



MACZAC

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Marine and Coastal Zone Advocacy Council

Ke Kahu O Na Kumu Wai

July 7, 2023

Ms. Mary Alice Evans
Interim Director
State Office of Planning and Sustainable Development
State Office Tower, 6th Floor
235 S. Beretania Street
Honolulu, HI 96813

Dear Ms. Evans:

Subject: "Identifying Frameworks for Land-Based Pollution Management in the Hawaiian Islands", Hawai'i CZM Program, 2021

Marine and Coastal Zone Advocacy Council (MACZAC) members have reviewed the referenced report, and its discussion of nonpoint source pollution (NPSP) management in Hawai'i. Take-aways from the report include that there are approximately 18 federal, state, and county agencies with some NPSP management roles, and their common theme is a lack of funding and staffing. In summary, land-based pollution impacts are significant, and NPSP management funding is limited.

MACZAC understands that land-based pollution has many issues and shortfalls, including:

- Multiple sources contributing to the problem
- Difficulties in managing NPSP effectively
- Reliance on voluntary measures rather than regulatory control
- Scarcity of quantitative information and data
- NPSP primarily addressed on a parcel basis, rather than a watershed basis

Consequently, managing NPSP is a complex and challenging task due to its diffuse nature.

We also understand that some government agency action is currently being taken, for example:

- HAR 11-56, Nonpoint Source Pollution Control (DOH June 2021), the "Water Pollution Prevention Plan" has compliance and enforcement mechanisms.

- The City and County of Honolulu (C&C) is developing a “Stormwater Master Plan” and is considering a “Stormwater Utility” fee program, with fees based on a property’s impervious surface coverage. (Note-impervious surfaces do not allow rainwater to naturally percolate into the ground, thus increasing stormwater run-off.)

NPSP was discussed by the MACZAC members at their regular meeting on April 26, 2023, and the members would like to report their comments and recommendations for prioritizing and implementing land-based nonpoint source pollution actions.

- Improve government agency NPSP management funding and staffing
- Encourage/increase NGO citizen groups – Watershed Protection Partnerships – on all the islands
- Increase enforcement of existing NPSP management regulations
- Encourage/facilitate more open, vegetated land area (i.e., less pavement) to reduce runoff
- Encourage (require) more lawns around houses, e.g., C&C Ord. 19-3 (2019) limits impervious surface area to a maximum of 75% of the lot area
- Increase tree canopy wherever possible
- Increase open pervious buffers between development and coastal waters (e.g., recent increases in shoreline setbacks in Maui, Kaua‘i, and O‘ahu support this)
- Watershed improvement/restoration
- Increased water runoff management
- Prioritize watershed-based approaches over parcel-by-parcel management

MACZAC would also like to suggest that CZM staff, and possibly a MACZAC representative, continue work with the ORMP Coordinated Working Group (ORMP-CWG) to develop projects addressing land-based pollution abatement. One project focus could be for CZM to partner with other State agencies, such as DLNR-DAR, on projects of mutual benefit that decrease land-based pollution and improve near-shore water quality. Also, the CZM partnering opportunities might be increased through the DOH Polluted Runoff Control (PRC) Program, and the Clean Water Act Section 319 program (nonpoint source management programs). The PRC Program is already affiliated with the CZM Program.

Thank you for your consideration of these thoughts and recommendations. Should you wish to discuss this further, we suggest including them as an agenda item for another upcoming MACZAC meeting.

Sincerely,

Phil Fernandez
Chair

cc: Justine Nihipali, Hawai‘i CZM Program Manager