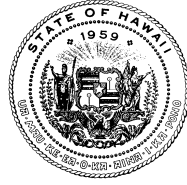


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA 'O HAWAII



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony in SUPPORT of HB0180 HD1
RELATING TO CESSPOOLS**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS

Hearing Date: 2/10/2023

Room Number: 329

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. The measure establishes and appropriates general funds for two new
4 full-time permanent positions in fiscal year 2023-2024 and two additional full-time permanent
5 positions in fiscal year 2024-2025.

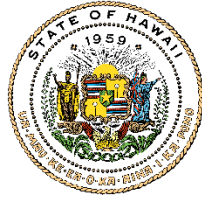
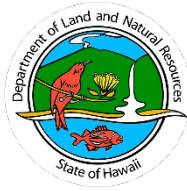
6 **Department Testimony:** The Department strongly supports this measure. The Department also
7 recognizes that additional staff will be needed to support the mandate to upgrade or convert all
8 cesspools in the State by 2050.

9 Thank you for the opportunity to testify.

10 **Offered Amendments:** None.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
HEALTH & HOMELESSNESS

Friday, February 10, 2023
10:00 AM

State Capitol, VIA VIDEOCONFERENCE, Conference Room 329

In consideration of
HOUSE BILL 180, HOUSE DRAFT 1
RELATING TO CESSPOOLS

House Bill 180, House Draft 1 proposes to: 1) create within the Department of Health's Wastewater Branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State; 2) establish and appropriate funds for two full-time equivalent positions within the cesspool conversion section in fiscal years 2023-2024 and 2024-2025, and add two additional full-time equivalent positions within the section in fiscal year 2024-2025. **The Department of Land and Natural Resources (Department) supports this bill.**

Cesspools can cause harm to water quality within adjacent groundwater, anchialine, and coral reef systems by introducing elevated amounts of organic nitrogen and phosphorus, pathogens, and other contaminants. Contaminants emitted from cesspools can harm aquatic ecosystems by encouraging algal blooms and can also pose a threat to human health. The Department supports the allocation of additional resources to the Department of Health to facilitate the conversion of cesspools, which will help reduce future contamination of Hawai'i's fragile aquatic areas.

Mahalo for the opportunity to provide testimony in support of this measure.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
LAURA H.E. KAAKUA
FIRST DEPUTY
M. KALEO MANUEL
DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



STATE OF HAWAII
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION
COMMISSION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Co-Chairs:
Chair, DLNR
Director, OPSD

Commissioners:
Chair, Senate AEN
Chair, Senate WTL
Chair, House EEP
Chair, House WAL
Chairperson, HTA
Chairperson, DOA
CEO, OHA
Chairperson, DHHL
Director, DBEDT
Director, DOT
Director, DOH
Chairperson, DOE
Director, C+C DPP
Director, Maui DP
Director, Hawai'i DP
Director, Kaua'i DP
The Adjutant General
Manager, CZM

**Testimony of
Leah Laramee
Coordinator, Hawai'i Climate Change Mitigation and Adaptation Commission**

**Before the House Committee on
HEALTH & HOMELESSNESS**

**Friday, February 10, 2023
1:00 PM**

State Capitol, Via Videoconference, Conference Room 329

**In support of
House Bill 180 House Draft 1
RELATING TO CESSPOOLS**

House Bill 180 House Draft 1 creates within the Department of Health's wastewater branch a cesspool conversion section and establishes and appropriates funds for positions within the cesspool conversion section. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

The Hawai'i Climate Change Mitigation and Adaptation Commission consists of a multi-jurisdictional effort between 20 different departments, committees, and counties. Removal of cesspools for all properties within the Sea Level Rise Exposure Area (SLR-XA), is imperative to the health of nearshore waters and for members of the public accessing coastal resources. Removal may not be achievable by 2050 as directed by state law without viable alternatives for replacement. The Commission's 2022 update to the *Sea Level Rise Vulnerability and Adaptation Report* Recommended Action 6.1.1 states that the state should sponsor research and development efforts to expand affordable and actionable conversion options for shoreline property owners. Recommended Action 6.1.1 also counsels that options should account for SLR-XA projections of coastal erosion and associated land loss, and potential failure of onsite sewage treatment systems resulting from sea level rise-induced groundwater inundation.

