

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB0734  
RELATING TO WASTEWATER SYSTEMS**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

January 30, 2025; 9:00 am; Room Number: 325

1 **Fiscal Implications:** The Department of Health ("Department") requests that this measure be  
2 considered as a vehicle to provide this needed funding so long as it does not supplant the  
3 priorities and requests outlined in the Governors executive budget request.

4 **Department Position:** The Department supports this measure offers a proposed amendment.

5 **Department Testimony:** The Environmental Management Division (EMD) provides the  
6 following testimony on behalf of the Department.

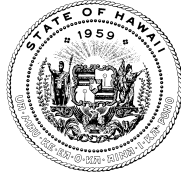
7 The Department supports this measure that requires the Department, in consultation  
8 with various agencies and professionals, to review rules and propose changes and appropriates  
9 funds for the Department to accomplish the scope of this bill.

10 **Offered Amendments:** The Department respectfully suggests inserting the sum of \$150,000 for  
11 each fiscal year to hire the consultant as stated in SECTION 3, Page 4, line 14.

12 Thank you for the opportunity to testify on this measure.

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

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



KALI WATSON  
CHAIRPERSON, HHC  
*Ka Luna Ho 'okele*

KATIE L. LAMBERT  
DEPUTY TO THE CHAIR  
*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, CHAIR  
HAWAIIAN HOMES COMMISSION  
BEFORE THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
HEARING ON JANUARY 30, 2025 AT 9:00AM IN CR 325

**HB 734, RELATING TO WASTEWATER SYSTEMS**

January 29, 2025

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee:

The Department of Hawaiian Home Lands (DHHL) **supports** this bill which requires the Department of Health, in consultation with various agencies and professionals to review rules and practices and propose changes that have the potential to make wastewater systems and cesspool upgrades more affordable without compromising water quality.

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 recognizes that it is critical that cesspool conversions be affordable for homeowners or lessees of Hawaiian Home Lands and government entities.

DHHL welcomes the opportunity to consult with the Department of Health on its rules and practices and propose changes that have the potential to make wastewater systems and cesspool upgrades in Hawaii more affordable without compromising water quality.

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 stand ready to work collaboratively on this issue.

Thank you for your consideration of our testimony.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Energy and Environmental Protection  
Thursday, January 30, 2025 at 9:00 am

By  
Darren T. Lerner, PhD  
Director, Sea Grant College Program,  
School of Ocean and Earth Science and Technology  
And  
Michael Bruno, PhD  
Provost  
University of Hawai'i at Mānoa

### H.B. 734 – RELATING TO WASTEWATER SYSTEMS

Chair Lowen, Vice Chair Perruso, and members of the committee:

Thank you for the opportunity to provide testimony on H.B. 734, which seeks to review and propose changes to wastewater system rules and practices to make cesspool upgrades more affordable without compromising water quality.

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) supports the intent of this bill, as addressing cesspool pollution is critical to protecting public health and preserving Hawaii's water quality.

However, Hawai'i Sea Grant respectfully requests to be removed from this initiative as outlined as a consulting entity. While Sea Grant offers expertise in coastal and environmental science, it does not possess specialized knowledge or capacity in assessing the financial feasibility or affordability of wastewater system upgrades. Other stakeholders, such as wastewater industry professionals, economists, or finance experts, may be better suited to address this critical aspect of the bill's objectives.

We appreciate the legislature's commitment to tackling cesspool pollution and exploring pathways to affordability without compromising water quality and urge the committee to advance H.B. No. 734 with adjustments to ensure that consultation efforts include entities with the appropriate expertise in affordability and financial analysis.

Thank you for the opportunity to testify on this important issue.



# Environmental Caucus of The Democratic Party of Hawai'i

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January 28, 2025

## Testimony in Support of HB734: Relating to Cesspools

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee on Energy and Environmental Protection,

We, Melodie Aduja and Alan Burdick, are testifying on behalf of the Environmental Caucus of the Democratic Party of Hawaii in strong support of HB734, which aims to address the environmental and public health issues caused by cesspools in Hawaii. This bill creates a Cesspool Conversion Section within the Department of Health's Wastewater Branch, responsible for facilitating the conversion of cesspools within the state. It also establishes and appropriates funds for positions within this new section.

