



STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of SB0368 SD1
RELATING TO CESSPOOL CONVERSION**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 2/24/2022

Room Number: 221/Videoconference

1 **Fiscal Implications:** The Department of Health (Department) would need two full-time
2 positions to implement this measure. It may impact the priorities identified in the Governor's
3 Executive Budget Request for the Department's appropriations and personnel priorities.

4 **Department Testimony:** The Department supports this measure as long as it does not impact
5 the priorities requested in the Executive Budget. Cesspools are a major source of pollution to
6 Hawaii's waters. There are approximately 88,000 cesspools in the State, discharging millions of
7 gallons of untreated sewage into the groundwater every day. The sewage polluted groundwater
8 flows into drinking water sources, streams and the ocean, harming public health and the
9 environment, including beaches and coral reefs. Ninety-five percent of all drinking water in
10 Hawaii comes from groundwater sources. Cesspools should be phased out to eliminate threats to
11 drinking water and recreational waters. The Department supports this measure as it would help
12 to facilitate the phasing out of cesspool by requiring cesspool upgrades for real properties that
13 are sold or whose ownerships are transferred.

14 The Department notes there was a typo in the measure that should be corrected. Provided
15 below is our suggested amendment.

16 **Offered Amendments:** Subsection "c" reference on page 2, line 14, should become "d" since a
17 new subsection b was added and subsequent subsections were re-lettered.

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

SB-368-SD-1

Submitted on: 2/18/2022 8:11:12 PM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Testifying for Hawai'i Reef and Ocean Coalition	Support	No

Comments:

STRONG SUPPORT!

This bill allows additional options for cesspool upgrades beyond just septic systems and aerobic treatment units to systems approved by the Department of Health. This flexibility is needed as different systems may work better in different locations, especially as we move forward with new technologies in the future. Please pass this bill!

Mahalo!



2/22/2022

WAM Committee
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Senate Ways and Means Committee,

Position: Support SB368.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

With an estimated 88,000 cesspools, Hawaii has one of the highest per capita number of cesspools in the nation. While the state has recognized the crucial need to convert these cesspools to newer technology, the conversion to septic or sewer can be upwards of \$30,000. Fortunately, advances in wastewater technology have increased substantially in the last few years and there are more affordable systems available.

By removing limits on cesspool upgrades, SB368 allows property owners access to more efficient and affordable systems. With the significant environmental impact of cesspools on Hawaii's water quality, we need all the tools and options available to tackle this major issue. SB368 provides us with expanding those options and making widespread cesspool conversion a reality.

Thank you for your consideration of this testimony in support of SB368, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawaii and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Lauren Blickley
Hawaii Regional Manager
Surfrider Foundation

February 24, 2022

The Honorable Donovan M. Dela Cruz, Chair

Senate Committee on Ways and Means

Via Videoconference

RE: S.B. 368, SD1, Relating to Cesspool Conversion

HEARING: Thursday, February 24, 2022, at 10:00 a.m.

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its over 11,000 members. HAR **strongly opposes** Senate Bill 368, SD1, which removes the limitation on specific types of wastewater systems to which cesspools must be upgraded or converted, and instead requires a cesspool to be upgraded or converted to a wastewater system approved by the department of health, prior to 1/1/2050. Requires upgrades of cesspools that are within five hundred feet of certain bodies of water by January 1, 2024.

Act 132, Session Laws of Hawai'i 2018, created a Cesspool Conversion Working group comprised of various government and industry partners, including Hawai'i REALTORS®. The work of the Working Group is not finalized and as such HAR believes that this measure is premature until a comprehensive plan is finalized.

Mahalo for the opportunity to testify.



COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

SB368 SD1
RELATING TO CESSPOOL CONVERSION

Thursday, February 24, 2022, 10:00 AM
VIA VIDEOCONFERENCE

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee,

The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

The Hawaii Cattlemen's Council **supports SB368 SD1** to remove the limitation on specific types of wastewater systems to which cesspools must be upgraded or converted, and instead requires a cesspool to be upgraded or converted to a wastewater system approved by the department of health, prior to 1/1/2050. We support the ability for conversion to other options besides septic tanks, and this bill will allow for that.

