



## United States Department of the Interior



NATIONAL PARK SERVICE  
Kaloko-Honokōhau National Historical Park  
73-4786 Kanalani Street, # 14  
Kailua-Kona, Hawai'i 96740

IN REPLY REFER TO:

May 23, 2018  
STATE LAND USE COMMISSION DOCKET A00-730; Lanihau Properties, LLC  
(North Kona, Island of Hawai'i)

STATEMENT OF THE NATIONAL PARK SERVICE  
Environmental Protection Specialist, Jeff Zimpfer, Kaloko-Honokōhau National Historical Park

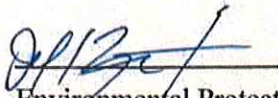
Aloha Chair and Commissioners,

Thank you for this opportunity to provide the written comments of the National Park Service (NPS) to you today. The State Land Use Commission (LUC) and the National Park Service share a commitment to protect Hawaii's unique and fragile natural and cultural resources.

On March 22, 2018, we had a productive meeting with the staff of Kaiser Permanente and their consultants. They explained to us their plans to modify their wastewater treatment system so that the system would meet Condition 1.c for wastewater treatment as identified in the 2003 Findings of Fact Conclusion of Law and Decision and Order ("2003 D&O") (Docket No. A00-730) for a parcel – TMK (3) 7-4-08:30 ("Parcel 30").

On May 21, 2018, Mr. Benjamin Kudo, legal counsel for Kaiser Permanente, sent us an email explaining remedial work had been delayed because some of the component parts had not yet arrived. He further shared that Kaiser expected delivery of these parts sometime in late June-July and hoped that Kaiser would be able to take reliable samples sometime in August. Mr. Kudo also shared the monthly water quality data that had been collected to date. While Kaiser is currently not meeting the nutrient removal requirements of Condition 13 of the 2003 D&O, we are pleased that they are taking regular water quality measurements and they are sharing their data with us.

We look forward to working with Kaiser Permanente and its consultants to ensure that the wastewater nutrient removal requirements of the 2003 D&O are met.

A handwritten signature in blue ink, appearing to read 'J. Zimpfer', is written over a horizontal line.

Environmental Protection Specialist, Jeff Zimpfer

May 23, 2018, Kailua Kona, Hawaii



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73-4786 Kanalani Street, # 14  
Kailua-Kona, Hawai'i 96740

IN REPLY REFER TO:

May 23, 2018

STATE LAND USE COMMISSION DOCKET A10-788; Hawai'i, Hawai'i Housing and  
Development Corporation and Forest City Hawai'i, LLC  
(North Kona, Island of Hawai'i)

### STATEMENT OF THE NATIONAL PARK SERVICE

Environmental Protection Specialist, Jeff Zimpfer, Kaloko-Honokōhau National Historical Park

Aloha Chair and Commissioners,

Thank you for this opportunity to provide written comments of the National Park Service (NPS) with you today. The State Land Use Commission (LUC) and the National Park Service share a commitment to protect Hawaii's unique and fragile natural and cultural resources.

At the January 24, 2018, LUC meeting, Commissioners encouraged the NPS to reach out and be more proactive in working with Michaels Development Company in order to find an acceptable solution to meet the commitments that were included in the LUC's 2010 Findings of Fact Conclusions of Law Decision and Order of the ("2010 D&O") for removing pollutants from stormwater from the parking lots at the Family and Senior communities in Kamakana Villages (Kamakana).

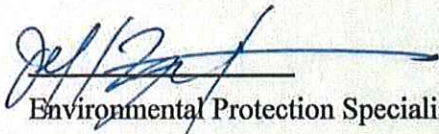
In late January 2018, I reached out via phone and email to Ms. Elizabeth Char, Development Officer at The Michaels Organization. We have communicated several times since then. On April 10 of this year, Ms. Char sent us an email with a proposal to install Flexstorm filters in the existing drain inlets in the paved parking lots at Kamakana in order to satisfy Condition 13 of the 2010 D&O.

In comparison with the Best Management Practices (BMPs), our NPS technical experts have concluded that these filters would not be as effective at removing stormwater pollutants as the BMPs described in Condition 13 of the Decision and Order. On May 15, 2018, we sent a short email describing our determination and on May 21, 2018 we sent a letter describing in detail our

concerns. We also copied the LUC and the Hawaii Housing Finance and Development Corporation.

We would further note that the NPS is not in a position to approve or disapprove the proposed inlet filter protection from either an engineering or jurisdiction standpoint but note that the proposed filters do not meet the standards set in the Condition. The LUC is the state agency with jurisdiction over the applicable Finding of Fact Conclusion of Law and Decision and Order, and only the LUC can determine whether or not Kamakana is in compliance with the requirements.

From both an ecological and practical perspective, vegetated swales are a better choice than storm drain filters. These swales require less maintenance to maintain efficacy, and if they are designed as part of the landscape from project inception, they are cheaper over the long-term than stormwater filters that need to be replaced on a continuing basis. Since this is the first phase of the project, we hope that additional phases will integrate vegetated swales instead of the storm drain filters to proactively manage stormwater pollutants.



Environmental Protection Specialist, Jeff Zimpfer

DATED: May 23, 2018, Kailua Kona, Hawaii