

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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
RYAN K.P. KANAKA'OLE  
Acting Chairperson

Before the House Committee on  
ENERGY & ENVIRONMENTAL PROTECTION

Thursday, February 5, 2026  
9:00 AM

State Capitol, VIA VIDEOCONFERENCE, Conference Room 325

In consideration of  
HOUSE BILL 1985  
RELATING TO CESSPOOLS

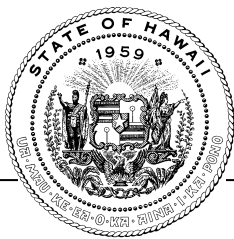
House Bill 1985 proposes to allow certain extensions of the deadline for cesspool conversions; and to authorize and appropriate funds to the Department of Health (DOH) to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines. **The Department of Land and Natural Resources (Department) offers the following comments.**

Hawai'i has over 83,000 cesspools that discharge 52 million gallons of untreated sewage into the groundwater every day. Sewage discharge can adversely impact marine resources by causing increased nutrients in the nearshore environment leading to eutrophication, reduction in coral cover, and decreased marine species diversity. These effects frequently impact coral reef ecosystems, as sewage has been shown to travel quickly from land to sea. Thus, it is imperative to focus on effective management of wastewater to protect aquatic resources in Hawai'i.

The current deadline for cesspool conversions is not until 2050, by which time these cesspools will have been continuing to discharge sewage into the groundwater for another 24 years. Any extensions to the deadline will only prolong these adverse impacts. The Department recognizes the challenges of meeting current cesspool conversion deadlines, and urges the Legislature to provide funding to DOH and homeowners to support these conversions, so that extensions to the deadline are not necessary.

The Department supports the amendments to Section 342D-59, Hawai'i Revised Statutes, that provide the Director of Health with the authority and resources to conduct outreach and education to support homeowner conversion of cesspools.

Mahalo for the opportunity to comment on this measure.



**STATE OF HAWAI'I  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <https://planning.hawaii.gov/>

Statement of  
**MARY ALICE EVANS, Director**

before the  
**HOUSE COMMITTEE ON  
ENERGY & ENVIRONMENTAL PROTECTION**

Thursday, February 5, 2026, 9:00 AM  
State Capitol, Conference Room 325

in consideration of  
**HB 1985**  
**RELATING TO CESSPOOLS.**

Chair Lowen, Vice Chair Perruso, and Members of the House Committee on Energy & Environmental Protection,

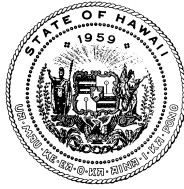
The Office of Planning and Sustainable Development (OPSD) **supports HB 1985**, which allows certain extensions of the deadline for cesspool conversions. Authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines.

OPSD believes that Part II of HB 1985 is necessary to prevent the financial penalization of lower-income homeowners who may not have the means to afford or acquire the capital needed for mandatory cesspool upgrades, conversions, or sewer connections. By providing targeted financial relief and alternative pathways for compliance, this measure ensures that our environmental mandates do not become an undue burden on our most vulnerable residents, thereby fostering an equitable transition that aligns with our broader state housing and infrastructure goals.

Furthermore, OPSD highlights that Part III of HB 1985 emerged directly from the Individual Wastewater Systems (IWS) Permitted Interaction Group (PIG) of the SPEED Task Force, reflecting the impactful work of the task force and its members on policymaking. This section emphasizes the necessity of robust public outreach and education to inform both homeowners and wastewater industry professionals about available resources and impending deadlines for conversion. Such education is essential to ensure that the public is not caught off-guard by regulatory requirements and that industry professionals are equipped with the latest

information to guide their clients. Clear communication is the cornerstone of successful implementation, and this bill provides the necessary framework to bridge the gap between policy mandates and community readiness.

Thank you for the opportunity to testify in support of this measure.



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

**Testimony COMMENTING on HB1985  
RELATING TO CESSPOOLS.**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date, Time and Room Number: 02/05/2026, 9:00 am, 325

1 **Fiscal Implications:** Undetermined. The Department of Health (“Department”) requests that  
2 this measure be considered as a vehicle to provide this needed funding so long as it does not  
3 supplant the priorities and requests outlined in the Governors executive budget request.

4 **Department Position:** The Department supports the intent of this measure and offers  
5 comments and proposed amendments.

6 **Department Testimony:** The Environmental Management Division, Wastewater Branch (EMD-  
7 WWB) provides the following testimony on behalf of the Department.

8 The Department acknowledges the intent of providing an extension of up to five (5)  
9 years at a time of the deadline under Hawai‘i Revised Statutes (HRS) Chapter 342D-72 (c) based  
10 on a demonstration of financial inability to pay for or finance a cesspool upgrade, conversion,  
11 or connection. However, the type of financial document and type of metric to be utilized to  
12 demonstrate a property owner’s financial inability needs further clarification.

