

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

**Testimony in SUPPORT of HB1396  
RELATING TO CESSPOOLS**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
REPRESENTATIVE LINDA ICHIYAMA, CHAIR  
HOUSE COMMITTEE ON WATER & LAND  
Hearing Date: 2/2/2023 Room Number: 325

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

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Testimony Presented Before the  
House Committee on Energy & Environmental Protection and Water & Land  
Thursday, February 2, 2023 at 8:30 a.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

HB 1396 – RELATING TO CESSPOOLS

Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, 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 HB 1396. 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.

# OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

MICHAEL A. DAHLIG, MANAGING DIRECTOR

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Testimony of

**Michael A. Dahilig**

Managing Director, County of Kaua'i

Before the

**House Committee on Energy & Environmental Protection  
Committee on Water & Land**

February 2, 2023 at 8:30 a.m.

Room 325 and Via Videoconference

In consideration of

**HB 1396**

**Relating to Cesspools**

Honorable Chair Lowen, Honorable Chair Ichiyama, and Members of the Committees:

The County of Kaua'i is in **support** of HB 1396 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.

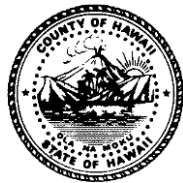
Our Department of Public Works Wastewater Division has been working to maintain and upgrade our aging sewage collection systems. We look forward to the possibility of working with the Department of Health with this proposal to assist meeting the State requirement of all cesspool conversion by 2050, and recognize the need for commitment by legislation from our county council requiring mandatory connection.

We appreciate the Legislature's efforts in addressing this issue affecting all our islands and working to improve the quality of life for our residents and our impact on the environment.

Thank you for the opportunity to testify in **support** of HB1396.

**Mitchell D. Roth**  
*Mayor*

**Lee Lord**  
*Managing Director*



**Ramzi I. Mansour**  
*Director*

**Brenda Iokepa-Moses**  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Ph: (808) 961-8083 · Fax: (808) 961-8086

February 1, 2023

Nicole E. Lowen, Chair, and  
Members of the Committee on Energy and Environmental Protection

Linda Ichiyama, Chair, and  
Members of the Committee on Water and Land

Chair Lowen, Chair Ichiyama, and Committee Members,

The Department of Environmental Management supports HB 1396, which creates a pilot program with the Department of Health to work with the counties with the ultimate goal of expanding the public sewer systems and closing out cesspools in priority areas.

COH-DEM recognizes the need to expand the sewer collection system. As our capacity to expand the sewer system is currently limited due to staffing shortages in the Wastewater Division we appreciate any and all help the Department of Health can provide to extend the existing public sewer system and accelerating the closure of polluting cesspools.

Thank you for the opportunity to provide testimony.

Ramzi Mansour, Director  
Department of Environmental Management  
County of Hawai'i



## Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Nicole E. Lowen, Chair  
The Honorable Elle Cochran, Vice Chair  
Committee on Energy & Environmental Protection

The Honorable Linda Ichiyama, Chair  
The Honorable Mahina Poepoe, Vice Chair  
Committee on Water & Land

Re: **HB 1396 – RELATING TO CESSPOOLS**

Hearing: Thursday, February 2, 2023, 8:30 a.m., Conference Room 325 & Videoconference

Position: **Strong support**

Aloha, Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committee on Energy & Environmental Protection and Committee on Water & Land:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of HB 1396. 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 \(hawaiidemocrats.org\)](#)

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 2, 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 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

February 2, 2023

**The Honorable Nicole E. Lowen, Chair**

House Committee on Energy & Environmental Protection

**The Honorable Linda Ichiyama, Chair**

House Committee on Water & Land

State Capitol, Conference Room 325 & Videoconference

**RE: House Bill 1396, Relating to Cesspools**

**HEARING: Thursday, February 2, 2023, at 8:30 a.m.**

Aloha Chair Lowen, Chair Ichiyama, 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** House Bill 1396, 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 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 priorities<sup>1</sup> 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 analysis<sup>2</sup> 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.

<sup>1</sup> University of Hawai'i Sea Grant College Program. *Hawai'i Cesspool Prioritization Tool*.

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

<sup>2</sup> 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 REALTORS® strongly supports this measure. Mahalo for the opportunity to testify.





Feb. 1, 2023

In Support of **HB1396** Relating to Cesspools  
House Committees on Energy & Environmental Protection (EEP) and Water & Land (WAL)  
Hearing on Feb. 2, 8:30am, Rm. 325

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & Poepoe and Members of the Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **support of HB1396**. This bill will establish a pilot program within the Dept. Of Health (DOH) to work with each county to identify a priority area to expand the county sewage system or create a decentralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area. The bill will also appropriate funds to DOH to provide planning grants to each county for a pilot cesspool conversion project. Instead of converting cesspools one by one, the state will need to do more decentralized, cluster systems that can convert hundreds in a community.

