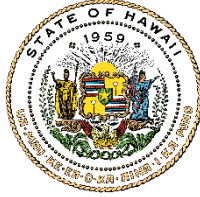


**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**RYAN K.P. KANAKA'OLE**  
FIRST DEPUTY

**CIARA W.K. KAHAHANE**  
DEPUTY DIRECTOR - WATER

**BRIAN J. NEILSON, ADMINISTRATOR**  
DIVISION OF AQUATIC RESOURCES

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA  
DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
HONOLULU, HAWAII 96813**

**Testimony of  
DAWN N. S. CHANG  
Chairperson**

**Before the Senate Committee on  
AGRICULTURE AND ENVIRONMENT**

**Monday, January 27, 2025  
1:00 PM  
State Capitol, Conference Room 224 & Videoconference**

**In consideration of  
SENATE BILL 329  
RELATING TO WATER POLLUTION**

Senate Bill 329 proposes to require at least fifty per cent of treatment works effluent to be R-1 recycled water by January 1, 2045 and amends the year by which no treated or raw sewage shall be discharged into state waters from 2026 to 2030. **The Department of Land and Natural Resources (Department) appreciates the intent of this bill and provides the following comments.**

As an island state where water is a precious and valuable resource, reusing recycled water for non-potable purposes helps conserve fresh water resources. However, the shift of the date by which no person or public body shall discharge treated or raw sewage into state waters from 2026 to 2030 allows for an extra four years of potential pollution into state waters. Clean nearshore waters are vital to both public health and the health of nearshore reefs and associated fisheries.

The Department recommends retaining the 2026 deadline to ensure timely action in eliminating sewage discharge into state waters.

Mahalo for the opportunity to provide comments on this measure.

JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LT. GOVERNOR



WENDY GADY  
EXECUTIVE DIRECTOR

STATE OF HAWAII  
**AGRIBUSINESS DEVELOPMENT CORPORATION**  
HUI HO'OULU AINA MAHIAI

TESTIMONY OF WENDY L. GADY  
EXECUTIVE DIRECTOR  
AGRIBUSINESS DEVELOPMENT CORPORATION

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
January 27, 2025  
1:00 p.m.  
Conference Room 224 & Videoconference

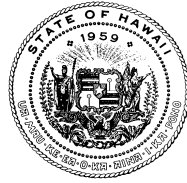
SENATE BILL NO. 329  
RELATING TO WATER POLLUTION

Chair Gabbard, Vice Chair Richards, and Members of the Committee:

Thank you for the opportunity to testify in **support** of Senate Bill No. 329, which requires at least 50% of treatment works effluent to be R-1 recycled water by January 1, 2045 and amends the year by which no treated or raw sewage shall be discharged into state waters from 2026 to 2030.

The Agribusiness Development Corporation (ADC) supports the reuse of a critical water resource. Realizing that the recycled water is a valuable "drought-proof" source of irrigation water because wastewater is generated every day. Reuse of treated water will reduce demands on groundwater and outfalls into state waters.

We respectfully urge you to support this measure and prioritize its passage. Thank you for your attention to this critical issue and for your commitment to advancing Hawaii's agricultural future. 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 COMMENTING on SB0329  
RELATING TO WATER POLLUTION**

SENATOR MIKE GABBARD, CHAIR  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: 01/27/2025

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.

4 **Department Testimony:** The Department provides comments on SECTION 1 of this bill and  
5 supports SECTION 2 of this proposed bill with amendments.

6 SECTION 1 requires "[b]y January 1, 2045, no less than fifty per cent [50%] of treatment  
7 works effluent be recycled water classified as R-1 and that is suitable for use in recycled water  
8 systems." The Department has concerns that this proposed bill will impact both public and  
9 private wastewater treatment works (also known as sewage or wastewater treatment plant).  
10 While 50% R-1 effluent is a goal that the Department supports, the environmental benefit for this  
11 expensive effort would depend upon the demand for the R-1 effluent by reuse water consumers  
12 such as irrigation for golf courses, subdivisions, government right-of-ways, etc. The wastewater  
13 treatment works producing the greatest quantity of effluent are those operated by the counties.  
14 The counties are already struggling to add sewer collection systems and wastewater treatment  
15 works capacity to add properties which are on existing cesspools. This requirement will likely be  
16 counterproductive to the current requirement to convert cesspools by January 1, 2050.

