



**WILSON OKAMOTO**  
CORPORATION  
INNOVATORS • PLANNERS • ENGINEERS

10345-05  
March 29, 2024

Chair Georjean Adams  
Environmental Management Commission  
345 Kekuanaoa St., Suite 41  
Hilo, HI 96720

Subject: Environmental Information Document and Environmental Assessment  
Consultation Package for  
Nā'ālehu LCC Closure  
Nā'ālehu, Hawai'i Island, Hawai'i

Dear Chair Adams:

On behalf of the County of Hawai'i – Department of Environmental Management (CoH-DEM), Wilson Okamoto Corporation is currently preparing a Draft Environmental Information Document (EID) and Environmental Assessment (EA) for the proposed Nā'ālehu Large Capacity Cesspool (LCC) Closure project (Proposed Project) located in the Ka'ū District on the island of Hawai'i.

The Proposed Project involves the construction of facilities which would allow the County to close the three LCCs in Nā'ālehu and thereby meet the compliance requirements of the Amended AOC and the applicable portions of the Clean Water Act. The Proposed Action would be achieved by any of the 4 alternatives set forth in the Amended AOC. The proposed Project Area includes approximately 204 discrete tax parcels (in whole or in part) and portions of multiple County of Hawai'i roadways in Nā'ālehu. A summary of the Proposed Project and associated figures are enclosed for your review.

As part of the EID / EA Consultation process, we are soliciting any comments that you may have on the Proposed Project. Please submit comments via email to [publiccomment@wilsonokamoto.com](mailto:publiccomment@wilsonokamoto.com), or written comments via mail to:

Wilson Okamoto Corporation  
1907 South Beretania Street, Suite 400  
Honolulu, Hawai'i 96826  
Attention: Mr. Keola Cheng

We would appreciate your written comments by April 28, 2024. If you have any questions or require additional information, please feel free to call Ms. Harlee Meyers, or myself, at (808) 946-2277.

Sincerely,

Keola Cheng  
Director - Planning

Enclosures

cc: Mr. Mark Grant, Wastewater Division Project Coordinator  
Mr. Chris Sparber P.E., Acting Wastewater Division Chief

**Environmental Information Document &  
Draft Environmental Assessment  
Consultation Package**

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# **NĀ'ĀLEHU LARGE CAPACITY CESSPOOL CLOSURE**

**Nā'ālehu, Hawai'i Island, Hawai'i  
March 2024**

**Prepared For:**  
County of Hawai'i Department of Environmental Management

**Prepared By:**  
Wilson Okamoto Corporation



**NĀ'ĀLEHU LCC CLOSURE  
ENVIRONMENTAL INFORMATION DOCUMENT & ENVIRONMENTAL ASSESSMENT  
CONSULTATION PACKAGE**

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**1. BACKGROUND**

On behalf of the County of Hawai'i (County) Department of Environmental Management (DEM), Wilson Okamoto Corporation has prepared this Consultation Package to notify stakeholders of the preparation of a Draft Environmental Information Document (EID) / Environmental Assessment (EA) for the Nā'ālehu Large Capacity Cesspool (LCC) Closure (Proposed Action), as well as to solicit scoping input. The Proposed Action will be situated within the community of Nā'ālehu in the Ka'ū District, Island of Hawai'i (See Figure 1).

The Nā'ālehu community was established as the result of the sugar operations of the C. Brewer Company. A portion of the community is serviced by a sewer system that was privately built, owned, and operated by the C. Brewer Company, which merged with Hawaiian Agriculture Company (HAC) in 1972. The wastewater collected by the sewer system discharges into three large capacity "gang" cesspools (LCCs). Many years after its establishment, the private sewer system ownership was conveyed to the County of Hawaii Department of Environmental Management. In anticipation of C. Brewer's dissolution, C. Brewer proposed, and the County agreed, to enter into a formal agreement not only to construct and maintain a new and improved community sewer system but to assume ownership of the existing system including the LCC's by April 30, 2010.

Meanwhile, in 1998, the U.S. Environmental Protection Agency (EPA), promulgated regulations, 40 Code of Federal Regulations (CFR) 144.14, that require the elimination of LCCs. In 1999, EPA issued regulations under the Safe Drinking Water Act's (SDWA) Underground Injection Control (UIC) Program which prohibited the construction of new LCCs as of April 2000 and required the closure of all existing LCCs by April 5, 2005 (40 C.F.R. § 144.88). Under federal regulations, an LCC is a cesspool which serves multiple dwellings, or for non-residential facilities has the capacity to serve 20 or more persons per day.