Hawaii has more than 83,000 cesspools across the state, discharging 52 million gallons of raw sewage each day into Hawaii's waters. That's similar to a massive sewage spill every day! The people of Hawaii need this law to make sure their wastewater systems aren't polluting the groundwater or nearby surface waters. As a member of the State's Cesspool Conversion Working Group over the last four years, we believe that this kind of pilot project for decentralized systems will be more efficient and affordable in the long run.

WAI is an environmental non-profit 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 and make properties more valuable, while also protecting our groundwater, streams and the health of our coral reefs and coastal areas.

Hawaii is struggling with serious sewage pollution problems, and the state has a mandate to make sure all cesspools are converted in the next three decades. WAI is working with innovative sanitation companies from across the country and around the world to introduce more efficient and affordable alternatives for wastewater management. This bill will provide the necessary planning and funding to create the kind of community-scale pilot projects to convert hundreds of cesspools across the state. Mahalo for your leadership on this issue and support of this bill.

Aloha,

*Stuart Coleman*

Stuart H. Coleman, Executive Director



To: The Honorable Chairs Nicole Lowen and Linda Ichiyama, the Honorable Vice Chairs Elle Cochran and Mahina Poepoe, and Members of the Committees on Energy and Environmental Protection and Water and Land.

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

Re: **Hearing HB1396 RELATING TO CESSPOOLS.**

Hearing: Thursday February 2, 2023, 8:30 a.m., room 325

Aloha Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committees on Energy and Environmental Protection and Water and Land:

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.

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**The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1396!**

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 water quality by improving State-county coordination and planning and expanding sewers to eliminate some cesspools.

Please pass this bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

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Feb. 1, 2023

In Support of **HB1396** Relating to Cesspools  
House Committees on Energy & Environmental Protection (EEP) and Water & Land (WAL)  
Hearing on Feb. 2, 8:30am, Rm. 325

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & Poepoe and Members of the Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **support of HB1396**. This bill will establish a pilot program within the Dept. Of Health (DOH) to work with each county to identify a priority area to expand the county sewage system or create a decentralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area. The bill will also appropriate funds to DOH to provide planning grants to each county for a pilot cesspool conversion project. Instead of converting cesspools one by one, the state will need to do more decentralized, cluster systems that can convert hundreds in a community.

Hawaii has more than 83,000 cesspools across the state, discharging 52 million gallons of raw sewage each day into Hawaii's waters. That's similar to a massive sewage spill every day! The people of Hawaii need this law to make sure their wastewater systems aren't polluting the groundwater or nearby surface waters. As a member of the State's Cesspool Conversion Working Group over the last four years, we believe that this kind of pilot project for decentralized systems will be more efficient and affordable in the long run.

WAI is an environmental non-profit 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 and make properties more valuable, while also protecting our groundwater, streams and the health of our coral reefs and coastal areas.

Hawaii is struggling with serious sewage pollution problems, and the state has a mandate to make sure all cesspools are converted in the next three decades. WAI is working with innovative sanitation companies from across the country and around the world to introduce more efficient and affordable alternatives for wastewater management. This bill will provide the necessary planning and funding to create the kind of community-scale pilot projects to convert hundreds of cesspools across the state. Mahalo for your leadership on this issue and support of this bill.

Aloha,

*Stuart Coleman*

Stuart H. Coleman, Executive Director

**HB-1396**

Submitted on: 1/31/2023 12:09:36 PM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gladys C Baisa	Individual	Support	Written Testimony Only

Comments:

Support.

**HB-1396**

Submitted on: 1/31/2023 9:51:00 PM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Theresa M Thompson	Individual	Support	Written Testimony Only

Comments:

I support HB 1396.

Theresa Thompson

**HB-1396**

Submitted on: 2/1/2023 9:35:47 AM

Testimony for EEP on 2/2/2023 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicolas Storie	Individual	Support	Written Testimony Only

Comments:

Aloha, Chairs Lowen & Ichiyama, Vice-Chairs Cochran & Poepoe and Members of the Committee:

I am a resident of Kaimuki and am writing in support of HB1396.

As a Ph.D. student at UH-Mānoa, my central research focus is understanding the sources of coastal sewage pollution across the state. With over 83,000 cesspools across the state leaking 52 million gallons of untreated sewage each day, we face a direct risk to the health of our communities, economy, and coral reefs.

This bill will provide the necessary planning and funding to create the kind of community-scale pilot projects to convert hundreds of cesspools across the state. Mahalo for your leadership on this issue and support of this bill.

Best,

Nicolas Storie