We appreciate the opportunity to testify on this measure.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



SB-368-SD-1

Submitted on: 2/23/2022 8:52:23 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mark Wolfendale	Testifying for Rotary Club Hanelie Bay	Support	No

Comments:

The current requirement for conversion of all cesspools by 2050 is not acceptable. Today's residents and visitors deserve a solution now. SB368 is a step in the right direction. The Rotary Club of Hanalei Bay requests your full support.

SB-368-SD-1

Submitted on: 2/23/2022 9:41:03 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Manuel Mejia	Testifying for CORAL (Coral Reef Alliance)	Support	No

Comments:

On behalf of CORAL (Coral Reef Alliance), we support SB 368 as conversion of cesspools near the coastline will benefit our coastal and coral reef ecosystems that we all depend on. Thank you for your leadership in passing this so that our environment and communities stay healthy.

Sincerely,
Manuel Mejia (CORAL)



Feb. 23, 2022

In Support of **SB368 HD1** Relating to Cesspool Conversion
Senate Committee on Ways And Means (WAM)
Hearing on Feb. 24, 10:00am

Aloha Chair Dela Cruz, Vice-Chair Keith-Agaran and Members of the Committee,

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **support of SB368 HD1**. This bill would remove the limitation on specific types of wastewater systems to which cesspools must be upgraded or converted to and instead simply requires them to be upgraded to a wastewater system approved by the Department of Health (DOH). The HD1 amendment also specifies that homes that are located within 500 feet of a sensitive water body, well or shoreline would need to convert their cesspools if they are sold after 2024.

Hawaii has more than 88,000 cesspools across the state, discharging 53 million gallons of raw sewage each day into Hawaii's waters. That's similar to a massive sewage spill every day! As a member of the State's Cesspool Conversion Working Group, I believe this bill provides needed flexibility for DOH's Wastewater Branch to update their rules to allow for more innovative and efficient wastewater systems. This will help the state fulfill its mandate under Act 125 to convert all cesspools by 2050 and give homeowners better and often more affordable options.

WAI is dedicated to protecting our drinking water, groundwater and near-shore ecosystems by reducing sewage pollution from cesspools and failing septic systems. Our goal is to help find more innovative, affordable, and eco-friendly solutions to wastewater management. Better sanitation systems reduce sewage pollution, protect public health and make properties more valuable, while also protecting our groundwater, streams, coral reefs and coastal areas.

Hawaii is struggling with serious sewage pollution problems, and we need to convert 88,000 cesspools in the next three decades. This bill would allow for more innovative new treatment systems like these that are approved by the Dept. Of Health. As an amendment to HD1, I would suggest adding a clause that says homes that are sold after 2024 be given twelve months after the Point Of Sale to convert their cesspools. This gives the buyers, sellers and realtors time to work out the details of the conversion.

Based on successful bills in other states, this bill creates a practical and expedient way to convert cesspools by allowing for more efficient and affordable options. It will also help homeowners, the counties and the state meet the mandate to convert all cesspools by 2050. Mahalo for your leadership on this issue and consideration of this bill.

Aloha,

Stuart Coleman

Stuart H. Coleman, Executive Director

LATE



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211
THURSDAY, FEBRUARY 24, 2022 AT 10:00 A.M.**

To The Honorable Senator Donovan M. Dela Cruz, Chair
The Honorable Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the committee on Ways and Means

SUPPORTING SB368 SD1 RELATING TO CESSPOOL CONVERSION

The Maui Chamber of Commerce supports SB368 SD1 which removes the limitation on specific types of wastewater systems to which cesspools must be upgraded or converted, and instead requires a cesspool to be upgraded or converted to a wastewater system approved by the department of health.

The Chamber feels that this bill will allow for more flexibility for homeowners, homeowners associations and other entities, who need to replace their existing cesspools, to put in the most appropriate wastewater treatment system.