### Key Points of Support:

1. **Environmental Protection:** HB734 will help protect Hawaii's natural resources by reducing pollution from cesspools. Cesspools discharge millions of gallons of wastewater into the state's groundwater daily, harming public health, drinking water, and marine ecosystems.
2. **Public Health:** By facilitating the conversion of cesspools, this bill will improve public health by reducing the contamination of drinking water sources and lowering the risk of waterborne diseases.
3. **Economic Benefits:** The establishment of the Cesspool Conversion Section will create jobs and support local businesses involved in the conversion process. Additionally, protecting coral reefs and other marine resources will benefit Hawaii's tourism and fishing industries.
4. **Compliance and Support:** HB734 provides the necessary resources and personnel to ensure compliance with the mandate to upgrade cesspools. This support will help homeowners and communities transition to more sustainable wastewater management systems.

In conclusion, the Environmental Caucus of the Democratic Party of Hawaii strongly supports HB734 and urges the committee to pass this important legislation. By addressing the environmental and public health issues caused by cesspools, we can ensure a cleaner, healthier, and more sustainable future for Hawaii.

Mahalo for the opportunity to testify in support of this critical bill.

Sincerely,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Haw



TO: House Committee on Energy & Environmental Protection  
Representative Nicole E. Lowen, Chair  
Representative Amy A. Perruso, Vice Chair

House Committee on Water & Land  
Representative Mark J. Hashem, Chair  
Representative Rachele F. Lamosao, Vice Chair

FROM: Lynn Miyahira representing Public Access to SunScreens (PASS) Coalition  
DATE: Thursday, Jan 30, 2025  
TIME: 9:00 AM  
PLACE: Conference Room 325 & Videoconference

**Re: HB 734**

**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.**

Hawaii faces a severe cesspool pollution problem, with over 83,000 cesspools discharging approximately 50 million gallons of raw sewage daily into our groundwater, streams, and oceans. This not only threatens our drinking water but also harms coral reefs that are vital to Hawaii's ecosystem and tourism economy.

Cesspool upgrades are necessary to address this crisis, but they are expensive, creating significant financial challenges for homeowners and governments alike. HB 734 takes a critical step toward addressing this issue by requiring the Department of Health (DOH) to review and update its outdated wastewater system rules, which have not been revised since 2015.

Updating these rules, including adopting practices proven effective in other jurisdictions, could improve public health and environmental protection while also lowering the costs of cesspool upgrades. DOH can collaborate with experts and other states to propose changes that make cesspool upgrades more affordable without compromising water quality.

This bill's focus on affordability, collaboration, and regulatory modernization is essential for solving Hawai'i's cesspool challenges. We strongly urge your support for this important measure.

Mahalo you for the opportunity to testify.

Sincerely,

Lynn Miyahira  
Public Access to SunScreens (PASS) Coalition



To: The Honorable Representative Nicole Lowen, Chair, the Honorable Amy Perruso, Vice Chair, and Members of the Committee on Energy and Environmental Protection.

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

Re: Hearing **HB734 RELATING TO WASTEWATER SYSTEMS**

Hearing: Thursday, January 30, 2025, 9:00 a.m. CR325

Aloha Chair Lowen, Vice Chair Perruso, and Energy and Environmental Protection Committee Members:

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.

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**The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB734!**

Pollution from cesspools is harming the health of Hawaii's people and quality of Hawaii's waters. Hawaii has more than eighty thousand cesspools that discharge about fifty million gallons of wastewater into the State's groundwater every day. Cesspools are antiquated, substandard systems that damage public health; pollute drinking water; and lower water quality in streams, ground waters, nearshore marine areas, and the ocean. Cesspool pollution also harms public recreation and the precious coral reefs on which Hawaii's economy, shoreline, fisheries, and native species depend.

Cesspool upgrades are expensive. We need to try to find ways to make them affordable for homeowners and governments. At a time when many residents of Hawaii are struggling to make



ends meet, our State may have an excellent opportunity to **save our people money** by updating the Department of Health's rules and practices. Department rules have not been upgraded since 2015.

Administrative rules adopted almost a decade ago currently may exclude some feasible affordable solutions. Updated rules and policies adopted in other states, if adopted by the department, may improve public health and the environment **more affordably** without compromising water quality.

This bill would require that the Department confer with various agencies, professionals, experts, and other states, review its rules and practices, and propose changes that have the potential to **make cesspool upgrades more affordable without compromising water quality**.

**Please pass this bill!**

Mahalo!

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



Date: January 29, 2025

To: Chair Lowen, Vice Chair Perruso, and members of the House Committee on Energy & Environmental Protection of the Hawai'i State Legislature

Re: HB 734, RELATING TO WASTEWATER SYSTEMS.

