



STATE OF HAWAII
DEPARTMENT OF HEALTH
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In reply, please refer to:
File:

**Testimony in SUPPORT of SB1466
RELATING TO CESSPOOLS**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATOR GLENN WAKAI, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

Hearing Date: 2/13/2023

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 strongly supports this measure that involves creating
5 a pilot program that provides upfront planning funds to counties to identify the most feasible
6 areas to connect to an existing or future wastewater treatment plant, engage communities in the
7 discussion, conduct preliminary engineering, and estimate upfront and ongoing costs for
8 implementation. The Department recommends adding language in the bill to allow for
9 contracting of the work to establish and implement the proposed pilot program.

10 Thank you for the opportunity to testify.

11 **Offered Amendments:** The Department recommends the following amendments to
12 SECTION 3 of the measure. Additions appear as underlined.

13 SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the
14 sum of \$10,000 or so much thereof as may be necessary for fiscal year 2023-2024 and the same
15 sum or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of a
16 pilot program within the environmental management division of the department of health to
17 work with each county to identify a priority area to expand the county sewage system or other
18 centralized treatment system to connect individual properties in the priority area and reduce or
19 eliminate cesspools in the identified area. The environmental management division of the

- 1 department of health may obtain contractor support to provide any services required to establish
- 2 and implement the pilot program.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Agriculture and Environment
Senate Committee on Public Safety and Intergovernmental and Military Affairs
Monday, February 13, 2023 at 1:30 p.m.

By

Darren T. Lerner, PhD

Director, University of Hawai'i (UH) Sea Grant College Program,
School of Ocean and Earth Science and Technology

And

Thomas Giambelluca

Director, UH Water Resources Research Center

And

Michael Bruno, Provost

University of Hawai'i at Mānoa

SB 1466 – RELATING TO CESSPOOLS

Chairs Gabbard and Wakai, Vice Chairs Richards and Elefante, and Members of the Committees:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center **support** SB 1466.

This bill would create an innovative pilot program within the Department of Health Environmental Management Division that provides funding for wastewater planning and management specific to cesspool conversion via connection to sewer or other centralized systems. This program would incentivize county-level action and promote partnerships and information sharing between the state and county wastewater management programs. Importantly, the bill not only provides planning support but also includes stakeholder outreach and implementation funding. Implementation of this measure could allow for the connection of existing cesspools to sewer or other centralized systems that would not have occurred otherwise, and would likely alleviate financial hardships on those selected to participate in the pilot programs within each county.

Thank you for the opportunity to testify on this measure.

SB-1466

Submitted on: 2/10/2023 2:59:28 PM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
carmen	Testifying for Kingdom Pathways	Support	Written Testimony Only

Comments:

Aloha, Members of the Committee

My name is Carmen Guzman Simpliciano, and I am testifying in strong support of SB1468, which would help our Wai'anae Coast community now that we've been updated to priority 1. We do water quality testing for Kaupuni Stream, which is also a cemented canal near hundreds of cesspools. Our last enterococcus reading was 24,196 and averaged a high level of bacteria for over a year. That needs immediate attention, so we strongly support this measure!

SB-1466

Submitted on: 2/10/2023 3:47:32 PM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Wolfendale	Testifying for Rotary Club of Hanelie Bay	Support	Written Testimony Only

Comments:

The Rotary Club of Hanalei Bay strongly supports SB1466. Centralized waste water management is the preferred approach where financially feasible. This bill will expedite Kauai's progress in addressing the health risks inherent with our polluted recreational waters.

SB-1466

Submitted on: 2/11/2023 1:37:36 PM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Testifying for Friends of Hanauma Bay	Support	Written Testimony Only

Comments:

Aloha Committee Chairs, Vice Chairs, and members,

Hawaii has over 80,000 cesspools that need to be upgraded in the near future to improve public health and the health our our natural resources.

Please pass this important bill that will help reduce or eliminate the number of cesspools in Hawaii!

