

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 HD1
RELATING TO CESSPOOLS.**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date, Time and Room Number: 03/23/2026, 1:30 pm, 225

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 Governor’s 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

1 equivalent (FTE) Program Specialist V position with experience in public outreach and
2 education, website development, and data administration to oversee public outreach and
3 website requirements included in this measure, including managing consultants. This one (1)
4 FTE position would manage creation and execution of the public outreach strategy, the creation
5 of the statewide comprehensive website, oversee updates and data management, and
6 coordinate with the counties, nonprofit organizations, and wastewater professionals, and other
7 community stakeholders.

8 **Offered Amendments:** The Department respectfully offers the following revisions to
9 SECTION 2, Page 4, lines 6-8. We have highlighted text where we are recommending
10 replacement or addition. All other amendments are unchanged.

11 “(e) It shall be a goal of the department to prioritize the upgrade, conversion, or
12 connection to a sewerage system of cesspools that pose the highest risk to human health or the
13 environment.”

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


OFFICE OF HAWAIIAN AFFAIRS
COMMENTS ON 1985_HD1
RELATING TO CESSPOOLS

Ke Kōmike ‘Aha Kenekoa o ka ‘Oihana Mahi‘ai a me ke Ao Kūlohelohe
Senate Committee on Agriculture and Environment

Ke Kōmike ‘Aha Kenekoa o ke Olakino a me ka Lawelawe Kanaka
Senate Committee on Health and Human Services

Ke Kōmike ‘Aha Kenekoa o ka Ho‘omohala Waiwai a me ka ‘Oihana Ho‘okipa
Malihini
(Senate Committee on Economic Development and Tourism)

Hawai‘i State Capitol

March 23, 2026

1:30 P.M.

Room 225

Aloha e Chairs Gabbard, San Buenaventura and DeCoite, Vice Chairs Richards, McKelvey and Waikai, and Members of the Senate Committees on Agriculture and Environment, Health and Human Services, and Economic Development and Tourism:

The Office of Hawaiian Affairs (OHA) **provides COMMENTS ON HB1985_HD1** which would, among other amendments, extend the deadline for conversion of cesspools past the existing 2050 deadline set in existing law. OHA has a longstanding policy to protect wai and other natural resources that support traditional and customary practices guaranteed by our State Constitution. Haw. Const. Art. XII, § 7; Art. XI, § 1.

OHA believes that extending the deadline for compliance is not the appropriate strategy to advance the state’s goal to reduce nearshore pollution that endangers public health and degrades reef ecosystems. Tens of thousands of cesspools in the State discharge millions of gallons of untreated sewage into the ground every day, endangering public health, and degrading the quality of Hawai‘i ground water, island streams and nearshore coastal waters and reef ecosystems. Recognizing this, the 2017 Legislature enacted Act 125, Session Laws of Hawai‘i 2017, to require the upgrade, conversion, or sewer connection of all cesspools in the State by January 1, 2050. OHA acknowledges that cost and other factors have limited compliance and progress towards this goal, but extending the compliance deadline does not in any way advance the legislature’s commitment to eradicating this harmful pollution source.

Other important measures advancing this session, such as HB1618 HD1 to establish a revolving loan program, and HB 1730 HD2, to establish a working group on implementation, would provide more appropriate strategies for ensuring timely and complete compliance with Act 125. Moreover, OHA notes that in 2014, the Department of Health (DOH) itself proposed

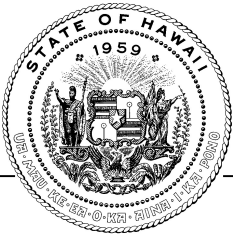
rules that would have required cesspools to be upgraded to a septic or other alternative sewage disposal system upon the sale of property containing them. Because the cost of upgrades could be incorporated into a new mortgage, this is a practical approach to ensuring more timely compliance with this important law. OHA supports these types of approaches to more directly advance progress towards cesspool conversion, and protect Hawai‘i’s critical near shore reef ecosystems.

In closing, OHA notes that healthy coral reefs generate more than \$1.2 billion annually in tourism revenue and provide critical ecosystem services, including shoreline protection and food security, further enhancing their economic value.¹ State-supported analyses further show that coral reefs provide flood protection benefits valued at more than \$836 million annually, protecting people, property, and jobs throughout Hawai‘i’s coastal communities.² Therefore, a loan program investing up front money, or even a separate fund for direct subsidies, is money well-spent in supporting Hawai‘i’s critical natural resources for their economic as well as their inherent cultural, recreational, and environmental value.

Mahalo for the opportunity to provide this testimony.