Cesspools on the shoreline and in the coastal zone will be an increasing source of nonpoint source pollution as groundwater rises and coastal erosion accelerates. Recommended Action 6.4 counsels that the state should expand policy directives beyond the existing income tax credits and requirement for removal by 2050. Specifically, policy must address existing cesspools in the coastal zone in relation to enforcement of existing laws and regulations and removal of unpermitted shoreline hardening.

Mahalo for the opportunity to testify in support of this measure.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Health & Homelessness
Friday, February 10, 2023 at 10:00 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 180 HD1 – RELATING TO CESSPOOLS

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

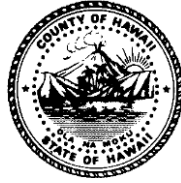
The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and UH Water Resources Research Center **strongly support HB 180.**

This bill would provide a critical expansion of capacity for the Department of Health by establishing and staffing a Cesspool Conversion section within the Wastewater Branch of the department. The Cesspool Conversion section would create a centralized resource to assist with the multifaceted nature of cesspool conversion and upgrades, including, financing, public outreach and education, providing consistent information to homeowners, managing grants, securing federal funding, and facilitating partnerships. Currently, these tasks are either not being completed or have been divided in a piecemeal way among entities without standardization or leadership. The Cesspool Conversion section at the Department of Health would be an invaluable resource to ensure the state meets its goals for cesspool conversion and upgrades.

Thank you for the opportunity to testify on this measure.

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

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiiicounty.gov

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

February 8, 2023

Rep. Della Au Belatti, Chair, and
Members of the Committee on Health and Homelessness

Chair Belatti and Committee Members,

I am a member of the Cesspool Conversion Working Group. HB 180 HD1 codifies **Priority E2** of the working group's recommendations into statute. The Department of Environmental Management supports this bill.

E2. Establish a cesspool section within the Hawaii Department of Health's Wastewater Branch to include at least three to four staff to work on cesspool conversions planning, implementation, permitting, and regulatory framework.

This bill supports the health and well-being of the people of the State by allocating resources to the Department of Health to oversee the conversion of the more than 80,000 cesspools in Hawai'i by the 2050 deadline. The State needs a central entity focused solely on the various aspects of cesspool conversion, from financing to outreach and partnerships with the counties.

Thank you for the opportunity to provide testimony.

Ramzi Mansour, Director

February 10, 2023

The Honorable Della Au Belatti, Chair

House Committee on Health & Homelessness
State Capitol, Conference Room 329 & Videoconference

RE: House Bill 180, HD1, Relating to Cesspools

HEARING: Friday, February 10, 2023, at 10:00 a.m.

Aloha Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

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 **supports** House Bill 180, HD1, which creates within the Department of Health's wastewater branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State. Establishes and appropriates funds for two full-time equivalent positions within the cesspool conversion section in fiscal years 2023-2024 and 2024-2025, and two additional full-time equivalent positions within the section in fiscal year 2024-2025. Effective 6/30/3000

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. As such, a Department of Health Wastewater Branch Cesspool Conversion section with additional employees may help with homeowner outreach, education as well as facilitating different funding and financing options for the conversion of cesspools in the state.

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

¹ University of Hawai'i Sea Grant College Program. *Hawai'i Cesspool Prioritization Tool*.
<https://seagrant.soest.hawaii.edu/cesspools-tool/>

HB-180-HD-1

Submitted on: 2/8/2023 1:44:41 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

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

Comments:

Aloha,

The Rotary Club of Hanalei Bay strongly supports HB189 HD1. With such a large challenge, it is important that the state have a dedicated team to drive cesspool conversion in the state.