With Aloha,

Lisa Bishop

President

Friemds of Hanauma Bay



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Mike Gabbard, Chair
The Honorable Herbert M. "Tim" Richards, III, Vice Chair
Members of the Committee on Agriculture and Environment

The Honorable Glenn Wakai, Chair
The Honorable Brandon J.C. Elefante, Vice Chair
Members of the Committee on Public Safety and Intergovernmental and Military Affairs

Re: **SB 1466 – RELATING TO CESSPOOLS**

Hearing: Monday, February 13, 2023, 1:30 p.m., Conference Room 224 & Videoconference

Position: **Strong support**

Aloha, Chairs Gabbard and Wakai, Vice Chairs Richards and Elefante, and Members of the Committee on Agriculture and Environment; and Committee on Public Safety and Intergovernmental and Military Affairs:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of SB 1466. This measure establishes and appropriates funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

The Democratic Party of Hawai'i Platform plank on the environment provides that its members are to "protect and preserve Hawai'i's environment and achieve energy sustainability, advance measures to re-establish a healthy climate and environment for humans and fellow species, including actions to urgently address climate change, and work towards 100% renewable energy goals.

We believe that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well-being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawai'i. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.

We believe in the resource management principles outlined in the Public Trust doctrine of [Article XI, Section 1 of] the Hawai'i State Constitution." [OUR PLATFORM | DPH \(hawaiidemocrats.org\)](https://www.democrats.org/our-platform)

Hawaii currently has an official goal to replace all its cesspools with better sewage treatment systems that cause less harm to the local environment and public health by 2050; however, as many as 83,000 cesspools release about 53 million gallons of untreated sewage into the islands' soil, streams and nearshore waters daily making the 2050 deadline too late to prevent substantial harm.

In the Report of the [Cesspool Conversion Working Group](#), nearly 14,000 of the worst Hawaii cesspools – the ones that would potentially cause the most damage based on their location – are to be removed by 2030; followed by more than 12,000 "priority two" cesspools to be removed by 2035; and the remaining "priority three" 55,000 cesspools are to be removed by the original 2050 deadline.



February 13, 2023
Page 2

“There are no benefits to human health or the environment if homeowners wait or postpone conversion until closer to the 2050 ... deadline,” the 17-member task force of scientists, public health officials, private industry representatives, elected leaders and environmental advocates wrote in a new 1,182-page report to the Legislature. [Microsoft Word - Cesspool Conversion Plan Draft Final-copy-blue wave-FINAL use this one \(hawaii.gov\)](#)

Establishing and appropriating funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area is consistent with the state and counties' duties under the Public Trust Doctrine under Article XI, Section 1, of the Hawaii State Constitution, and the DPH Platform environmental plank to restore, preserve, and protect our native ecosystem.

Please support and pass this bill.

Mahalo for the opportunity to testify on this measure.

/s/ Melodie Aduja and Alan Burdick
Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i

11 February 2023

Today, as the president of the non-profit Hawaii Marine Education and Research Center which was created to support communities and our natural resources, I submit testimony in strong support of SB1466 to establish and appropriate funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

- There is now ample data showing both cesspools and septic tanks with leach fields are harmful to the environment, particularly where substrates are porous.
- There is now ample evidence showing both cesspools and septic tanks with leach fields are having detrimental impacts on our coastal ecosystems and coral reefs.
- The most economical and efficient solution is to connect current cesspools and septic tanks to semi-centralized wastewater treatment facilities.

Respectfully,



Robin Martin PhD
President, Hawaii Marine Education and Research Center



To: The Honorable Chairs Mike Gabbard and Glenn Wakai, and the Honorable Vice Chairs Tim Richards, III, and Brandon Elefante, and Members of the Committees on Agriculture and Environmental Protection and Public Safety and Intergovernmental and Military Affairs

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing SB1466 **RELATING TO CESSPOOLS**

Hearing: Monday February 13, 2023 1:30 p.m.

Aloha Chairs Gabbard and Wakai, Vice Chairs Richards and Elefante, and Members of the Committees on Agriculture and Environmental Protection and Public Safety and Intergovernmental and Military Affairs:

From: Hawaii Reef and Ocean Coalition (by Ted Bohlen)

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 Hawaii's coral reefs and ocean.

