

## Hawaii State Wetland Program Summary

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Photo Credit: James Brennan – Molokai, Hawaii

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### **Section A. Quick View**

#### **Description of State's Wetlands**

Hawaii's wetlands include riverine wetlands, palustrine wetlands (marshes and bogs – including rare montane bogs), estuarine wetlands (swamps and mudflats), and marine wetlands (intertidal shorelines, seagrass beds, and tidepools). Hawaii is also host to land-locked systems in porous lava or limestone on coastal shorelines known as anchialine pools.

Historically, Hawaii contained an estimated 59,000 acres of wetlands. Hawaii has lost over 12 percent of its original wetland acreage and over 30 percent of its natural lowland wetlands. The remaining wetlands cover less than three percent of Hawaii's surface area and provide important functions, including habitat for plant and animal species endemic to the Hawaiian Islands. Hawaii's unique hydrological conditions—heavy rainfall, porous volcanic soil, and steep terrain—create wetlands that are different from those found in any other region of the United States.

#### **State Definition of Wetlands**

Although wetlands are not explicitly included in the definition of state waters in the Hawaii Water Code, Hawaii's surface water quality standards do apply to wetlands. The water quality standards define "wetlands" as: "land that is transitional between terrestrial and aquatic ecosystems where the water table is usually at or near the surface or the land is covered by shallow water. A wetland shall have one or more of the following attributes: (1) at least periodically the land supports predominantly hydrophytic vegetation; (2) the substratum is predominantly undrained hydric soil; or (3) the substratum is nonsoil (gravel or rocks) and is at least periodically saturated with water or covered by shallow water. Wetlands may be fresh, brackish, or saline and generally include swamps, marshes, bogs, and associated ponds and pools, mud flats, isolated seasonal ponds, littoral zones of standing water bodies, and alluvial floodplains." The regulations further define several different kinds of wetlands, including "coastal wetlands," "elevated wetlands," and "low wetlands."

### Historic Wetland Loss/Gain

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
58,800	51,800	6,200	12%

Source: US Fish and Wildlife Service (Dahl, 1989)

### Primary State Wetlands Webpage

<http://health.hawaii.gov/cwb/>

### State Wetland Program Plan

Hawaii does not have a state wetland program plan.

### No Net Loss/Net Gain Goal

No information available.

### State Resources for Wetland Work

State Name	Core element #1: Regulation	Core Element #2: Monitoring and Assessment	Core Element #3: Wetland Water Quality Standards	Core Element #4: Voluntary Wetland Restoration
Agency	Information unavailable	Information unavailable	Information unavailable	Information unavailable
Source(s)	-	-	-	-
Amount	-	-	-	-
Staffing	-	-	-	-

### State Permitting Fees

State Permitting Fee	State Name
Yes/No	YES
Amount (range)	\$1,000
Agency	Division of Forestry and Wildlife

### Innovative Features

No information available.

### Models and Templates

No information available.

## **Section B. Regulation**

### **How are Wetlands Regulated in Hawaii?**

The *Hawaii Department of Health (HDOH) Clean Water Branch (CWB)* has administered the state's §401 water quality certification program since 1986. CWB's Engineering Section issues §401 water quality certifications, while CWB's Monitoring Section conducts area surveillance, routine inspections, and complaint investigations for all water quality permits, including §401 certifications. Approximately ten percent of the applications the state reviews for §401 water quality certification are related to wetlands. Applicants for §401 certification must submit a request to HDOH. Individual certification applications are required for all projects creating discharges that cannot be authorized under HDOH's conditional blanket §401 certification.

Additionally:

- The *Hawaii Office of Planning* oversees the state's Coastal Zone Management Program.
- The *Hawaii Department of Land and Natural Resources (HDLNR)*
  - HDLNR's Commission focuses mostly on water quantity issues, but also permits stream channel alteration, well drilling, pump installation, and diversion work construction, all of which have the potential to affect wetlands.
  - HDLNR's Division of Forestry and Wildlife (DOFAW) manages wetland habitats for native species recovery and conducts habitat restoration and monitoring.
  - HDLNR's Division of Aquatic Resources (DAR) manages aquatic resources and ecosystems. The mission of DAR "is to manage, conserve and restore the state's unique aquatic resources and ecosystems for present and future generations. However, DAR freshwater and marine programs do not have a focus on wetlands.

### **Wetland Delineation**

<b>Delineation Guidance</b>	<b>Yes</b>	<b>No</b>	<b>Detail</b>
Use State's Own Method		X	
Use Corps' 87 Manual and Regional Supplement	X		Using the Hawaii and Pacific Islands Supplement
Other (Please describe)		X	

### **Evaluation Methodology**

Hawaii defers to the Corps for evaluation of wetlands for regulatory purposes.

### **Exempted Activities**

"Development" does not include construction of a single family residence that is not part of a larger development; repair or maintenance of roads and highways; routine maintenance dredging of existing streams, channels, and drainage ways; repair and maintenance of underground utility lines; zoning variances; repair, maintenance, or interior alterations to existing structures; demolition or removal of existing structures; use of land for the cultivation and harvest of crops, trees, or other agricultural/forestry products and purposes; transfer of land title; creation or termination of easements, covenants, or other rights to land structures; subdivision of land into lots greater than twenty acres;

subdivision of land into four or fewer parcels when no associated construction activities are proposed; instillation of underground utility lines; improvements to single-family residences; nonstructural improvements to existing commercial structures.