¹ [Restoring Hawai‘i’s Reefs | The Nature Conservancy](#) (Sept. 16, 2018).

² Hawai‘i Coral Reef Initiative, *The Economic Value of Hawai‘i’s Coral Reefs* (Honolulu: State of Hawai‘i, Department of Land and Natural Resources, Division of Aquatic Resources).



**STATE OF HAWAII
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, Hawaii'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii'i 96804

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

Statement of
MARY ALICE EVANS, Director

before the
**SENATE COMMITTEE ON
AGRICULTURE AND ENVIRONMENT &
HEALTH AND HUMAN SERVICES**

Monday, March 23, 2026, 1:30 PM
State Capitol, Conference Room 225

in consideration of
**HB 1985, HD 1
RELATING TO CESSPOOLS.**

Chairs Gabbard and San Buenaventura, Vice Chairs Richards and McKelvey, and Members of the Committees.

The Office of Planning and Sustainable Development (OPSD) **supports HB 1985, HD 1**, which in PART II: allows certain extensions of the deadline for cesspool conversions; and establishes a goal for the Department of Health to prioritize the upgrade, conversion, or connection of cesspools that pose the highest risk to human health or the environment. In 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 property owners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines.

Furthermore, OPSD highlights that Part III of HB 1985, HD 1 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. For these reasons, OPSD respectfully asks the committee to pass HB 1985, HD 1.

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

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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

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

Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
HEALTH AND HUMAN SERVICES

Monday, March 23, 2026
1:30 PM
State Capitol, Conference Room 225

In consideration of
HOUSE BILL 1985, HOUSE DRAFT 1
RELATING TO CESSPOOLS

House Bill 1985, House Draft 1 proposes to allow certain extensions of the deadline for cesspool conversions; to establish a goal for the Department of Health (DOH) to prioritize the upgrade, conversion, or connection of cesspools that pose the highest risk to human health or the environment; and to authorize and appropriate funds to 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 property owners 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.

March 23, 2026

The Honorable Mike Gabbard, Chair

Senate Committee on Agriculture and Environment

The Honorable Joy A. San Buenaventura, Chair

Senate Committee on Health and Human Services

State Capitol, Conference Room 225 & Videoconference

RE: House Bill 1985, HD1, Relating to Cesspools

HEARING: Monday, March 23, 2026, at 1:30 p.m.

Aloha Chair Gabbard, Chair San Buenaventura, 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 Hawaii and its over 10,000 members. HAR **supports** House Bill 1985, HD1, which PART II: Allows certain extensions of the deadline for cesspool conversions. Establishes a goal for the Department of Health to prioritize the upgrade, conversion, or connection of cesspools that pose the highest risk to human health or the environment. 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 property owners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines. Effective 7/1/3000.

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

¹ University of Hawai'i Sea Grant College Program. *Hawai'i Cesspool Prioritization Tool*.

<https://seagrants.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>



 808-733-7060

 1259 A'ala Street, Suite 300
Honolulu, HI 96817

 808-737-4977

Given these challenges and costs, many homeowners may struggle to meet the deadlines for conversion. Allowing reasonable extensions in cases of financial inability or demonstrating efforts to pay and finance their cesspools upgrade, conversion, or connection 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.





To: The Honorable Chairs Mike Gabbard and Joy San Buenaventura, the Honorable Vice Chairs Herbert M. “Tim” Richards, III, and Angus McKelvey, and members of the Committees on Agriculture and Environment and Health and Human Services

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

Re: **Hearing HB1985 HD1 RELATING TO CESSPOOLS**

Hearing: Monday March 23, 2026 1:30 p.m.

Aloha Chairs Gabbard and San Buenaventura, Vice Chairs Richards and McKelvey, and members of the Committees on Agriculture and Environment and Health and Human Services!

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 **COMMENTS in SUPPORT** of the **outreach and education** portions of the bill and funding but **OPPOSES Part II's** authorization of extensions of deadlines 24 years in the future as **premature**.

Outreach and education are a necessary part of a successful cesspool upgrading program. They are needed for homeowners and industry professionals to be aware of upgrading deadlines and not be caught off guard and better understand and stay current with available resources and options. OPSD has testified that the outreach and education portion emerged directly from the recent SPEED wastewater permitted interaction group.

