



# SIERRA CLUB

## HAWAI'I ISLAND GROUP

February 27, 2023

County of Hawai'i  
Environmental Management Commission  
345 Kekūanā'oa St., Suite 41  
Hilo, Hawai'i 96720

**Re: February 28, 2022 Meeting Agenda Item VII.4.3.**

Aloha Madame Chair and Members of the Environmental Management Commission,

After seeing the February Office of Environmental Quality Control's February 2023 Bulletin, the Sierra Club Hawai'i Island Group became aware the Hilo Wastewater Treatment Plant is on the exemption list as shown below:

Department of Environmental Management (County of Hawaii) | Mark Grant, (808) 961-8585, mark.grant@hawaiicounty.gov | January 31, 2023

File No.	Island	Street Address	City	ZIP Code	TMC	Applicant (as appropriate)	Exempt. PAR ID	Action: Title & Description (82 characters MAX)	Notes
23-01-17	Hawaii	330 Kekūanā'oa Place	Hilo	96720	18-01-01	200-1-15(d)	200-1-15(d)	Title: Hilo Wastewater Treatment Plant Rehabilitation and Replacement - Phase I Description: The replacement of digesters and headworks and related improvements.	

Submit completed form to: [OECHawaii@doh.hawaii.gov](mailto:OECHawaii@doh.hawaii.gov) | For questions, contact OEQC or (808) 586-4185

In addition, the "23-01-17 Director's Report and Appendix" states:

### “3. Hilo WWTP upgrades

The engineering contractor has conducted a two-day design workshop in Hilo on January 11 and 12. Phase 1 of the project remains on track for bids to be advertised in February 2023, with bid opening anticipated in April 2023. The Phase 1 construction contract is anticipated to be awarded in June 2023. Design of Phase 2 has begun. See also Appendix.”

A large and substantial project that involves tens of millions of dollars, such as the Hilo WWTP, does not meet the guidelines for exemption from an environmental assessment and does not qualify for the exemption list. Exemption lists are limited to things like replacing pumps or broken equipment and are not intended for large rehabilitation projects. Additionally, the project listed as being exempted only represents the first phase and that the Department of Environmental Management is planning and preparing bid documents for another phase.

Sierra Club urges the EMC to require compliance with state environmental law. Without an environmental assessment, the impact of the scope of the work cannot be properly considered beyond the price tag. Does it include much needed sewer line rehabilitation work to address some 400,000 gallons per day of infiltration that includes saltwater that harms the biological treatment process? Will it include new service lines in Hilo to connect homes on cesspools? What measures will be put in place during construction to prevent bypasses? What is the expected capacity?

The purpose of our state environment laws is that projects must fully disclose what is being done and what alternatives were considered, as well as the impacts of the action and the how these are being addressed.

For many years, the Sierra Club HIG has been in very strong support of efforts to restore compliance and end ongoing violations of the Clean Water Act. However, it does not support the dangerous precedent of improperly listing a project as being exempt when the project does not conform to the exemption guidelines and is, therefore, in violation of state environmental laws.

Mahalo,



Charles Flaherty, Chair