

## FOR ACTION

### I. REQUEST

Authorize the Interim Executive Director to Expend up to \$150,000 from the Hawaii Community Development Authority (“HCDA”) Special Fund to Retain a Consultant to Assist the HCDA in Complying with the State Department of Health (“DOH”), National Pollutant Discharge Elimination Systems General Permit Requirements for the Kakaako Community Development District and Kewalo Basin Harbor Small Municipal Separate Storm Sewer Systems

### II. BACKGROUND

The HCDA owns stormwater drainage systems in the Kakaako Community Development District (“Kakaako”) and Kewalo Basin Harbor (“Kewalo”). Stormwater runoff is commonly transported through municipal separate storm sewer systems and then discharged, untreated, into local water bodies. Within the HCDA jurisdiction, the runoff discharges to Mamala Bay.

The Kakaako and Kewalo stormwater drainage systems are classified as Municipal Separate Storm Sewer System (“MS4”)<sup>1</sup> by the DOH and are subject to the requirements of the National Pollution Discharge Elimination System (“NPDES”) General Permit (“Permit”). To prevent harmful pollutants from being washed or dumped into the systems and eventually into local waters, the HCDA is required to obtain a Permit and maintain a Stormwater Management Program Plan (“SWMPP”), which describe the stormwater management practices utilized per Permit requirements.

### III. DISCUSSION

The HCDA has a contract with AECOM Technical Services, Inc. (“AECOM”) to administer the SWMPP for Kakaako and Kewalo. The existing contract will expire on April 22, 2022. The HCDA staff is requesting Authority approval to retain an engineering consultant to ensure continued compliance with the DOH requirements and to avoid potential violations. The HCDA’s compliance with the Permit is mandatory and must continue as long as the MS4 are owned by the HCDA. Since 2008, the Authority has approved retaining an engineering consultant to assist Staff in complying with the Permit requirements.

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<sup>1</sup> An MS4 is a conveyance or system of conveyances that is:

- owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.,
- designed or used to collect or convey stormwater (e.g., storm drains, pipes, ditches),
- not a combined sewer, and
- not part of a sewage treatment plant, or publicly owned treatment works.

The current contract has a maximum fee of \$82,427. The proposal for the coming year has a higher cost, due to an expansion in scope. There has been an increase in stormwater management site visits for construction projects in the last year, which is expected to continue, and the HCDA needs to revise the Stormwater Management Program Plan and submit Permit-related documentation due to the DOH reissuance of the HCDA NPDES Permit.

There are adequate funds in the Hawaii Community Development Authority special fund to pay for the consulting services described in this Action.

**IV. RECOMMENDATION**

The HCDA staff recommends that the Interim Executive Director be authorized to expend up to \$150,000 from the HCDA special fund, to retain a consultant to assist the HCDA in complying with the Permit requirements for the HCDA stormwater drainage systems and undertake all tasks necessary to effectuate the purpose(s) of this action.

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