

DHHL Beneficiary Information Meeting
Waiʻanae Valley Cesspool Conversion
February 3, 2025
Meeting Notes

Meeting Purpose:

1. Make sure DHHL and Waiʻanae homesteaders are on the same page:
 - a. Issues with cesspools -- the need for conversions
 - b. Preliminary cesspool conversion options
2. Share findings and recommendations of DHHL cesspool assessment
3. Reaffirm DHHL's commitment to work with other agencies to secure funding to help lessees pay for conversions.
4. Answer questions, gather comments, and note concerns.

DHHL began the meeting with an informational presentation regarding cesspool conversion and provided information on its Oʻahu Homestead Cesspool Assessment Report related to Waiʻanae Valley (presentation attached).

Summary of Meeting Conversation Between Beneficiaries and DHHL

- We (Waiʻanae Valley Homestead Community Association / WWHCA) wanted to have this meeting after realizing we don't have any coordination with other agencies and to talk about priorities so that no one will be left behind.
- The State Department of Health (DOH) identifies areas across the state with cesspools and prioritized which areas need to get converted first because those cesspools pose a higher threat to public health due to their location near public resources. DOH identified Waiʻanae Valley as a Priority 2 area. While not a Priority 1 area, Waiʻanae needs to begin to prepare for conversion.

DHHL: *Because of the advocacy of WWHCA and its ability to connect with other agencies with resources like the federal Environmental Protection Agency (EPA), DHHL sees the Waiʻanae Valley Homestead as a potential pilot program that could be a model to help other homestead communities. DHHL wants to prioritize working with homesteaders in Waiʻanae Valley on this issue.*
- If someone were to install a septic system, can the effluent (liquids) go into the existing cesspool as a seepage pit?

DHHL: *DOH has approved that method in the past -- not sure if they'll continue to approve it. DHHL will confirm w/DOH.*

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- We know that cesspools are pilau, but it was not our choice to install cesspools on our homestead lot. We did not do anything wrong. Why did DHHL install cesspools instead of sewer? We had to pay \$4,000 for cesspools. Is DHHL going to compensate the lessee to fill it?

DHHL: *At the time the Waiʻanae Valley homesteads were developed several decades ago, cesspools were a legal and acceptable wastewater disposal option. However, research and data collected over time has shown that cesspools across the state are a source of contamination in nearshore waters, streams, and aquifers. As a result, new rules were established by the Legislature to require cesspool closures statewide by 2050. DHHL wants to be clear that the existing lessees with cesspools did nothing wrong. However, the laws have changed related to cesspools, and we have to comply with the new requirements. DHHL knows that cesspool conversion is a significant cost and is currently looking at funding sources to help lessees with the cost of conversion. DHHL has been meeting w/various agencies and organizations that may be a potential funding source.*

- Funding - will any grants/funding applications, once found, be posted on website?

DHHL: *Yes, it is the intent to make homestead lessees aware of funding sources that can help with cesspool conversion, including posting information on the website as well as having more informational meetings such as these.*

- Will notifications of potential funding opportunities be mailed out too?

DHHL: *Yes, we will make the community aware of these funding sources.*

- We can't leave anyone behind on this.

DHHL: *Agreed.*

- What's the timeframe to convert?

DHHL: *The law says all cesspools need to be converted by 2050. As mentioned earlier, DOH identified different priority areas. Waiʻanae was identified as a Priority 2 area. DHHL believes at the earliest, Priority 2 areas will be 2035. However, DHHL will follow up with DOH to confirm the timeframe to convert Priority 2 areas.*

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- What's the timeframe to backfill after hooking up? Is there a program? What's the plan?

DHHL: *The EPA “Closing America’s Wastewater Access Gap” (CAWAG) initiative will be providing technical assistance. EPA will help DHHL & our lessees determine the timing. It would have to be phased, perhaps by neighborhood. Decommissioning cesspools and conversion to another wastewater solution needs to happen together. DHHL has spoken with Roger Babcock, Director of the City Department of Environmental Services (ENV), the agency that manages City wastewater systems. The City is concerned that funding sources for cesspool conversions might be decreasing. Both DHHL and its beneficiaries need to advocate for continued funding for cesspool conversion assistance with federal, state, and county elected officials. DHHL is trying to figure out a pathway for the next communities. Many of these funds for cesspool conversion goes to County agencies to distribute to individual homeowners. DHHL may potentially then have to distribute to homestead lessees.*

- What about the military? The airports? Ask them for assistance. Where has the money from these entities gone in the past? Need accountability.