Cesspools are a major cause of the health risks to both visitors and residents using the Hanalei River for recreation purposes. Fortunately, these health risks are not well known in the travel industry. Last year our current Club president spent several days in Wilcox treating a severe infection from practicing with her outrigger team on the Hanalei River.

A dedicated team of professionals focused on this problem is needed to solve this issue before the travel industry becomes aware of these health risks and directs visitors to other destinations.

Mahalo



To: The Honorable Chair Della Au Belatti, the Honorable Vice Chair Jenna Takenouchi, and Members of the Committee on Health and Homelessness

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

Re: **Hearing HB180 RELATING TO CESSPOOLS.**

Hearing: Friday February 10, 2023, 10:00 a.m., room 329

Aloha Chair Au Belatti, Vice Chair Takenouchi, and Members of the Committee on Health and Homelessness:

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 HB180!

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! Cesspool upgrade, conversion, or sewer connection is needed now to protect the health of Hawaii's people from pollution from cesspools.

Sea level rise will exacerbate the public health problems as it will cause some more cesspools near the shoreline or in low lying areas 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.

Upgrading cesspools will require a significant effort and a commitment of additional personnel and resources at the Department of Health and elsewhere.

This bill would supply the Department of Health with some of the resources needed to facilitate the conversion of cesspools within the State. The bill will create a cesspool conversion section within the Department of Health's Wastewater Branch responsible for facilitating the conversion of cesspools within the State. It would establish and appropriate moneys for two new full-time equivalent positions within the new cesspool conversion section in fiscal year 2023-2024, and two additional full-time equivalent positions in fiscal year 2024-2025.

These resources are needed to process applications and help cesspool homeowners begin to convert their cesspools Please pass this bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)



Email: communications@ulupono.com

HOUSE COMMITTEE ON HEALTH & HOMELESSNESS
Friday, February 10, 2023 — 10:00 a.m.

Ulupono Initiative supports HB 180 HD1, Relating to Cesspools.

Dear Chair Belatti and Members of the Committee:

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 HB 180 HD1, which creates within the Department of Health's Wastewater Branch, a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State; and, establishes and appropriates funds for two full-time equivalent positions within the cesspool conversion section in fiscal years 2023-2024 and 2024-2025, and two additional full-time equivalent positions within the section in fiscal year 2024-2025.

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.

Our state will require supportive policies and dedicated resources to help our local communities meet Hawai'i's goal to convert all cesspools by 2050. This bill is an important step that demonstrates Hawai'i State government's commitment to responsibly address waste and water management.

Thank you for the opportunity to testify.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i



Feb. 9, 2023

In Support of **HB180 HD1** Relating to Cesspools
House Committee on Health (HLT)
Hearing on Feb. 10, 10:00am, Rm. 329

Aloha, Chair Au Bellati, Vice-Chair Takenouchi and Members of the Committee:

On behalf of the non-profit WAI: Wastewater Alternatives & Innovations, I am writing in **strong support of HB180 HD1**. This bill will create a new Cesspool Section in the Dept. of Health's Wastewater Branch to help expedite the conversions of cesspools across the state. Currently, the rate of conversions is about 150-200 per year, but that will need to ramp up to more than 3000 per year to meet the state's deadline under Act 125.

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 creating a new Cesspool Section and hiring positions to staff (two to start in 2024-2025 and two more to follow in 2024-2025) will be crucial in helping the state to fulfill its mandate under Act 125 to convert all cesspools by 2050.

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 and make properties more valuable, while also protecting public health, groundwater, streams and 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. Creating a new Cesspool Section will be the first major step forward in working with wastewater engineers and contractors in processing permits for cesspool conversions. As part of the new section, new staff members will need to streamline the permitting process so that it's faster and more efficient.

This bill creates a practical and expedient way to set up a new office in DOH's Wastewater Branch that is solely focused on helping wastewater engineers, contractors and homeowners with the permitting process to convert cesspools to wastewater systems approved by the DOH. It will also help the state meet the mandate to convert all cesspools by 2050. Mahalo for your leadership on this issue and support of this bill.

