

HIDOH Responses to Public Comments for the
2016 State of Hawaii Water Quality Monitoring and Assessment Report
(2016 Integrated Report)

On March 19, 2017 the Hawaii Department of Health, Clean Water Branch (HIDOH-CWB) released the Draft 2016 State of Hawaii Water Quality Monitoring and Assessment Report, also known as the Draft 2016 Integrated Report (IR), for public review and comment. The comment period, which ended on April 20, 2017, generated comments from various community and non-governmental organizations (Table 1). This document contains public comment summaries and CWB’s responses to all comments received during the comment period. The HIDOH-CWB’s responses are organized by subject and a complete copy of comments are available upon request.

Table 1. List of Commenters

	Name	Organization/ Address
A	Charles A. Prentiss, Ph.D. Chairperson	Kailua Neighborhood Board No. 31 519 Wanaao Road Kailua, HI 96734
B	Robert Bourke	437 Keolu Drive Kailua, HI 96734
C	Lisa A. Bail	Goodsill Anderson Quinn and Stifel P.O. Box 3196 Honolulu, HI 96801 <i>on behalf of</i> Kawailoa Development LLP
D	Dana Reed	Maui Nui Marine Resource Council Napili Bay and Beach Foundation (no addresses provided)
E	Carl J. Berg, Ph.D.	Blue Water Task Force Kauai Chapter of the Surfrider Foundation (no address provided)
F	Sarah Matsumoto	The Law Offices of Charles M. Tebbutt 941 Lawrence Street Eugene, OR 97401 <i>on behalf of</i> Friends of Mahaulepu <i>and</i> Kauai Chapter of the Surfrider Foundation
G	Blake Kopcho Oceans Campaigner	Center for Biological Diversity 1212 Broadway, Suite 800 Oakland, CA 94612
H	Abel Valdivia, Ph.D. Ocean Scientist, Oceans Program	Center for Biological Diversity 1212 Broadway Oakland, CA 94612

1. Kaelepulu Watershed

Commenters (A, B) requested clarification for changing the TMDL priority for Kaelepulu stream from high to medium. They also requested that Kaelepulu TMDL development remain high, and that a TMDL be completed for that area.

Clarifying text has been added to the final version of the 2016 IR (see page 14). The primary reason for changing the TMDL priority status for all watersheds, not just Kaelepulu, was to promote consistency with the Code of Federal Regulations (CFR) Section 130.7 (2013) which states “The priority ranking shall specifically include the identification of waters targeted for TMDL development in the next two years.” In addition, EPA’s initial comments on the draft report requested that the TMDL priority status be adjusted to accurately reflect the HDOH-CWB’s current efforts. Since the HDOH-CWB does not intend to develop TMDLs for Kaelepulu within the next two years, the watershed was reprioritized from high to medium. The waterbodies slated for TMDL development over the next two years include the Waikele and West Maui watersheds. Subsequent IRs will continue to reflect the areas where TMDLs are actively being pursued.

2. Waiopili Stream

Commenters (C, E, F) formally requested that HDOH-CWB immediately post warning signs at the Waiopili Stream cautioning the public about the risks posed from human contact with the stream. They requested that controls and monitoring activities be implemented to control bacteria, and want immediate steps for a TMDL to be developed for Waiopili Stream.

Commenters requested that the HDOH-CWB amend and resubmit the 2014 IR to list the Waiopili Stream as impaired. Commenters request HDOH-CWB to consider and include additional data from the Blue Water Task Force (BWTF), Marine Research Consultants (MRC), and the United States Geological Survey (USGS) for the 2016 IR. They also assert that there was enough data to assess Waiopili during the dry season.

Three temporary caution signs are currently posted at Gillin’s Beach. Fluctuations in the stream flow across the beach and tidal variations have caused signs to be dislodged. Permanent caution signs will be posted further up along the shoreline above the high-water mark and where stream flow will not affect the stability of the signs. These locations are on private property and permission to post the signs is currently being sought from the land owner. Permanent signs will be posted after permission has been obtained. Routine BEACH sampling data will continue to be collected at Gillin’s Beach, the coastal area fronting the Waiopili Stream, until permanent signs can be installed. Once permanent signs are installed, routine monitoring will end. In February 2016, a

PhyloChip study was initiated by researchers from the Lawrence Berkeley National Laboratory and the University of California at Berkeley as the Part 2 follow up to the Mahaulepu Sanitary Survey. The results of this study will be made available to the public after the results are received by the HDOH-CWB. Follow up monitoring will be conducted when TMDL development is initiated for that watershed. TMDL priorities are based on available resources. Waipili may be considered for TMDL development or other restoration activity at a future date/ time, as resources allow and in accordance with HDOH-CWB's TMDL prioritization ranking.

