HB 745 HD1 would appropriate $130,000 to provide for a one-to-one match as required by the federal Coastal Zone Reauthorization Amendments of 1990 in order to receive federal funds for the nonpoint source pollution control program. The measure also would appropriate $380,721 to meet matching fund requirements for federal Clean Water Act Section 319(h) grants of $761,442.

Our statement on this measure does not constitute an institutional position of the University of Hawaii.

Nonpoint source pollution management arguably is the most important environmental need facing Hawaii. Virtually all other environmental issues in one way or another are expressed as a nonpoint source pollution concern, imposing costly clean-up burdens on agriculture, industry, landowners, and government. The fabric of our economic health is interwoven with nonpoint source strands; tourist dismay over dirty, contaminated waters would lead to visitors choosing alternate vacation destinations; costly clean-up of nonpoint source contamination from federal facilities would lead the US government to seek other bases from which to operate; development of diversified agriculture cannot proceed without consideration of soil erosion and chemical runoff from fields.

The federal Clean Water Act makes it clear that nonpoint source pollution will be addressed, and if the states don’t develop their own best management practices, federal programs will be imposed on the state. Past experience of imposition of federal environmental standards in Hawaii has demonstrated that methods and criteria developed on the mainland for mainland climates and landforms are disastrously inappropriate in Hawaii’s oceanic, subtropical environment. Without a strong state nonpoint source pollution management program, we will pay for federally-mandated solutions which we don’t need, or, more likely, which are ineffective at best, and, at worst, destructive of the healthful and attractive environment which is the lifeblood of our economy.
to a development plan line item is overly restrictive and meaningless. The experience of the planning and environmental management professions with regard to cumulative impacts is sufficient to adequately discriminate reasonable from unreasonable prospective actions, and public review will offer ample opportunity for verification of appropriate interpretation.

Proposed inclusion of special management areas in the assessment screen was one of the highest priority findings of our study, based on past problems related to coastal development statewide. Similarly, issues relating to endangered species found in areas not classified conservation motivated the proposed amendment relating to essential or critical habitats.

We understand the concerns voiced by OEQC with regard to private wastewater treatment works, but we suggest that the trigger be redefined to cover "any action requiring issuance of an NPDES permit pursuant to the federal Clean Water Act or an Underground Injection Control permit under Section 340E-7." This would generalize the actions to any source of a discharge, including wastewater effluent, which might result in a significant environmental impact.

Finally, while we concur with the intent of proposed Section 343-5(a)(12), we suggest that it may be too specific. Our 1991 report recommended that any action other than an agricultural activity undertaken on lands classified by as prime agricultural land should trigger an assessment. Thus, houses proposed for construction on lands classed lower than A or B ag lands would not require assessment, but any non-agricultural use of these lands would require evaluation for significance of possible impacts.

These proposed amendments would greatly enhance the management integrity of our EIS law, and we strongly support their incorporation into Chapter 343.