



University of Hawaii at Manoa

RR:0047

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Office of the Director

October 21, 1976

MEMORANDUM

TO: Environmental Quality Commission
FROM: Doak C. Cox *Doak C. Cox*
RE: Revised proposed UH EIS exemption list EQC Bulletin,
September 23, 1976.

The following comments relate respectively to classes and types of actions identified by numerals and letters as used in the University list.

Class 1:

s. Exempted uses of pesticides under herbicides is wisely restricted to uses of duly approved materials by duly qualified applicators. It should be recognized, and it might be wise to specify that restriction with respect to official approval applies not only to approved materials but to uses as approved. A pesticide approved for use in one type of environment may have seriously detrimental effects if used in another. The further restriction to uses on University property is noted. We recommend a still further restriction to exclude from exempt uses any outdoors in the Conservation District. With this further restriction, assessment would be required of the impacts of outdoor pesticide and herbicide uses at, for example, the Mauna Kea or Haleakala laboratories. The EQC is engaged in a review of the scale and nature of pesticide and herbicide uses appropriate for exemption, in connection with the proposals for exemption from other agencies. It would be well to consult with the EQC in the final definition of this type of action.

v. In the exemption of operation, maintenance, and repairs of holding pens, cages, tanks, and ponds, the restriction to existing uses that is applicable to the entire class 1 is of considerable importance. The exemption should not apply to the confinement of species not originally confined if environmental hazard would result from the possible escape of the new species or its parasites.

Class 2:

m. The exemption of reconstructions of pens, cages, ponds, tanks, and greenhouses should be restricted to reconstructions for already existing uses. See comment on l.v. above.

Class 4:

b. Exemption of minor grading, filling, and stockpiling of soil is appropriate, but the limit of 1,500 cu. yds. is excessive. This volume is equivalent to a depth of nearly a foot over the entire area of a football field. The movement of such a volume cannot be considered without possible environmental impacts. We suggest limitation to a volume of 500 cu. yds.

c. We recommend the exemption with respect to planting be restricted to areas not in the Conservation District.

e. We recommend that the exemption of cultivation and similar activities be restricted to areas not in the Conservation District and that the exemption of land leveling be restricted with reference to the volume limitation referred to in 4.b.

f. The exemption of experimental and research projects with native flora and fauna should be transferred from Class 4 to Class 5. In addition the exemption should be restricted so as not to apply to revegetation projects of pilot scale within the Conservation District. Such projects would require DLNR permission, as is recognized in the present definition of this type of action. However, replacement of native vegetation with exotic vegetation, or the reverse, or the replacement of one type of native vegetation with another, involves risks of considerable environmental detriment, and such projects should be subject to individual environmental assessment by DLNR or by the University before they are undertaken.

Class 5:

The Environmental Center has undertaken to review the research programs of the University with respect to EIS requirements. From this review may come recommendations as to revisions of the proposed Class 5 list that will include as exemptions some kinds of research projects that would not be exempted in the present list, and will identify some exceptions (in addition to those already noted) to the kinds of projects that in general should be exempted. There will also probably be recommendations as to mechanisms to identify projects for which environmental impacts should be considered. For the present we have only the following comments:

a. The significance of the impacts of collecting of natural specimens depends upon the relation between the magnitude of the sample collected and the magnitude of the population being sampled. This principle applies in the case of geologic and archaeological specimen collection as well as the care of biological specimen collection with respect to threatened or endangered species. However, for the present we have no suggestions as to change in wording.

b., c., d. We assume that by surveys is meant purely observational and not such manipulative activities as specimen collection.

f. The exemption with respect to horticultural and similar experiments should not apply to experiments within the Conservation District.

Class 7:

a. The exemption under this class is intended to be restricted to structures which are both minor (small) and accessory to existing facilities. In the present wording the proposed exemption applies to buildings housing all kinds of University activities without regard to size, and could easily be interpreted as applying to the construction of such buildings as accessories to a major facility such as a campus. We hope this is not the intent, and recommend that the exemption be restricted as to scale of construction as we have recommended in 3e; restricted as to accessory status with respect to existing structures (not entire campuses); or both. The exception of construction on Mauna Kea, Haleakala, etc., is intended, we believe, to modify the exemption itself, but as now worded modifies the restriction as to use. As it now reads, the construction is exempted if it involves negligible expansion or change of use unless the construction is on Mauna Kea, etc. If the construction were on Mauna Kea, etc., it would be exempted even if considerable expansion or change of use would result. Rewording is necessary.

c. See comments on 1.v.

d. The exemption of bleacher construction should be limited as to the size or temporary nature of the bleachers, or both. Bleachers may have very significant impacts, for example visual impacts.

Classes 8, 9 and 10.

No comments.

cc: Tamotsu Sahara, Physical Planning