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1466!

Hawaii has a public health problem with water pollution from cesspools. We have over 80,000 cesspools that discharge about 50 million gallons of raw sewage into our groundwater every day! Sea level rise will exacerbate the public health

problems as it will cause some more cesspools to overflow onto the surface. The recent report of the cesspool conversion working group recommended that we upgrade the cesspools that cause the most pollution by 2030.

A good way to eliminate some cesspools that are near to existing or planned central sewer systems is by extending those sewer systems, connecting those homes, and filling in the cesspools.

This bill would provide \$10 million funding for pilot programs within DOH, working with each county to eliminate cesspools by identifying a priority area to connect cesspool properties to expanded county or other centralized sewer systems.

This bill would help improve public health water quality by improving State-county coordination and planning and preparation to expand sewers to eliminate some cesspools.

Please pass this bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

February 13, 2023

The Honorable Mike Gabbard, Chair

Senate Committee on Agriculture and Environment

The Honorable Glenn Wakai, Chair

Senate Committee on Public Safety and Intergovernmental and Military Affairs
State Capitol, Conference Room 224 & Videoconference

RE: Senate Bill 1466, Relating to Cesspools

HEARING: Monday, February 13, 2023, at 1:30 p.m.

Aloha Chair Gabbard, Chair Wakai, 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 Hawai'i and its over 11,000 members. HAR **strongly supports** Senate Bill 1466, which establishes and appropriates funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

Hawai'i Association of 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 (48,596 on Hawai'i Island; 14,300 on Kauai; 11,038 on Maui; 1,400 on Molokai; and 7,491 on O'ahu) with only 27 years to meet the state's mandate to convert all cesspools to a Director of Health approved wastewater system. To convert 83,000 cesspools by 2050, at least 3,000 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.

Affordability and financial planning are key. The Cesspool Conversion Working Group conducted an affordability analysis² for homeowners. Based on the analysis, 97% of homeowners would be financially burdened by cesspool conversion costs. Equally concerning, even with a \$10,000 rebate 82% of homeowners would still be financially burdened. Most homeowners will not be able to afford to do this alone.

¹ University of Hawai'i Sea Grant College Program. *Hawai'i Cesspool Prioritization Tool*.

<https://seagrant.soest.hawaii.edu/cesspools-tool/>

² Cesspool Conversion Working Group. (2022). *Final Report to the 2023 Regular Session Legislature*. State of Hawai'i Department of Health. <https://health.hawaii.gov/opppd/files/2022/12/Act-170-SLH-2019-Nov-2022.pdf>



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Undertaking such a massive infrastructure project will require proper planning across various stakeholders and government institutions, including state and local governments. As such, we applaud the state for taking leadership on this matter through the establishment of this pilot program. We believe it would be extremely beneficial to have the Department of Health work with the counties to tackle a pilot infrastructure project on an identified priority area, collaborate with stakeholders and homeowners, and provide much needed funding to convert cesspools. This pilot project can also serve as a template for future initiatives involving cesspool conversion efforts.

For the foregoing reasons, Hawai'i Association of REALTORS® strongly supports this measure. Mahalo for the opportunity to testify.





Email: communications@ulupono.com

SENATE COMMITTEES ON AGRICULTURE & ENVIRONMENT AND PUBLIC SAFETY &
INTERGOVERNMENTAL & MILITARY AFFAIRS
Monday, February 13, 2023 — 1:30 p.m.

Ulupono Initiative supports SB 1466, Relating to Cesspools.

Dear Chair Gabbard, Chair Wakai, and Members of the Committees:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food, renewable energy and clean transportation choices, and better management of freshwater resources.

Ulupono supports SB 1466, which establishes and appropriates funds for a pilot program within the Environmental Management Division of the Department of Health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

Ulupono supports statewide cesspool conversion working toward a more sustainable and environmentally sound approach to waste management and water security. Hawai'i has more than 88,000 cesspools statewide that discharge more than 53 million gallons of untreated sewage into the state's waters each day. This poses major health and environmental risks to our drinking water, groundwater, streams, and shore waters.