For this reason, we request that SB368 SD1 be passed.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

SB-368-SD-1

Submitted on: 2/19/2022 12:44:30 PM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerard Silva	Individual	Oppose	No

Comments:

The problem is not the Cesspool the problem is the Government being Very Greedy and trying to make people close there Cesspools to go with there project so they can make more Money to put in some ones pocket. The Wastwater system does not work and is responcible for poluting our Oceans. They are the Worst polutors in Hawaii and all of this can be proven. All you have to do is look at all the times there were spills form a wastwater plant that have caused sever Damage to our water ways and oceans and they just keep blameing Climate Chage to cover there Ass. We the people will be comeing afture any one that trys to pull this Bull Shit We have had it with the Coruption in Government!!

SB-368-SD-1

Submitted on: 2/21/2022 8:45:45 PM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Johnnie-Mae L. Perry	Individual	Support	No

Comments:

SUPPORT SB 368 RELATING TO CESSPOOL CONVERSION.

SB-368-SD-1

Submitted on: 2/22/2022 1:33:05 PM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gladys C Baisa	Individual	Support	No

Comments:

I am testifying in general support of the bill but would like clarification of exactly which cesspools are in the group required to convert by 1/1/24.

SB-368-SD-1

Submitted on: 2/23/2022 8:35:32 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Henry Curtis	Testifying for Life of the Land	Support	No

Comments:

Please pass

SB-368-SD-1

Submitted on: 2/23/2022 9:34:41 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Joachim Schneider	Individual	Support	No

Comments:

This bill will allow innovative wastewater systems that are not septic or aerobic to be considered. I strongly support this bill.

SB-368-SD-1

Submitted on: 2/23/2022 9:39:00 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gillian Dunn	Individual	Support	No

Comments:

Aloha. I strongly support SB368. Cesspools harm Hawai'i and her residents in numerous way - our reefs, fishing grounds, soils, freshwater supplies, and our health. The time has come to address this issue comprehensively and with teeth. This bill can be part of the solution. Please support it.

SB-368-SD-1

Submitted on: 2/23/2022 9:40:05 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sasha Helfner	Individual	Support	No

Comments:

-Important measure to make cesspool conversions more accessible for homeowners

-Protects human and ecological health by mandating cesspools near bodies of water to be converted by 2024

SB-368-SD-1

Submitted on: 2/23/2022 9:41:26 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Douglas Perrine	Individual	Support	No

Comments:

This is an important bill to pass because new waste treatment technologies are being developed at a rapid pace. Some of these may be both less expensive than septic systems and less environmentally damaging than septic systems, which release nitrogen and phosphorus that can pollute groundwater and nearshore waters. Passage of this bill will allow the Dept. of Health to evaluate and approve alternate technologies as they become available, giving residents more options to fit their particular circumstances.

SB-368-SD-1

Submitted on: 2/23/2022 9:49:28 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sierrah	Individual	Support	No

Comments:

This bill would allow innovative systems that are not septic or arohic. I support this bill.

SB-368-SD-1

Submitted on: 2/23/2022 9:57:15 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tapani Vuori	Individual	Support	No

Comments:

I strongly support SB386 SD1. Thank you.

LATE

SB-368-SD-1

Submitted on: 2/23/2022 11:17:33 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Yoshito L'Hote	Individual	Support	No

Comments:

I support allowing conversion cesspool to any type of wastewater system.

LATE

SB-368-SD-1

Submitted on: 2/23/2022 1:05:58 PM
Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
David Dinner	Individual	Support	No

Comments:

As a companion to the financial aid for those unable to afford to do this (though I can't imagine that there are many who own within 500 of the water who can't) this bill is a must. 2050 will be far too little to late. We must take action as soon as possible to clean our waters.

LATE

SB-368-SD-1

Submitted on: 2/24/2022 6:58:06 AM

Testimony for WAM on 2/24/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mark Deakos	Testifying for Hawaii Association for Marine Education and Research	Support	No

Comments:

Dear Honorable Members,

Please support SB368 SD1 to help protect our precious marine coastal areas from the harmful effects of cesspools, especially those closest to our waterways. This bill is a great first step in making that transition.

Aloha,

Mark Deakos, PhD

Executive Director/Chief Scientist

Hawaii Association for Marine Education and Research