13 The Department appreciates the need to create and execute a comprehensive public  
14 outreach strategy on cesspool conversion. The Department would need one (1) full-time  
15 equivalent (FTE) Program Specialist V position with experience in public outreach and education  
16 and website developer and data administrator. This one (1) FTE position would manage

1 creation and execution of the public outreach strategy, the creation of the statewide  
2 comprehensive website, oversee updates and data management, and coordinate with the  
3 counties, nonprofit organizations, and wastewater professionals, and other community  
4 stakeholders.

5 Funds from the Water Pollution Control Revolving Fund (aka Clean Water State  
6 Revolving Fund) may not be eligible to be utilized directly by the State to a consultant for a  
7 State website or outreach strategy.

8 **Offered Amendments:** The Department respectfully offers the following revisions to the  
9 proposed measure. Additions appear as underlines and deletions appear as bracketed  
10 strikethroughs.

11 SECTION 4, Page 6, lines 1-12: "Notwithstanding section 342D-83, Hawaii Revised  
12 Statutes, or any other law to the contrary, there is appropriated out of the [~~water pollution~~  
13 ~~control revolving~~]general fund the sum of \$ or so much thereof as may be necessary for  
14 fiscal year 2026-2027 for the department of health to retain qualified consultants, as necessary,  
15 to identify necessary public outreach and education resources and tools, and develop a  
16 comprehensive public outreach strategy and website to provide necessary information to  
17 homeowners and wastewater industry professionals about information and resources  
18 regarding the State's cesspool upgrade, conversion, and connection requirements and  
19 deadlines."

20 Amendments offered below are only for SECTION 3, Page 5, lines 5-20 where we are  
21 making recommendations for revision. We have highlighted text where we are recommending  
22 replacement or addition. If we are recommending deletion of any amendments in this measure,  
23 we have struck through the text. All other amendments are unchanged.

24 "(4) In consultation with counties, nonprofit organizations, and wastewater industry  
25 professionals:

1       (A) Identify necessary resources and tools for public outreach and education,  
2       including necessary funding and timelines, to meet the requirements of  
3       section 342D-72;

4       (B) Develop a comprehensive public outreach strategy for the State and  
5       counties to educate [homeowners]property owners on cesspool upgrade,  
6       conversion, and connection options and resources; and

7       (C) Develop a website to serve as a statewide [clearinghouse] website for  
8       information and resources for [homeowners]property owners and  
9       wastewater industry professionals, [about]which may include resources,  
10      priority level maps, cesspool impacts, financing options, exemptions,  
11      county plans, and any other relevant information.”

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



February 5, 2026

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

House Committee on Energy & Environmental Protection  
State Capitol, Conference Room 325 & Videoconference

**RE: House Bill 1985, Relating to Cesspools**

**HEARING: Thursday, February 5, 2026, at 9:00 a.m.**

Aloha Chair Lowen, Vice Chair Perruso, 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 Hawaii and its over 10,000 members. HAR **supports** House Bill 1985, which PART II: Allows certain extensions of the deadline for cesspool conversions. PART III: Authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate homeowners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines

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 and to convert 83,000 cesspools by 2050, at least 3,458 cesspools would need to be converted per year. Costs will vary greatly depending on resources, labor, permitting delays, property terrain, and other variables. According to the Cesspool Conversions Finance Research Report prepared for the Department of Health ("DOH"), "historical costs of cesspool upgrades to approved systems range widely from approximately \$9,000 to \$60,000 or more depending on the wastewater system capacity (based on bedroom count), technology, and location or site constraints."<sup>2</sup>

Given these challenges and costs, many homeowners may struggle to meet the deadlines for conversion. Allowing reasonable extensions in cases of financial hardship can provide needed flexibility. In addition, improved outreach and education can help homeowners and wastewater industry professionals better understand available resources and options, enabling them to make informed decisions about converting cesspool to a DOH approved wastewater system.

Mahalo for the opportunity to provide testimony on this measure.

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<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> Carollo. (January 21, 2021). *Cesspool Conversion Finance Research Report*.  
<https://health.hawaii.gov/wastewater/files/2021/02/financefinalreportr.pdf>

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To: The Honorable Representative Nicole Lowen, Chair, the Honorable Amy Perruso, Vice Chair, and Members of the Energy and Environmental Protection Committee.

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

Re: **Hearing HB1985 RELATING TO CESSPOOLS**

Hearing: Thursday February 5, 2026 9:00 a.m.

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Energy and Environmental Protection Committee!

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 **SUPPORTS** HB1985.

Effective public outreach is a critical part of a program to upgrade thousands of cesspools. Homeowners should have access to full information. This bill would fund such access. Please pass the portion of the bill funding outreach!

The Hawai'i Reef and Ocean Coalition does have concerns that the bill's allowance of extensions for inability to pay seem overbroad and may be difficult to implement fairly. This portion of the bill could use amendment.

Mahalo!

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

**HB-1985**

Submitted on: 2/3/2026 2:14:59 PM

Testimony for EEP on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT