

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

Testimony COMMENTING on HB0735 HD2
RELATING TO WASTEWATER.

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

February 20, 2025; 12:00 pm; Room Number: 308

1 **Fiscal Implications:** None.

2 **Department Position:** The Department of Health ("Department") comments on this measure.

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

5 This measure proposes to allow an individual wastewater system (IWS) to serve up to
6 five bedrooms, regardless of the quantity of dwellings, dwelling units, or accessory units,
7 whether the dwellings, dwelling units, or accessory units are attached or detached, provided
8 that this shall not apply to any new requests to connect additional bedrooms, dwellings,
9 dwelling units, or accessory units to an existing cesspool.

10 The Department is currently researching scientific literature and data to determine the
11 quantifiable effect of the quantity of dwellings generating domestic wastewater flows in gallons
12 per day for residential properties in the United States and Hawai'i. This measure may be
13 problematic if scientific literature and data determines that the IWS is not able to treat the
14 generated wastewater flow.

1 Hawai'i Administrative Rules, Section 11-62-03¹ defines "bedroom," "dwelling," and
2 "dwelling unit." A "dwelling unit" cannot be detached from a "dwelling." County definitions for
3 "bedroom," "dwelling," and "dwelling unit," would not be applicable.

4 The Department is concerned that this proposed measure may inadvertently allow
5 dwellings, dwelling units, or accessory units which are connected to existing cesspools to add
6 one (1) or more bedrooms for a total of up to five (5) bedrooms and remain on the existing
7 cesspool. The flow generated by the occupants of the additional bedroom may cause a spill
8 from the existing cesspool.

9 **Offered Amendments:** The Department respectfully suggests the following revisions to
10 proposed measure. Additions appear as double underlined and deletions appear as bracketed
11 strikeouts.

12 SECTION 2, Page 2, lines 4-12: " ~~§342D-~~ Individual wastewater system; dwelling
13 units. An individual wastewater system may serve up to five bedrooms, regardless of the
14 number of

15 (1) Dwellings or dwelling units; or

16 (2) Accessory units as defined by the counties[7];

17 whether the dwellings, dwelling units, or accessory units are attached or detached; provided
18 that this section shall not apply to any new requests to connect additional bedrooms, dwellings,
19 dwelling units, or accessory units to an existing cesspool."

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

¹ <https://health.hawaii.gov/opppd/files/2015/06/11-62-Wastewater-Systems.pdf> (PDF pages 8 and 10)

COUNTY COUNCIL

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 18, 2025

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 735, HD 2, RELATING TO WASTEWATER
House Committee on Finance
Thursday, February 20, 2025
12:00 p.m.
Conference Room 308
Via Videoconference**

Dear Chair Yamashita and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 735, HD 2, Relating to Wastewater. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 735, HD 2, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 735, 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.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:dmc

KAUA'I COUNTY HOUSING AGENCY

ADAM ROVERSI, DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

Testimony of Adam P. Roversi
Director, Kaua'i County Housing Agency

Before the
House Committee on Finance
Thursday, February 20, 2025, at 12:00 p.m.
Conference Room 308 & Videoconference

In consideration of
House Bill 431 Relating to Housing

Honorable Chair Kyle T. Yamashita, Vice Chair Jenna Takenouchi, and Members of the Committee:

The Kaua'i County Housing Agency **strongly supports** HB735, HD2, allowing an approved individual wastewater system to serve up five bedrooms regardless of the number of dwellings, dwelling units, or accessory units among which the five bedrooms are distributed.

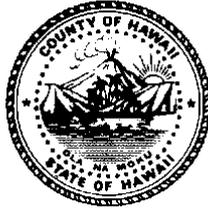
The Kauai County zoning code has been amended to allow for increased residential density in the form of additional dwelling units (ADU), additional rental units (ARU), and tiny homes to better and more flexibly address our affordable housing crisis. Wastewater regulations have not, however, kept up with these zoning innovations.

Much of Kauai is not served by municipal sewer systems leaving homeowners dependent on individual septic systems. The current regulations allowing a maximum of two dwelling units to connect to a septic system regardless of the size of the units unnecessarily constrains property owners from adding additional units to their properties even when they have unused septic system capacity. HB735, HD2 will remove this barrier hopefully allowing for additional affordable housing.

Thank you for the opportunity to testify in support, and for your consideration.



C. Kimo Alameda, Ph.D.
Mayor



William V. Brillhante, Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director

County of Hawai'i ~ Office of the Mayor

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TO: Rep. Kyle T. Yamashita, Chair
Rep. Jenna Takenouchi, Vice Chair
Committee on Finance

FROM: C. Kimo Alameda, PhD. Mayor

DATE: February 19, 2025

SUBJECT: SUPPORT OF HB735, HD2, RELATING TO CESSPOOLS

Aloha Chair, Vice Chair, and esteemed members of the Committee,

I am writing to express my strong support for HB 735, HD2, which allows individual wastewater systems (IWS) to serve up to five bedrooms, regardless of the number or configuration of dwellings, dwelling units, or accessory units. This clarification addresses inconsistencies in current rules and ensures that modern and diverse housing configurations, such as guest houses or exterior bedrooms, can efficiently utilize IWS without unnecessary restrictions.

By allowing flexibility in how IWS is applied, this bill supports sustainable wastewater management, aligns with evolving housing needs, and ensures that systems are used effectively without compromising public health or the environment. I urge the passage of HB 735, HD2.

Mahalo for your time and consideration.



Testimony in Strong Support of HB 735 HD2

Hearing Date: February 20, 2025

Committee on Finance

Aloha Chair Yamashita, Vice Chair, and Members of the Committee on Finance,

My name is Joel Guy, and I **strongly support HB 735 HD2**. In Hanalei, we have no sewer system, and adding multiple septic systems creates **unnecessary costs** and space constraints. Current wastewater regulations make it difficult to build practical housing solutions, even when environmental protections are met.

This bill provides much-needed flexibility while ensuring responsible wastewater management. Please pass H.B. 735 to support sustainable housing in rural communities like ours.

Mahalo for your time and consideration.

Sincerely,
Joel Guy

Executive Director



www.hanaleiinitiative.org

(808) 635-2074

Feb. 20, 2025, 12 p.m.
Hawaii State Capitol
Conference Room 308 and Videoconference

To: House Committee on Finance
Rep. Kyle Yamashita, Chair
Rep. Jenna Takenouchi, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: HB735 HD2 — RELATING TO WASTEWATER

Aloha Chair Yamashita, Vice-Chair Takenouchi and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [HB735 HD2](#), which would allow a septic system to serve up to five bedrooms, regardless of the number of dwellings attached to it.

Current state Department of Health rules allow certain septic systems to have five bedrooms connected to them; however, their definition of “dwelling unit” excludes certain types of living arrangements.¹

The rules consider a dwelling unit as “any habitable room or group of habitable rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.”² But this language excludes guest houses that do not have kitchens and dwellings that might have extra rooms located outside of them, such as a completely detached room.

Amending the definition would give small-scale builders more flexibility in constructing housing to meet their needs, county zoning rules and individual lot configurations.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ “[Wastewater Systems](#),” Title 11, Chapter 62, Hawaii Administrative Rules, May 21, 2016, p. 49.

² [Ibid](#), p. 10.