Thursday January 30, 2025

VIA VIDEOCONFERENCE

Conference Room 325

State Capitol

415 South Beretania Street

From: Erica Perez- Program Manager and Head of Sanitation

[eperez@coral.org](mailto:eperez@coral.org)

Coral Reef Alliance (CORAL)

Subject: Testimony in SUPPORT of HB 734, RELATING TO WASTEWATER SYSTEMS.

I am testifying in Support of HB 734 relating to wastewater systems on behalf of the Coral Reef Alliance (CORAL) and as a concerned community member of Moku O Keawe.

CORAL advocates for cesspool conversion as part of our kuleana to care for the oceans that sustain us and communities that rely on them.

As a member of the State Cesspool Working Group, I can attest to the need for cross-sectoral collaboration. With the appropriate agencies, divisions, NGO's and industry present, we can work with our communities to a successful cesspool conversion.

Cesspool upgrades are expensive. We need to try to find ways to make them affordable to homeowners and governments. We need workforce, inventive technologies, coupled with scalable solutions to safeguard community size conversions. Updating DOH rules and working with the Counties to streamline wastewater projects and policies, will expedite the cesspool conversion and allow us to meet our 2050 deadline.

DOH must confer with experts and other states and propose ways to update their rules to make cesspool upgrades more affordable without compromising water quality. CORAL has been working to remove cesspools across Hawaii for over ten years. Coral reefs are essential to shoreline protection for sea level rise, cultural practices, and community



well-being. HB734 will provide critical regulatory adjustments that will be essential in meeting our goal.

Our coral reefs and oceans are vital to Hawaii's identity and future. By addressing this pressing issue, we protect ecosystems that define our islands and ensure the health of our waters for future generations. The time to act is now—our oceans cannot wait. We are a member of The Ocean Legislative Task Force, a group of over 100 individuals from diverse environmental organizations, working together to safeguard marine ecosystems. Our collective expertise allows us to craft impactful strategies to protect Hawaii's waters.

In closing, CORAL Supports HB 734. Mahalo for the opportunity to testify on this important measure,

Sincerely,

Erica Perez  
Program Manager and Head of Sanitation  
eperez@coral.org  
Coral Reef Alliance



Jan., 28, 2025

In Support of **HB734 Relating to Wastewater Systems**  
House Committee on Energy & Environmental Protection (EEP)  
Hearing on Jan. 30, 2025, 9:00am, CR325

Aloha, Chair Lowen, Vice-Chair Peruso and Committee Members:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **strong support of HB734**. This bill requires the Hawaii Department of Health to work with consultants and industry leaders to review and update its rules and regulations to make wastewater systems and cesspool upgrades more affordable and efficient.

Cesspool conversions can be costly, and we need to try to find ways to make upgrades more **affordable**. Following the examples of other states and municipalities, the DOH guidelines for wastewater treatment (HAR 11-62) need to be updated so that they can include more efficient treatment systems, technologies and practices. For instance, Hawaii has some of the highest daily flow rates in the country (200 gallons per day per bedroom), and these inflated rates dramatically increase the costs to convert cesspools.

Hawaii has more than 83,000 cesspools across the state, discharging 52 million gallons of raw sewage each day into Hawaii's waters. Along with threats to public health and drinking water resources, new research shows that 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.

WAI is an environmental non-profit dedicated to protecting our water resources by reducing sewage pollution from cesspools. We support more innovative, affordable, and eco-friendly solutions to wastewater management. Better sanitation systems protect public health and valuable natural resources like groundwater, streams, coral reefs and coastal areas.

Hawaii is struggling with serious sewage pollution, and the state has a mandate to make sure all cesspools are converted in the next two decades. This bill would upgrade the rules and regulations for wastewater treatment and could lower the costs of upgrading cesspools. Mahalo for your leadership on this issue and support of this bill.

Aloha,

*Stuart Coleman*

Stuart H. Coleman, Executive Director



To: Nicole E. Lowen, Chair Committee on Energy & Environmental Protection

Re: HB 734 Relating to Wastewater Systems  
Thursday, January 30, 2025 9:00AM  
VIA VIDEOCONFERENCE  
Conference Room 325  
State Capitol  
415 South Beretania Street

From: Hanna Puentes- Project Coordinator (Hawai'i)  
info@hawaiiwaiola.com  
Hawai'i Wai Ola

Subject: I am testifying in Support of HB 734 Relating to Wastewater Systems.

