

Hijirida, Linda M.

From: Hijirida, Linda M.
Sent: Monday, May 04, 2015 4:15 PM
To: 'prentissc001@hawaii.rr.com'; Wooley, Jessica E.; 'C Mitchell'; Quinn, Dan S;
'Tanya.Rubenstein@hawaii.gov'
Subject: FW: Comments on DLNR Draft Exemption List
Attachments: TNC Comments on DLNR Draft Exemption List 05 04 15.pdf

Aloha All,

Forwarding comments re: DLNR Draft Exemption List from Mark Fox, of the Nature Conservancy.

Linda

*Linda Hijirida
Secretary
State of Hawaii Department of Health
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813
Phone: 808-586-4185
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Email: linda.hijirida@doh.hawaii.gov*

From: Mark Fox [mailto:mfox@TNC.ORG]
Sent: Monday, May 04, 2015 3:28 PM
To: Hijirida, Linda M.
Cc: HI Office of Environmental Quality Control
Subject: Comments on DLNR Draft Exemption List

Dear Linda,

Here are comments from The Nature Conservancy on the DLNR's proposed environmental assessment exemption list.

Thank you very much,

Mark

Mark Fox
Acting Executive Director and
Director of External Affairs
The Nature Conservancy
Hawai'i Program
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May 4, 2015

Mr. Mark Ambler, Chair
Environmental Council
Office of Environmental Quality Control
State of Hawai'i
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Subject: DLNR Draft Exemption List

Dear Mr. Ambler:

The Nature Conservancy (TNC) supports the Department of Land and Natural Resource's efforts to streamline the environmental review process for conservation management projects that have a beneficial effect on the natural environment. As such, we support the department's proposed revision and consolidation of its department-wide list to exempt certain types of actions from preparation of an environmental assessment because they will have minimal or no significant effect on the environment.

Conservation work that is specifically designed and intended to protect or enhance the environment, land and natural resources is often caught up in the same time consuming and expensive environmental review process as development projects. While it is appropriate that higher protection is afforded to lands and waters with conservation value, e.g., lands and waters in the State conservation land use district, it often comes at a stroke too broad that does not distinguish between building a home in the conservation district versus engaging in work to care for native forests or coral reefs, or control invasive species. In recent years, many beneficial conservation actions have to go through the same costly and lengthy level of review for environmental impacts as development.

Environmental review under HRS Ch. 343 for The Nature Conservancy's conservation work has been a significant burden:

- Each Environmental Assessment (EA) takes 6-12 months to complete;
- Each EA takes ~1 FTE (part of 2-4 people's time);
- Each EA costs \$50,000-\$150,000;
- Since 1994, TNC has done 24 EAs (18 for preserves, 6 for watershed partnerships);
- Four of our nature preserves have had two EAs each;
- Two of our nature preserves have done three EAs each;
- All TNC EAs have resulted in a finding of no significant impact.

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In addition to HRS Ch. 343 environmental review, most conservation projects like predator control fences in the State conservation land use district must also submit a Conservation District Use Application (CDUA) to the DLNR to obtain a Conservation District Use Permit (CDUP) for the project. In addition to CDUP review by the DLNR, most conservation work is done in the context of a comprehensive natural resource management effort. This work is done by government agencies, non-profit organizations, or partnerships of public and private landowners and managers whose primary mission is to care for natural resources. These experienced managers have developed comprehensive, long term management plans that include fencing, invasive species management, native forest and coral reef restoration. These plans are usually scrutinized and approved by government natural resource agencies such as the DLNR and the U.S. Fish and Wildlife Service to ensure that actions do not have unintended negative effects. And, many of the management plans have separately been the subject of a State environmental review process as part of the DLNR's Watershed Partnership, Natural Area Partnership, or Forest Stewardship programs.

For the reasons described above, we think specific environmental assessment exemptions are appropriate for projects like conservation fences and invasive species control that protect and enhance native species, ecosystems, and water resources and have no significant negative—but likely great positive—effects on the environment.

Thank you for this opportunity to provide The Nature Conservancy's comments.

Sincerely,

A handwritten signature in black ink that reads "Mark R. Fox". The signature is written in a cursive, flowing style.

Mark Fox
Acting Executive Director