In June 2017, the EPA and the County entered into an Administrative Order on Consent (AOC) to close the LCCs serving the Nā'ālehu community by June 2021. Options considered by the County to close the LCCs include construction of a new sewer collection system located within public right-of-way (ROW) and replacement of the existing LCCs with a wastewater treatment plant (WWTP) to address the wastewater treatment and disposal needs of the Nā'ālehu community. A recently Amended AOC was agreed upon between EPA and County, and took in effect August 22, 2022, which requires the LCCs to be closed no later than December 31, 2027.

As of August 22, 2022, the County of Hawai'i and the EPA voluntarily entered into an Amended AOC for the purpose of bringing the County into compliance with the requirements of the SDWA, 42 U.S.C. § 300f, et seq.

EPA has determined that the County, as the current owner and/or operator of two LCCs that serve approximately 109 private residences in the community of Pāhala and three (3) LCCs that

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**Nā'ālehu LCC Closure**

EID/ EA Early Consultation Package – March 2024

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serve approximately 164 private residences in the community of Nā`ālehu, violated and continues to violate the SDWA and its Underground Injection Control program requirements for existing LCCs.

The Amended AOC (Docket No. SDWA-UIC-AOC-09-2017-0002) LCC closure requirements for the Nā`ālehu community mandates that an EID be prepared by the County of Hawai'i for the EPA approval to meet Federal Environmental Review Requirements.

The Amended AOC 31.a. requires evaluation of four feasible options:

1. A package plant and new collection system (Alternative 1)
2. A package plant connected to the existing collection system (Alternative 2)
3. A maintenance contract model Individual Wastewater System (IWS) program (Alternative 3)
4. An operating permit model IWS program (Alternative 4)

In addition, to meet the requirements of the EPA, this EID / EA will also evaluate:

5. A No Action alternative.

The subject EID / EA is intended to be consistent with requirements of the National Environmental Policy Act (NEPA) 42 U.S.C. § *et seq.* and will also provide documentation of necessary compliance with Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. Further, the document shall be prepared pursuant to Hawai'i Revised Statutes (HRS) §343-5 (1) which outlines requirements for environmental disclosure for actions that propose the use of state or county lands or the use of state or county funds.

This project may also be funded by the DOH Clean Water State Revolving Fund (CWSRF) Program. Under the CWSRF program, the project consists of two parts: Nā`ālehu Large Capacity Cesspool Conversion and Nā`ālehu Wastewater Collection System. The CWSRF Program was created by the federal Water Quality Act of 1987 and authorizes low interest loans for the construction of publicly owned wastewater treatment works.

Supporting studies, to be included within the EID / EA, are anticipated to include Archaeological and Cultural documentation, including a Ka Pa`akai Analysis, as well as Botanical / Faunal Surveys and regulatory coordination. The County will seek to coordinate with the State of Hawai'i Department of Health (DOH) to ensure timely review and concurrence by the State of Hawai'i State Historic Preservation Division (SHPD) and the US Fish and Wildlife Service (FWS).

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## **2. PROJECT DESCRIPTION AND ALTERNATIVES**

The Proposed Action includes the construction of facilities which would allow the County to close the three LCCs in Nā'ālehu and thereby meet the compliance requirements of the Amended AOC and the applicable portions of the Clean Water Act. The Proposed Action would be achieved by any of the 4 alternatives set forth in the Revised AOC and described below.

### **Alternative 1 - Package Plant with New Collection System**

Under Alternative 1, the County would construct a new sewer collection system in the Nā'ālehu community to replace the existing system of gravity lines that convey sewage to the three LCCs and connect it to the proposed wastewater treatment and disposal facility. The WWTP would serve the former Brewer lots as well as newly accessible parcels for future connection to the WWTP (See Figure 2). The potential connection of additional parcels may be further assessed by the County in the future.

During construction, the County shall ensure that residential units can maintain access to the sewer system at all times. Alternative 1 involves utilizing the existing collection system within the Brewer Company house lots and constructing new gravity sewers, wastewater pump station, and force main to transport sewage from the LCCs to the new WWTP (See Figure 3). Alternative 1 also involves the installation of gravity sewers to replace the existing collection system (See Figure 4).

Under this alternative, the County would perform the following actions:

1. Construct a new gravity sewer on Kaalaiki Road and Nā'ālehu Spur Road to the WWTP located on a portion of Tax Map Key (TMK) (3) 9-5-007:016.
2. Implement drainage improvements within the vicinity of the WWTP within TMKs (3) 9-5-007:016 and (3) 9-5-021:015.
3. Construct a new pump station located on a portion of TMK (3) 9-5-008:048, and construct a new force main, which crosses an existing storm drainage channel at Melia Street, to connect to the Kaalaiki Road gravity sewer.
4. Construct a new gravity sewer on Opukea Street and Ohai Road to intercept existing flows entering the LCCs and divert sewage to the wastewater pump station (WWPS) and transport flows to the gravity sewer along Kaalaiki Road.
5. Install gravity sewers within the streets to replace the existing collection system.
6. Close and abandon the three LCCs.
7. Accommodate future expansion of subsurface effluent disposal located within a portion of TMK (3) 9-5-022:001

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## **Alternative 2 - Package Plant with Existing Collection System**

Under Alternative 2, the County would perform the same actions as described under Alternative 1; however, gravity sewers would not be installed within the streets to replace the existing system. Instead, the new wastewater treatment and disposal facility and pump station would be connected to the existing 80-year old collection system.