I am testifying in Support of HB 734 relating to Wastewater Systems on behalf of Hawai'i Wai Ola (HWO) and as a concerned community member of Moku o Keawe. HWO is a Hawai'i Island based multi-organization initiative that produces quality assured, publicly-available nearshore water quality data. Since 2018, HWO has collected, analyzed, and reported on water quality throughout Hawaii County, the leading contributor of cesspools across the State, to safeguard our communities and marine ecosystems from sewage contamination. As an advocate for clean water initiatives, I can attest to the challenges of cesspool conversions, including high costs for homeowners and the technical hurdles faced in remote areas. Any actions that reduce costs and provide practical solutions without compromising water quality will greatly support HWO's mission.

The task of reviewing wastewater rules and identifying cost-saving measures is critical to mitigating cesspool pollution, which impacts groundwater and nearshore ecosystems. To achieve this, sufficient funding should be allocated to enable continued collaboration among local experts, agencies, and community stakeholders.

In closing, HWO Supports HB 734 Thank you for the opportunity to provide this testimony.

Sincerely,

Hanna Puentes, Project Coordinator (Hawai'i)  
info@hawaiiwaiola.com  
Hawaii Wai Ola

**Testimony of The Nature Conservancy  
Supporting HB 749, Wastewater Systems.  
Committee on Energy and Environmental Protection  
January 30, 2025, 9:00 am**

Dear Chair Lowen, Vice Chair Perruso, and Members of the Committee:

The Nature Conservancy (TNC), Hawai'i and Palmyra supports HB734 which would require the Department of Health, in consultation with various agencies and professionals, to review rules and practices and propose changes that have the potential to make wastewater systems and cesspool upgrades more affordable without compromising water quality.

Science conducted by TNC and partners has shown that wastewater, particularly cesspools, are detrimental to the coral reefs which protect our coastlines and underpin our economy. Without clean coastal waters reef ecosystems are put at even greater risk in the face of growing global stressors including climate change.

Cesspools 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. Our research in He'eia, Maunalua, Olowalu, Hana and South Kohala has shown direct evidence of cesspool contamination in streams and coastal waters using a variety of bioindicators and chemical signatures.

HRS11-62 governs our state's wastewater systems and has not been updated in ten years. A thorough review of HRS11-62 would enable proven experts and working professionals to establish new best practices to the guidelines that control how the contaminants are removed from wastewater systems, including critical changes that can make cesspool upgrades cheaper while increasing protections to human and environmental health.

Mahalo for the opportunity to testify in support HB734.

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*Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 nature preserves and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.*

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**HB-734**

Submitted on: 1/28/2025 12:06:52 PM

Testimony for EEP on 1/30/2025 9:00:00 AM

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

Comments:

I Support!

**HB-734**

Submitted on: 1/28/2025 12:38:17 PM

Testimony for EEP on 1/30/2025 9:00:00 AM

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

## Comments:

Tens of thousands of Hawaii homeowners are under an approaching mandate to close their cesspools. In most cases, the only replacement option currently approved by the DOH is a septic system. Septic systems are so expensive as to be unaffordable for many homeowners, yet do not eliminate the nitrates and phosphates which are damaging to the nearshore ecosystem. Many new individual wastewater treatment technologies are being developed which are both more environmentally friendly and more affordable, yet these are not available to Hawaii homeowners because the DOH has not approved them. DOH desperately needs a mandate, and funding, to investigate these new (and some old) technologies, determine which ones are suitable for Hawaii, and approve those systems to provide alternatives to septic. Please vote in favor of HB734.



**HB-734**

Submitted on: 1/28/2025 1:09:35 PM

Testimony for EEP on 1/30/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Aliya Smigel	Individual	Support	Written Testimony Only

Comments:

DOH Rules should be upgraded to match the dire cesspool crisis in hawaii. It has the potential to protect hawai'i water from wastewater pollution and protect the people who live and travel here.

**HB-734**

Submitted on: 1/28/2025 10:51:45 PM

Testimony for EEP on 1/30/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I support HB734 that requires the Department of Health, in consultation with various agencies and professionals, to review rules and practices and propose changes that have the potential to make wastewater systems and cesspool upgrades more affordable without compromising water quality. Cesspool upgrades are expensive. We need to try to find ways to make them affordable to homeowners and governments. Please pass this important measure.