The State, working closely with each county, can pilot the effectiveness of a decentralized system to support the conversion of cesspools across our communities. Strategic planning and dedicated resources will need to go hand in hand in order to meet our 2050 goal of converting all cesspools. As this bill states, pilot projects will be helpful when determining a statewide conversion rollout.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i



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e-mail info@hfbf.org; www.hfbf.org

February 13, 2023

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
and
SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

TESTIMONY ON SB 1466
RELATING TO CESSPOOLS

Conference Room 224 & Videoconference
1:30 PM

Aloha Chairs Gabbard and Wakai, Vice-Chairs Richards and Elefante, 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 1466 which would establish a pilot program within HDOH to help the counties identify priority areas to expand connections of their country sewage systems to reduce the use of cesspools in the area.

HFB supports the bill because it recognizes that:

- certain sensitive water resource-impact areas must be prioritized over low or no impact areas since immediately converting all cesspools in the State to more efficient systems is not possible.
- working with the counties and the impacted community to help identify these priority areas and the feasibility of expanded sewer connections makes sense.
- providing the counties with grant funding for county sewage system connection planning should help expedite the process.

Thank you for the opportunity to testify on this important issue.

SB-1466

Submitted on: 2/12/2023 4:35:14 PM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren Blickley	Testifying for Surfrider Foundation	Support	Written Testimony Only

Comments:

Surfrider Foundation strongly supports SB1466 to evaluate opportunities to expand county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

This bill is an important step forward in converting the 88,000 cesspools that are polluting our freshwater and marine ecosystems every day. With thousands of cesspools that require conversion, we need to explore every option and opportunity for cesspool conversions.

Mahalo for your support of this important bill.

Best,

Lauren Blickley

11 February 2023

I submit this testimony in strong support of SB1466 to establish and appropriate funds for a pilot program within the environmental management division of the department of health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area.

1. Both cesspools and septic tanks with leach fields are highly damaging to the environment.
2. Both cesspools and septic tanks with leach fields have a clear and continuing negative impact on coastal ecosystems especially our reefs.
3. The most economical and efficient solution is to connect current cesspools and septic tanks to semi-centralized wastewater treatment facilities.

Very Respectfully,

Greg Asner PhD

Hilo HI 96720

SB-1466

Submitted on: 2/11/2023 5:33:54 PM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Hixon	Individual	Support	Written Testimony Only

Comments:

Aloha. It is well-documented that the many cesspools in Hawaii leak waste into coastal waters, and nutrients from that waste fertilize seaweeds, allowing them to overgrow and smother corals. No coral = no reef = no fisheries, no tourism, and no coastal protection. We must solve the cesspool issue before we lose our reefs. Please pass this bill. Mahalo.

SB-1466

Submitted on: 2/12/2023 7:23:48 AM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Marion K A Kapuniai	Individual	Support	Written Testimony Only

Comments:

A fair, inclusive, planned approach to begin management of this mega challenge.

Thank you,

M Kapuniai

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL
AND MILITARY AFFAIRS

Hearing on Feb. 13, 2023 at 1:30 pm

SUPPORTING SB 1466

My name is John Kawamoto, and I support SB 1466.

Although Hawaii is considered to have a relatively clean environment, there are 83,000 cesspools throughout the state that release 53 million gallons of untreated sewage into the ground every day. Tens of thousands of cesspools are located within watersheds. Cesspools have significant impact on the quality of drinking water, general water quality, the health of Hawaii's residents, and the health of reefs.

The counties are responsible for wastewater management, and they are in the best position to identify the neighborhoods that should be connected to an existing or proposed wastewater treatment system. This bill appropriates funds for a pilot project to assist the counties in that effort.

SB-1466

Submitted on: 2/13/2023 7:12:44 AM

Testimony for AEN on 2/13/2023 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Amato	Individual	Support	Written Testimony Only

Comments:

I support SB1466.