessing coastal resources. Removal may not be achievable by 2050 as directed by state law without viable alternatives for replacement. The Commission's 2022 update to the *Sea Level Rise Vulnerability and Adaptation Report* Recommended Action 6.1.1 states that following the outcomes of the cesspool conversion working group, funding for the state should sponsor research and development efforts to expand affordable and actionable conversion options for shoreline property owners. Recommended Action 6.1.1 also counsels that options should account for SLR-XA projections of coastal erosion and associated land loss, and potential failure of onsite sewage treatment systems resulting from sea level rise-induced groundwater inundation.

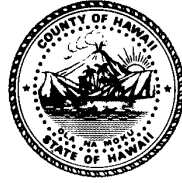
Cesspools on the shoreline and in the coastal zone will be an increasing source of nonpoint source pollution as groundwater rises and coastal erosion accelerates. Recommended Action 6.4 counsels that the state should expand policy directives beyond the existing income tax credits and

requirement for removal by 2050. Specifically, policy must address existing cesspools in the coastal zone in relation to enforcement of existing laws and regulations and removal of unpermitted shoreline hardening.

Mahalo for the opportunity to comment in support of 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 21, 2023

Donovan M. Dela Cruz, Chair, and  
Members of the Committee on Ways and Means

Chair Dela Cruz and Committee Members,

I was a member of the Cesspool Conversion Working Group. The Department of Environmental Management supports this bill. SB 428 codifies Priority E1 of the working group's recommendations into statute.

**E1.** Require each County to develop a comprehensive integrated wastewater management plan to include where connections to centralized (public and private) treatment systems are planned, where individual treatment systems will continue to be needed, and where smaller-scale "cluster" treatment systems might be utilized. Include financial strategies.

Currently, none of the counties in the State has developed a comprehensive integrated wastewater management plan. The County of Hawai'i is currently developing a series of regional wastewater management plans as a precursor to an islandwide comprehensive wastewater management plan. It is unfortunate that such a plan had not been developed in previous decades, and the result is a lack of public wastewater infrastructure, a limited collection system, and a proliferation of cesspools and septic tanks inside and outside of the current service area.

Development of a master plan will inform residents whether they can expect to connect to a public or private treatment system, whether they will be part of a smaller-scale cluster treatment system, or whether they will need to upgrade their cesspools to a DOH-approved wastewater treatment system.

Thank you for the opportunity to provide testimony.

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

**LATE**



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

To: The Honorable Donovan M. Dela Cruz, Chair  
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair  
Members of Committee on Ways and Means

Re: **SB 428 – RELATING TO CESSPOOLS**

Hearing: Wednesday, February 22, 2023, 10:00 a.m., Conference Room 211 & Videoconference

Position: **Strong support**

Aloha, Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee on Ways and Means:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of SB 428. This measure requires (1) that each county to develop a comprehensive integrated wastewater management plan and financial strategy; and (2) that each county submit its respective plan and financial strategy to the Legislature no later than twenty days prior to the convening of the regular session of 2024.

The Platform environmental policies of the Democratic Party of Hawai'i 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 \(hawaiidemocrats.org\)](https://www.hawaiidemocrats.org/our-platform)

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.

“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 \(hawaii.gov\)](#)



February 22, 2023  
Page 2

Requiring (1) each county to develop a comprehensive integrated wastewater management plan and financial strategy; and (2) requiring each county to submit its respective plan and financial strategy to the Legislature no later than twenty days prior to the convening of the regular session of 2024 will assist in implementing the recommendations set forth in the Cesspool Conversion Plan which are consistent with the state and counties' duties under the Public Trust Doctrine and the DPH Platform environmental plank that all people have the right to live in a clean, healthy and safe environment.

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

February 22, 2023

**The Honorable Donovan Dela Cruz, Chair**

Senate Committee on Ways and Means  
State Capitol, Conference Room 211 & Videoconference

**RE: Senate Bill 428, Relating to Cesspools**

**HEARING: Wednesday, February 22, 2023, at 10:00 a.m.**

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i and its over 11,000 members. HAR **strongly supports** Senate Bill 428, which requires each county to develop a comprehensive integrated wastewater management plan and financial strategy. Requires each county to submit its respective plan and financial strategy to the Legislature.

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. 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 analysis<sup>2</sup> 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.

Undertaking such a massive infrastructure project will require proper planning across various stakeholders and government institutions, including state and local

---


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

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



 808-733-7060

 808-737-4977

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

---

governments. This bill is an important next step so that we may be able to determine which areas sewer can be built out or where other conversion options are possible as well as to identify funding mechanisms and develop financing strategies to assist with cesspool conversions.

We applaud the state's effort in taking the lead and requiring the counties to develop a comprehensive integrated wastewater management plan and financial strategy to help meet the goal of converting 83,000 cesspools by 2050.

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







Email: [communications@ulupono.com](mailto:communications@ulupono.com)

SENATE COMMITTEE ON WAYS & MEANS  
Wednesday, February 22, 2023 — 10:00 a.m.

**Ulupono Initiative supports SB 428, Relating to Cesspools.**

Dear Chair Dela Cruz and Members of the Committee:

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

**Ulupono supports SB 428**, which requires each county to develop a comprehensive integrated wastewater management plan and financial strategy; and, requires each county to submit its respective plan and financial strategy to the Legislature.

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

Strategic planning and dedicated resources will need to go hand in hand in order to meet our 2050 goal of converting all cesspools. County planning will be helpful when determining how and when a statewide conversion rollout will occur.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata  
Director of Government Affairs

*Investing in a Sustainable Hawai'i*

**SB-428**

Submitted on: 2/17/2023 6:04:46 PM

Testimony for WAM on 2/22/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

We the People of Hawaii Have Decided that we will keep our Cess Pools. The County Operation is the Bigs Polutors in the State. We want nothing to do with this County Seweg system Operation!!!

**SB-428**

Submitted on: 2/18/2023 4:05:30 PM

Testimony for WAM on 2/22/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noel Morin	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee members,

I SUPPORT SB428. More urgency is required to mitigate the cesspool problem and the inadequate wastewater management systems in our state.

Sincerely,

Noel Morin

Climate, Sustainability, and Resilience Advocate

Hilo

**SB-428**

Submitted on: 2/20/2023 10:59:43 AM

Testimony for WAM on 2/22/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

I support SB430 SD1, which would establish a Hawai'i Farm to Food Bank Program and Hawai'i Food Assistance Program Special Fund. We should fund state food banks to purchase, store, and transport food grown or produced in Hawai'i to local communities for distribution. This program will serve the state's food needs, provide local food producers with a market to support their operations, and keep moneys circulating within the state to boost the local economy. Please pass this bill!

**SB-428**

Submitted on: 2/21/2023 9:06:51 AM

Testimony for WAM on 2/22/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

STRONG SUPPORT for sound county wastewater planning!