

STAND. COM. REP. NO.

3149

Honolulu, Hawaii

MAR 20 2024

RE: H.B. No. 1691
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Health and Human Services, to which was referred H.B. No. 1691, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to require newly installed or modified individual wastewater systems that are near the shoreline, or likely to pollute groundwater, to include denitrification capacity.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Hawai'i County Council; one member of the Kaua'i County Council; Hawai'i State Association of Counties; Wastewater Alternatives and Innovations LLC; Surfrider Foundation, Hawaii Region; Hawai'i Reef and Ocean Coalition; and twelve individuals.

Your Committees received comments on this measure from the Department of Health, University of Hawai'i Sea Grant College Program, University of Hawai'i Water Resources Research Center, and Hawai'i Association of REALTORS.

Your Committees find that wastewater systems have the potential to pollute groundwater and nearshore waters by



introducing elevated levels of contaminants, such as nitrogen, phosphorus, and pathogens. Your Committees recognize that a 2023 Hawaii-based study found that septic and cesspool pollution is a major driver of coral reef decline along the coastline of West Hawaii. According to testimony received by your Committees, the denitrification capacity in this measure requires a fifty percent reduction for total nitrogen, which is a standard that is widely used to meet the growing demand for nutrient reduction in coastal areas and sensitive environments. This measure will decrease threats from certain newly installed or modified individual wastewater systems to drinking water, human health, and significant harm to streams and coastal resources, including coral reefs.

Your Committees have amended this measure by:

- (1) Clarifying the definition of "denitrification capacity";
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1691, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1691, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Health and
Human Services,



JOY A. SAN BUENAVENTURA, Chair



MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* HB1691, HD1	Committee Referral: AEN/HHS, WAM	Date: 3/15/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
RICHARDS, III, Herbert M. "Tim" (VC)				✓
DECOITE, Lynn	✓			
RHOADS, Karl	✓			
AWA, Brenton				✓
TOTAL	3	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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***Only one measure per Record of Votes**

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* HB1691 HD1	Committee Referral: AEN / HHS, WAM	Date: 03/15/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton				✓
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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