Aloha,

Stuart Coleman

Stuart H. Coleman, Executive Director

HB-180-HD-1

Submitted on: 2/8/2023 5:27:19 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

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.

HB-180-HD-1

Submitted on: 2/8/2023 5:58:34 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniela Escontrela	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG** support of this bill. We deserve clean groundwater, drinking water and near shore coastal waters. Clean waters are also important for Hawaii's nearshore ecosystems such as coral reefs which are imperative for Hawaii's tourism economy. Please pass this bill

HB-180-HD-1

Submitted on: 2/8/2023 7:45:29 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Punihaole Kennedy	Individual	Support	Written Testimony Only

Comments:

Creates within the Department of Health's wastewater branch a cesspool conversion section, which will be responsible for facilitating the conversion of cesspools within the State.

I approve.

Cynthia Punihaole Kennedy

HB-180-HD-1

Submitted on: 2/8/2023 9:14:55 PM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Potts	Individual	Support	Written Testimony Only

Comments:

I live in Kona and am concerned about the massive numbers of cesspool sewage disposal on the Big Island. I have a degree in Environmental Health from Oregon State University and many years of on site sewage disposal methods and effectiveness they have in removing pathogens into the environment. Cesspools do not have any adequate pathogen removal capability in volcanic geological formations that exist on the Big Island. These type of formations do not provide the soil structure to support organisms capable of reducing or eliminating the pathogens. Adequate soil structure in coastal areas here are minimal or non existent. Therefore improperly or non existent sewage treatment allows these pathogens to enter our ocean and wreak havoc on the fragile coral reef system. Also nitrate loading is occurring which adds nutrients that fertilize seaweed that chokes out the sensitive reef ecosystem. This method of sewage disposal **MUST** be addressed and eliminated to save our precious reefs. Please pass this bill. Mahalo and Aloha.

HB-180-HD-1

Submitted on: 2/9/2023 10:58:14 AM

Testimony for HLT on 2/10/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
marjorie erway	Individual	Support	Written Testimony Only

Comments:

And I urge you to support all related bills. I feel this is VERY IMPORTANT to the health of our beaches, especially.

Mahalo for your consideration.

Marjorie Erway

808-324-4624

OFFICE OF ECONOMIC DEVELOPMENT

NALANI BRUN, DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

Testimony of Nalani Kaauwai Brun
Director, Office of Economic Development- County of Kaua`i

Before the
House Committee on Health & Homelessness
February 10, 2023, at 10:00 am
Room 329 & Via Videoconference

In consideration of
House Bill 180
Relating to Cesspools

Honorable Chair Belatti, Vice-Chair Takenouchi, and Committee Members:

The County of Kaua`i **supports HB 180** to create within the Department of Health's Wastewater Branch a Cesspool Conversion Section, which will be responsible for facilitating the conversion of cesspools within the State. It also establishes 2.0 full-time equivalent positions in fiscal year 2023-2024 and 2.0 additional full-time equivalent positions in fiscal year 2024-2025 within the cesspool conversion section.

Infrastructure to provide water and dispose of wastewater and solid waste is critical to supporting sustainable growth on Kaua`i. This entails providing safe and sanitary wastewater disposal solutions for growing areas and converting cesspools that create environmental pollution and potential health hazards. The State Department of Health (DOH) estimates 13,688 cesspools on Kaua`i, with Kaua`i having the highest density of Individual Wastewater Systems (IWS) in the State at 32 units per square mile. Currently, these IWS are regulated by DOH who uses the County's building permitting process to determine if a property needs to upgrade a cesspool to a septic system. However, a faster and more efficient system is crucial to meet the State's mandate under Act 125 and accelerate cesspool conversion.

HB 180 offers critical capacity and personnel resources to DOH's Wastewater Branch by enabling a dedicated office to assist wastewater engineers, contractors, and homeowners with the permitting process. It also offers a centralized resource to assist with the complicated nature of cesspool conversion and upgrades, including financing, public outreach and education, and facilitating partnerships.

Mahalo for considering this testimony in **support of HB 180**.