DHHL: *It is a good idea to go ask various different entities to see if they can help to fund. There are definitely options. We are not looking at just one source for revenue. DHHL gets no money from airports because of FAA regulations. Leg. Bill HB606 is asking for funding for DHHL to bring infrastructure up to current standards to turn over to the counties for operations and maintenance.*

- Our family moved to our homestead in 1982. There was no way to connect to a sewer line. We like the idea of converting to septic. A lot of the lots have the cesspool too close to the wall/house, not enough space. As a community, we need to be in agreement w/solutions.

DHHL: *Agreed.*

- Elevation to send w/gravity would be an issue. That’s why we think a septic tank is better -- except for cost & engineering.

DHHL: *DHHL’s Land Development Division (LDD) reviewed streets w/different recommended connections during its cesspool assessment study. We are still evaluating the results and recommendations.*

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- What would the cost be to install and maintain a LPSS overall?

DHHL: *We don't know, but we will find out and get that information to you.*

- When is all of this going to start?

DHHL: *Priority 1 conversion areas are supposed to be completed by 2035. DHHL does not know exactly when the physical work will begin. But DHHL is starting now w/research & outreach, determining funding options & best solutions. The cesspool assessment that was presented this evening helped DHHL better understand the scope of the problem i.e. how many homestead lots need to be converted and where these lots are located. The location and the characteristics of these cesspools will factor into making a decision on the appropriate cesspool conversion option. WWHCA is proactive & working w/ EPA. Please share your cesspool information with DHHL if it is not on the cesspool assessment map.*

- It would be helpful to provide a basic example of the steps someone would undertake to go through the cesspool conversion process. Provide a list of steps. This would be useful education for lessees.

DHHL: *That's a good idea. The steps that are identified depends on the solution i.e. which option homestead lessees are going to convert to.*

- Is there a fine if a lessee can't convert, or legal action?

DHHL: *It's a kakou thing. If DHHL and its lessees can demonstrate to DOH that we are making a good faith effort to comply with the new law, they may be more willing to work with us on timing of compliance.*

DHHL: *Act 125: §342D(b) --> Provides for exemptions for legitimate reasons, but economic hardship is not listed. The City is looking at having funds available to assist w/other fees, likely will have something for conversions, so contact your reps to advocate.*

- Who's paying for Koʻolina Street? There is no sewage line installed on that street.

DHHL: *DHHL will pay for the sewer main along the street but typically the pipe that runs through the lessee's property to connect to the sewer main is paid by the lessee and the responsibility of the lessee because it is on the lessee's property. But DHHL will try to figure out if there are funding sources that can help lessees with those costs.*

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- Road in back end, (Kahahikahi St) Waikiki side, DWS is working w/pipes already, what are they doing? Smells bad.
DHHL: *No cesspool-related work going on, but DHHL is doing sewer improvements. BWS came to help w/water line issues. Doing regular sewer line maintenance and marking sewer laterals.*
- For 37 homeowners that were unable to participate in the DHHL Cesspool Assessment, are there opportunities to participate in the future?
DHHL: *The contract closed for the Assessment, but DHHL still wants to take lessees' information if they are willing to share it with DHHL. Can still get the info – we can follow up w/ those 37. Contact DHHL or WWHCA. Put it on a comment card that lessee is ok with granting access to the property.*
- “Assistance”- means likely also paying some portion out of pocket. Is that going to vary person to person once a source has been found? Is it first come, first serve?
DHHL: *These are good questions. We need to identify potential funding sources. Different sources may have different requirements. DHHL would like to hear your suggestions on how resources should be distributed to the community. Federal programs don't always keep in mind DHHL's unique situation and status. Your input will help us search for and find appropriate federal assistance programs.*
- **DHHL:** *If anyone on one of those 37 lots that did not participate in the DHHL Cesspool Assessment is here tonight, please highlight your name at the sign-in table where Jan is sitting.*
- Will DHHL help maintain the system after?
DHHL: *If sewer system is the preferred conversion option, DHHL typically partners with the City/County for them to maintain the system over time and the lessee would have to pay the monthly City sewer bill. If IWS, DHHL may help with upfront installation costs, but maintenance costs over time would be borne by the lessees. For both sewer and IWS solutions, we would need to find a funding source(s) that can help lessees with either the sewer bill or IWS maintenance costs.*

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- DHHL should take those homestead lessees that are already connected to sewer off of the mailout for these conversations.

DHHL: *DHHL would prefer to keep all lessees informed about this issue so that all community members are informed about what is happening in their community.*

- Can DHHL provide info on the LPSS lifespan? We want DHHL to look at funding sources to provide educational and technical assistance.

DHHL: *Will locate information on the lifespan of a LPSS connection. DHHL's participation in the CAWAG Initiative is bringing more resources to your community.*

- What does failure to comply look like? Are there penalties? We heard one possible scenario is putting a lien on property.