## **Alternative 3 - Individual Wastewater System-Maintenance Contract Model**

Hawai'i Revised Statutes, Title 14, Taxation, Chapter 235, Income Tax Law, § 235-16.5 defines a septic system as an individual wastewater system (IWS) that typically consists of a septic tank, piping, and a drainage field where there is natural biological decontamination as wastewater discharged into the system is filtered through soil.

The August 2023 PER, stated the State DOH Wastewater Branch is responsible for regulating IWS systems. The Revised AOC sets forth that the County Hawai'i must administer a more active management strategy than is typically found in Hawai'i IWS systems. The Revised AOC states either a Model 2 (Maintenance Contract) or a Model 3 (Operating Permit) must be used IWS systems at Pahala. Figure 4 shows the lots where the IWS systems shall be constructed.

The April 2023 PER indicates for a Model 2 Alternative, the County is to:

- Fund design and manage project construction of the IWS systems;
- Administer and manage a maintenance program for IWS;
  - The maintenance program would entail establishing rules and regulations, for monthly fees/penalties, County monitoring and reporting, and IWS educational information for homeowners
- Conduct routine maintenance and operate system, and respond to related trouble calls; and
- Prepare and submit related notices and reports.

Under Alternative 3, the County funds and manages project construction of the IWS which typically consist of a septic tank, disposal systems (leach field or seepage pit), and interconnecting piping between the IWS and the existing dwelling. The County will administer and manage a maintenance program for the IWS. The maintenance program will establish rules and regulations, monthly fees/ penalties, County monitoring and reporting, and IWS educational information for homeowners. Maintenance program includes County personnel being responsible for necessary maintenance to the IWS such as pumping the septic tanks.

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## **Alternative 4 - Individual Wastewater System-Operating Permit to Homeowners**

The April 2023 PER indicates for a Model 3 Alternative, the County is to:

- Fund design and construction of the IWS systems;
- Administer an operating permit program for the IWS system to the homeowners;
- Issues maintenance notice to the homeowner.

Under Alternative 4, the homeowners would be responsible for maintenance scheduling, contracting and paying for a service provider to conduct the necessary maintenance and/or responding to trouble calls, monitoring and record keeping of maintenance.

Under Alternative 4, County is evaluating the possibility of either completing the project as a conventional Design/ Bid/ Build process, or under a voucher program, which the County would administer a voucher program which will grant homeowners with funding to hire Professional Engineer to design new IWS and hire Contractor to construct IWS. Under the voucher program homeowners will be responsible to hire and coordinate with Professional engineer for placement of IWS and overall design of IWS.

### **2.1. PROJECT LOCATION & SETTING**

The community of Nā'ālehu is located about 64 miles southwest of Hilo in the Ka'ū District. Māmalahoa Highway (State Route 11) runs through the community from East to West. The community of Nā'ālehu is about 2.06 miles from the shoreline. Most of the community lies between approximately 740 feet above mean sea level.

Even though Ka'ū was one of the originally settled areas in the Hawaiian Islands, it remains a vast remote area. Only a fraction of a percent of the Ka'ū District has been developed with residential properties, and the remainder is largely used for agricultural purposes or is undeveloped. The Ka'ū District covers about 922 square miles (approximately 590,000 acres), with over 80 miles of virtually undeveloped coastline. Nearly two-thirds of its total land area is in the Conservation District. The Ka'ū District consists of several communities, including the Nā'ālehu community, which has a population of approximately 810 persons according to the US Census Bureau American Community Survey, 2020. The distance to the communities of Hilo and Kailua-Kona means that the Ka'ū District is relatively isolated from the major infrastructure systems found in those communities, including wastewater treatment and disposal facilities.

### **2.2. PURPOSE AND NEED**

DEM has outlined that the purpose and need for the Proposed Action is to comply with the requirements and mandates of the SDWA and AOC, and to ultimately close the three LCCs that serve Nā'ālehu in accordance with the Revised AOC. Thus, the core purpose of this exercise is to evaluate, gather community input, and make an informed decision in selecting an option or

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alternative that will allow the County to close the LCCs, and provide a new, SDWA compliant solution for handling wastewater generated by the Nā'ālehu Community. Closure of the LCCs will eliminate the disposal of untreated sewage into the subsurface which will serve the County's mission to protect underground drinking water sources.

