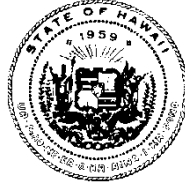


JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
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HONOLULU, HAWAII 96813
FAX: (808) 587-0600

Statement of
DEAN MINAKAMI
Hawaii Housing Finance and Development Corporation
Before the

**HOUSE COMMITTEE ON WATER & LAND
AND
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

February 11, 2025 at 10:00 a.m.
State Capitol, Room 411

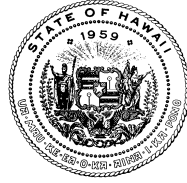
In consideration of
H.B. 798 HD1
RELATING TO WASTEWATER MANAGEMENT.

Chairs Hashem and Lowen, Vice Chairs Lamosao and Perruso, and members of the Committees.

HHFDC **supports** HB 798 HD1, which clarifies the exemptions to the prohibition on discharging any wastewater or raw sewage into state waters after December 31, 2026, including an exemption for treatment plants having a treatment capacity of less than a certain number of gallons per day.

This bill will allow the County of Maui to move forward with plans for the Waikapu Wastewater Treatment Plan and allow affordable housing to be developed.

Thank you for the opportunity to testify on this bill.



JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA 'O HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
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KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

**Testimony in SUPPORT of HB0798 HD1
RELATING TO WASTEWATER MANAGEMENT.**

REPRESENTATIVE MARK J. HASHEM, CHAIR
HOUSE COMMITTEE ON WATER & LAND

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

February 11, 2025; 10:00 AM; Room Number: 411

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health ("Department") supports this measure
3 offering comments and proposed amendments.

4 **Department Testimony:** The Environmental Management Division Clean Water Branch
5 (EMD-CWB) provides the following testimony on behalf of the Department.

6 The proposed bill utilizes the term "wastewater" throughout the statute to replace the
7 term "treated sewage," and in doing so appears to increase the scope of this prohibition to
8 existing facilities currently allowed to discharge wastewater to State waters under a National
9 Pollutant Discharge Elimination System (NPDES) permit from the Department. Section 342D-1,
10 Hawaii Revised Statutes (HRS) defines "wastewater" to mean any liquid waste, whether treated
11 or not, and whether animal, mineral, or vegetable including agricultural, industrial, and thermal
12 wastes.

13 Examples of existing facilities that could be affected include power generating stations,
14 aquariums, hotels, office buildings, aquaculture operations, refineries, and drydocks. These
15 existing facilities are not treatment plants, so the exclusion to the wastewater or raw sewage

1 prohibition would not apply to them. The unintended consequence is that these existing
2 facilities would be prohibited from discharging to State waters after December 31, 2026,
3 regardless of their NPDES permit.

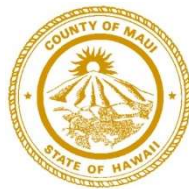
4 **Offered Amendments:** The Department respectfully suggests the following revisions to the
5 proposed bill to make the statute applicable only to treatment plants to avoid the unintended
6 consequences described above. Additions appear as double-underlined and deletions appear as
7 bracketed double-strikeouts.

8 SECTION 1, page 1, lines 3-8: “[~~§~~§342D-50.5~~]—Treated~~ Wastewater or raw sewage;
9 **prohibition.** (a) Notwithstanding any other law to the contrary, no [~~person, including any~~
10 ~~public body,~~ treatment plant] shall discharge any [~~treated~~] wastewater or raw sewage into state
11 waters after December 31, 2026; provided that this section shall not apply to a [~~sewage~~]
12 treatment plant that: ...”

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

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

TO: Representative Mark J. Hashem, Chair
Representative Rachele F. Lamosao, Vice Chair
Committee on Water and Land

FROM: Richard T. Bissen, Jr., Mayor
Shayne Agawa, Director of Department of Environmental Management

DATE: February 10, 2025

SUBJECT: **SUPPORT with COMMENTS OF HB798 HD1, RELATING TO WASTEWATER MANAGEMENT**

Thank you for the opportunity to testify in **SUPPORT and provide COMMENTS** for this important measure which clarifies the exemptions to the prohibitions on discharging any wastewater or raw sewage into state waters after December 31, 2026, including an exemption for treatment plants having a treatment capacity of less than a certain number of gallons per day.

Our comments are as follows:

1. Wastewater has a broad definition which includes other facilities other than treatment plants. Therefore, we recommend changing “person, including any public body” to “treatment plant” on Line 5 of HB798 HD1.
2. We also recommend removing “has a treatment capacity of less than (blank) gallons per day” on Line 14 and 15 of HB798 HD1 since Lines 9 and 10 has been struck out. This exemption is only necessary if Lines 9 and 10 remain in the bill.

Mahalo for your consideration.