

November 3, 2016

Aloha EPA Staff Members,

The following photos were taken by Friends of Maha`ulepu in the fall of 2014. These were sent to the State Department of Health on Saturday to supplement FOM's letter of 10/28/16 to HDOH requesting that the Department impose fines and deny Hawaii Dairy Farms (HDF) any NPDES permit, copy attached. The request is based on HDF's deliberate falsification of three separate NPDES General Permit applications, the first two application lapsed for failure to timely file additional information requested by HDOH. The last two applications were filed with a signed oath that was false. [See the attached letter for details.](#)

The following photographs may supplement photos taken by Watson Okubo when he conducted site visits in the summer and fall of 2014. The photos that follow support [Mr. Wong's letter to HDF from Hawaii DOH](#), 1/15/16, informing HDF that a Federal Stormwater NPDES permit is required to cover the site construction activities HDF planned. The photos clearly demonstrate the many ditches draining surface and groundwater from HDF's proposed industrial dairy site where massive amounts of wet manure will be left sitting ready to flow as runoff to the Pacific Ocean.

HDF has abandoned their initial claim of zero discharge. They now state that "nearly 98% of the nutrients" should remain on site. With an admitted 2 million pounds of wet manure produced per month, under a plan that calls for 100% land application (waste to be left on the ground where it falls from the cows or sprayed on as irrigation of effluent from holding ponds or via pumped manure sludge solids on effluent pond drainage planned for some of the more well-draining pastures), even a 2% loss of the nutrients/2 million pounds monthly could well result in as many as 40,000 pounds of waste per month carried from the farm via its many surface and deep channel drainage ditches. As the following photos clearly demonstrate, and as the dairy has admitted to the Department, there will be drainage that can't be stopped from flowing across Maha`ulepu Beach and into the Pacific Ocean. We need EPA's help. We should not have to be exposed to this travesty. Clearly, the drainage of wet manure and its pathogenic contents across a publicly beach is prohibited by both the Beach Act and the Clean Water Act. It is time to put a halt to HDF's planned industrial dairy at Maha`ulepu:

"Surface waters draining the project site meet Waiopili Ditch, and will eventually reach the ocean." DEIS Volume 2, Surface Water and Marine Assessment, page 2.

"At the time we visited, the branch off Kāmaulele had seeps in the bed starting a short distance up from the convergence. Below the convergence, slow moving

water is present in a **man-made channel running through the project site**. The ditch extends southward off the property, passing under lower Māhā'ulepū Road. A second ditch parallels to the west the one described above. This second ditch originates in the vicinity of a pond in an area of water wells in the upper west side of the valley. We did not establish the source of the water in this ditch, but the ditch contains water and extends south, passing beside an agricultural operation that includes *kalo lo'i* (taro fields), from which it receives additional flow. This ditch then joins a larger ditch known as Mill Ditch (USGS, 1996) carrying water flowing from west to east across the valley **within the project area**. Mill Ditch turns southward near the center of the valley, passes under Māhā'ulepū Road, and some 460 meters south, joins the first ditch coming down the valley. The two become Waiopili Ditch, with an outlet at Māhā'ulepū Beach." DEIS Volume 2, Biological Surveys, page 18-19. (Emphasis added.)

"Spread across the pastures on the valley floor are numerous straight agricultural ditches that serve the purpose of draining runoff from various pasture areas." DEIS Volume 2, Biological Surveys, page 19.

Many drainage ditches cross the Maha`ulepu site, some are depicted below. .



The ditches remove runoff from the site. . .



Runoff exits the site. . .



Runoff ditches converge at the Waiopili. . .



Waioipili drains to the ocean. . .



Runoff crosses the Maha`ulepu Beach. . .



Right into the ocean. . .



Where there are people. . .



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