17 SECTION 2 amends Section 342D-50.5, Hawaii Revised Statutes (HRS): The proposed  
18 bill moves the date out from December 31, 2026 to December 31, 2030. This will provide  
19 additional time for those impacted by this bill to comply; however, an additional four years  
20 would likely be insufficient. The proposed bill also adds the conditions that a sewage treatment

1 plant is exempt from this prohibition when a treatment plant's primary outfall is not located in  
2 state waters. The Department assumes this to be interpreted to mean the treatment plant's  
3 effluent does not discharge to state waters. The Department believes prohibiting discharges from  
4 sewage treatment plants to state waters would pose a social conundrum as all discharges from a  
5 treatment plant have the potential to reach state waters. For example, ground water is considered  
6 state waters. Enforcement of this prohibition would be challenging since it is sometimes difficult  
7 to determine a discharge to groundwater. More importantly, including the addition condition  
8 eliminates the statutes current intent to provide an exception.

9 The current statute already prohibits treated sewage to state water, therefore adding the  
10 condition that the primary outfall shall not be located in state waters is not necessary.

11 **Offered Amendments:** For SECTION 2, the Department recommends revising the date from  
12 December 31, 2026 to December 31, 2049 to align with HRS 342D-72 cesspool conversion  
13 deadline that before January 1, 2050, every cesspool in the state, excluding cesspools granted  
14 exemptions by the director pursuant to subsection (b), shall be (1) Upgraded or converted to a  
15 director-approved wastewater system, etc.

16 Thank you for the opportunity to testify.



### Officers

Kaipo Kekona  
State President

Anabella Bruch  
Vice-President

Maureen Datta  
Secretary

Reba Lopez  
Treasurer

Aloha Chair Gabbard, Vice Chair Richards, and Members of the Senate Agriculture and Environment Committee,

### Chapter Presidents

Clarence Baber  
Kohala, Hawai'i

Tony Vera  
East Hawai'i

Puna, Hawai'i

Andrea Drayer  
Ka'u, Hawai'i

Maureen Datta  
Kona, Hawai'i

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports SB329.**

SB329 represents a key step towards sustainable water management in Hawaii, directly benefiting the agricultural community as well as the broader ecosystem. By mandating that at least fifty percent of treatment works effluent be R-1 recycled water by January 1, 2045, the bill addresses critical water resource challenges. Producing R-1 recycled water reduces dependency on finite freshwater supplies, allowing farmers to maintain production levels while safeguarding overall water resources. Moreover, enhancing the quality and availability of recycled water can foster innovation in agricultural techniques, leading to more effective and diversified farming methods.

By investing in upgraded water treatment and recycling infrastructure, the bill not only facilitates immediate ecological benefits but also ensures that future generations of farmers and residents can enjoy and thrive in a healthier, more sustainable environment.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF

Fawn Helekahi-Burns  
Hāna, Maui

Mason Scharer  
Haleakalā, Maui

Kaiea Medeiros  
Mauna Kahālāwai,  
Maui

Kaipo Kekona  
Lahaina, Maui

Kilia Avelino-Purdy  
Moloka'i

Negus Manna  
Lāna'i

India Clark  
North Shore, O'ahu

Christian Zuckerman  
Wai'anae, O'ahu

Ted Radovich  
Waimānalo, O'ahu

Vincent Kimura  
Honolulu, O'ahu

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January 27, 2025

HEARING BEFORE THE  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**TESTIMONY ON SB 329**  
RELATING TO WATER POLLUTION

Conference Room 224 & Videoconference  
1:00 PM

Aloha Chair Gabbard, Vice-Chair Richards, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 329**, which requires at least fifty per cent of treatment works effluent to be R-1 recycled water by January 1, 2045 and amends the year by which no treated or raw sewage shall be discharged into state waters.

R-1 recycled water is a valuable resource that can be safely used for irrigation, landscaping, and other non-potable applications. Increasing the availability of R-1 water to at least 50% of treatment works effluent by 2045 ensures the efficient reuse of wastewater while reducing the strain on Hawai'i's finite freshwater resources. This aligns with Hawai'i's goals for environmental sustainability, water resource management, and protection of natural resources, while also supporting the agricultural sector's water needs.

For Hawai'i farmers and ranchers, access to R-1 water is critical in addressing agricultural water demands. R-1 water supports agriculture by:

- **Reducing reliance on freshwater sources:** Conserving drinking water supplies for residential and municipal use.
- **Promoting year-round irrigation:** Ensuring a reliable and cost-effective water source, particularly in drought-prone areas.
- **Enhancing food security:** Supporting consistent agricultural production to meet local food demands.

SB 329 represents a vital step forward in protecting Hawai'i's water resources and ensuring their sustainable use. This bill supports environmental protection, agricultural sustainability, and community well-being by prioritizing the reuse of treated wastewater and eliminating harmful sewage discharges into state waters.

Thank you for this opportunity to provide our input on this measure.

**SB-329**

Submitted on: 1/25/2025 3:08:42 PM

Testimony for AEN on 1/27/2025 1:00:00 PM

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

Comments:

YES to - Requires at least fifty per cent of treatment works effluent to be R-1 recycled water by January 1, 2045. Amends the year by which no treated or raw sewage shall be discharged into state waters.