

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)

In reply, please refer to:  
File:

**Testimony in SUPPORT of HB1759 HD1  
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 if the enforcement staffing is required from the Department.  
4 **Department Testimony:** The Department of Health (Department) supports this measure that  
5 requires every cesspool categorized as priority level 1 and priority level 2 according to the  
6 University of Hawaii 2022 Hawaii cesspool prioritization tool that is attached to or used by any  
7 housing or lodging that provides transient accommodations in the State, excluding cesspools  
8 granted exemptions by the Director of Health pursuant to section 342D-72 of Hawaii Revised  
9 Statutes, shall be upgraded, converted, or connected to a sewerage system.

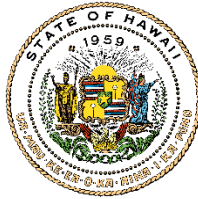
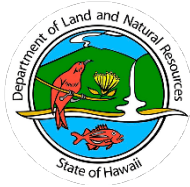
10 The Department respectfully requests that the specific enforcement procedures and  
11 staffing requirements be discussed and clarified with the appropriate agency or department for  
12 this measure. The Department supports cesspool conversion efforts managed by the counties.

13 **Offered Amendments:** None.

14 Thank you for the opportunity to testify.

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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I  
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 1759, HOUSE DRAFT 1  
RELATING TO CESSPOOLS

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

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

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

<sup>1</sup> 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

Josh Green  
GOVERNOR OF HAWAII



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~~House Committees on  
AGRICULTURE AND ENVIRONMENT  
AND  
HEALTH AND HUMAN SERVICES  
ENERGY & ENVIRONMENTAL PROTECTION  
AND  
COMMITTEE ON WATER & LAND**

**~~Tuesday-Wednesday, March~~ February 13, 2024  
1:02 P9:05 AM**

**State Capitol, Via Videoconference, Conference Room 325**

**In support of  
House Bill 1759 House Draft 1,  
RELATING TO CESSPOOLS**

Formatted: Hawaiian

House Bill 1759 House Draft 1 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. to a sewerage system before 1/1/2030. The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.

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.



**UNIVERSITY OF HAWAII SYSTEM**  
**‘ŌNAEHANA KULANUI O HAWAII**

Legislative Testimony  
Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

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Testimony Presented Before the  
Senate 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 1759 HD1 – 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 (WRRC) **support HB1759 HD1.**

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

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

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



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 HB1759 HD1 RELATING TO 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 the harm that cesspool pollution inflicts on our precious coral reefs and public health!

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**The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1759 HD1!**

Hawai'i has over 80,000 cesspools that put about 53 million gallons of raw sewage into our groundwater, streams and ocean every single day! This discharge

**exposes people to sewage pathogens that can make them sick.** The release of **nutrients** from cesspools through groundwater and streams into the ocean causes algae growth, which can **smother the coral reefs that are essential to protecting our shorelines, nurturing our fisheries, preserving water quality and enabling our lucrative recreational economy.** Sea level rise will further exacerbate the public health and environmental problems as it will cause more cesspools to overflow onto the surface.

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

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

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

**Please pass this bill!**

Mahalo!

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

Nutrient pollution from individual wastewater systems is harming our precious coral reefs and public health! Nutrients, particularly nitrogen, generally are not removed sufficiently by conventional septic systems. The release of **nutrients** from individual wastewater systems 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. Hawaii's coral reefs will die in warmer, more acidic, and rising oceans if we don't reduce nutrient pollution!**

This bill

**Please pass this bill with this clarifying amendment to protect our coral reefs from nutrient pollution by requiring denitrifying capacity for newly installed or modified individual wastewater systems near the shore or in areas where they are likely to pollute groundwater!**

Mahalo!

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



March 12, 2024

In Support of **HB1759 HD1** Relating to Cesspools  
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 HB1759 HD1**. This bill would create earlier deadlines for cesspool conversions for any housing that provides transient accommodations in Priority Areas 1 by 2035) and in Priority Areas 2 by 2040 to help the state meet its mandate under Act 125. This bill is important because it focuses on those who are not living in these homes but instead are profiting from short-term rentals and can better afford to convert their cesspools.

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 to convert the most polluting cesspools across the state, while also making sure that short-term rental properties aren't harming the environment or threatening public health in areas near sensitive water bodies, drinking water resources or coral reefs. Mahalo for your leadership on this issue and support of this bill.

Aloha,

*Stuart Coleman*

Stuart H. Coleman, Executive Director



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 1759, HD1, 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 1759, HD1, which 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. 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 and those that have transient accommodations will face if that mandate was moved forward to 2035 and 2040.

According to the Cesspool Working Group Final Report<sup>1</sup>, there are 13,821 cesspools categorized as Priority Level 1 and 12,367 cesspools categorized as Priority Level 2. This of course does not include the 55,237 Priority Level 3 cesspools that will still need to be converted by 2050. While we do not know how many of these Priority 1 and 2 cesspools are providing transient accommodations, it is important to note that cost, lack of county wastewater infrastructure, shortage of manpower and resources, and long waits for permits remain a challenge.

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

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<sup>1</sup> 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>

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 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.

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.

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<sup>2</sup> 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>

**HB-1759-HD-1**

Submitted on: 3/8/2024 6:02:47 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

I support HB1759

**HB-1759-HD-1**

Submitted on: 3/9/2024 10:37:10 AM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hilary Smith	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill! Cesspool owners have been given a "free ride" for too long, polluting the environment while everyone else has to pay for the damage it causes. It's time to stop letting this slide at the expense of future generations, and do the right thing.

**HB-1759-HD-1**

Submitted on: 3/9/2024 1:04:06 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to requiring 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.

**HB-1759-HD-1**

Submitted on: 3/10/2024 5:27:48 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Hixon	Individual	Support	Written Testimony Only

Comments:

Aloha: As a professional marine biologist, I urge you to pass HB 1759 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)

**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](mailto: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](mailto:cokcouncil@kauai.gov).

Sincerely,

ADDISON BULOSAN  
Councilmember, Kaua'i County Council

AAO:slr

**HB-1759-HD-1**

Submitted on: 3/11/2024 12:34:44 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Betsy Scolnik	Individual	Support	Written Testimony Only

Comments:

SUPPORT



**HB-1759-HD-1**

Submitted on: 3/11/2024 6:06:38 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

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

- U'ilani Naipo

**HB-1759-HD-1**

Submitted on: 3/12/2024 11:25:00 AM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Arianna Feinberg	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I am writing in strong support of HB1759 as we need to do everything in our power to eliminate cesspools as soon as possible.

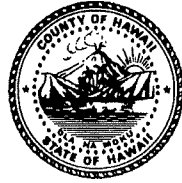
Thanks,

Arianna Feinberg

Makawao, Maui

**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 1759 HD1, which would require cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected before 2035 (Priority Level 1 areas) or before 2040 (Priority Level 2 areas).

On Hawaii Island, Priority 1 includes areas that are both ecologically sensitive and economically important to the visitor industry, including along Waikoloa Beach Drive, Puakō Beach Drive, and Kailua-Kona. Priority 2 includes areas around Keauhou and urban Hilo.

Accelerating the 2050 deadline in HRS 342D-72 for certain high-priority properties 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.

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

**HB-1759-HD-1**

Submitted on: 3/12/2024 11:34:06 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 1759 HD1**. This bill 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.

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