### **3. ENVIRONMENTAL CRITERIA TO BE ANALYZED**

The EID / EA will evaluate and compare the anticipated environmental impacts of each alternative on the following environmental resource criteria:

- Climate
- Physiography
  - Topography
  - Geology
  - Soils
- Water Resources
- Natural Hazards
  - Sea Level Rise
  - Flood and Tsunami Threat
  - Hurricane and Wind Hazard
  - Seismic Hazard
  - Volcanic Hazard
  - Fire Hazard
- Flora & Fauna
- Cultural, Historical, and Archaeological Resources
- Air Quality & Odors
- Noise
- Energy and Natural Resources
  - Energy Sources
  - Water Resources
  - Land Use
- Roadways And Traffic
- Hazardous Materials
- Socioeconomics & Environmental Justice
- Sustainability
- Human Health and Safety

### **4. CONSULTATION**

This Consultation Package has been circulated to the following parties:

#### **Federal Agencies**

US Army Corps of Engineers, Honolulu District

US Department of Agriculture Natural Resources Conservation Service

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US Environmental Protection Agency  
US Fish and Wildlife Service  
National Oceanic and Atmospheric Administration  
US Department of Transportation Federal Aviation Administration

**State Agencies**

Department of Agriculture  
Department of Accounting and General Services  
Department of Business, Economic Development & Tourism (DBED&T)  
    DBED&T Land Use Commission  
    DBED&T Office of Planning and Sustainable Development  
    DBED&T State Energy Office  
Department of Hawaiian Home Lands (DHHL)  
    DHHL – East Hawai'i District Office  
Department of Health (DOH)  
    DOH – Clean Water Branch  
    DOH - Environmental Management Office  
    DOH – Hazard Evaluation and Emergency Response  
    DOH – Safe Drinking Water Branch  
    DOH – Wastewater Branch  
Department of Land and Natural Resources (DLNR)  
    DLNR State Historic Preservation Division  
    DLNR Land Division  
Department of Transportation  
Office of Hawaiian Affairs  
University of Hawai'i

**County of Hawai'i**

Fire Department  
Police Department  
Planning Department  
Research and Development  
Department of Public Works  
Department of Parks and Recreation  
Department of Water Supply  
Environmental Management Commission  
Office of the Corporation Council  
Office of Housing and Community Development

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**Elected Officials**

State Senator Dru Mamo Kanuha, Senate District 3  
Representative Jeanne Kapela, House District 5  
Councilmember Michelle Galimba, Council District 6

