

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

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

**Before the House Committees on
ENERGY & ENVIRONMENTAL PROTECTION
AND
COMMITTEE ON WATER & LAND**

**Tuesday February 13, 2024
9:05 AM
State Capitol, Via Videoconference, Conference Room 325**

**In support of
House Bill 1759
RELATING TO CESSPOOLS**

House Bill 1759 requires cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before 1/1/2030. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

The 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. 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. The Commission's 2022 update to the *Sea Level Rise Vulnerability and Adaptation Report* Recommended Action 6.4 counsels that the State should expand policy directives beyond the existing income tax credits and requirement for removal by 2050. Accelerating the conversion of cesspools of any kind would ensure a more resilient future and safer reefs and waters for kama'āina and visitors alike.

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 Energy & Environmental Protection
House Committee on Water & Land
Tuesday, February 13, 2024 at 9:05 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, PhD

Director, UH Water Resources Research Center

And

Michael Bruno, PhD

Provost

University of Hawai'i at Mānoa

HB 1759 – RELATING TO CESSPOOLS

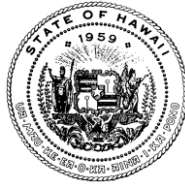
Chairs Lowen and Ichiyama, Vice Chairs Cochran and Poepoe, and Members of the Committees:

The University of Hawai'i Sea Grant College Program and UH Water Resources Research Center **support HB 1759**.

This bill would require cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before 1/1/2030.

Upgrading cesspools is a vital step towards mitigating the potential risks associated with groundwater contamination, as the adoption of advanced wastewater treatment methods reinforces Hawaii's dedication to protecting its valuable water resources and minimizing ecological impact.

Thank you for the opportunity to testify on this measure.



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 COMMENTING on HB1759
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: 2/13/2024

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (Department) offers comments on this
3 measure that requires before January 1, 2030, every cesspool that is attached to or used by any
4 housing or lodging that provides transient accommodations in the State, excluding cesspools
5 granted exemptions by the Director pursuant to section 342D-72 of Hawaii Revised Statutes,
6 shall be upgraded, converted, or connected to a sewerage system.

7 The Department recommends that this measure include that the cesspool be located in the
8 priority 1 and 2 areas according to the University of Hawai'i 2022 Hawaii cesspool prioritization
9 tool¹.

10 **Offered Amendments:** The Department respectfully suggests the following revisions to the
11 proposed HRS amendments. Additions appear as underlined and deletions appear as strikeouts.

12 SECTION 1, Page 1, lines 11-15: "(b) Before January 1, ~~2030~~2035, every cesspool
13 categorized as priority level 1 according to the University of Hawaii 2022 Hawaii cesspool
14 prioritization tool that is attached to or used by any form of housing or lodging that provides
15 transient accommodations in the State, excluding cesspools granted exemptions by the director
16 of health pursuant to subsection ~~(e)~~(d), shall be:

17 (1) Upgraded or converted to a director-approved wastewater system; or

¹ <https://seagrant.soest.hawaii.edu/cesspools-tool/>

1 (2) Connected to a sewerage system.

2 (c) Before January 1, 2040, every cesspool categorized as priority level 2 according to
3 the University of Hawaii 2022 Hawaii cesspool prioritization tool that is attached to or used by
4 any form of housing or lodging that provides transient accommodations in the State, excluding
5 cesspools granted exemptions by the director of health pursuant to subsection (d), shall be: :

6 (1) Upgraded or converted to a director-approved wastewater system; or

7 (2) Connected to a sewerage system.

8 ~~(e)~~(d) The director ...”

9 Thank you for the opportunity to testify.

COUNTY COUNCIL

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 1, 2024

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL**

**ON
HB 2264, RELATING TO CESSPOOLS
AND
HB 1759, RELATING TO CESSPOOLS
AND
HB 1894, RELATING TO CESSPOOLS
AND
HB 1691, RELATING TO THE ENVIRONMENT
AND
HB 1892, RELATING TO CESSPOOLS
AND
HB 1893, RELATING TO CESSPOOL CONVERSIONS
AND
HB 2738, RELATING TO RENEWABLE ENERGY**
House Committee on Energy & Environmental Protection
House Committee on Water & Land
Tuesday, February 13, 2024
9:05 a.m.
Conference Room 325
Via Videoconference

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

Thank you for this opportunity to provide testimony in SUPPORT of HB 2264, Relating to Cesspools, HB 1759, Relating to Cesspools, HB 1894, Relating to Cesspools, HB 1691, Relating to the Environment, HB 1892, Relating to Cesspools, HB 1893, Relating to Cesspool Conversions, and HB 2738, Relating to Renewable Energy. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 2264, HB 1759, HB 1894, HB 1691, HB 1892, HB 1893, and HB 2738, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 2264, HB 1759, HB 1894, HB 1691, HB 1892, HB 1893, and HB 2738. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:ss



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: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: Hearing **HB1759 RELATING TO CESSPOOLS**

Hearing: Tuesday February 13, 2024 9:05 a.m.

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.

The Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS HB1759!

HIROC is deeply concerned about the harm that cesspool pollution inflicts on our precious coral reefs and public health! Hawaii has over 80,000 cesspools that put

about 53 million gallons of raw sewage into our groundwater, streams and ocean every single day! This discharge **exposes people to sewage pathogens that can make them sick**. The release of **nutrients** from cesspools through groundwater and streams into the ocean causes algae growth, which can **smother the coral reefs that are essential to protecting our shorelines, nurturing our fisheries, preserving water quality and enabling our lucrative recreational economy**. Sea level rise will further exacerbate the public health and environmental problems as it will cause more cesspools to overflow onto the surface.

Hawaii's reefs will die in warmer, more acidic, and rising oceans if we don't reduce cesspool pollution and other harmful factors now!

This bill would help reduce cesspool pollution somewhat by requiring cesspools that are used in or attached to transient accommodations to be connected to a sewer or upgraded by 2030, unless granted an exemption by the Director of Health.

Mahalo!

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

HB-1759

Submitted on: 2/4/2024 5:10:31 PM

Testimony for EEP on 2/13/2024 9:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Dorothy Norris	Individual	Support	Written Testimony Only

Comments:

Cesspool conversion is mandatory on our island. This bill will be a single step towards that transition.

HB-1759

Submitted on: 2/4/2024 9:02:49 PM

Testimony for EEP on 2/13/2024 9:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

strong support HB1759

HB-1759

Submitted on: 2/8/2024 6:22:18 AM

Testimony for EEP on 2/13/2024 9:05:00 AM

Submitted By	Organization	Testifier Position	Testify
joel Guy The Hanalei Initiative	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lowen and Members of the Committee,

The Hanalei Initiative is a Hanalei based non-profit. For the past five years, one of the priorities of our organization has been to accelerate the conversion of cesspools to appropriate septic systems technologies to improve the water quality of Hanalei Bay. Here is a [link](#) to more information on this issue. We are writing in strong support of HB 1759 that requires cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewage system before January 1, 2030, however, we also feel that this mandate should be accomplished sooner rather than more than five years out.

Thank you for your support in continuing to improve the environment in Hawaii.

Joel Guy

The Hanalei Initiative

www.hanaleiinitiative.org

Community-led, Government-Supported