



University of Hawaii at Manoa

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Office of the Director

January 21, 1976

MEMORANDUM

TO: Roy Takeyama, Secretary, Board of Regents

FROM: Doak C. Cox, Director

Doak C. Cox

EIS Exempt Action

Through the courtesy of your Office we obtained yesterday a copy of the list of University actions proposed for exemption from preparation of environmental impact statements which, according to the Manoa Campus Bulletin, are to be considered this afternoon by the Committee on Physical Facilities and Planning of the Board of Regents.

To provide our comments in time for the Committee's meeting, we have had them prepared by the staff without the broad participation from the knowledgeable University community. They are based, however, on comments by the Center prepared with such broad participation for presentation to the Environmental Quality Commission on similar proposals from a number of state agencies.

The comments relate to indicated sections of the listing document and indicated classes of listed actions. We respectfully request that the Committee consider the following comments:

1. Specific Action Requested

We note that lists of proposed exempt actions are to be submitted to the Environmental Quality Commission, not to the Office of Environmental Quality Control.

2. Required Response Date

We note that approval by the Commission of the requested "exempt actions" eliminate the requirement that an agency prepare either an environmental impact statement or what is called a "Negative Declaration," not a negative environmental impact statement.

See also note on Environmental Quality Commission under 1.

3. Specific Issues

See note on negative declaration under 2.

5. Recommendation

See note on Environmental Quality Commission under 1.

Class 4f. Treating of ground for weeds, termites, ants and other pests

We suggest that this exemption be limited, with respect to chemical control actions, to those undertaken in the Urban Land Use district that do not involve the risk of damage from drift or runoff.

Pesticide application may result in substantial environmental impacts, especially in agricultural and conservation land use districts. Environmental assessment may well provide the information needed for a sound judgment whether or not a proposed use of pesticides should be permissible under applicable regulations.

Requested exemptions from the EIS requirements for the use of pesticides by several State agencies are currently being evaluated (EQC decision, Jan. 19, 1976) through joint consultation with the various agencies involved and the EQC staff. It would seem most appropriate that the University join in this joint consultation and mutually assist in the development of the pesticide policy presently under consideration.

Class 5b. Collecting of plants, animals and microorganisms.

We suggest that the collections to be exempt be limited to those other than of endangered species.

General

We hope that the Committee recognizes that actions not exempt from the environmental impact statement system are not foreclosed. Actions not exempt are subject to assessments which may result in either negative declarations or the requirement for environmental impact statement preparation. We hope that the Committee also recognizes that even substantial detrimental impacts disclosed in an environmental impact statement are not necessarily reasons for failing to undertake an action.

cc: Charles Lamoureux, Chairman, E.C. Policy Comm.
EIS subcommittee, E.C. Policy Comm.
Douglas Yamamura, Manoa Chancellor
Fujio Matsuda, University President