DHHL: *Counties can't put liens on DHHL property because DHHL land is inalienable and cannot be auctioned off or repossessed by a bank.*

- Has DHHL looked at low interest loans?

DHHL: *That could be a potential solution.*

- As DHHL works on Priority 2 areas, we need to make sure the State and Federal programs don't spend all funds on Priority 1 areas.

DHHL: *Agreed.*

- DHHL should look at [Clean Water] State Revolving Fund (SRF) as a resource.

DHHL: *Agreed.*

- What's the lifespan of a grinder pump?

DHHL: *We will locate information on the lifespan of a grinder pump. DHHL wants to bring sewer lines up to City standards because we want the City to take care of long-term maintenance. It should be the kuleana of the different municipalities. Roger Babcock (ENV) would be happy to talk to DHHL's beneficiaries – we'll work w/Jan on setting that up.*

- WWHCA can help the 37 lessees reach out to DHHL.

DHHL: *Mahalo.*

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- When soil testing was done, this area may not be good for filtration for septic systems. Will DHHL be looking at other types of filtration (leach field) so the system can filter correctly?

DHHL: *If we do go with IWS, we will have to comply with DOH standards, so the type of filtration will need to meet DOH standards.*

- Halapoi Street houses have lower elevation, but on map they are shown as gravity sewer -- where will they connect?

DHHL: *Not necessarily "connected," usually goes below roadway. Option would be LPSS (hybrid).*

- Kapaekahi Street has a bad smell. BWS did a water quality test and the water is ok but sporadically smells. P-trap is supposed to stop smells from coming up. The smell causes worries about a health hazard. WVCHA will be filing a complaint with DHHL. Work started in September 2024, supposed to only be 5 weeks but still going. One aunty's waterline cracked & her water's been turned off since Nov. 2024. No accountability & wall also cracked by BWS & covered up by a portapotty . We want DHHL to follow up.

DHHL: *LDD is following up with the contractor.*

- Does the wastewater treatment plant have the capacity to handle the additional hookups needed?
- At another meeting with community members in Nanakuli, it was stated that the City wastewater plant can handle additional flows.

- Is that fact published?

DHHL: *DHHL can follow-up with the City on that question to confirm the capacity of the City's wastewater treatment plant.*

- What happens if the conversion causes the lessee to have to modify improvements the lessee has already made on the property? My lot and many of my neighbors' lots have stone walls. What happens if we have to remove the wall?

DHHL: *That's a good question. As DHHL researches potential funding sources and programs, we should also keep in mind the cost of impacts to improvements made*

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by the lessee on their property. We would need to see if the funding source can cover the cost to move or replace existing improvements on lessees' properties.

- Lessee owns the house, not the land. Why do we have the kuleana to pay the property tax if we do not own the land? (\$300/yr)?

DHHL: *DHHL does own the ground because the land stays in the Trust. Real property taxes cover expenses related to services that the City provides like City parks, first responder services like police and fire. The property tax is not to pay for the ground.*

- 5 years ago, Wai‘anae Valley Homestead had a meeting with the EPA. The EPA said we were far away from the ocean.

DHHL: *The Prioritization modeling gave us a lot more information. The conversation is now about converting all cesspools due to potential impacts to water sources like wells, streams, impacts from groundwater upwelling due to sea level rise, etc.*

- Is there proof about the pollution [that cesspools cause]?

DHHL: *The legislation that was passed (Act 125) was based on DOH studies that showed a link -- contaminants from cesspools were being found in water bodies. DHHL will follow up w/DOH and provide links to the specific studies.*

- What will the cost be?

DHHL: *Don't know yet -- looking for solutions for both one-time construction costs & maintenance costs over time.*

- What is the average water bill in Wai‘anae?

DHHL: *We can follow up w/City Board of Water Supply (BWS) on that.*

- We would like more information on financial aid to help with cesspools.

DHHL: *DHHL wants to bring that type of information back to the community once we have identified potential funding sources and know more about what those sources can or cannot pay for.*

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- If hooked up to City sewer, the wastewater bill is about the same as for the water bill. Why is it like that?

DHHL: BWS said that's how do it fairly, even if the customer is doing conservation or diverting gray water.

- BWS allows homeowner to put a meter to track gray water use.

DHHL: *DHHL can check on this w/BWS. Could be a backflow preventer.*

- DHHL should research which types of laundry detergent are ok to use so that water can be safely reused on lessee's property.

DHHL: *We can check with DOH or a nonprofit like Wastewater Alternatives and Innovations (WAI) to see if there is a list already developed.*