

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
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May 18, 2015

SUZANNE D. CASE
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COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

E-MAIL

Fritz Klasner
fklasner@gmail.com

Re: Comments on Proposed DLNR Exemption List

Dear Mr. Klasner:

Thank you for your comments dated May 7, 2015 on the Proposed DLNR Exemption List. The Department appreciates your participation in the public review process and provides the following response to your comments:

Exemption Class 4, #8 and 16: Your comment recommended that the exemption list either clarify number 8 to include arthropods in addition to vegetation or clarify number 16 to ensure that pest control applies to natural environments as well as built settings. The Department proposes no change to exemption class 4, number 8 because it pertains specifically to vegetation, and proposes no change to exemption class 4, number 16 because the Department believes the existing language would apply to both natural and built environments.

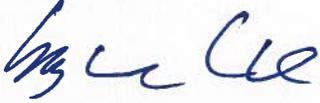
Comment Exemption Class 5, #7: Your comment suggested modifying this proposed exemption to be more consistent with class 5, #8 which limits test well casings to a 12" diameter. While appreciated, the language is from an existing exemption (DOBOR (1995), Class 5, #14), and the Department believes that no changes are necessary at this time.

Exemption Class 8, #2: Your comment recommended requiring consultation with the SHPD for any structure over 50 years old (potentially eligible for the National Register or Hawaii Register). The Department appreciates your insight that the National or State Register is not always current and that there may be unlisted buildings of potential historic value. As part of the process to determine whether an exemption is appropriate, the Department would consult with SHPD when appropriate, and in all cases, the requirements of the National Historic Preservation Act and HRS Chapter 6E would be followed whether or not an exemption to the environmental review process under HRS 343 is declared. As such, the Department does not believe that changes to the proposed exemption are necessary.

Klasner
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The Department will continue to discuss the proposed exemption list with the Environmental Council; further changes may be made before the Council concurs on a final list. Again, thank you for your participation in the public review process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Suzanne Case', written in a cursive style.

Suzanne Case
Chairperson, DLNR

cc: OEQC