**Public Utilities**

Hawaiian Electric Company  
Hawaiian Telcom  
Spectrum Hawai'i  
Hawai'i Gas

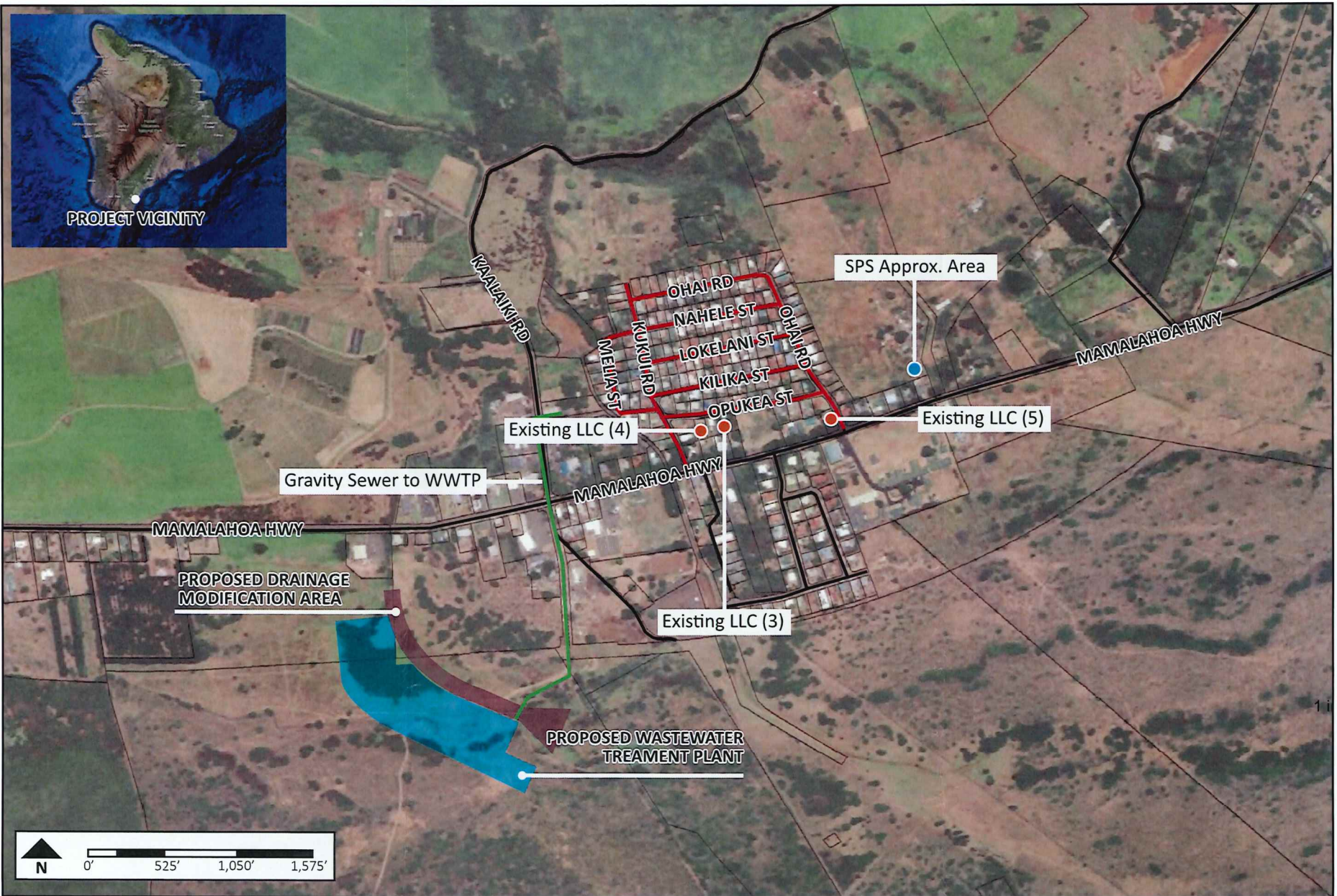
**Other Parties**

Hawai'i State Library  
Nā'ālehu Public Library  
Hawaiian Civic Club of Ka'ū  
Ka'ū CDP Action Committee  
Ka'ū Calendar  
'O Ka'ū Kākou

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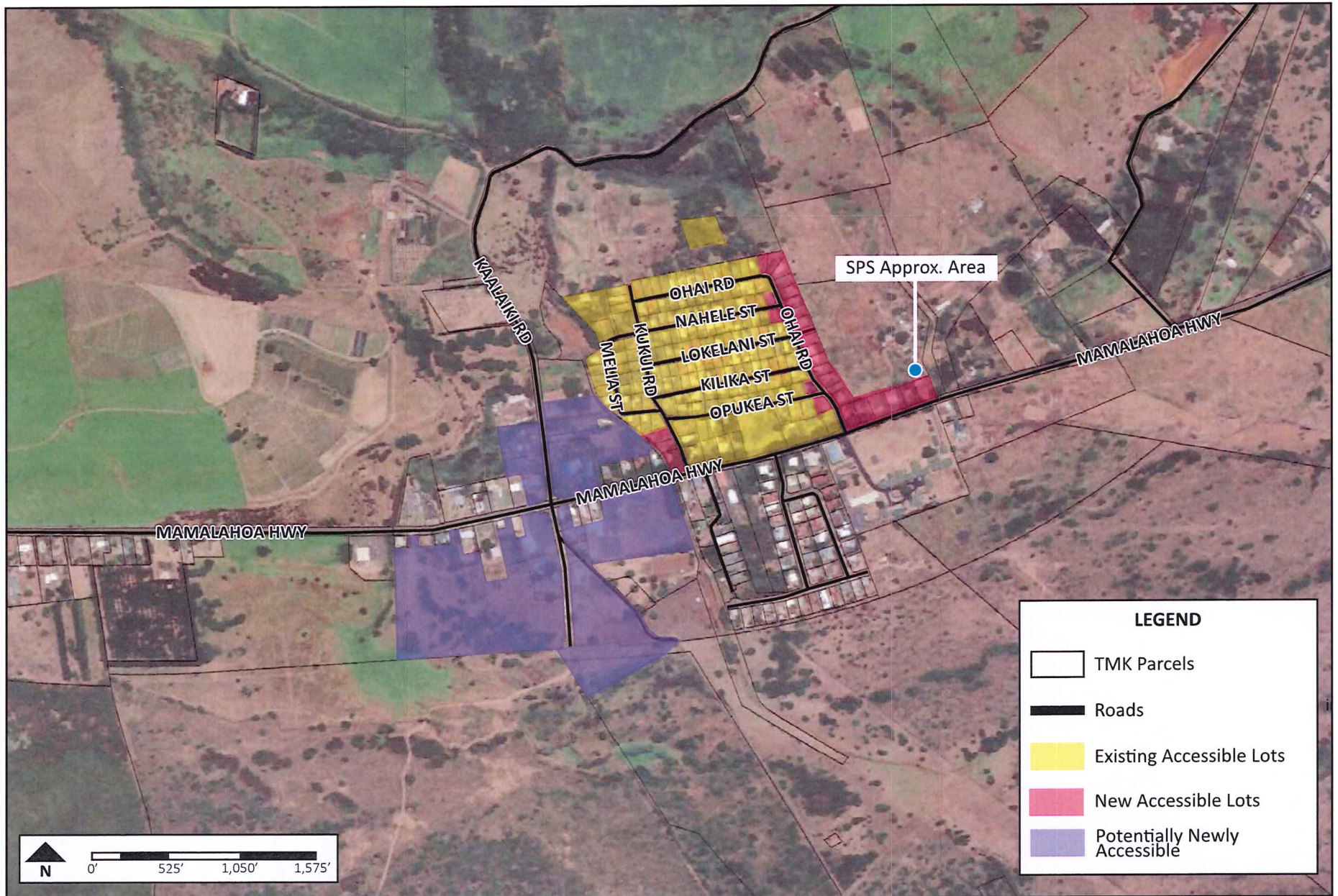
**Nā'ālehu LCC Closure**