In 2017, under Act 125 the State of Hawai'i required the upgrading of all cesspools by 2050 to a director-approved wastewater system. **HB1985 PART II prematurely authorizes the Department of Health to allow five-year extensions of this deadline, 24 years in**

advance. The Hawai'i Reef and Ocean Coalition **OPPOSES Part II of this bill as completely unnecessary at this time and** urges the Legislature to stay on track with cesspool conversion in Hawai'i because of the severe threat cesspools pose to our States' water quality, coral reefs, economy, and community health. **Further postponing cesspool conversion does not reduce costs; it merely shifts them. Continued sewage discharge through cesspools increases public health threats, reef and coastal degradation, and will result in long-term environmental remediation expenses. Addressing Hawai'i's wastewater pollution problem as mandated is more cost-effective than managing compounded damage later, and is necessary for safeguarding public health, water quality and marine ecosystems including coral reefs.**

Rather than prematurely authorizing delay of conversion deadlines, the Hawai'i Reef and Ocean Coalition urges the Legislature to **prioritize funding, technical assistance, and innovative wastewater solutions to make compliance more affordable while maintaining necessary health and environmental protections.** The Hawai'i Reef and Ocean Coalition respectfully urges the Committees to **revise HB1985 HD1 by striking Part II and pass the rest of the bill dealing with outreach and education.**

Mahalo!

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



March 20, 2026

Senate Committee on Agriculture and Environment; Health and Human Services
Hawai'i State Legislature
Via Electronic Transmission

Re: Testimony in OPPOSITION to Part II of HB1985 HD1, Relating to Wastewater Systems

Hearing: Monday, March 23rd, 1:30 via Videoconferencing.

Aloha Chair Gabbard, Vice Chair Richards and members of the Committee on Agriculture and Environment; and Chair Beunaventura, Vice Chair McKelvey and members of the Committee on Health and Human Services,

With due deference and respect to bill sponsors, WAI reluctantly must **oppose Part II** of HB1985 on page 2, line 12 through page 4, line 15. WAI **supports** the remainder of the bill relating to outreach and education and funding.

In 2017, under Act 125 the State of Hawai'i required the upgrading of all cesspools by 2050 to a director-approved wastewater system. **HB1985 PART II prematurely authorizes the Department of Health to allow five-year extensions of this deadline, 24 years in advance. Part II of this bill is unnecessary at this time.**

WAI is an environmental non-profit dedicated to protecting our water resources by reducing sewage pollution from cesspools. Hawai'i has more than 80,000 cesspools across the state, discharging about 50 million gallons of raw sewage each day into Hawai'i's waters, contributing to groundwater contamination, harmful bacteria exposure, nutrient pollution, and coral reef degradation. WAI supports more innovative, affordable, and eco-friendly solutions to wastewater management.

In 2018, the Legislature established a Cesspool Conversion Working Group. In the group's final report in 2022, the Working Group recommended to the Legislature that highest-priority cesspool systems be addressed on an accelerated timeline, with conversions targeted for 2030 and 2035 because the evidence shows that any delay in action will only prolong and exacerbate severe pollution and public health risks from cesspools. HB1985 PART II would forgo these evidence-based recommendations, and undermine efforts to safeguard public health, coastal ecosystems, and coral reefs. WAI urges the Legislature to stay on track with cesspool conversion in Hawai'i because of the severe threat cesspools pose to our States' water quality and community health.

Further postponing cesspool conversion does not reduce costs; it merely shifts them. Continued sewage discharge through cesspools increases public health threats, reef and coastal degradation, and will result in long-term environmental remediation expenses. Addressing Hawai'i's wastewater pollution problem now as mandated is more cost-effective than managing compounded damage later, and is necessary for safeguarding public health, water quality and marine ecosystems.

WAI strongly recommends rather than delaying conversion deadlines for homeowners, that the Legislature prioritize funding, technical assistance, and innovative wastewater solutions to make compliance more affordable while maintaining necessary health and environmental protections.



WAI respectfully urges the Committees to **revise HB1985 by striking Part II**. Mahalo for the opportunity to provide testimony.

Aloha,

Stuart Coleman,

Jessica Kai Paisley,

Stuart H. Coleman, Executive Director

Jessica Kai Paisley, Program & Legal Specialist

HB-1985-HD-1

Submitted on: 3/20/2026 1:54:46 PM

Testimony for AEN on 3/23/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Testifying for Friends of Hanauma Bay	Comments	Written Testimony Only

Comments:

Aloha Chairs and Committee Members,

Friends of Hanauma Bay supports the outreach and education part of HB1985 HD1 (Part III), but **opposes** Part II that would prematurely allow extensions of the 2050 upgrade mandate.

Mahalo for the opportunity to, testify on this bill.

HB-1985-HD-1

Submitted on: 3/20/2026 10:54:15 PM

Testimony for AEN on 3/23/2026 1:30:00 PM

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

Comments:

I support this bill as a way to help cesspool owners, especially homeowners. Mahalo!