**Special Provisions for Agriculture and Forestry**

See above.

**Penalties and Enforcement**

HDOH handles civil enforcement for violations of the state’s water quality standards, and in 2005, brought one enforcement case. Criminal violations are handled by the State Attorney General’s Office.

**Permit Tracking**

No information available.

**State General Permit (statewide vs. regional coverage)**

Permit Coverage	Yes	No	Detail (Type of Permit)
Regional General Permit		X	
Statewide General Permit	X		(see below

**Description:** HDOH also issued a conditional §401 certification for a statewide programmatic general permit (SPGP) that covers placement of up to 10,000 cubic yards of beach sand of acceptable quality for beach nourishment, restoration, and enhancement. The conditional §401 certification outlines exclusions and limitations of the coverage, modification and revocation rules, notification requirements, and discharge limitations for permitted projects. HDOH has received only three applications for certification under the SPGP.

**Assumption of 404 Powers**

Assumption Status	Yes	No	Detail
Assumed			Information unavailable
Working Toward Assumption			Information unavailable
Explored Assumption			Information unavailable

**Joint permitting**

Information Unavailable

**Special Area Management Plans and Advanced Identification Plans**

Information Unavailable

## **Buffer Protections**

Information unavailable

## **Mitigation Policy**

The State of Hawaii has not adopted legislation, policies, or guidelines regarding compensatory mitigation for wetlands and generally defers to the Corps for jurisdictional, wetland-related, mitigation issues.

## **Mitigation Database**

None.

## **Section C. Monitoring and Assessment**

### **Agency Responsible for Wetland Monitoring and Assessment**

Hawaii does not have a formal program for wetland monitoring and assessment, but does conduct related activities through grant-funded projects. HDLNR's Division of Forestry and Wildlife (DOFAW) manages wetland habitats for native species recovery and conducts habitat restoration and monitoring.

### **Mapping/Inventory**

Information unavailable

### **State Wetland Mapping Public Portal**

Information unavailable

### **Wetland Classification and Assessment**

Although Hawaii does not have any specific protocols for wetland classification and assessment, the HDOH Environmental Planning Office's Water Quality Management Program does have a protocol for streams, called the *Hawaii Stream Bioassessment Protocol* that employs a multimetric approach to assessment, establishes expectations of biotic quality, and standardizes assessment methods and sampling protocols. For each stream, the protocol calls for a Stream Index of Biotic Integrity and a Stream Habitat Assessment.

### **Statewide Wetland Monitoring Plan**

Hawaii does not have a statewide wetland monitoring plan.

### **Overall Wetland Gain and Loss Tracking System**

Information unavailable

**Wetland Monitoring and Assessment Characteristics**

Level	None	Level 1	Level 2	Level 3
<i>Hawaii</i>	Information unavailable			

Type	None	IBI	Condition	Functional
<i>Hawaii</i>	Information unavailable			

Frequency	None	Project Specific	Ongoing
<i>Hawaii</i>		X	

**Description:** Hawaii does not have a formal program for wetland monitoring and assessment, but does conduct related activities through grant-funded projects.

**Participation in National Wetland Condition Assessment**

<b>NWCA Study Type</b>	<b>Yes</b>	<b>No</b>
National Study	X	
State Intensification Study		X

**Section D. Water Quality Standards**

**Wetland and Water Quality Standards**

Type	None	Use Existing WQ Standards	In Process	Adopted	Future Direction
<b>Wetland-specific Designated Uses</b>		X			
<b>Narrative criteria in the standards to protect designated wetland uses</b>		X			
<b>Numeric criteria in the standards based on wetland type and location to protect the designated uses</b>		X			
<b>Anti-degradation policy includes wetlands</b>		X			

**Description:** Although wetlands are not explicitly included in Hawaii’s definition of state waters, the Hawaii Administrative Rules specifically state that “basic” water quality standards apply to wetlands. The rules also outline general numeric and narrative water quality criteria and also include criteria specific to “elevated wetlands,” “inland waters,” “marine waters,” “marine bottom types,” and “recreational areas.” Anti-degradation policies and use designations are also described. For more information about state water quality standards adopted in 2014, please download: [http://health.hawaii.gov/cwb/files/2013/04/Clean\\_Water\\_Branch\\_HAR\\_11-54\\_20141115.pdf](http://health.hawaii.gov/cwb/files/2013/04/Clean_Water_Branch_HAR_11-54_20141115.pdf)

**Section E. Voluntary Wetland Restoration**

**Types of Wetland Restoration Work Funded by the State:**

Type of Work	YES	NO	Description
Fund Wetland Restoration (may include easement agreements)		X	Only through CWB’s Polluted Runoff Control Program’s 319-funded projects
Private Land Restoration		Information unavailable	
Public Land Restoration	X*		*DOFAW conducts external grant-funded restoration projects only
Technical Assistance	X		
Tax Incentives		Information unavailable	
Other	X		DOFAW has partnerships with private land conservation agencies and landowners to acquire or restore and manage wetlands

