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GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
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COMMISSION ON WATER RESOURCE
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FIRST DEPUTY

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

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**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**

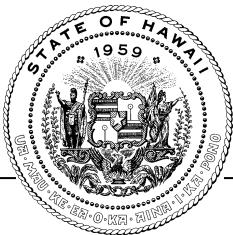
House Bill 1985 proposes to allow certain extensions of the deadline for cesspool conversions; and to authorize and appropriate funds to the Department of Health (DOH) to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive 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 HAWAII OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT

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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.

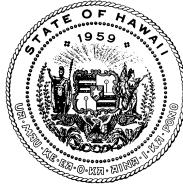
Furthermore, OPSD highlights that Part III of HB 1985 emerged directly from the Individual Wastewater Systems (IWS) Permitted Interaction Group (PIG) of the SPEED Task Force, reflecting the impactful work of the task force and its members on policymaking. This section emphasizes the necessity of robust 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

HB 1985 RELATING TO CESSPOOLS - SUPPORT
State Office of Planning and Sustainable Development
February 5, 2026

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.

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



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**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 priorities¹ 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."²

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.

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

² 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