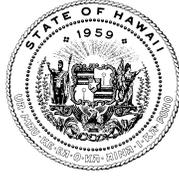


JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

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



KALI WATSON
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 SENATE COMMITTEES ON HEALTH & HUMAN SERVICES
AND AGRICULTURE & ENVIRONMENT
HEARING ON MARCH 12, 2025 AT 1:00PM IN CR 225

HB 734, HD 1, RELATING TO WASTEWATER SYSTEMS

March 11, 2025

Aloha Chairs San Buenaventura and Gabbard, Vice Chairs Aquino and Richards, and Members of the Committees:

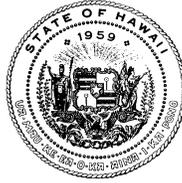
The Department of Hawaiian Home Lands (DHHL) **supports** this bill which 1) requires the Department of Health, in consultation with various agencies and professionals, to review rules and practices and propose changes that have the potential to make wastewater systems and cesspool upgrades more affordable without compromising water quality and 2) appropriates funds.

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.



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 HD1
RELATING TO WASTEWATER SYSTEMS.

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

March 12, 2025; 1:00 pm; Room Number: 225

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 and offers a proposed
5 amendment.

6 **Department Testimony:** The Environmental Management Division Wastewater Branch
7 (EMD-WWB) provides the following testimony on behalf of the Department.

8 The Department supports this measure that requires the Department, in consultation
9 with various agencies and professionals, to review rules and propose changes. Funds are
10 appropriated for the Department to accomplish the scope of this measure.

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

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

March 12, 2025

The Honorable Joy A. San Buenaventura, Chair

Senate Committee on Health and Human Services

The Honorable Mike Gabbard, Chair

Senate Committee on Agriculture and Environment
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 734, HD1, Relating to Wastewater Systems

HEARING: Wednesday, March 12, 2025, at 1:00 p.m.

Aloha Chair San Buenaventura, Chair Gabbard, 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 10,000 members. HAR **supports** House Bill 734, HD1, 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. Appropriates funds. Effective 7/1/3000

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 priorities¹ across the State and 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.

Costs will vary greatly depending on resources, labor, permitting delays, property terrain, and other variables. According to the Cesspool Conversions Finance Research Report prepared for the Department of Health ("DOH"), "historical costs of cesspool upgrades to approved systems range widely from approximately \$9,000 to \$60,000 or more depending on the wastewater system capacity (based on bedroom count), technology, and location or site constraints."² Due to the large costs to convert, HAR believes that by the DOH working with agencies and experts to review its rules and practices and propose changes that make wastewater systems and cesspool upgrades more affordable can help with the affordability for homeowners.

Mahalo for the opportunity to testify on this measure.

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

² Carollo. (January 21, 2021). *Cesspool Conversion Finance Research Report*.
<https://health.hawaii.gov/wastewater/files/2021/02/financefinalreportr.pdf>

**Testimony of The Nature Conservancy
Supporting HB734 HD1, Relating to Wastewater Systems.
Committee on Health and Human Services
Committee on Agriculture and Environment
March 12, 2025 at 1:00 pm**

Dear Chairs Buenaventura and Gabbard, Vice Chairs Aquino and Richards, and Members of the Committee:

The Nature Conservancy (TNC), Hawai'i and Palmyra supports HB734 HD1, 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 HD1.

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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March 11, 2025

In Support of **HB734 HD1 Relating to Wastewater Systems**
Senate Committees on Health & Human Serv. (HHS) & Agriculture & the Environ. (AEN)
Hearing on Wed., March 12, 2025, 1:00pm, CR308

Aloha, Chairs San Buenaventura & Gabbard, Vice-Chairs Aquino & Richards, & Committee Members:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **strong support of HB734 HD1**. 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 high 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: The Honorable Senators Joy San Buenaventura and Mike Gabbard, Chairs, the Honorable Senators Henry Aquino and Tim Richards, III, Vice Chairs, and Members of the Committees on Health and Human Services and Agriculture and Environment.

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

Re: **Hearing HB734 HD1 RELATING TO WASTEWATER SYSTEMS**

Hearing: Wednesday March 12, 2025 1:00 p.m. Rm.225

Aloha Chairs San Buenaventura and Gabbard, Vice Chairs Aquino and Richards, and Members of the Committees on Health and Human Services and Agriculture and Environment!

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 Hawai'i's coral reefs and ocean.

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB734 HD1!

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)



Environmental Caucus of The Democratic Party of Hawai'i

March 8, 2025

Testimony in Support of HB734, HD1 - Relating to Wastewater Systems

To: Chairs Joy A. San Buenaventura and Mike Gabbard; Vice Chairs Henry J.C. Aquino and Herbert M. "Tim" Richards, III; and Members of the Committees on Health and Human Services and Agriculture and Environment

From: The Environmental Caucus of the Democratic Party of Hawaii

Date: March 12, 2025, 1:00 p.m.

Location: Conference Room 225 & Videoconference

Re: HB734, HD1 – Relating to Wastewater Systems

Dear Chairs San Buenaventura and Gabbard, Vice Chairs Aquino and Richards, and Members of the Committees,

The Environmental Caucus of the Democratic Party of Hawaii strongly supports HB734, HD1, which requires the Department of Health, in consultation with various agencies and professionals, to review rules and practices and propose changes to make wastewater systems and cesspool upgrades more affordable without compromising water quality. This measure is a critical step toward addressing Hawaii's wastewater challenges while safeguarding our environment and public health.

Key Points in Support:

1. **Affordability Without Sacrificing Quality:** HB734, HD1 strikes a balance between economic feasibility and environmental responsibility. By reviewing and proposing changes to existing rules, this bill ensures that cesspool upgrades and wastewater systems are accessible to more residents without compromising water quality.
2. **Protecting Hawaii's Water Resources:** Clean water is essential for the health of our communities and ecosystems. This bill prioritizes the protection of Hawaii's water resources by maintaining stringent water quality standards while exploring cost-effective solutions.
3. **Collaborative Approach:** The requirement for the Department of Health to consult with various agencies and professionals ensures a comprehensive and informed review process. This collaborative approach increases the likelihood of identifying innovative and practical solutions.

4. **Funding for Implementation:** The appropriation of funds demonstrates the Legislature's commitment to addressing this issue effectively. Adequate funding is crucial for conducting thorough reviews and implementing necessary changes.

We commend the Legislature for its proactive approach to addressing Hawaii's wastewater challenges and urge the Committees to pass HB734, HD1. This measure represents a significant step toward sustainable and equitable wastewater management in our state.

Thank you for the opportunity to testify in support of this important legislation.

Sincerely, Melodie Aduja and Alan Burdick

Co-Chairs, Environmental Caucus of the Democratic Party of Hawaii



March 11, 2025

Senate Committee on Health and Human Services
Senate Committee on Agriculture and Environment
Hawai'i State Legislature
Via Electronic Transmission

Re: Testimony in SUPPORT of HB 734 HD1, Relating to Wastewater Systems
Hearing: Wednesday, March 12, 2025, 1:00 PM CR 225 & Via Videoconference

To: The Honorable Chairs Gabbard and Buenaventura, Vice Chairs Richards and Aquino and members of the committees

Surfrider Foundation Hawai'i Region, **strongly supports HB734 HD1**, which requires the Hawaii Department of Health to collaborate with consultants and industry experts to update regulations related to wastewater systems and cesspool conversions, making these upgrades more affordable and efficient.

Hawai'i faces public health and environmental threats due to outdated wastewater management systems, particularly the extensive use of cesspools. Currently, more than 83,000 cesspools across the state discharge approximately 52 million gallons of untreated sewage daily into our groundwaters and nearshore waters. Their contamination jeopardizes drinking water supplies, public health, and our marine ecosystems, including coral reefs, which are essential to Hawaii's environmental health and economy.

Existing wastewater regulation (HAR 11-62) set wastewater flow rates at some of the highest levels in the country at 200 gallons per day per bedroom. These high rates greatly increase the conversion costs of cesspool conversions. Modernizing these rules to align with best practices can reduce conversion costs and accelerate the statewide transition to safer, more sustainable wastewater solutions.

Surfrider Foundation is dedicated to the protection and enjoyment of the world's oceans, waves, and beaches through conservation, activism, research, and education. We advocate for innovative, affordable, and environmentally sustainable solutions to wastewater management, as these directly impact coastal water quality and ecosystem health.

We urge you to support HB734 HD1 and advance practical solutions that protect public health, safeguard our marine environments, and support communities across Hawaii.

Mahalo for your consideration and leadership on this vital issue.

Sincerely,

Hanna Lilley
Hawai'i Regional Manager
Surfrider Foundation



TO: Senate Committees HHS/AEN

FROM: Lynn Miyahira representing Public Access to SunScreens (PASS) Coalition

DATE: March 12, 2025

TIME: 1:00pm

Re: HB 734 HD1

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

HB-734-HD-1

Submitted on: 3/10/2025 8:36:05 AM

Testimony for HHS on 3/12/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Betsy Scolnik	Individual	Support	Written Testimony Only

Comments:

GET THIS DONE!!!!!!!!!!!!!! PEOPLE ARE ENDING UP WITH ILLNESS/INFECTIONS ALL THE TIME!!!!!!!!!!!!!!

HB-734-HD-1

Submitted on: 3/9/2025 1:37:50 PM

Testimony for HHS on 3/12/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
robin knox	Individual	Support	Written Testimony Only

Comments:

We have to address cespools to protect drinking water and ocean water quality. People are not converting to better treatment because it is not affordable. This is a matter of public health and expenditure of state funds to resolve the problem is appropriate

HB-734-HD-1

Submitted on: 3/7/2025 1:46:22 PM

Testimony for HHS on 3/12/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sina Pruder	Individual	Comments	Written Testimony Only

Comments:

I am a licensed professional civil engineer that has worked for the Department of Health's Wastewater Branch for 30 years. All wastewater systems are designed by licensed engineers. Wastewater systems are designed to treat untreated wastewater to meet minimum water quality standards. These are engineered systems designed by qualified engineers that are licensed professional engineers.

Individuals that do not have an engineering education and background really should not be consulted to provide feedback on proposed designs for wastewater systems. They do not have the education and/or work experience background to provide such feedback.

Consultation in this measure should be limited to engineering design consultants, engineers of other state and county agencies, the university engineering professors and graduate students and the department of health engineers.

HB-734-HD-1

Submitted on: 3/7/2025 6:44:07 PM

Testimony for HHS on 3/12/2025 1:00:00 PM

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

Comments:

I strongly support HB734. Technologies exist and are being developed that will provide solutions for individual wastewater processing that are both more effective and more affordable than what is currently available in Hawaii. However we cannot avail ourselves of these superior technologies unless the DOH approves them. This measure is urgently needed to enable us to achieve our goal of replacing the 80,000+ cesspools in our state with systems that do not threaten our health.

HB-734-HD-1

Submitted on: 3/11/2025 9:50:44 AM

Testimony for HHS on 3/12/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christina Comfort	Individual	Support	Written Testimony Only

Comments:

I am a water quality scientist based in Pupukea, Hawaii, and I work on wastewater pollution issues all over the state. Cesspools cause water pollution, algae overgrowth smothering reefs, and lower reef resilience, as well as cause public health issues by exposing ocean users to pathogens in untreated wastewater. In every community I've worked with, residents want to do the right thing and convert their cesspools, but both the cost and the process for getting a cesspool converted are difficult for most homeowners. The cost of around \$40-50k is untenable for many homeowners, and the current rules and approval process could be easier and more streamlined. To protect our reefs, I support this bill to work on reducing costs and making cesspool conversions more efficient.

LATE

Aloha mai kākou,

My name is Mariko Quinn and I am in **strong support** of HB 734.

Cesspools are a major environmental threat to our ‘āina and waters and it is imperative that they are upgraded in order to better protect the places we live in. While there has been significant legislation requiring upgrades to cesspools and supporting funding for it, many homeowners still find these costs to be too high and struggle with DOH approvals.

Streamlining this process and better supporting the process to upgrade cesspools is an important step in helping the process of conversion to be better implement across Hawai‘i.

I strongly urge you to pass this bill.

Thank you,
Mariko