EID / EA Consultation Package – March 2024



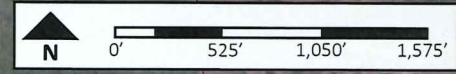
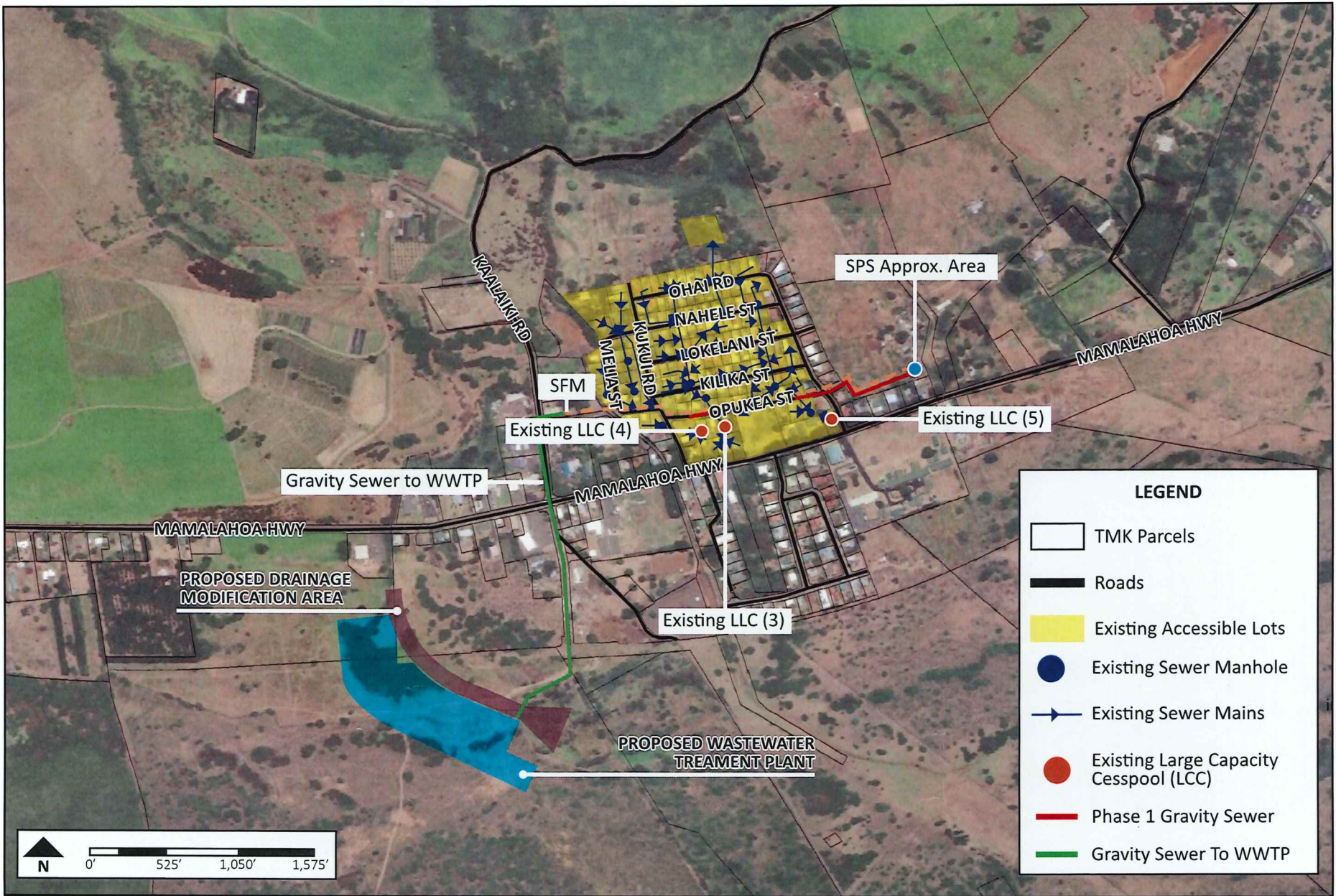
**PROJECT LOCATION MAP**  
 NA'ALEHU WASTEWATER TREATMENT PLANT