**Description:** Hawaii does not operate a formal, state-level, wetland restoration program; however, HDLNR does conduct restoration-related activities for wetlands. Grants and other non-state monies typically fund restoration projects, which often involve partners such as local non-governmental organizations and federal agencies. DOFAW works with volunteers, on habitat restoration, including wetlands. Volunteers help to improve habitat by eradicating invasive species and removing trash at specific sites. DOFAW also has partnerships with private land conservation agencies and landowners to acquire or restore and manage wetlands. On a case-by-case basis, the CWB’s Polluted Runoff Control Program also provides CWA §319 grants for qualified wetland restoration projects.

**Note:** The Pacific Coast Joint Venture, which has a Hawaii steering committee, includes biologists from DOFAW. The Joint Venture developed a strategic plan for Hawaii that identifies wetland areas in the state to target for restoration and/or acquisition.

**Voluntary Wetland Restoration Program Components**

Wetland Restoration Efforts	Nothing in the Works	Planning	In Progress	Mature/ Complete
Program has a set of restoration goals	N/A			

Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes	N/A			
Developed multi-agency body to coordinate restoration/protection efforts	N/A			
Set restoration goals based on agency objectives and available information	N/A			

**Goals for Restoration Projects\***

Goal	Yes	No	Description
No Net Loss	N/A		
Reverse Loss/Net Gain	N/A		
Nonpoint Source Pollution (NPS)/WQ	N/A		
Total Maximum Daily Load (TMDLs)	N/A		
Habitat	N/A		
Coastal Protection	N/A		
Floodwater Protection	N/A		
Groundwater	N/A		
Other (please describe)	N/A		

**Landowner Guides and Handbooks to Assist with Voluntary Wetland Restoration Efforts**

Information unavailable

**Section F. Innovative and/or Highly Effective Education and Outreach**

Hawaii has no formal, strategic plan specifying education goals for a comprehensive state wetland program; however, many of the grant-funded projects that the state administers include an educational component. For example, as part of the Hamakua Wetland Restoration Program, schoolchildren constructed a website about the importance of wetlands. Also, DOFAW provides access to state-managed wetlands and logistical support for education and outreach programs that target citizens, universities, teachers, and youth.

**Section G. Climate Change and Wetlands**

Information unavailable

**Section H. Integration**

Entity/Program Area	Yes/No	Description of the Connection	Contact for Follow-up
NPDES/Stormwater	Information unavailable		
303(d)	Information unavailable		
305(b) reporting on wetlands	Information unavailable		
Total Maximum Daily Load (TMDLs)	Information unavailable		
Climate Change/ Resiliency	Information unavailable		
Land Use /Watershed planning	Information unavailable		
Flood/Hazard Mitigation	Information unavailable		
Coastal Work	Information unavailable		
Wildlife Action Plan	Information unavailable		
Statewide Comprehensive Outdoor Recreation Plan (SCORP)	Information unavailable		
Other (Specify)	Information unavailable		

**State Wetland Program Continuum** (Estimated by ASWM; Not Confirmed by State)

Continuum Stage	Core Element 1: Regulation	Core Element 2: Monitoring & Assessment	Core Element 3: Wetland Water Quality Standards	Core Element 4: Voluntary Restoration
Mature Stage <span style="float: right;">High</span>	401 Certification Only			
Initial Implementation Stage				
Development Stage			X	
Early Stage <span style="float: right;">Low</span>		X		X

## **Section I. Contact Information**

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## **Section J. Useful Websites**

### **State Government Programs**

1. Department of Land and Natural Resources
  - a) Division of Forestry and Wildlife  
<http://hawaii.gov/dlnr/dofaw>
    - i. Conservation Reserve Enhancement Program  
<http://hawaii.gov/dlnr/dofaw/forestry/crep>
  - b) Division of Aquatic Resources  
<http://hawaii.gov/dlnr/dar/>
  - c) Commission on Water Resource Management  
<http://hawaii.gov/dlnr/cwrp/aboutus.htm>
  - d) Division of Conservation and Resources Enforcement  
<http://dlnr.hawaii.gov/docare/>
  - e) Office of Conservation and Coastal Lands  
<http://hawaii.gov/dlnr/occl>
2. County of Maui Hawaii: Coastal Projects  
<http://co.maui.hi.us/index.aspx?NID=636>

### **Federal Government Programs**

1. USDA Natural Resources Conservation Service  
Wetlands Reserve Program  
<http://www.pia.nrcs.usda.gov/programs/prwrp99.html>
2. US Fish & Wildlife Pacific Islands Coastal Program  
<http://www.fws.gov/pacificislands/coastal.html>

### **Other Organization Wetland Programs**

1. Hawaii Conservation Alliance  
<http://hawaiiconservation.org/>
2. Hawaii Wetland Information Network  
<http://www.hawaiiwetlands.org/>
1. Livable Hawaii Kai Hui  
<http://www.hawaiikaihui.org/4.html>