The HDOH-CWB has no plans to amend and resubmit the 2014 IR, as limited staff resources are focused on completing the 2016 IR, and then will focus on preparing the 2018 IR. The HDOH-CWB did not receive water quality data collected from the Waipili area from the BWTF, MRC, or the USGS during the 2016 IR open call for data, which ended in November 2015. The HDOH-CWB required a minimum of 10 samples/season to be collected within the two-year period to perform an assessment for inland waters, and a minimum of 30 samples for marine waters. The draft 2016 IR had sufficient data to assess Waipili during the wet season, and not enough data to perform an assessment for the dry season. The HDOH-CWB considers all data submitted during the open call for data, and includes for assessment all data that is consistent with the HDOH-CWB's data submittal requirements for external entities, available at: <https://health.hawaii.gov/cwb/files/2017/06/Data-Submittal-Requirements-for-External-Entities.pdf>

3. Hanalei

Commenter E requested that the HDOH-CWB consider all data collected by the BWTF for Hanalei streams and estuaries.

Data collected by the BWTF was considered for the draft 2016 IR, however except for the Hanalei River/ End of Weke Road location, there were an insufficient number of samples collected from the estuaries and streams to perform assessments for the report. Data for the 2018 report will be considered, provided the data submitted is consistent with the HDOH-CWB's data submittal requirements for external entities, available on the CWB website listed above.

4. Maui

Commenter D wanted clarification regarding "prioritizing" for the West Maui watersheds, i.e. funding availability over the next 5 years for TMDLs and restoration.

Clean Water Act (CWA) Section 319 (h) federal funding for watershed restoration work will likely be available within the next few years. In addition, TMDL work is scheduled to

be initiated in the coming fiscal year in West Maui, with the intent to have a TMDL completed within the next 5 years.

5. Assessment Methodology

Commenter D had concerns regarding the lag between the data collection timeframe and completion of report. Commenters suggested using interim online status reports for tracking changes in a real-time manner. Commenters recommended retaining the use of nested sites in the IR going forward. Commenters requested clarification on the justification for using modified watershed boundaries. Commenters had concerns about the use of percentages to describe attainment/non-attainment status and that it may be misleading to the reader and doesn't provide useful information. Commenters felt the results did not tell the reader the degree to which the waterbody is impaired, and suggest using a normalized score to present results.

The intent of the IR is to report on the water quality status of waters statewide on a two-year time frame. The suggestion to use interim reports for tracking purposes is a good one, however the HDOH currently does not have the technological support or resources to create real time assessments. These suggestions will be considered in the future discussions and planning that addresses improvements to HDOH's operational capabilities. The suggestion to retain the use of nested sites will be considered for the 2018 IR. The HDOH-CWB implemented watershed based decision units and adopted an updated version of the State watershed layer (originally created in 1994), used by the Commission on Water Resources Management (CWRM), for use in the 2016 IR. The HDOH-CWB has identified a few differences between the different watershed layers used within the State, and Oneloa Bay is one of them. CWRM updated the original State Watershed layer in 1999 based on the existing Digital Raster Graphics (DRGs) and physical geography to correct for presumed errors on the original watershed layer (i.e., watershed boundaries bisecting reservoirs or embayments). This layer and all associated metadata are available on the Hawaii Statewide GIS Program website at <http://geoportal.hawaii.gov/>. The HDOH-CWB will consider the remaining suggestions for the 2018 IR as we continue working to improve future reports.

6. Microplastics

Commenter G requested the HDOH-CWB to list state waters as impaired for microplastics pollution using the State's narrative criteria as justification. Commenters also suggest a numeric criterion of "less than one item of microplastic per m² for sediments or m³ in the water column and no more than one synthetic fiber per 50 mL sediment for subtidal sediments".

At this time, the HDOH-CWB will not list microplastics as a pollutant to state waters as the State does not have a numeric criterion specific to microplastics, or an assessment

method to interpret its narrative criteria. Adopting a numeric water quality criterion for microplastics is beyond the scope of the Integrated Report.

7. Ocean Acidification

Commenter H requested the state to designate state waters as impaired for ocean acidification using the State's narrative criteria as justification.

After careful review of the pH data and scientific articles presented by the commenter, the HDOH is declining to list state waters for ocean acidification at this time. The pH values provided as part of the data submittal were within the range of HDOH's applicable numeric criteria. The scientific articles cited by the commenter were not sufficient to determine non-attainment of the narrative criteria for waters in Hawaii because the majority of studies cited regarding marine organisms such as corals or fish either lacked specificity for Hawaiian waters or were conducted under laboratory conditions. The HDOH will continue to monitor pH when collecting samples for analysis, as is standard protocol.