FIGURE  
 1



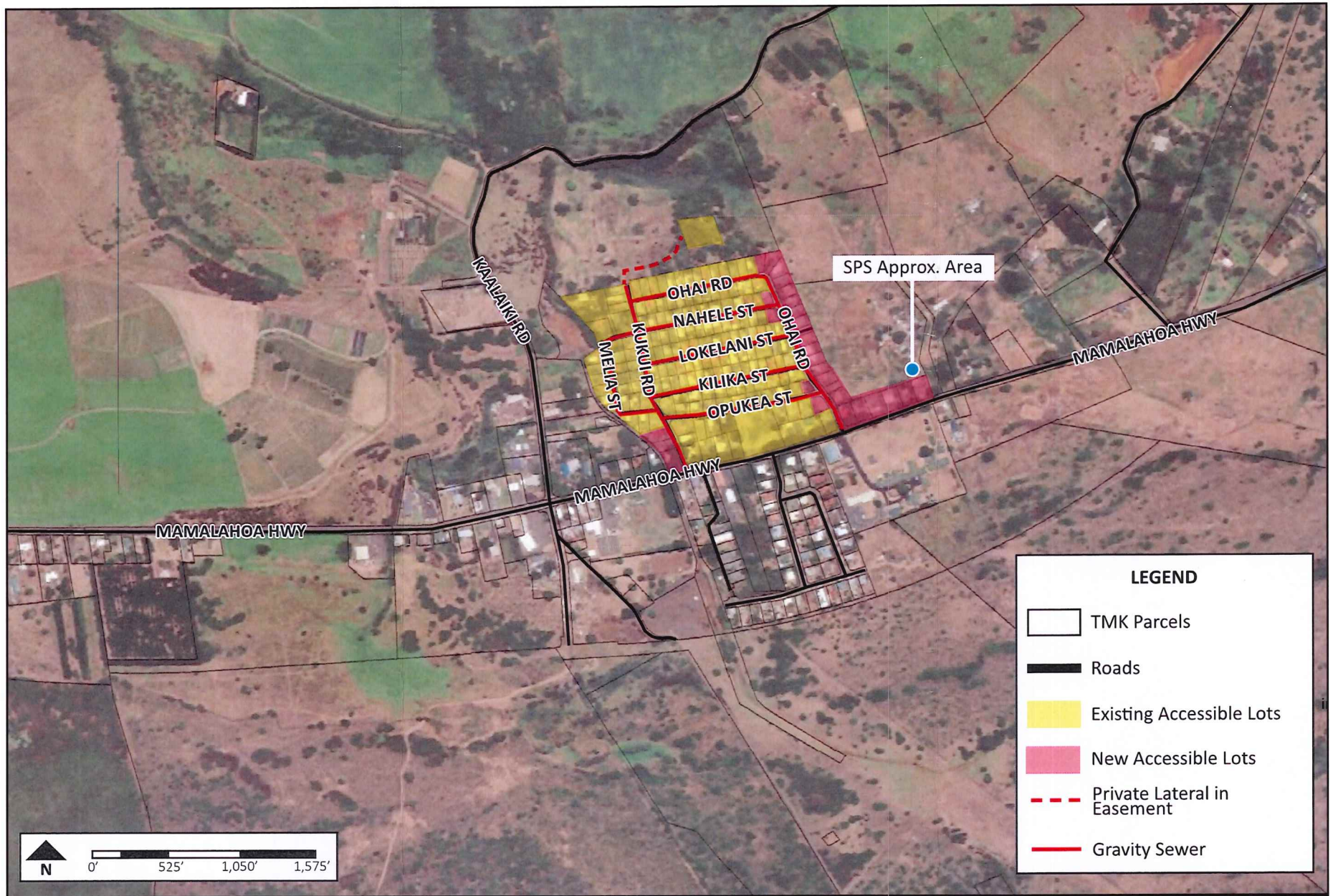
**WWTP SERVICE AREA**  
 NA'ALEHU WASTEWATER TREATMENT PLANT

FIGURE  
 2



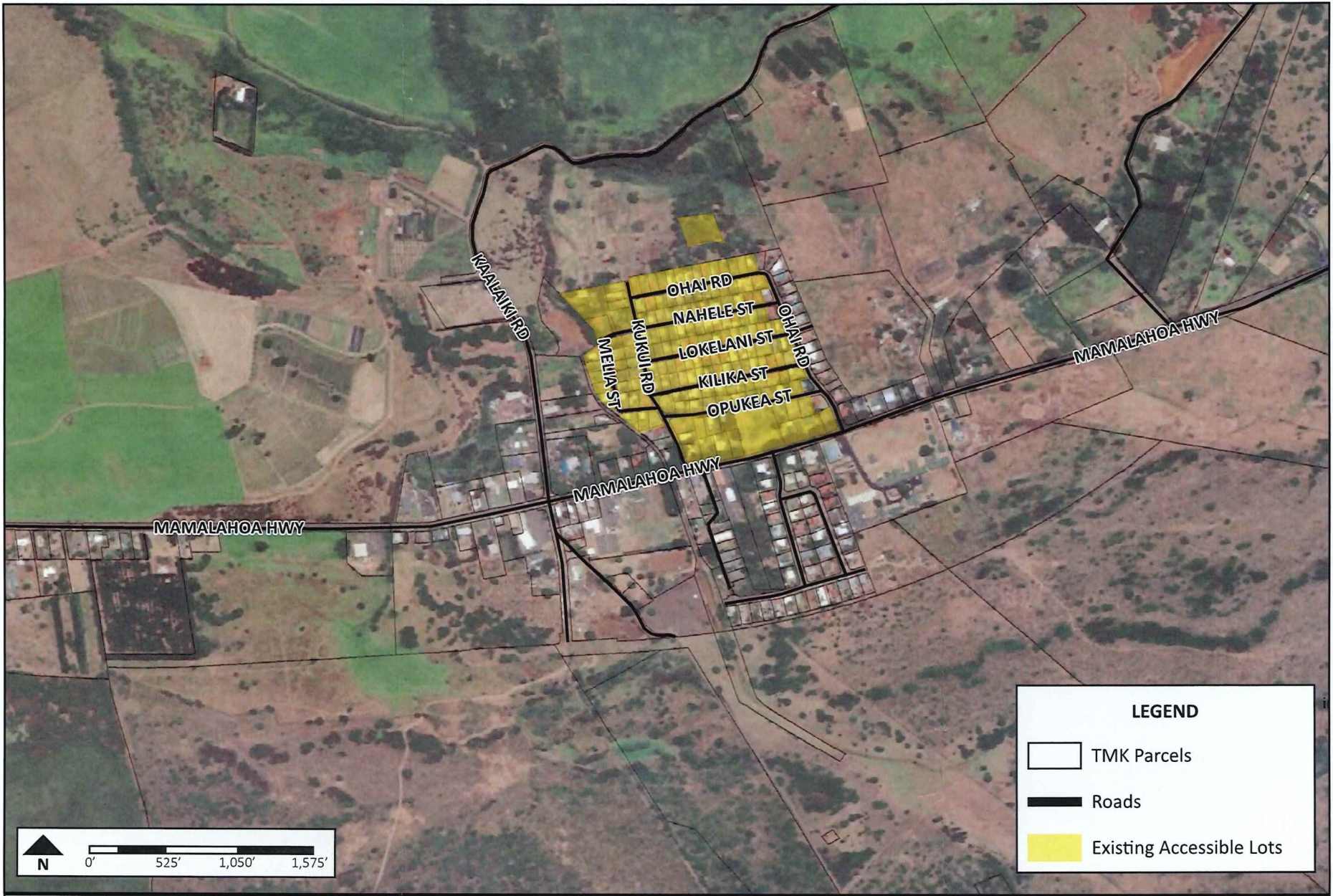
**NEW COLLECTION SYSTEM LAYOUT**  
 NA'ALEHU WASTEWATER TREATMENT PLANT

FIGURE  
 3



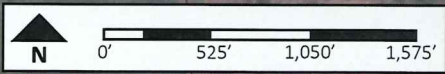
**EXISTING COLLECTION SYSTEM REPLACEMENT**  
 NA'ALEHU WASTEWATER TREATMENT PLANT

FIGURE  
4



**LEGEND**

- TMK Parcels
- Roads
- Existing Accessible Lots



**IWS ALTERNATIVE**  
 NA'ALEHU WASTEWATER TREATMENT PLANT

FIGURE  
5



**Environmental Information Document &  
Environmental Assessment  
Nā'ālehu Large Cesspool Closure**

